



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
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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.

	District of Columbia	Arlington County	Montgomery County
Lighted Signs	Signs with a diffused source of illumination, such as halo-lit channel letter signs, are encouraged. (2407.6e)	Sign Lighting: Unless otherwise expressly prohibited, signs may be lighted from within the letter or message area or by a light projected on the sign that is shielded in such a manner so as so as to light only the face of the sign or the area in which a flag waves or drapes in the case of a flag. (34.D.3)	In the instances that sign illumination is permitted, it must use an enclosed lamp design or indirect lighting from a shielded source in a manner that prevents glare from beyond the property line. (59-F-4.1.3.2)

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.

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

PROPOSED TEXT CHANGES

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.

- (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 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 supercede the rule stated in section 9-103(C) with regard to the lighting not operating between 10:30 pm and 6:30 am.

