

DOCKET ITEM #4

Text Amendment #2009-0005

Administrative Approval for Signs in the Historic District

Issue: Consideration of a request for an amendment to Sections 9-301, 10-113 and 10-213 of the City's Zoning Ordinance to allow administrative signs in the Historic Districts.	Planning Commission Hearing:	November 5, 2009
	City Council Hearing:	November 14, 2009

Staff Recommendation: Staff recommends APPROVAL of the amendments to sections 9-301, 10-113 and 10-213 of the City's Zoning Ordinance.

Staff: Barbara Ross, Deputy Director, Planning and Zoning Barbara.ross@alexandriava.gov
Stefanie Sample, Urban Planner, Planning and Zoning Stephanie.sample@alexandriava.gov

Summary

Staff is recommending that the zoning ordinance be amended to permit certain signs in the historic districts without the necessity of formal Board of Architectural Review approval. The attached new zoning ordinance language will allow administrative approval for a list of specifically designated signs, making the process more efficient and certain for businesses, staff, the Boards, and the community.

I. BACKGROUND***Existing requirement of BAR approval for signs.***

Signs fall within the general rule that all exterior alterations to buildings and structures in the historic districts require a certificate of appropriateness. Thus, other than a few minor exemptions (Sec. 9-301(B)), every sign in both the Old and Historic Alexandria and the Parker-Gray Districts requires BAR approval before they may be installed on a building.

The BARs will typically hear 40 to 50 sign cases a year, and approximately 95% of those applications are approved, often with no changes whatsoever. In addition, those approvals result in an identifiable number of sign types with, in the main, similar dimensions, characteristics, hardware, and building locations. King Street as an example demonstrates high quality materials, design and historical compatibility and appears to display a wide variety and range of signs, even though the signs themselves can actually be reduced to a short list of types that fall within a set list of criteria and standards.

Outreach

Staff and the BAR have discussed over time the potential for a sign program under which, if a business can meet certain criteria, would allow approval without the necessity of a formal public hearing before the Board. Staff and both Boards have worked over the last several months to develop a set of agreed on Criteria to guide staff in approving signs administratively. In addition to working with both Boards on the Criteria, staff sought input from sign companies who work often in Old Town and also discussed the proposal with the community. It mailed a copy of the Criteria to a long list of business and civic associations, as well as individuals and groups typically interested in BAR matters last summer. It held a community meeting on September 14, 2009 to explain and discuss the proposal and to receive comments. As a result of the community meeting, it did make some changes to the proposed Criteria. The BARs have each now formally approved the Criteria: The Old and Historic Alexandria District BAR approved the Criteria on October 7, 2009, and the Parker-Gray BAR approved the Criteria on September 23, 2009.

II. PROPOSAL***Sign Criteria and Standards***

If this text amendment is adopted, the approved Criteria and Standards for Administrative Approval of Signs ("Criteria"), which is attached as Attachment 2, will apply to guide and to limit staff's ability to approve signs. The Criteria reflect sign characteristics that are either the same as those typically required by the BAR for all signs, or, as to size, number and types of signs, limited to reflect those signs that have consistently been approved by the BAR in the past.

Administrative Approval for Signs in the Historic District

Under the Criteria, typically one sign will be permitted, although two signs may be approved in a few specific cases. The type of signs permitted include wall signs (flat, pin mounted or painted), hanging signs (with specified dimensional locations and brackets), or window decal signs. See attached photos for examples of the different sign types. In addition to sign types, the Criteria specify sign size, materials, content, color and lighting restrictions. The Criteria also lists general requirements including that signs must be professionally made, that they must comport with the Design Guidelines, and that they must be proportional and appropriate within the context of a specific building and location.

Proposed zoning changes to allow administrative approval of signs.

Under the text amendment proposed here (Attachment 1), the zoning ordinance language will be changed in two places. First, sections 10-113 (Old and Historic Alexandria District) and 10-213 (Parker-Gray District) are new additions to the historic district regulations. They will specify that the Director of Planning and Zoning may review and approve signs if the signs comply with specific criteria and standards formally approved by the BAR. In addition, section 9-300, the part of the zoning ordinance that pertains to signs in the historic district generally, will also be changed to list administrative sign approval as an exemption to the requirement for certificates of appropriateness.

It is a key aspect of the proposed administrative sign approval program that the specific requirements and standards will not be listed within the zoning ordinance. Instead, staff is recommending that the zoning text change be stated generally and that the BAR be allowed to determine how broad or narrow to make the Criteria, both initially and as to changes that may be needed over time. Otherwise, revisions to the Criteria will require changes to the zoning ordinance, with the time delay and multiple public hearing process those changes require. The general text language proposed here does require a formal action by the BAR; staff will not be empowered to change the Criteria on its own.

III. STAFF ANALYSIS AND RECOMMENDATION

Staff strongly recommends that the City approve the proposed administrative sign approval program so that the process for signs in the historic district is more efficient and more certain. The program will not only assist small businesses with one of the hurdles they now face, but will also make the BAR experience more efficient for staff and the Boards. Because so many signs have similar characteristics, it is not difficult to find those similarities which repeat, and that exercise has led to the Criteria which will guide staff decisions.

The goal is to allow those signs which are simple and similar to those the Boards have historically approved to be handled by staff. This delegation of the authority for sign approval within the designated Criteria will not apply in all cases. Many applicants will wish to hang larger signs, more signs, or those of materials or content different from what is outlined in the Criteria, and will those require BAR approval. Staff will also have the ability to determine on a case by case basis that a particular sign application is not precisely within the criteria or presents questions for a specific location that should be reviewed by the Board.

Administrative Approval for Signs in the Historic District

Staff anticipates that approximately half of the BAR's current sign docket will be approvable as an administrative matter under this program. For those businesses that wish to proceed quickly, without the requirement of a public hearing before the BAR, this administrative approval program allows that potential. When coupled with Council's recent reduction in fees for sign cases, and especially for administrative BAR cases, the program offers real efficiency and certainty for businesses in Old Town.

One issue raised by members of the BAR-OHAD is the potential for the reduced application fee, and ease of approval, to attract more applicants that would be desirable, with the result that the quality and uniqueness of signs will be reduced. Members of the BAR-PG were concerned about the number of signs that staff could approve, even though there is little commercial property within the district. Staff has agreed to return with a status report to both BARs six months after the sign administrative approval program begins. Both BARs will thus be kept apprised of all signs approved and may comment on the success or any problems it perceives with the program and adjust it accordingly.

Staff recommends that the Planning Commission recommend approval of the text amendment.

STAFF: Faroll Hamer, Director, Planning and Zoning
Barbara Ross, Deputy Director, Planning and Zoning
Stephanie Sample, Urban Planner, Historic Preservation

Attachments: 1. Proposed zoning text changes
2. Criteria and Standards for Administrative Approval of Signs in the Historic Districts.
3. Staff Report to BAR-OHAD, October 1, 2009.

PROPOSED ZONING TEXT CHANGES

Sec. 10-113 *Administrative approval of certain permits.* The director may review and approve applications for those signs which comply with the specific criteria and standards outlined and formally approved by the board.

Sec. 10-213 *Administrative approval of certain permits.* The director may review and approve applications for those signs which comply with the specific criteria and standards outlined and formally approved by the board.

9-301 *Review required.*

(A) *Certificate of appropriateness.*

....

(B) *Exemptions.* The following signs shall not be subject to the requirement of section 9-301(A):

....

(6) Signs for which administrative approval is available pursuant to sections 10-113 and 10-213.

Underlining indicates new text.

Criteria and Standards for Administrative Approval of Signs in the Historic Districts

The following signs, subject to the following criteria and standards, may be approved administratively pursuant to sections 10-113 and 10-213 of the Zoning Ordinance.

1. Administrative Approval of One Sign

One sign may be administratively approved for a commercial business, one per elevation if the building is located on a corner. The applicant may choose from one of the following three sign types listed below (see the attached images for an example of each sign type):

Wall sign

- A flat wall sign affixed to the building façade.
- An individual letter pin mounted wall sign installed on a wood frieze board or sign band, not a masonry façade, which may damage masonry.
- A painted wall sign, provided that it is painted on a frieze board or on an already painted building.

Hanging sign

- A one-piece double-sided hanging sign (with a maximum square footage of 7 square feet). All hanging signs must be hung from an approved sign bracket and placed so that the bottom of the sign is a minimum of 8 feet above a public sidewalk and 14.5 feet above an alley used by vehicles. The hanging sign cannot project more than 4 feet from the building wall or within 1 foot of the curb line and cannot project from the corner of a building. The sign bracket must be constructed of metal with a black finish. Decorative scroll brackets are typical; however, other appropriate designs may be acceptable. If the bracket is being affixed to a brick building, the bracket must be installed into the mortar joints and not the masonry.

Window sign

- A window decal sign may also be permitted (the Zoning Ordinance states that the total signage may not exceed 20% of the window). The window sign may be located on a door or window and may not contain repetitive language (e.g. shoes, shoes, shoes) or special advertising (e.g. coffee, tea, latte).

2. Second Sign Option

An applicant may select a second sign with the following limitations:

- Wall signs can be paired with a hanging sign or a window decal sign only.
- Hanging signs can be paired with a wall sign or window decal sign only.

- Window signs can be paired with a wall sign or hanging sign.

Corner businesses may elect to add a second sign on only one of the building's two elevations.

3. Size

The overall signage square footage may not exceed 1/2 (.5) of the linear footage of the building frontage. For example, the maximum amount of signage permitted for a 20 foot wide building is 10 square feet. If a second sign is proposed, the aggregate signage square footage may not exceed 3/4 (.75) of the linear footage of the building frontage (15 square feet for a 20 foot wide building).

4. Material

The sign material must be compatible with the building (wood or wood composite signs are generally acceptable for flat wall signs and hanging signs, aluminum is generally acceptable for pin mounted signs and vinyl lettering is appropriate for window decal signs).

5. Content

Only the business name or identity, and logo or design flourish, is permitted on the sign (no special advertising, phone numbers, addresses or web sites).

6. Color

Signs should have no more than three colors, excluding black or white.

7. Lighting

Staff may approve the installation of targeted illumination (e.g. mini-spot lights) which are small in size, illuminate only the proposed sign(s), and do not damage the building in installation. Gooseneck lighting must be reviewed and approved by the BAR, as well as all signs which are internally illuminated, halo lit or neon.

8. General Requirements

- Signs must be professionally made.
- A sign which meets the requirements of a coordinated sign plan previously approved by the Board can be administratively approved by Staff, regardless of whether the sign meets the requirement for administrative approval.
- All administratively approved sign(s) must be consistent with the *Design Guidelines* recommendation that "Signs should be designed in styles, materials, type faces, colors and lettering that are appropriate and sympathetic to the historic style of the building."

- Prior to receiving an administrative approval for signage, BAR Staff will conduct research and visit the site to evaluate the subject property, as well as its context, to determine if the proposed signage is appropriate. Signs which are out of proportion or scale with contiguous signs on the block will be referred to the BAR for their review and approval.
- Directory signs, freestanding signs, after-the-fact signs, and sign applications submitted by the City of Alexandria must be reviewed and approved by the BAR.
- Applicant must obtain a sign permit (and/or building permit) through Code Administration.
- Regardless of whether the sign meets the above Criteria, Staff may determine that the sign(s) must be approved by the BAR.

Approved by:

Parker Gray BAR
Old and Historic BAR

September 23, 2009
October 7, 2009

City of Alexandria, Virginia

MEMORANDUM

DATE: October 1, 2009
TO: Old & Historic Board of Architectural Review
FROM: BAR Staff
SUBJECT: Criteria for Administrative Approval of Signs in Historic Districts

Staff has attached for your review and consideration the proposed policy (Attachment 1) which outlines the Criteria for Administrative Approval of Signs in the Historic Districts ("Criteria") for staff-level administrative approval of certain commercial signs in the City's two locally designated historic districts (Old and Historic Alexandria District (OHAD) and Parker-Gray District). The goals of this new program include: (1) Establishing a clear and understandable Criteria to be approved by the Board for signs to be administratively approved by Staff under the program; (2) Allowing for a reduction of application fees for signs meeting the administrative approval Criteria; and, (3) Providing an expedited and more user friendly process for sign approval.

Existing requirement of BAR approval for signs

Signs fall within the general rule that all exterior alterations to buildings and structures in the historic districts require a Certificate of Appropriateness. Thus, other than a few minor exemptions (Sec. 9-301(B)), signs in both the Old and Historic Alexandria and the Parker-Gray Districts require BAR approval before they may be installed on a building.

Sign Criteria

In the past, Planning & Zoning Staff and the BARs have discussed the potential for articulating those frequently approved sign types which, if a business can meet certain criteria, could be approved without the necessity of a formal public hearing before the Boards.

Over the last few months, Staff has worked with members of both Boards of Architectural Review to develop the language and Criteria in the proposed policy (Attachment 1), using the existing *Design Guidelines* chapter on Signs as a starting point to frame the policy. Staff also thoroughly evaluated the signs that the Boards reviewed in 2008 and 2009 (a total of 61 sign cases were heard thus far) and used those cases as the foundation for developing the Criteria. Of the signs approved on the consent calendar, or with minor modification, and with little or no Board discussion, there were an identifiable number of sign types with similar dimensions, characteristics, hardware and location. The proposed Criteria will allow for high quality material and design, and historical compatibility, within a variety of allowable sign types. Staff applied

the proposed Criteria to the 61 signs approved by the BARs and over half of the signs (32 of the 61 cases) could have been approved by Staff, either as submitted or with a minor modification.

Staff conducted information sessions with both Boards in early summer of 2009, and held a meeting with the general public on September 14, 2009. The feedback Staff received has been integrated into the proposed final policy as described below.

Old and Historic Alexandria Board of Architectural Review meeting June 3, 2009

At their June 3, 2009 meeting, some members of the Old and Historic District Board asked Staff to explore the feasibility of expanding the sign color palette to allow for greater creativity in sign design, and to consider whether synthetic sign materials should be permitted under the policy. In regards to color, Staff is confident that the great majority of signs can be well designed within the five color limitation outlined in the Criteria. Staff also considered allowing additional sign materials, a suggestion also shared by two of the sign companies that typically work within the historic districts. The issue of sign materials was discussed in great detail at the public meeting on September 14, 2009 which was attended by two members of the Old and Historic District BAR. The group concluded that it was not appropriate to allow a significant number of new, in particular synthetic, materials as part of the initial Criteria for administrative approval of signs. However, over time as the Boards continue to evaluate and approve new materials, the policy can be updated.

Parker-Gray Board of Architectural Review meeting June 25, 2009

Staff received generally positive feedback from the Parker-Gray BAR at their June 25, 2009 meeting. However, two Board members voiced concerned regarding Staff approval of a second sign administratively; suggesting that one sign was often adequate and that requests for additional signage should be considered by the Board. Staff feels strongly that allowing up to two signs on a commercial building, or three if the building is located on a corner, is not unreasonable. The Criteria set forth in the attached policy are relatively limiting, and are based on the types of signs typically approved by the Boards without comment. Therefore, Staff believes that if a second sign meets the Criteria that it should be eligible for Staff level administrative approval. In the Parker-Gray district in particular, there is limited commercial development and much of it is located on the Patrick Street and Henry Street, Route 1 vehicular corridors where signage is more essential to attract and guide customers.

Community Input

The public has also been supportive of the proposed initiative for staff-level approval of certain commercial signs. The Historic Alexandria Foundation (HAF) has indicated support for the program but recommended that all requests for illumination be referred to the BAR rather than approved administratively. Staff feels that limited and targeted sign illumination is reasonable and that the types of illumination that are controversial – illuminated box signs, back lit signs, neon and even gooseneck lighting – would continue go to the Boards for their review and approval. Another suggestion by HAF was to allow any Board member to request that a sign application be docketed on the BAR agenda. Staff believes that if a sign(s) meets the goals of

the policy then the expedited approval under the administrative sign program is appropriate. The process and the Criteria have been extensively vetted and will be approved by both Historic District Boards prior to its enactment.

The Alexandria Chamber of Commerce also weighed in on the proposal, stating that the policy will benefit many new businesses in Alexandria. The Chamber suggested that the allowable square footage for signs be increased to be consistent with the zoning ordinance's allowance of one square foot of signage for every linear foot of building. Staff's review of previous sign cases revealed that the vast majority of the signs submitted to the BAR fall well within the limitations proposed in the proposed Criteria (1/2 a square foot of signage for one sign and 3/4 square foot of signage for two signs for every linear foot of building frontage). Very few applicants request the maximum square footage allowed under the zoning ordinance. In addition, the Chamber argued that the policy would not be useful if it did not benefit at least 50% of sign applicants. Staff can demonstrate that if the proposed policy was applied to the 2008 and 2009 sign cases, at least 50% of sign proposals would have received staff-level approval. It is feasible that this percentage will increase once business owners and sign companies become familiar with the Criteria and begin to design signs that meet the requirements that will allow administrative approval by Staff.

Staff Recommendation

At this time, Staff is seeking Board approval of the proposed Criteria for the administrative approval of signs by Staff. Staff presented the same proposal to the Parker-Gray Board on September 23, 2009, and received their support and approval (by a vote of 6-1-1). Should the OHAD Board also recommend approval of the proposed Criteria, a text amendment will be taken to Planning Commission and City Council for their review and approval. The text amendment will modify the zoning ordinance in two places to allow the BAR to designate the Director of Planning & Zoning (Staff) to review and approve certain signs in the two historic districts if they comply with the BAR approved Criteria.

In the future, Staff will also undertake a revision to the Signs chapter of the *Design Guidelines* to reflect this new policy.

Attachment 2 includes images of signs for illustrative purposes only to show the types of signs that may be permitted under the proposed Criteria.

STAFF:

Stephanie Sample, Historic Preservation Planner, Planning & Zoning
Lee Webb, Historic Preservation Manager, Planning & Zoning
Stephen Milone, Division Chief, Planning & Zoning

ATTACHMENT 1:

Criteria for Administrative approval of signs within the Historic Districts

In order to support and facilitate the operation of small businesses in the Old and Historic and Parker-Gray Historic Districts, Staff proposes that certain commercial signs be reviewed and approved at an administrative level without the necessity of a Board of Architectural Review hearing.

The Criteria below was developed based on those typically required by the BAR for all signs (*Design Guidelines*, colors, telephone numbers, etc.), or, as to size, number and types of signs, limited to reflect those signs that have consistently been approved in the past by the BAR.

1. Administrative Approval of One Sign

One sign may be administratively approved for a commercial business, one per elevation if the building is located on a corner. The applicant may choose from one of the following three sign types listed below (see the attached images for an example of each sign type):

Wall sign

- A flat wall sign affixed to the building façade.
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Hanging sign

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- Directory signs, freestanding signs, after-the-fact signs, and sign applications submitted by the City of Alexandria must be reviewed and approved by the BAR.
- Applicant must obtain a sign permit (and/or building permit) through Code Administration.
- Regardless of whether the sign meets the above Criteria, Staff may determine that the sign(s) must be approved by the BAR.

ATTACHMENT 2:

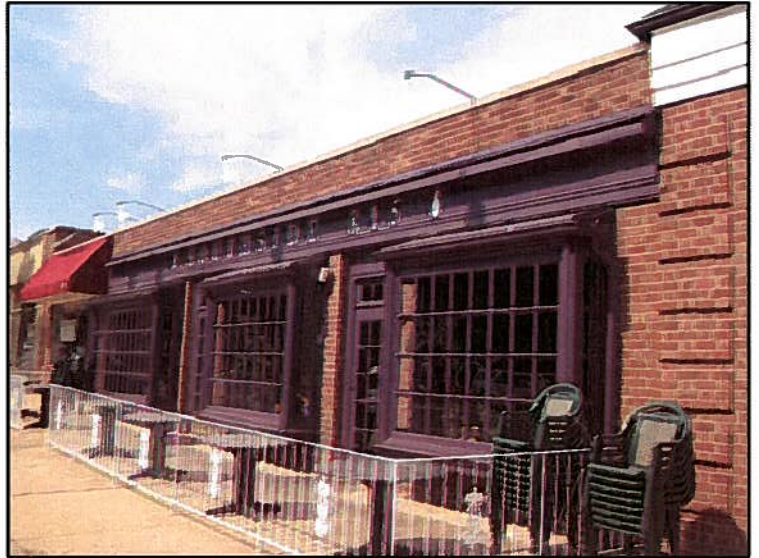
Examples of Flat Wall Signs



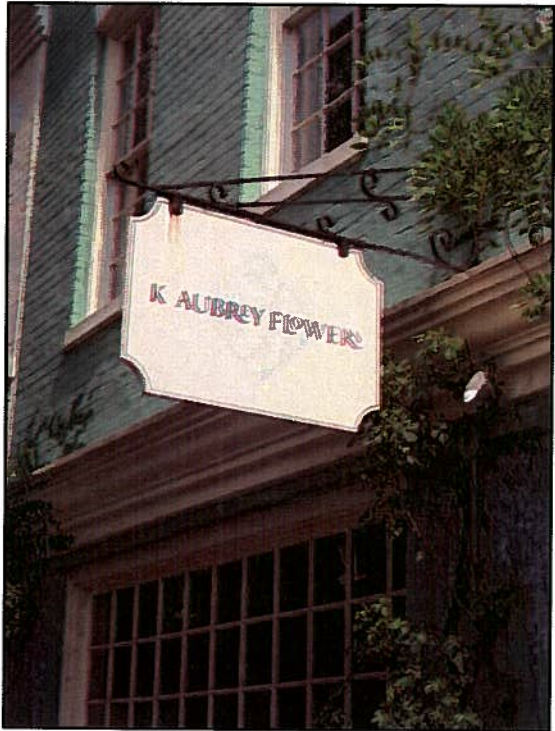
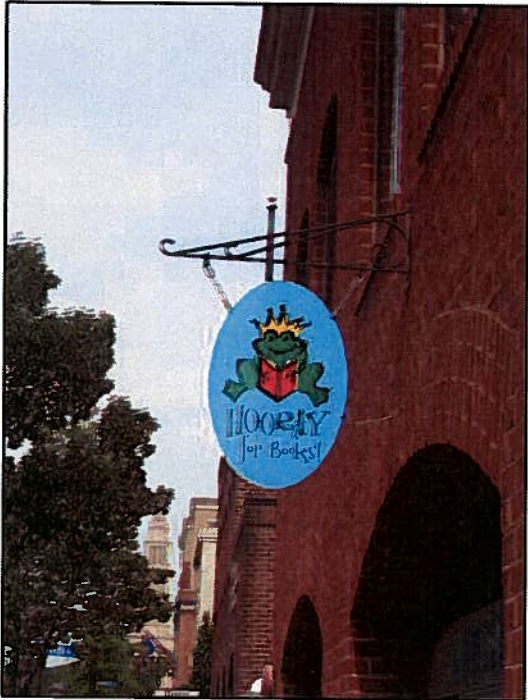
Examples of Wall Individual Letter/Pin Mounted Signs



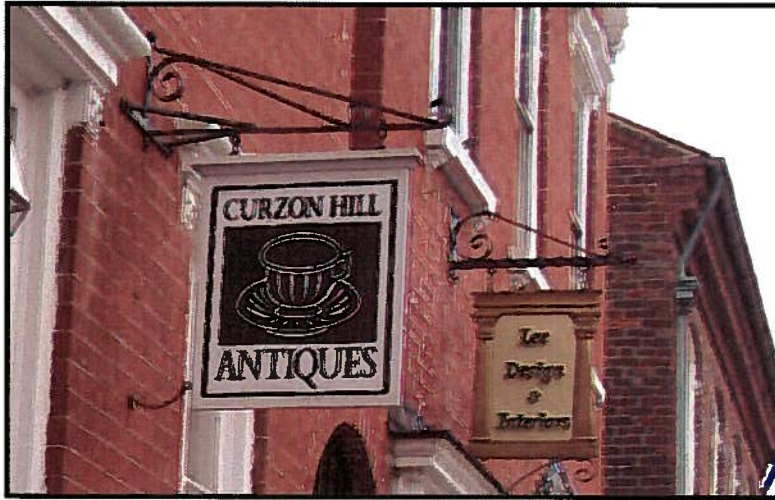
Examples of Painted Wall Signs



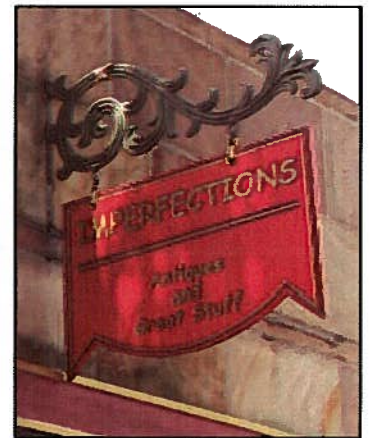
Examples of Hanging Signs



Examples of Hanging Sign Brackets

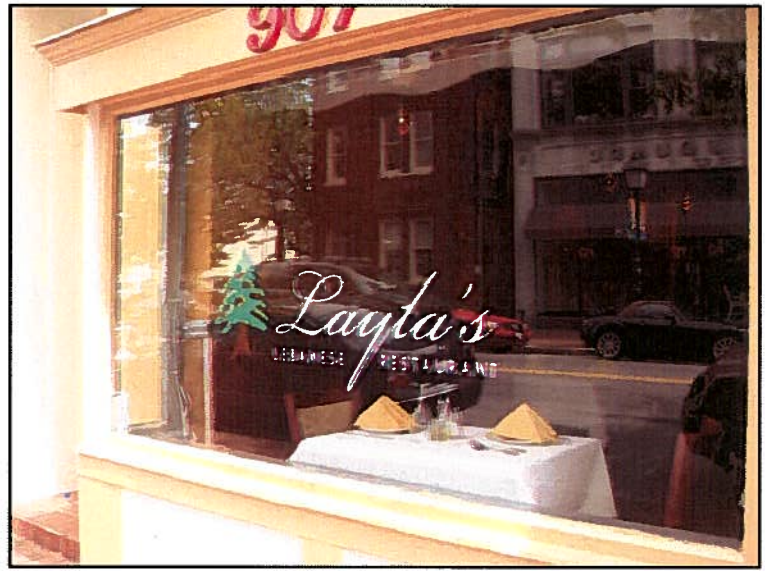


Common Scroll Brackets



Unique Hanging Brackets

Examples of Window Signs



Examples of Second Sign Option



Examples of Targeted Illumination



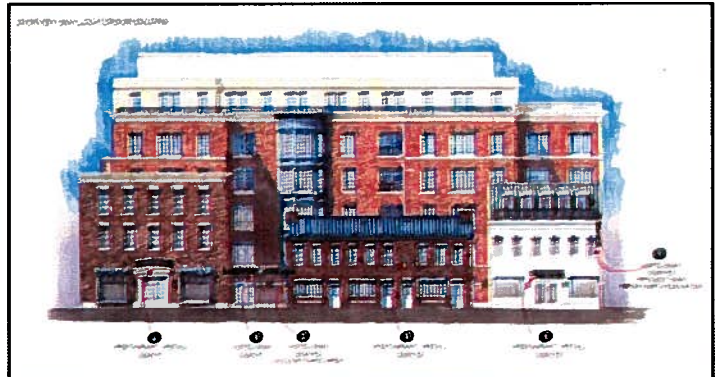
Signs Still Requiring BAR Review



Illuminated Signs



Awnings with Signage



Multiple Signs