



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of December 15, 2007**

**DATE:** November 20, 2007

**SUBJECT:** Zoning Ordinance Amendments to Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify and Inform, Subsection 34 F. Signs Permitted in All Districts, Unless Otherwise Specified, With Permits, of the Arlington County Zoning Ordinance to permit up to three (3) construction or rental/leasing signs for buildings in “C”, “M” and “RA” districts subject to a limitation of one hundred twenty (120) square feet on total sign area of such signage; to permit for up to six (6) months, lettered window signs in buildings in which retail uses are allowed, subject to limitation at twenty (20) percent of the window area for such signage; and to update reference to the source of County statistics required to verify the vacancy rate of office buildings qualifying for advertising availability of space for rental or lease.

**C.M. RECOMMENDATION:**

Adopt the attached ordinance to amend, reenact and recodify Subsection 34.F. of the Arlington County Zoning Ordinance to permit both construction and rental/leasing signs for buildings in “C”, “M” and “RA” districts and to permit temporary window signs in districts in which retail uses are allowed.

**ISSUES:** Concerns were raised with the aesthetic impacts of cloth signs during the construction process and the impact of such signs on inspection staff.

**SUMMARY:** Arlington County encourages mixed-use development in many areas throughout the County, as it provides citizens with opportunities to live, work and play in their own neighborhoods, thereby creating more vibrant communities and reducing vehicle trips. Many mixed-use projects include ground floor or second story retail. Additional signage advertising vacancies would promote expedient leasing of these spaces which offer retail and other services to County residents. The proposed amendment to leasing/rental sign regulations would allow a modest increase in sign area and up to one additional sign over what is currently allowed, as well as additional temporary window signs in high density residential districts in which retail uses are allowed. The proposed amendment would increase the total sign area from 100 to 120 square feet and allow this sign area to be divided between construction signs and rental/leasing signs for a total of up to three (3) signs per main building on a lot and would allow the use of cloth for these signs. The additional sign could be dedicated to advertising the availability of retail space, and such advertising during the construction phase would increase the likelihood that the retail

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Deborah Albert, Planning Division, DCPHD

PLA-4853

space will be leased at or near the time construction is completed. Additionally, the proposed amendment would allow the Zoning Administrator to approve temporary lettered window signs in high density residential zoning districts where retail uses are allowed, affording retail locations in residential districts similar opportunities for advertising available space as those allowed for retail locations in other zoning districts. The proposed amendment would also update a reference to the source of statistics required to verify the vacancy rate of office buildings qualifying for advertising availability of space for rental or lease.

**BACKGROUND:** Section 34.F.5.c. states:

*Up to two (2) construction or "for rent" or "for lease" signs per main building may be placed in "C," "M" and "RA" Districts, other than on lots containing one or two family dwellings. The total sign area of the two (2) signs shall not exceed one hundred (100) square feet per main building. The sign(s) may be freestanding, and shall be temporary. Construction signs shall be removed at the time of issuance of the shell and core and first partial certificate of occupancy. Any "for rent" or "for lease" sign shall be removed one (1) year following the issuance of a shell and core permit. The height of a freestanding sign shall not be greater than eighteen (18) feet; thirty-five (35) feet (from grade) shall be the height limit for other signs. All other signs are prohibited.*

The current language was adopted by the County Board on September 16, 2006. Prior to the 2006 amendment, the language was interpreted to allow the Zoning Administrator to approve either a construction sign or a for sale/lease sign by permit per site during development. The adopted language added additional flexibility in advertising available space by allowing for both a for sale/lease sign and a construction sign on a site with an approved sign permit, while maintaining the total sign area of 100 square feet and the maximum height of eighteen (18) feet from grade for a freestanding sign and thirty-five (35) feet from grade for other signs. All other signs remain prohibited.

The intent of the proposed amendment is to allow for additional area and up to one (1) additional sign per main building on a lot with an approved sign permit. These three (3) signs would be limited, cumulatively, to an overall area of 120 square feet. The maximum height would remain at eighteen (18) feet from grade for a freestanding sign and thirty-five (35) feet for other signs. All other signs would remain prohibited. The maximum duration of time permitted for "for rent" or "for lease" signs, which is until one year following the issuance of a shell and core permit, would not change.

Section 34.E.7.a permits:

*One (1) unlighted noncommercial or "for sale," "rent" or "lease" sign or a sign advertising construction companies, contractors, or others performing work or services on a site on a temporary basis, not exceeding a total area of four and one-half (4 ½) square feet.*



Section 34.G.7 permits:

*Lettered window signs not exceeding twenty (20) percent of the area of the window, including decals and press-on letters.*

The current language under Section 34.E.7.a. is interpreted to allow a window sign or a freestanding sign up to 4 ½ square feet, which may include “for sale/lease” messages, in any district. Lettered window signs under Section 34.G.7. are allowed only in “C” and “M” Districts and may be permanent. The intent of the proposed amendment is to allow for up to one (1) window sign per available retail bay, on a temporary basis, in residential areas where retail uses are allowed but where 34.G.7 is not applicable.

Section 34.F.5.e states:

*One (1) "for lease" or "for rent" sign advertising the availability for rental or lease of office space is permitted on an office building if the vacancy rate of the building exceeds thirty-three (33) percent, as shown by the Department of Community Planning, Housing and Development's Economic Development Division's current office space vacancy rates, and if the building has had a certificate of occupancy for more than one (1) year. . . .*

The Department of Community Planning, Housing and Development (DCPHD) no longer has an Economic Development Division, and statistics regarding the vacancy rates of office buildings are not currently available from DCPHD. The proposed amendment is intended to update the source of statistics required to verify vacancy rates for those seeking “for sale/for lease” sign permits under Section 34.F.5.e.

**DISCUSSION:** As Arlington County continues to promote an active and vibrant pedestrian realm in many areas of the County, there will be an increasing number of site plan projects that contain a mixture of uses including retail. These retail uses are vital to activating the pedestrian environment and to maintaining an attractive street edge. In many locations they are called for by the County’s retail plan. With the presence of both commercial office and retail uses in the same building, signage advertising available space may target a variety of customers. Additional visibility would offer leasing activities related to space in both approved projects and in existing buildings more flexibility in advertising the variety of space available.

For projects under construction, the presence of rental/leasing signs early in the construction process helps with leasing of retail areas after the completion of construction. With a modest increase in the total sign area during construction and following the issuance of the shell and core permit, this information can be provided in up to three (3) signs rather than the two (2) signs currently allowed. The allowance of an additional sign would allow large buildings with multiple frontages to place a sign on three separate frontages, subject to the total area limitation of 120 square feet and would provide additional flexibility in advertising the different types of space that may be available in a mixed use development. Additionally, complicated

development sites with multiple buildings may have different contractors and rental/leasing managers. To allow these different entities to have signs, it is recommended that the ordinance be amended to allow up to three signs for each main building on a lot. Provisions limiting the number of signs per main building “on a lot” were added to ensure that buildings associated with site plans involving multiple properties are limited to the three (3) allowed signs for buildings actually under construction, regardless of whether additional buildings are phased for later construction.

The addition of a provision for lettered window signs on a temporary basis in districts where retail uses are allowed would provide additional options for advertising available leasing space in existing buildings within districts that allow multiple uses. The impact of this provision is only to high density residential districts, as it is only in high density residential districts that retail uses are allowed. Window signs in “C” and “M” districts would continue to be regulated by the window sign provision in 34.G.7. By allowing such signs where retail is permitted in residential districts, all retail would be on an equal footing. The presence of separate signs for each available retail bay would provide clarity for potential tenants regarding the amount and type of space available. The potential for additional area for signage in large retail windows increases the visibility of signs advertising retail space and would further expedite the process of filling retail space when vacancies occur.

**Public Process:** The proposed Zoning Ordinance Amendment was reviewed by the Zoning Committee of the Planning Commission (ZOCO) at meetings on September 25, 2007, October 16, 2007 and November 14, 2007. Discussion at ZOCO focused on the appropriate balance between the need to provide for expedient sale/leasing opportunities without creating an over proliferation of temporary signs. The number of signs that could be allowed through proposed new window sign provisions was identified as an issue and based on discussion, the proposed amendment limits such signs to one sign per available retail bay. ZOCO members remain concerned with the aesthetic impacts of allowing signs made of cloth on construction fencing, as these signs may become weathered and unsightly over time.

The Planning Commission heard this proposed amendment on December 3, 2007. After discussion about the potential impacts of allowing cloth signs and the ability of the County to enforce the regulation, the Planning Commission voted to recommend the proposed amendment with a modification to strike the provision in Subsection 34.F.5.c. that would allow signs to be made of cloth. The proposed amendment requires that signs made of cloth be affixed to a structure in such a way as to prevent movement. These signs are permitted on a temporary basis tied to issuance of the shell and core permit, thus limiting exposure to degradation due to weather elements. If the County Board approves this provision, it would be incumbent upon inspection staff to monitor for compliance.

**CONCLUSION:** Staff recommends that the County Board adopt the attached ordinance to amend, reenact, and recodify Section 34.F. of the Arlington County Zoning Ordinance to permit additional signs and sign area, subject to limitations on the overall area of such signage; to permit lettered window signs for buildings in which retail uses are allowed, subject to limitations on the overall sign area of such signage; and to update a reference to the source of County

statistics required to verify the vacancy rate of office buildings qualifying for advertising availability of space for rental or lease in order to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice.

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY SECTION 34. NAMEPLATES, SIGNS, AND OTHER DISPLAYS OR DEVICES TO DIRECT, IDENTIFY AND INFORM, SUBSECTION 34 F. SIGNS PERMITTED IN ALL DISTRICTS, UNLESS OTHERWISE SPECIFIED, WITH PERMITS, OF THE ARLINGTON COUNTY ZONING ORDINANCE TO PERMIT UP TO THREE (3) CONSTRUCTION OR RENTAL/LEASING SIGNS FOR BUILDINGS IN “C”, “M” AND “RA” DISTRICTS, SUBJECT TO A LIMITATION OF ONE HUNDRED TWENTY (120) SQUARE FEET ON TOTAL SIGN AREA OF SUCH SIGNAGE; TO PERMIT FOR UP TO SIX (6) MONTHS, LETTERED WINDOW SIGNS IN BUILDINGS IN WHICH RETAIL USES ARE ALLOWED, SUBJECT TO LIMITATION AT TWENTY (20) PERCENT OF THE WINDOW AREA FOR SUCH SIGNAGE; AND TO UPDATE REFERENCE TO THE SOURCE OF COUNTY STATISTICS REQUIRED TO VERIFY VACANCY RATES OF OFFICE BUILDINGS QUALIFYING FOR ADVERTISING AVAILABILITY OF SPACE FOR RENTAL OR LEASE.**

Be it ordained that Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify and Inform, subsection 34 F. Signs Permitted in all Districts, Unless Otherwise Specified, with Permits of the Arlington County Zoning Ordinance is hereby amended, reenacted and recodified as follows to reduce or prevent congestion in the streets, to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice:

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**SECTION 34. NAMEPLATES, SIGNS, AND OTHER DISPLAYS OR DEVICES TO DIRECT, IDENTIFY, AND INFORM**

**F. Signs Permitted in All Districts, Unless Otherwise Specified, With Permits.**

The following sign regulations shall apply in all districts unless otherwise expressly specified herein, and the area of any sign permitted in Section 34.F. shall not be counted in calculating permitted signs or sign area for signs described in Sections 34.E., 34.G., or 34.H. In addition to any other requirements of this section, a sign permit shall be obtained from the Zoning Administrator for all signs allowed by these regulations. . . .

5. The following regulations shall apply to signs with commercial messages allowed on a temporary basis:

\* \* \*

- c. Up to ~~two (2)~~ three (3) construction or “for rent” or “for lease” signs per main building on a lot may be placed in “C,” “M” and “RA” Districts, other than on lots containing one or two family dwellings. The total sign area of the ~~two (2)~~ three (3) signs per main building on a lot shall not exceed ~~one hundred (100)~~ one hundred

twenty (120) square feet ~~per main building~~. The sign(s) may be freestanding, may be affixed to construction fencing, may be cloth if they are affixed to a structure such that they do not move or flap, and shall be temporary. Construction signs shall be removed at or before the time of issuance of the shell and core and first partial certificate of occupancy. Any “for rent” or “for lease” sign shall be removed one (1) year following the issuance of a shell and core permit. The height of a freestanding sign shall not be greater than eighteen (18) feet; thirty-five (35) feet (from grade) shall be the height limit for other signs. All other signs are prohibited.

\* \* \*

- e. One (1) "for lease" or "for rent" sign advertising the availability for rental or lease of office space is permitted on an office building if the vacancy rate of the building exceeds thirty-three (33) percent, as determined by the County Manager or his designee based on a comprehensive database of commercial real estate information, shown by the Department of Community Planning, Housing and Development's Economic Development Division's current office space vacancy rates, and if the building has had a certificate of occupancy for more than one (1) year. The size of the sign shall not exceed twenty (20) square feet in area. Only one (1) leasing sign shall be permitted for any building during an eighteen-month time period. The sign shall be removed immediately upon the vacancy rate of the building falling below thirty-three (33) percent, but in any event within six (6) months after the date of approval of such sign by the Zoning Administrator. In the event that the building cannot accommodate a sign due to placement or windows, architectural features, and the like then a freestanding sign may be permitted subject to review by the Zoning Administrator to determine whether the location and design of the freestanding sign will meet all requirements of this ordinance. The height of the sign shall be no higher than eighteen (18) feet if freestanding and thirty-five (35) feet if placed on the building.
6. One (1) lettered window sign per retail bay, not exceeding twenty (20) percent of the area of the window in which the sign is posted, including decals and press-on letters, in all Districts in which retail uses are allowed and where Subsection 34.G.7 is not applicable. Such signs shall be approved only for space in which retail uses are allowed and shall be approved for a period of no more than six (6) months, when an applicant demonstrates that retail space is or will become vacant within a period of sixty (60) days.

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