

**Subject: AED- Joint BID Issues**

**FY 2018 Proposed Budget  
Budget Work Session Follow-up**

**4/17/2017**

The following information is provided in response to a request made by Ms. Libby Garvey, Mr. Jay Fiset, and Ms. Katie Cristol at the work session on 3/16/2017, regarding how many of the five joint Business Improvement Districts (BID) issues are incorporated into the Community Planning, Housing and Development's (CPHD) work plan for this year; does it make sense to add signage to this year's work plan (and if not, what is the timeline?); and if there are any creative ways to address some of the concerns this year, such as temporary pilot programs.

**Temporary Pilot Programs.** Sign regulations do not lend themselves to pilot programs as they should be applied consistently to similar properties rather than specific to only one geographic areas or property owner/manager.

**FY 2018 BID Work Plan.** As part of the FY 2018 BID work plan submissions, the BIDs worked together to produce a joint memo to the County Board, requesting that the Board address priorities or issues of concern shared by all the BIDs. The specific items cited were: 1). Commercial Signage; 2). Non-Commercial Signage (Wayfinding); 3). Events Permit Process; 4). Streetscape and Lighting; and 5). Alcohol Consumption in Public Parks. A summary of items included in the Joint Bid Memorandum are as follows:

❖ ***Issue 1 Commercial Signage: Consider implementing more sign area allowance, or alternate ways of calculating sign area allowance within BID commercial areas, including within building sign plans and specifically for retail tenants.***

There have been three amendments to the sign regulations adopted since June of 2016: 1) comprehensive sign plan regulations; 2) regulations for signs for regional shopping centers, both of which, were identified as priorities in the adopted Arlington County Retail Plan; and 3) amendments for consistency with recent case law. A fourth amendment is underway to address how the Zoning Ordinance allocates sign area for buildings that include retail fronting plazas and/or retail on the second story. A fifth amendment is included in the work plan that will be a second phase of case law-related updates, planned for 2018.

Temporary Commercial Signs. Recently adopted amendments addressed temporary signs to the extent that staff believed to be appropriate. Recent revisions to temporary sign regulations include:

- In July, 2012, significant increase in allowances for commercial signs associated with buildings during periods of construction, sale or leasing (§13.16); and

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- In conjunction with development of special event regulations in February 2015, the Zoning Ordinance was amended (§12.10.5) to clarify that temporary events in vacant spaces are allowed signs permitted in the subject zoning district that do not require a permit – these signs include window signs, temporary sidewalk signs and incidental signs. As part of its 2015 assessment of what temporary commercial signs to allow for special events, staff did not propose to allow additional commercial sign area for temporary events, although this request was raised during that process.

Therefore, no work on additional sign area for events is proposed as part of the 2017-2018 work plan.

- ❖ ***Issue 2 Non-Commercial Signage (Wayfinding): The County’s signage should allow for both temporary and permanent free standing signs, as well as additional signage types such as wall or projecting signs for “bread crumb” users supporting wayfinding which combine both commercial and non-commercial speech for purposes of direction, identity and wayfinding around and within a District.***

The ability to create non-commercial “wayfinding” signs is now permitted in the Zoning Ordinance as follows:

- An amendment adopted in June 2016 that allows the County Manager to place noncommercial signs in the public right-of way, subject to County Board approval (§13.9.2). This provision, previously limited to banners, is now broadly applicable to all sign types as determined appropriate by the County;
- Through existing regulations that allocate sign area on a property-wide basis, allowing it to be distributed between commercial and non-commercial signs (on private property); and among allowed sign types as desired by the property owner.

Signs with commercial content are not allowed in the public right-of-way (ROW), as the Zoning Ordinance sign regulations allow commercial advertising ONLY on the premise of the commercial activity, which is a common practice in sign regulation.

- ❖ ***Issue 3 Events: Although the special events process is straightforward, challenges still exist for certain temporary pop-up events that take place in commercial spaces, mainly due to the time-consuming nature of the permit process.***

The Zoning Administrator has received and processed seven (7) short-term use Certificate of Occupancy applications. None were denied.

Signs for events. Discussion of signs for special events is included in the response to Issue 1 above.

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Live entertainment for events. Live entertainment is not currently permitted as part of a short-term use or temporary event. Events that fall within the parameters of the Special Events process (typically those that take place outside and on public property) may include live entertainment. However, live entertainment for events that take place on private property AND are not located in restaurants or other venues which currently hold live entertainment use permits, remains not permissible.

- ❖ ***Issue 4 Streetscape and Lighting: As BIDs consider streetscape and lighting elements that are reflective of their neighborhood's character and brand, a more streamlined process for implementation of those streetscape elements is necessary.***

As part of the implementation of the Rosslyn Sector Plan, staff from CPHD, DES, and AED have been working with the Rosslyn Business Improvement Corporation (RBIC) to develop a Streetscape Elements Plan. The plan provides a collection of coordinated street furnishings for the public sidewalks of the Rosslyn Business Improvement Service District (RBID). The draft plan was prepared by RBIC and coordinated with a staff interdepartmental team. The plan will aid in implementing the Rosslyn Sector Plan to create a distinct identity and active public realm in Rosslyn. The plan is expected to be finalized and presented to the County Board in June 2017. The plan includes a request to authorize the County to enter into a Memorandum of Agreement (MOA) to implement a parklet prototype, a publicly accessible deck platform that serves as an extension of the sidewalk, usually located in the parking lane adjacent to the curb. Once the plan is adopted, implementation would progress on an on-going basis as redevelopment occurs or through an administrative approval process. RBIC will also submit a work plan and budget annually for implementation along with updates on phasing and progress.

- ❖ ***Issue 5 Alcohol Consumption in Public Parks: There are certain types of events that are ideally held in public places (i.e. certain urban parks and public plazas), which include the sale and/or consumption of alcohol. The BIDs suggest that Arlington consider amending its administrative regulations to allow alcohol sales and/or consumption on certain urban public parks and plazas within the BID boundaries.***

Section 17-2 of the Arlington County Code, which addresses alcoholic beverages currently limits alcohol consumption on three properties: 1) Gateway Park; 2) Fort C.F. Smith Park; and 3) Clarendon Central Park. The County is currently in the process of updating the Public Spaces Master Plan (PSMP). As part of that update, the County is considering whether to recommend revising the County regulations to allow the County Manager to issue permits for more widespread sale and consumption of alcoholic beverages on certain designated public spaces. A draft plan is anticipated to be developed by the end of this year.

By way of background information, nearly 60 percent of PSMP survey respondents indicated that they would be supportive of the sale of food and beverages, at least on

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a temporary basis, in all parks and public spaces. This support rises to over 60 percent when asked about the sale of food and beverages in the County's high density corridors or certain designated parks and plazas. Any expansion of alcohol sales and consumption in public parks will depend on both the timing of the PSMP approval and support for potential expansion of existing policy. Realistically, implementation of any plan would not begin until FY 2019 at the earliest.