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MICHAEL FOSTER,
CHAIR
TERRY SAVELA,
VICE CHAIR

THOMAS MILLER
COORDINATOR

July 5, 2005

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

SUBJECT: **6.** Adoption of **AN ORDINANCE TO AMEND, REENACT & RECODIFY SECTION 34., SUBSECTIONS, A., B., E., AND F. OF ZONING ORDINANCE** regarding political signs on private and public property in all zoning districts to amend regulations regarding commercial signs; non-commercial signs and political signs: to lessen restrictions for signs on private property and for greater restriction for signs on public property relating to duration, location, and size in order to facilitate the creation of a convenient, attractive and harmonious community; to encourage economic development; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice.

RECOMMENDATION: **Approve Zoning Ordinance Amendment as proposed.**

Dear County Board Members:

The Planning Commission heard this item at its recessed June 29 meeting. Tom Miller made a brief staff report summarizing the history behind the effort to address political signs, the objectives of the proposed ordinance, and the proposed treatment of political signs on private and public property. In essence, the proposal eases restrictions on signs on private property, while tightening the limits on the number, location and duration of signs on public property. Mr. Miller also noted that the ordinance had been developed in consultation with both political parties and that their endorsement of its provisions could make it easier to enforce.

There were no public speakers.

Planning Commission Discussion

Commissioner Dobson noted that the proposed Zoning Ordinance Amendment had been reviewed by the Zoning Ordinance Committee in early June and was supported by the several Planning Commissioners in attendance then.

Commissioner Malis asked about if the proposed ordinance included any enforcement provisions or penalty clauses. Mr. Miller answered that no permits would be required for signs placed on public or private property. Thus it would be hard to determine who had put up an unlawful sign. There are

no monetary penalties proposed for violations. However, signs illegally placed in the public right-of-way would be confiscated and destroyed.

Commissioner Saks asked about the definition of “temporary” signs. Mr. Miller said that the existing language refers to a time period of seventy days.

Commissioner Saks asked whether political signs could continue to be placed in the public right-of-way on weekends (sundown Friday to sundown Sunday), along with real estate directional signs. Mr. Miller said that this was correct. However, being able to place a limited number of signs in the medians for an uninterrupted period of 31 days before the election was thought to be more attractive to the political parties and the League of Women Voters.

Commissioner Johnson expressed regret that the Commission had not received any comments from either of the local political parties, elected officials, or groups such as Realtors on the proposed Zoning Ordinance Amendment. She suggested that the staff report indicate more clearly who was notified of the pending proposal, since there are organizations and community activists with strong views about signs and freedom of expression who would be expected to comment. Tom Miller noted that copies of the Request to Advertisement zoning language were provided to both political parties, the League of Women Voters and the Northern Virginia Association of Realtors.

Commissioner Johnson said she would prefer a permit system under which campaigns make a deposit which is forfeited if signs are not removed from public rights-of-way promptly after the election. The \$100 fee in Alexandria, for instance, is a good incentive to collect obsolete signs.

Commissioner Hunt asked whether signs could be placed in traffic circles and utility strips. Mr. Miller replied that political signs would be allowed under this ordinance only in medians, not on traffic circles or other public property. He noted that the real estate signs allowed on weekends at intersections are directional signs of limited size.

Commissioner Hunt expressed concern about the county’s ability to enforce any new rules.

Commissioner Chàvez asked about the proposed increase in the maximum size of signs from 4 square feet to 4.5 square feet. Mr. Miller explained that the increase was recommended to accommodate the multi-candidate signs that are increasingly popular. He noted that an earlier version of the ordinance two years ago had proposed a maximum of 6 square feet. There would be no size limit for political signs on private property as long as they do not compromise the health, safety, convenience and welfare of residents and businesses as well as the overall visual appearance of the county.

Commissioner Fallon asked whether political signs could be attached to other signs, such as neighborhood identification signs. Mr. Miller said that would not be allowed. He added that signs in the wrong locations on public property would be confiscated.

Commissioner Malis noted that the use of the public right-of-way presents many concerns. Many people have been annoyed by the proliferation of political signs along medians as well as other signs and notices on utility poles and the like. The proposed Zoning Ordinance Amendment is an

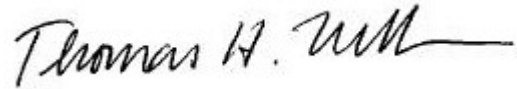
attempt to get one major part of the situation under control. She wondered whether an “Adopt a Street” program would help keep illegal signs and litter in check.

Commissioner Chávez asked why real estate signs could be placed in utility strips but political signs could not. Mr. Miller explained that the sign ordinance allowed only real estate directional signs, only at intersections, in medians, and only on weekends.

Planning Commission Motion:

Commissioner Dobson made a motion to recommend that the County Board approve the Zoning Ordinance as proposed. The motion was seconded by Commissioner Saks. The Planning Commission voted 8-0-1 to support the motion. Commissioners Chávez, Dobson, Fallon, Foster, Hunt, Malis, Saks and Weihe voted to support the motion. Commissioner Johnson abstained from voting.

Respectfully Submitted
Arlington County Planning Commission,

A handwritten signature in black ink that reads "Thomas H. Miller". The signature is written in a cursive style with a long horizontal line extending to the right.

Thomas H. Miller
Planning Commission Coordinator