



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of December 10, 2011

SUPPLEMENTAL REPORT

DATE: December 8, 2011

SUBJECT: ZOA-11-04 Proposed amendment to the ACZO, Sections 20 (Appendix A) and 34 to permit one temporary sidewalk sign per entrance for establishments within 'C', 'M', "RA4.8", "RA-H-3.2", "R-C", Public, and Special Districts that have a direct entrance to the sidewalk; to define "commercial message", "establishment", "landscape and utility zone" and "temporary sidewalk sign"; to permit up to four square feet of commercial messages on each umbrella within permitted outdoor cafes; and to permit one building or projecting sign per garage entrance to a garage available for parking by members of the general public during certain hours.

DISCUSSION: At the November 19, 2011 County Board hearing on the Request to Advertise for this proposed amendment, the County Board asked staff to provide additional information on zoning enforcement related to the proposed sidewalk signs at the December 10, 2011 public hearing for consideration of this item. Additional information on the proposed enforcement strategy for this new sign type is included in this report. Should the proposed amendment be adopted, staff proposes a three-pronged approach to educating businesses about permitted use and placement of sidewalk signs and enforcement of related regulations. The following approach would be in place over the next six months while the comprehensive review of the sign regulations is underway.

Education

- Staff will develop an information sheet that outlines proper use and placement of sidewalk signs, to include regulations on size, design and placement of sidewalk signs. Zoning enforcement staff will provide the information sheet to any business displaying a noncompliant sign. In addition the information sheet will be available at the zoning counter and online for anyone seeking information;
- To supplement efforts of zoning enforcement, PSAs from the Police Department who are tasked with enforcement of parking could help with education of businesses on compliant use and placement of sidewalk signs. While PSAs primary focus is parking, they patrol

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many of the areas where sidewalk signs would be permitted, and could provide additional notification and information to businesses when they see an improperly placed sign;

- Staff will reach out to businesses in areas where sidewalk signs are proposed to be allowed by providing information materials through existing mechanisms, including Arlington Economic Development's monthly newsletter and through the Chamber of Commerce.

Enforcement

- Zoning inspectors currently spend one day per week focusing on enforcement of signs within their assigned geographic areas. All areas of the County are covered by zoning inspector assignments. This practice would continue and would include a short term focus on sidewalk signs, should the proposed amendment be adopted;
- While the comprehensive review of the sign regulations remains underway, zoning inspectors will plan for some evening and weekend enforcement on an overtime basis in order to focus on the times that are not typically covered by enforcement and when many businesses may choose to use sidewalk signs, in order to ensure compliance with the regulations;
- Staff will employ the process outlined below in correcting noncompliant signs. Each action described in the bullets below allows the business ten business days to achieve compliance (except as related to placement of signs while the business is open, which the business will be asked to correct immediately), resulting in a minimum of thirty days during which the focus will be on educating the business on compliance with the regulations prior to issuance of any tickets.
 - The first time a business places a noncompliant sidewalk sign, staff will pay a courtesy visit to the business to provide education materials, and other information about proper use and placement of the sign. In addition, the business will be asked to correct the issue. If the issue is placement of the sign, the inspector will work with the business to move the sign to a permitted location.
 - The second time a business places a noncompliant sidewalk sign, staff will send a courtesy letter asking the business to correct the issue.
 - The third time, the business will be sent a notice of violation.
 - Subsequent violations of sidewalk sign regulations will be addressed through tickets.

Tracking

- Staff will track the number of complaints received related to noncompliant placement and/or use of sidewalk signs (and the number of businesses to which the complaints reference)
- Staff will track the number of courtesy letters issued related to sidewalk signs.

After six months, staff will review the enforcement and complaint data in order to assess the level of compliance with the regulations. If at that time the regulations need to be modified, any

changes could be incorporated into the amendment proposed as part of the comprehensive changes to the sign regulations.