

# Text Amendment #2015-0005

## Sign Regulations

- Proposed Text amendments:
  - Article IX of the Zoning Ordinance,
  - Title 5 of the City Code, and
  - Section PD.3 of the *Wayfinding System Design Guidelines Manual*
- Overall signage policy amendment in phases
  - This phase: right of way signs
  - Next phase: public/private properties
- Ad Hoc Group On A-Frame & Digital Signage held public meetings on this topic




# Right of Way Signage Issues

- A-frame signs along King Street
  - Storefront
  - A-frame program directing shoppers to stores off of King Street
- Political signs
- Bandit signs, including on utility poles
- Other signs
- *Reed v Town of Gilbert* decision



# Background


- Effort triggered by concerns about:
  - Proliferation of A-Frame signs, especially on King Street
  - Electronic/digital signs
  - Reed v Town of Gilbert Supreme Court decision
- Formed 16-member the Ad Hoc Group On A-Frame & Digital Signage
- Group reached consensus on A-Frame and digital signs
- Group split on political signs in the right of way




The City of Alexandria, Virginia established an Ad Hoc Group for Digital Signs and Portable A-Frame Signs (The Group) to review zoning regulations for some commercial signs.

*Businesses and the Public are invited to attend meetings of The Group.*  
For information on The Group:  
[www.alexandriava.gov/olanning](http://www.alexandriava.gov/olanning)

**Digital Signage in Alexandria** – Generally, animated signs (including “chasing” lights, moving images, and scrolling messages) are not permitted, but there are provisions in the Zoning Ordinance for schools and churches to use digital signs to convey information to the public. As sign technology changes, The Group is examining possible ways the City’s regulations can address the new signage products that are coming into form.



**Portable A-Frame Signs in Alexandria** – In most cases, portable signs, including A-Frame signs in front of businesses, are not permitted. The City does have a special wayfinding A-Frame Signage Program that started in 2009, which only permits special A-Frame signs at intersections along King Street to direct shoppers to businesses that are on the side streets. Some other businesses that are not on the side streets; however, have also been placing A-Frame signs in front of their establishments.



In the interest of balancing desires for business vitality with issues of clutter and safety, The Group will examine whether current regulations adequately serve the needs of the community or whether policy modifications are needed.

**AD HOC GROUP’S TASKS** - The Ad Hoc Group will help the City evaluate the following:

- What issues have been observed regarding A-frame and digital signage in recent years
- What regulations and guidelines exist to address current issues
- What changes are needed to these regulations based on current issues
- What additional recommendations are appropriate to further address current issues and to otherwise improve signage policies and programs for Digital signage and A-Frame signage

**AD HOC GROUP’S MEMBERSHIP** - The Ad Hoc Group consists of representatives of business, civic, historic and neighborhood organizations. Opportunities for Public Comment will be provided at each Ad Hoc meeting.

**AD HOC GROUP MEETING SCHEDULE** – The Ad Hoc Group is anticipated to meet in the Month of May with a report to the City Manager’s Office, Planning Commission and City Council to follow. The first meeting is being scheduled and will be advertised via the City’s website and other methods.

# Ad Hoc Group Consensus on Digital Signs

- Considered possibility of permitting digital signs in specific situations
- Determined that current conditions do not warrant additional allowances for digital signs, but technologies may evolve and new types of digital signs may warrant allowance in the future
- Digital signage should be limited only to governmental signage at this time



# Ad Hoc Group Consensus on Storefront A-Frame Signs

- Considered legalizing A-Frame signs in front of stores on sidewalks but chose not to because of:
  - visual clutter,
  - pedestrian travel disruptions, and
  - maintenance challenges
  - Inappropriate for historic districts
- A-Frames should, however, be permitted only on private property
- Planning Commission agreed.



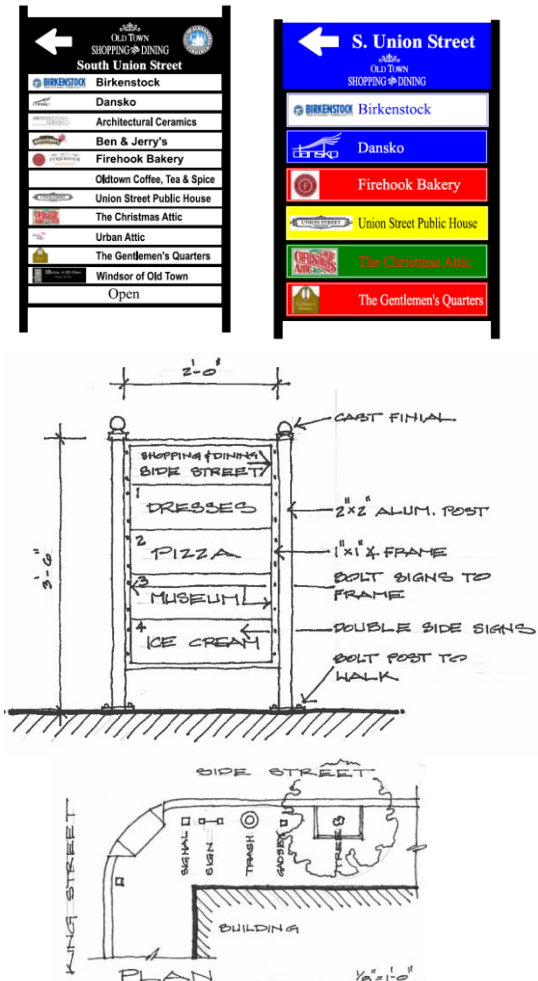
# Ad Hoc Group Consensus on Wayfinding A-Frame Signs

- Program for side-street businesses should continue.
- Wayfinding signage of this type is governmental signage
- The current King Street A-Frame program needs to be improved: better management and better signage
- Recommendation: move program from zoning ordinance into City's wayfinding guidelines
- Planning Commission agreed.



# Ad Hoc Group Consensus on Wayfinding A-Frame Signs

- A flat, 2-sided, sidewalk-mounted monument-style sign
- Each business's sign panel would be slid into a sleeve or bolted onto a track
- Operated and managed by the City
- Businesses would pay a fee to participate
- Expand program beyond King Street to other pedestrian-oriented shopping streets
- Planning Commission agreed



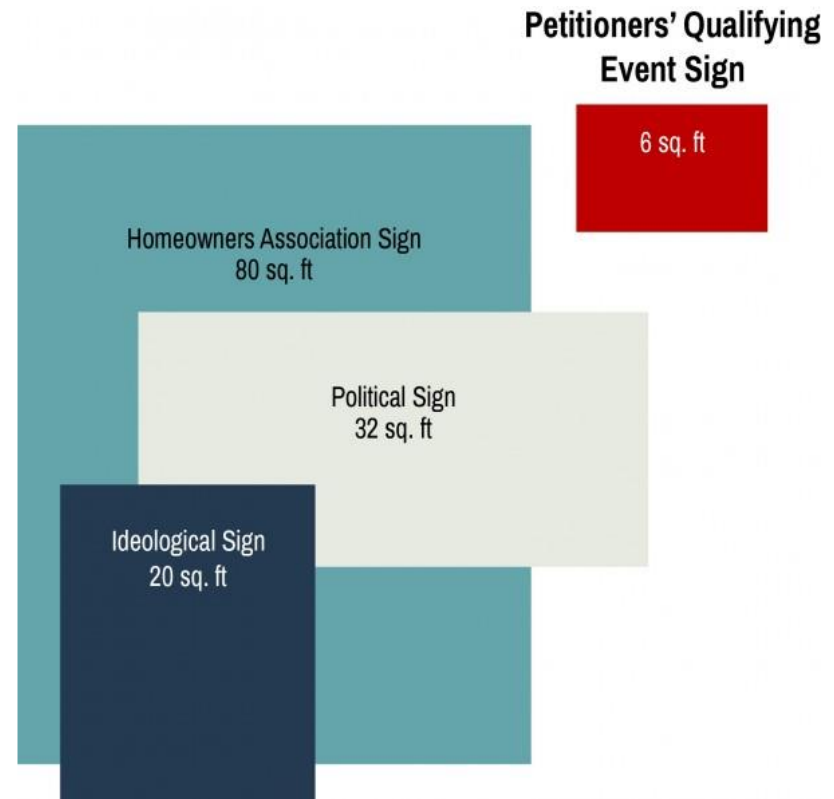
# Reed v. Gilbert

- Supreme Court ruling concerning a local ordinance that regulated signs according to content
- Court: Content based regulations only permitted if they are narrowly tailored to serve a compelling governmental interest and if other avenues of communication available
- Aesthetic and safety justifications are not enough



# Response to Reed v. Gilbert

- Comprehensive revision of Article IX, Signs of the Zoning Ordinance based on a model ordinance prepared by the Local Government Attorneys of Virginia (LGA)
- Can regulate based on a location, size, number, and other non-content items
- Regulations need to be content-neutral



# Items for Consideration

- If the City allows certain signs in the rights-of-way, it has to allow all types of signs in the rights-of-way
- City can only regulate time, size, and placement locations
- The options before City Council now are...
  - Allow all types of signs in the right-of-way at all times,
  - Allow all types of signs in the right-of-way at certain times, or
  - not allow non-governmental signs in rights of way at all.



## Items for Consideration

- Signs impact the quality of the city's public spaces
- Private right-of-way signs are not designed to be harmonious with their surroundings but instead to attract the attention of motorists.
- Private signs in the right-of-way essentially turn over a portion of the public sphere to private uses.



# Ad Hoc Group and Planning Commission Recommendations

- Ad Hoc Group:
  - Signage in the right-of-way should be regulated by City Code, not the Zoning Ordinance
  - Right-of-way signage should be restricted to governmental signage.
  - Election season: Group split 50-50 as to whether non-governmental signs should be permitted in the right-of-way during election season.
- The Planning Commission recommends that City ordinance not allow non-governmental signs in the right-of way at any time.



# Proposed Text Amendments - Zoning Ordinance

- Delete the sections permitting signs in public rights-of-way
- Add new Section 9-204 to permit additional temporary signage on private property during a time period around an election.
- A-Frames and Digital Signs
  - No new language needed for rights of way
  - Digital and Storefront A-frame signs continue to be prohibited
  - Revise and move current King Street A-Frame program to the Wayfinding guidelines.



# Proposed Text Amendments – Title V, Chapter 2 of City Code (Streets and Sidewalks)

- Remove the ability for private parties to install any signage in the public right-of-way, under Section 5-2-171.
- Strengthen tools for enforcement:
  - Increase fines
  - Add ability to recover removal and enforcement costs
  - Make illegal signage installation a Class IV Civil Violation.



## Alternative to the Staff Recommendation – A Window (Time Period) Allowing All Signs Before and After an Election

- Even if signs are not permitted in the right of way during election season, Alexandrians will continue to see election-related signs throughout the City on private property
- Half of the Ad Hoc Group were concerned about removing the ability for political campaigns to place signage on public rights-of-way
  - Some residents do not have access to private property where they can post a sign
  - Signs help new candidates get name recognition
- Staff has prepared text for an alternative that allows signage during election season (30 days before and 7 days after)



# Conclusion

- Proposed are Text amendments to
  - Article IX of the Zoning Ordinance
  - Title 5 of the City Code
  - Section PD.3 of the *Wayfinding System Design Guidelines Manual*
- Signage regulations have a major effect on the built environment
- Non-governmental signage should not be permitted in rights of way
- Planning Commission recommends approval

