DOCKET ITEM #7 A & B
Text Amendment #2010-0003 – Illuminated Signs

| Issue: A) Initiation of a text amendment; B) A request to change Section 9-105 (P) of the Zoning Ordinance to allow lighted signs on buildings above 35 feet tall with SUP approval. | Planning Commission Hearing: | October 5, 2010 |
| City Council Hearing: | October 16, 2010 |

Staff: Barbara Ross, Deputy Director barbara.ross@alexandriava.gov, Gwen Wright, Division Chief gwen.wright@alexandriava.gov, Maya Contretras, Urban Planner, maya.contretras@alexandriava.gov

PLANNING COMMISSION ACTION, OCTOBER 5, 2010: On a motion by Commissioner Dunn, seconded by Commissioner Lyman, the Planning Commission voted to initiate the text amendment. The motion carried on a vote of 7 to 0.

On a motion by Commissioner Dunn, seconded by Commissioner Lyman, the Planning Commission voted to recommend approval of the text amendment, with revisions. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with staff analysis and agreed with staff’s suggestion that language protecting the George Washington Parkway be added.

Speakers:

Poul Hertel, 1217 Michigan Court, noted that sites adjacent to the George Washington Parkway and other sites of cultural and historic importance should be protected.
I. Issue

This text amendment is designed to allow lighted commercial signs on buildings over 35 feet in height throughout the City, subject to special use permit approval and criteria to ensure well designed, compatible signs that do not interfere with neighborhoods.

II. Background: Signs on Taller Buildings

Section 9-104(P) is a fairly restrictive regulation, limiting lighted signs on tall buildings. It specifically prohibits illuminated signs on buildings above 35 feet unless the building is located within 2000 feet of, and faces, the Beltway.

The rule came out of discussions by the Zoning Task Force in the late 1980's and was designed to limit the proliferation of garish signs, such as those with internal illumination or neon, which had the potential to become unattractive markers on the tops of what were then the tallest buildings. The Task Force wrestled with the issue, with some members recommending an SUP for taller signs, but the majority favoring a strict prohibition. The Task Force genesis is notable as the bulk of the sign regulations were not changed in the 1992 rewrite, having been through a full revision in the mid-1980's. Section 9-104(P) was one of the few 1992 changes or additions to the provisions of Article IX on signs.

Current regulations allow illuminated signs on buildings that are 35 feet (approximately three stories) or lower throughout the City, unless design guidelines, such as within the historic districts, on Mount Vernon Avenue within the Urban Overlay Zone, or within Carlyle and Eisenhower East, dictate otherwise. Section 9-105(C) protects nearby residential uses by requiring that any lighted sign facing, and in close proximity to, residential uses be shielded, and that illumination be turned off between 10:30 p.m. and 6:30 a.m.

Since the 1992 zoning ordinance was adopted, several issues related to illuminated signs have changed. First, the technology involved in lighting and manufacturing signs has become much more sophisticated, with halo lighting and back-lit metal signs becoming more common. These signs, unlike the older plastic internally-illuminated box signs, can be designed to have more subtle lighting and can be highly compatible with the high quality of architecture in Alexandria.

Secondly, since 1992, large development projects have been approved in several areas of the City, including with tall commercial buildings. These buildings strive to lease to Class A office tenants. The economic development climate, including competition among the Washington, D.C. jurisdictions, has become intense for major office tenants and, a factor that is important to some of the larger tenants is the ability to have a lighted sign on the top of their office building with the company’s name.

Several applicants over recent years have requested a sign at the top of a taller building, and staff has had to deny the proposed signs based on the prohibition in the zoning
ordinance. One variance allowing a sign above 35 feet was approved at the Armed Forces Benefit Association building at 909 North Washington Street in 2001 (BZA#2001-00019.)

Recently, another request of this type has arisen at the new office building located at 1701 Duke Street. As this 66 foot tall modern building was nearing completion and working to attract office tenants, an existing major employer in the City – Kearney & Co. – was deciding whether to move out of the City or relocate to a new building in Alexandria. The City and the AEDP worked extensively with Kearney & Co. to encourage the employer to stay in Alexandria, and it has now moved into 1701 Duke Street. A major concern for the company was its ability to show its location through lighted signage. In response to this extremely high priority for the company, staff explained the current prohibitions on lighted signage, but expressed a willingness to re-examine the issue.

Staff did permit Kearney & Co. to place a sign on the building, but it is not allowed to be lighted until and unless this text amendment, and the amendment to the building’s DSUP, are both approved. Given the well designed and subtly-lit sign being proposed by Kearney & Co., staff supports the proposed text changes allowing it, and others like it, to be lighted with approval of an SUP.

In the 21st century commercial market place, a firm’s location is advertised through its corporate identity and its signage. For Alexandria to compete for the kinds of Class A office tenants that it would like to see in the new office buildings being proposed and developed in the City, additional flexibility on permitted lighted signage is important.

**Sign Requirement in Other Jurisdictions**

Staff has researched how other neighboring jurisdictions handle this issue. All allow some lighted signs with varying criteria. Alexandria appears to be the only jurisdiction to limit illuminated signs to within a certain height.

<table>
<thead>
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<th>Montgomery County</th>
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Signs currently allowed on the portions of buildings below 35 feet in height are clearly intended to aid pedestrians and motorists in finding specific retail and office tenants. The
taller signs on buildings being discussed here are significant in terms of corporate identity, rather than in directing patrons.

III. Proposed Text Changes

Staff proposes to change the outright prohibition in the ordinance to allow a lighted sign on a building that exceeds 35 feet in height, but in very narrow circumstances. Specifically, the text proposed would require SUP approval for each sign of this type, and includes criteria by which to judge the merit of the sign. The criteria include:

- The purpose of the sign must be to identify office/commercial tenants of a building – residential and retail tenants are not candidates for signs.

- Only one sign of the type will be allowed for each qualifying building;

- The sign must be limited in content and design to the name of a major occupant of the building and the occupant for whom a sign is permitted may not be a residential or retail use as noted above. Further, the type of building on which a sign is permitted must be predominantly office or commercial. As an example, in the Whole Foods building at 1700 Duke Street, no sign would be permitted because the predominant use is residential. In addition, even if there were a large office tenant, the ground floor retail tenant may not attach its name at the top of the building. If the building were occupied predominantly by an office use, but also included residential use, the name of the realtor, developer or condominium association could not be displayed at the top of the building.

- No signs of the type discussed here will be allowed within the Old and Historic Alexandria or Parker Gray Historic District;

- If a proposed sign is in an area subject to specific design guidelines, or an additional review process, those requirements must be followed. For example, signs on Mount Vernon Avenue within the Urban Overlay Zone area are subject to design restrictions. Within Carlyle, signs must comply with the parameters of the Carlyle Coordinated Sign Program;

- The design of the sign must be appropriate in scale, design and color with the building;

- The lighting of the sign must be subtle and back-lit; no internally illuminated box signs or neon signs are permitted;

- Finally, the SUP may impose conditions to ensure that the sign functions without glare or disturbance with nearby uses, and specifically may modify or supercede the rule in section 9-103(C) with regard to the lighting not being permitted to operate between 10:30 p.m. and 6:30 a.m. This rule works well to protect residential areas from lighted signs in or close to a neighborhood. On the other hand, many of the tall
buildings which may be entitled to a lighted sign under the new provision proposed here are not of the type and location as to negatively affect residential. However, given the language of Section 9-103(C), staff foresees potential problems with that rule unless this text amendment allows for it to be modified in an appropriate case. For example, the proposed sign at issue at 1701 Duke Street technically “faces” residential uses at 1700 Duke Street, but is likely far enough away from it, and will have a sign with sufficiently low wattage that the resulting sign will not impact on the “facing” residential building.

Staff considered the appropriateness of allowing the signs proposed here to be permitted by administrative approval. Given the restrictive nature of the regulation and the specificity of the criteria, it would arguably be reasonable to do so. However, on balance, staff decided to recommend the special use permit process because the concept is new and untested. We may become more comfortable with the new sign rules over time, and a change to allow them by administrative process in the future should be considered.

Staff: Faroll Hamer, Director
   Barbara Ross
   Gwen Wright
   Gary Wagner
   Maya Contreras

Attachments: 1. Proposed Zoning Text Changes
              2. Map of Buildings over 35 Feet
PROPOSED TEXT CHANGES

Section 9-104  Prohibited signs, marquees and awnings and exceptions. The following signs, marquees and awnings are prohibited or are permitted only as specified below, regardless of their location in the city.

(AS AMENDED BY PLANNING COMMISSION)

(P) Illuminated signs. No lighted sign may be erected or displayed in any location on a building which location is higher than 35 feet above grade unless the building is located within 2,000 feet of and the sign is facing U.S. Route 95 (the Capital Beltway) or unless a special use permit is approved after a finding that the sign meets the following criteria:

(1) Only one sign per building is permitted;
(2) The permitted sign is limited to the display of the name of a major office or commercial (not retail or residential) occupant of a building that is predominantly office or commercial use;
(3) The building may not be located within, or on the borders of, the Old and Historic Alexandria or Parker-Gray Historic Districts;
(4) The sign must meet any applicable design guidelines and follow any additional applicable process for approval.
(5) The sign must be appropriate in scale, design and color and compatible with the building;
(6) The sign may not be internally illuminated or lighted from neon gas; and
(7) The sign shall be subject to such conditions as the SUP may impose to ensure that the sign functions without glare or disturbance with nearby uses, including those rules which may alter, modify or supersede the rule stated in section 9-1045 (C) with regard to the lighting not operating between 10:30 pm and 6:30 am.

(8) No sign may face the George Washington Memorial Parkway, and only minimum facade lighting facing the Parkway is allowed. All National Park Service requirements must be met (condition added by Planning Commission)
October 5, 2010

Alexandria Planning Commission
John Komoroske, Chairman
City Hall, Room 2100
Alexandria, Virginia 22314

RE: Text Amendment #2010-0003

Dear Chairman Komoroske and Planning Commissioners,

The Alexandria Economic Development Partnership strongly supports the text amendment before you to allow for illuminated signs on buildings above 35 feet tall with SUP approval. This is another important step forward in adjusting regulations that are overly restrictive and place the City at a competitive disadvantage within the region.

As the City continues to develop Class A and trophy office buildings, the ability for owners and brokers to offer signage to potential tenants is critical to getting these buildings leased. As we work with tenants, we consistently hear that the ability to promote their corporate identity is part of their decision-making criteria. This is true in both the corporate and nonprofit business communities.

The City's recently adopted strategic plan speaks to the importance of attracting quality office tenants, and continuing to create a competitive and complementary atmosphere for business growth. This amendment supports both of those objectives.

We were glad to see that staff considered recommending that these signs be approved through the administrative SUP process. While we understand their conclusion that the concept is new and untested, the design guidelines and high architectural standards in place throughout the City serve to protect our best interests. Accordingly, we would encourage your support of the text amendment with administrative SUP approval.

Thank you for your consideration,

Val P. Hawkins
President & CEO

cc: Barbara Ross, Deputy Director, Department of Planning & Zoning
Gwen Wright, Division Chief, Department of Planning & Zoning
Maya Contreras, Urban Planner, Department of Planning & Zoning
SPEAKER'S FORM
DOCKET ITEM NO. 9

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Tim McConkey
2. ADDRESS: 1476 W. Abingdon Dr #104 22314
3. TELEPHONE NO. 571-418-3053  E-MAIL ADDRESS: gary@msn.com
4. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?

Citing, but not representing the Northern Virginia Astronomy Club
5. WHAT IS YOUR POSITION ON THE ITEM?

FOR: ______  AGAINST: [x]  OTHER: ______
6. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

Citizen, resident
7. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?

YES [ ]  NO [ ]

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each bona fide neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed for public hearing at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

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(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.
SPEAKER'S FORM

DOCKET ITEM NO. 9

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: 
2. ADDRESS: 

   TELEPHONE NO.: 
   E-MAIL ADDRESS: 

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?

4. WHAT IS YOUR POSITION ON THE ITEM?
   FOR: 
   AGAINST: 
   OTHER: 

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, INTEREST, ETC.):

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(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.
AEDP Letter of Support for Illuminated Signage Text Amendment
Stephanie Landrum

to:
william.euille@alexandriava.gov, kerry.donley@alexandriava.gov,
rob.krupicka@alexandriava.gov, frank.fannon@alexandriava.gov,
paul.smedberg@alexandriava.gov, del.pepper@alexandriava.gov,
alicia.hughes@alexandriava.gov
10/14/2010 05:13 PM
Cc:
"Jackie.Henderson@alexandriava.gov", "Barbara.Ross@alexandriava.gov",
"Faroll.Hamer@alexandriava.gov", "Gwen.Wright@alexandriava.gov",
"Maya.Contreras@alexandriava.gov", "Val P. Hawkins"

Mayor and Members of City Council,

Please find attached a letter of support for the text amendment before you on Saturday regarding illuminated signage on buildings over 35 feet.
We appreciate your consideration of this item.

Alexandria Economic Development Partnership
1729 King Street, Suite 410
Alexandria, Virginia 22314
703-739-3820
www.alexecon.org
October 14, 2010

Alexandria City Council
Mayor William Euille
City Hall, Room 2300
Alexandria, Virginia 22314

RE: Text Amendment #2010-0003

Dear Mayor Euille and Members of City Council,

The Alexandria Economic Development Partnership strongly supports the text amendment before you to allow for illuminated signs on buildings above 35 feet tall with SUP approval. This is another important step forward in adjusting regulations that are overly restrictive and place the City at a competitive disadvantage within the region.

As the City continues to develop Class A and trophy office buildings, the ability for owners and brokers to offer signage to potential tenants is critical to getting these buildings leased. As we work with tenants, we consistently hear that the ability to promote their corporate identity is part of their decision-making criteria. This is true in both the corporate and nonprofit business communities.

The City’s recently adopted strategic plan speaks to the importance of attracting quality office tenants, and continuing to create a competitive and complementary atmosphere for business growth. This amendment supports both of those objectives.

We were glad to see that staff considered recommending that these signs be approved through the administrative SUP process. While we understand their conclusion that the concept is new and untested, the design guidelines and high architectural standards in place throughout the City serve to protect our best interests. Accordingly, we would encourage your support of the text amendment with administrative SUP approval.

Thank you for your consideration,

Val P. Hawkins
President & CEO

cc: Barbara Ross, Deputy Director, Department of Planning & Zoning
Gwen Wright, Division Chief, Department of Planning & Zoning
Maya Contreras, Urban Planner, Department of Planning & Zoning
COA Contact Us: Docket Item # 7 A & B - Text Amdmt 2010-0003 Illuminated Signs

Andrew Rosenberger to: william.euille, frank.fannon, kerry.donley, alicia.hughes, delpepper, paulcsmedberg, rose.boyd, jackie.henderson, elaine.scott, rob.krupicka, linda.owens, elizabeth.jones

Please respond to Andrew Rosenberger

1 attachment

0a28e674d7b37ed953fb4cI34734fa7f.pdf
October 15, 2010

The Honorable Mayor and Members of the City Council
City of Alexandria
Alexandria City Hall
301 King Street
Alexandria, Virginia 22314

Subject: Proposed text amendment to allow illuminated signs on buildings above 35 feet tall with SUP approval

Mr. Mayor and Members of the City Council,

This letter is written on behalf of the Northern Virginia Building Industry Association (NVBIA) in response to the proposal before you recommending a zoning ordinance text amendment to permit illuminated signage on commercial buildings over 35 feet tall with a special use permit (SUP).

With caveats, NVBIA strongly supports this text amendment. We believe that this amendment will help encourage economic development by making the City more attractive to commercial tenants as they determine where to locate their businesses. However, we do not support the two changes added to the proposed text amendment by the Planning Commission.

First, the proposed expansion of the applicability of this amendment to the “borders of” the historic districts is vague and blurs the line between areas within the historic districts and those areas not in the historic districts. The City’s historic districts and the rules governing what is permissible in those districts are currently well defined and if there is to be a prohibition, it should be limited to the established historic districts.

Second, we do not support the exclusion of signs facing the George Washington Memorial Parkway from this amendment nor do we support the subordination of the City’s rights to approve signage within its boundaries to the National Park Service. While credence may be given to any recommendations made by the National Park Service in determining the appropriateness of a particular sign application, we believe the City, not the National Park Service, should have the final say for what is approved in the City.

Thank you for your consideration.

Sincerely,

Andrew Rosenberger
President, NVBIA Urban Chapter
Dear Mayor, Vice-Mayor and Council Members,

The Chamber of Commerce supports the proposed text amendment to permit illuminated signage above 35 feet on commercial buildings with SUP approval. Illuminated signage at the top of commercial buildings is very important to major tenants and becomes a key draw for those tenants when comparing potential building locations. Permitting illuminated signage in Alexandria will be a useful economic development tool that will further our ability to compete with neighboring jurisdictions which currently permit such signage. At the same time, the conditions recommended by staff have been thoughtfully drafted to permit such signage while ensuring that it is tastefully done. The Chamber does not, however, support the proposed modifications to the text amendment put forth by the Planning Commission. While there is an argument to be made for limiting such illumination within our historic districts, it unreasonable to extend that limitation beyond the geographic limits of
those districts. In addition, while it may be appropriate to invite the
National Park Service to comment on any proposed sign application, each
application should be evaluated and decided by our elected officials on its
own merits and not subject to some unknown requirements of the National
Park Service. Thank you for your attention to this matter.

Tina

Leone
President/CEO
Alexandria Chamber of Commerce
Requests

Approval of a text amendment to allow requests for lighted commercial signs on buildings over 35 feet in height within the City, subject to Special Use Permit approval and associated criteria.
Illuminated Signs

Current Ordinance

Lighted signs are currently allowed under 35’, or in areas within 2,000’ of, and facing, the Beltway.
Proposed Text Changes

- one sign per building
- only office or commercial buildings eligible
- shall be compatible with scale and design of building
- compliance with other design requirements
- potential limits for time of illumination
Illuminated Signs
Illuminated Signs

1701 Duke Street – Edmonson Plaza

City of Alexandria  City Council  October 16, 2010
Planning Commission and Community Recommendations

(3) The building may not be located within, or on the borders of, the Old and Historic Alexandria or Parker-Gray Historic Districts;

(8) No sign may face the George Washington Memorial Parkway, and only minimum facade lighting facing the Parkway is allowed. All National Park Service requirements must be met.
Recommendation

Staff recommends approval of a text amendment to allow requests for lighted commercial signs on buildings over 35 feet in height within the City, subject to Special Use Permit approval and associated criteria.
## Other Jurisdictions

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TEXT AMENDMENT # 2010-0003

ISSUE DESCRIPTION: A) Initiation of a text amendment; B) A request to change Section 9-105 (P) of the Zoning Ordinance to allow lighted signs on buildings above 35 feet tall with SUP approval

CITY DEPARTMENT: Planning and Zoning

PLANNING COMMISSION ACTION: A-Initiated 7-0 10/5/10, B- Recommended approval w/amendments 7-0 10/5/10.

CITY COUNCIL ACTION CC approved the PC recommendation w/amendments 7-0 10/16/10 (see attached for amendment)