

## **Sign Ordinance Resolution**

*(Passed by Arlington County Civic Federation on November 1, 2011)*

WHEREAS the County sign ordinance is undergoing review and revision, in two phases, with the first phase involving limited amendments to liberalize parking signage, umbrella and awning markings, and signs placed in the sidewalk, and the second phase will involving a comprehensive re-write of the entire sign ordinance; and

WHEREAS on May 3, 2011 the Civic Federation considered and offered input about aspects of the sign ordinance, and plans to provide additional input at a later date; and

WHEREAS with respect to sidewalk signs —

- The Federation has previously supported sidewalk signs only with important restrictions;
- The current proposed ordinance change could allow sidewalk signs to dramatically interfere with pedestrian use, including the elderly, vision impaired, and disabled; and
- By their nature and times of highest use, impermanent moveable sidewalk signs are inappropriate for enforcement through a complaint-based system because violations, once cured, are easy to immediately repeat; and
- The proposed comprehensive revision could add an excessive amount of clutter to the County's streets and sidewalks and could unduly distract pedestrians and operators of motorized and non-motorized vehicles; and

WHEREAS with respect to the comprehensive re-write of the sign ordinance —

- The comprehensive revision currently proposed by County staff is based on a premise that Arlington should eliminate discretionary County Board review on any future individual sign installation or application, a core approach that has been opposed by many stakeholders;
- The justification for elimination of discretionary view has never been explained in writing, and has been accompanied by a legal theory, posited by outside consultants, that also would seem to apply to Arlington's other discretionary review processes such as the site plan process and special exception use permits; and
- There currently is no announced forum for the public to fully understand, debate, or explore alternatives to the legal theory posited by the consultant.

BE IT RESOLVED THAT:

**We support sidewalk signs, with conditions.**

1. The Sign Ordinance should be revised to allow retail and restaurant establishments by-right to use one sidewalk sign, which would not be part of their total signage calculation, provided that the sign is no larger than 7 square feet per side; the sign is located on a frontage that has adequate sidewalk clear-width; and the sign is placed so that it does not diminish or encroach into the pre-existing pedestrian clear zone. For example, signs should be required to be placed in the tree pits, inside outdoor café enclosures, or within building shy zones rather than in the space provided for pedestrians.

2. The County Board should establish a policy whereby enforcement of sidewalk signs should not be based solely on complaints.

**We strongly oppose an entirely-by-right approach to sign regulation.**

3. The Civic Federation questions any assertion that a discretionary sign approval process is not legal, or inevitably unconstitutional. The Civic Federation believes that any revision of the sign ordinance should retain the County Board's ability to approve some signage through a discretionary permitting process that enables citizen input.

**We would like an improved public discussion process for development of the comprehensive revisions to the sign ordinance, consistent with the "Arlington Way" of citizen-driven deliberation.**

4. In the coming months, individual citizens should be given sufficient opportunities and time to ask questions and receive answers in public; stakeholders and their representatives should be given forums to have informed discussions with each other so they can reach compromise recommendations for the County Board; and an informed public discussion about the legal risks and community benefits of various sign approval process formats should be convened early in the ordinance review process.