



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of April 25, 2009

**DATE:** April 14, 2009

- SUBJECTS:** A. Amendments to the Arlington County Zoning Ordinance, Section 20. (Appendix A), “CP-FBC” Columbia Pike Form Based Code Districts, to revise the Architectural Standards in Section VI. F. Signage to clarify the relationship between the signage regulations in the Form Based Code and Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify and Inform; to modify the size, dimension, placement and lettering size regulations for signs in the Form Based Code to clarify the regulations and/or provide additional flexibility; and to establish maximums of three (3) wall or window signs per tenant, one (1) building plaque per building, one (1) blade sign per tenant, one (1) graphics sign and one (1) additional wall or window sign and one (1) additional blade sign for corner tenants; and
- B. Amendment to Section 20. “CP-FBC” – Columbia Pike Form Based Code Districts of the Arlington County Zoning Ordinance to allow sign requirements in the Form Based Code to be modified by the County Board by use permit.

#### C. M. RECOMMENDATIONS:

1. Adopt the attached ordinance (Attachment A) to amend, reenact, and recodify the Arlington County Zoning Ordinance, Section 20. (Appendix A), “CP-FBC” Columbia Pike Form Based Code Districts, Section VI. Architectural Standards, F. Signage of the Columbia Pike Special Revitalization District Form Based Code; and
2. Adopt the attached ordinance (Attachment B) to amend, reenact, and recodify the Arlington County Zoning Ordinance, Section 20. “CP-FBC” – Columbia Pike Form Based Code Districts.

**ISSUES:** The proposed amendments to the Columbia Pike Special Revitalization District Form Based Code (“Form Based Code” or “Code”) are designed to provide greater clarity,

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Margaret Rhodes and Deborah Albert, DCPHD, Planning Division

PLA-5249

certainty and flexibility regarding the signage provisions; and to Section 20 of the Zoning Ordinance to add signs as a requirement of the Form Based Code that may be modified by the County Board. While there were varying opinions among members of the Form Based Code Advisory Working Group (“AWG”) regarding the size of blade signs and permanently mounted graphics sign display boxes that should be permitted, staff’s recommendations, outlined below in the discussion section, address the questions and concerns raised during the review process.

**SUMMARY:** As a result of concerns that the wall sign provisions of the Form Based Code may be overly restrictive and insufficiently clear, staff evaluated these provisions, which currently limit wall signs to a size of eight (8) square feet and a location within a two (2) foot sign band. As a result of its analysis, staff concluded that the current wall sign maximum is indeed overly restrictive and should be amended to allow for greater sign area. Staff also concluded that other amendments to the Code’s sign standards should be proposed to elucidate the relationship between the signage regulations in the Form Based Code and Section 34 of the Zoning Ordinance, to clarify the intent of the regulations, to provide a wider range of options for the design of wall and blade signs and to establish a limit on the number of signs permitted. In summary, the intent of these changes is to provide greater clarity and certainty as to what signs are permitted, as well as greater flexibility for sign design. The proposed amendments are in keeping with the vision for the Columbia Pike corridor as expressed in the Columbia Pike Initiative, A Revitalization Plan adopted in 2002 and the Columbia Pike Initiative, A Revitalization Plan – Update 2005.

**BACKGROUND:** In March 2002, the Columbia Pike Initiative, A Revitalization Plan was adopted by the County Board. A major recommendation of this plan was to develop a new administrative review process to evaluate redevelopment proposals on Columbia Pike, which became the Columbia Pike Special Revitalization District Form Based Code. In February 2003, the County adopted the Code for the Town Center and Village Center development nodes. In February 2004, the Code was adopted for the Neighborhood Center and Western Gateway. From time to time, staff has initiated amendments to the Code in response to community concerns and input from advisory boards and commissions in order to clarify the intent of the Code, while facilitating the redevelopment of Columbia Pike in accordance with the overarching vision for the revitalization of the corridor.

**DISCUSSION:** The proposed amendments to the signage regulations in the Code are shown in Attachment A with language to be added shown underlined and language to be deleted shown struck-through. Many of the proposed changes to the language are minor editorial clarifications which do not change the intent of the language. Staff is recommending, however, several additional changes of a more substantive nature. The proposed amendments are in keeping with the vision for the Columbia Pike corridor as expressed in the Columbia Pike Initiative, A Revitalization Plan adopted in 2002 and the Columbia Pike Initiative, A Revitalization Plan – Update 2005.

Amendments to Section 20 (Appendix A), “CP-FBC” Columbia Pike - Form Based Code Districts of the Zoning Ordinance (“Form Based Code” or “Code”)

The following table summarizes the principal changes to the signage regulations in the Code:

**Summary of Proposed Form Based Code Amendments for Signs**

<b>Sign Type</b>	<b>Currently Allowed</b>	<b>Proposed</b>
<b>Overall Signs Allowed</b>	<ul style="list-style-type: none"> <li>• Unlimited number of wall, window, blade signs</li> </ul>	<ul style="list-style-type: none"> <li>• Up to a total of 3 wall or window signs per tenant</li> <li>• In addition:               <ul style="list-style-type: none"> <li>○ Awning signs</li> <li>○ One masonry or bronze building plaque per building</li> <li>○ Street address signs</li> <li>○ One blade sign per tenant per street frontage</li> <li>○ Directional and temporary signs per Section 34 of the Zoning Ordinance</li> </ul> </li> </ul>
<b>Wall Sign</b>	<ul style="list-style-type: none"> <li>• Unlimited number (within sign band)</li> <li>• 8 square foot maximum size</li> <li>• Sign may not be within 2 feet of an adjacent common lot line</li> <li>• Letters up to 18 inches tall</li> </ul>	<ul style="list-style-type: none"> <li>• Up to a total of 3 wall or window signs per tenant (wall signs are within sign band)</li> <li>• Maximum of 2 feet high by 20 feet long</li> <li>• Sign may not be within 2 feet of an adjacent common lot line or the boundary of the area permitted to be used by the retail or office tenant</li> <li>• No change: letters up to 18 inches tall</li> </ul>
<b>Building Plaque</b>	<ul style="list-style-type: none"> <li>• One per building</li> <li>• 8 square foot maximum size</li> </ul>	<ul style="list-style-type: none"> <li>• No change: 1 per building</li> <li>• No change: 8 square foot maximum size</li> </ul>
<b>Window Sign</b>	<ul style="list-style-type: none"> <li>• Unlimited number</li> <li>• 8 square foot maximum size</li> <li>• Allowed in ground floor or second story office windows</li> </ul>	<ul style="list-style-type: none"> <li>• Up to a total of 3 wall or window signs per tenant</li> <li>• No change: 8 square foot maximum size</li> <li>• Allowed in ground floor or second story retail and office windows</li> </ul>
<b>Street Address Signs</b>	<ul style="list-style-type: none"> <li>• 6 inch lettering</li> </ul>	<ul style="list-style-type: none"> <li>• 8 inch lettering</li> </ul>
<b>Blade Sign</b>	<ul style="list-style-type: none"> <li>• Unlimited number</li> <li>• 2 foot vertical by 3 foot horizontal maximum size</li> <li>• Allowed on any story</li> <li>• Clear height of 10 feet above sidewalk</li> </ul>	<ul style="list-style-type: none"> <li>• One per tenant</li> <li>• One additional blade sign allowed for corner tenants (additional sign allowed for additional street frontage)</li> <li>• 6 square feet maximum size</li> <li>• Allowed on ground and second stories only</li> <li>• Clear height of 9 feet above sidewalk</li> </ul>

<b>Sign Type</b>	<b>Currently Allowed</b>	<b>Proposed</b>
<b>Graphics Sign</b>	<ul style="list-style-type: none"> <li>• Not addressed</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 1 graphics sign per tenant in a 3 square foot permanently mounted display box</li> <li>• Designed to be read from a distance of less than 3 feet away</li> </ul>
<b>Awning Sign</b>	<ul style="list-style-type: none"> <li>• 5 inch lettering</li> </ul>	<ul style="list-style-type: none"> <li>• No change: 5 inch lettering</li> </ul>

*Clarification of the Relationship Between the Signage Provisions in the Code and Section 34 of the Zoning Ordinance*

Staff proposes amending the language at the beginning of Section VI. Architectural Standards, F. Signage of the Code to clarify that signs that are permitted in Section 34.A.1, A.4, D.4., E., F.1, F.5. and J. of the Zoning Ordinance are permitted on property developed under the Code. That is, the Zoning Ordinance provisions governing signs such as directional signs, temporary signs, entry/exit signs and flags, will apply, but that the Code regulations will supersede any Zoning Ordinance sign regulations dealing with any other signs, for example, wall signs, blade signs, window signs and awning signs, as these signs are addressed in the Code. The addition of this prefatory language will clarify those instances in which the Code regulations will apply versus those instances in which the Zoning Ordinance regulations will apply.

*Overall Signs Allowed*

Previously, an unlimited number of wall, window and blade signs was permitted. Staff proposes limiting the number of signs to a total of three (3) wall or window signs per tenant. In addition, tenants may have awning signs, one (1) blade sign per frontage and directional and temporary signs per Section 34 of the Zoning Ordinance. Additionally, one (1) masonry or bronze plaque per building and street address signs are permitted. The aforementioned limits on the number of signs permitted are intended to prevent developers from cluttering facades with an inordinate number of signs.

*Wall Signs*

In terms of wall signs, the Code currently allows for eight (8)-square-foot wall signs with 18 inch high lettering within a two (2) foot high sign band located between 12 and 18 feet above the sidewalk. In analyzing this regulation, staff determined that restricting the wall sign to eight (8) square feet may limit visibility and legibility of signs by pedestrians, transit users and motorists and that amending the regulation could enhance retail leasing and/or viability. Staff therefore proposes to maintain the lettering and sign band form-based parameters, while allowing wall signs up to 20 feet in length which may extend no closer than two (2) feet to an adjacent common lot line or the boundary of the area permitted to be used by the retail or office tenant in question.

*Window Signs*

While staff proposes editorial changes to clarify and enhance the readability of the regulations regarding window signs, staff recommends no amendments to the regulations limiting their size and placement, which allow for window signs up to eight (8) square feet in size to be located in ground floor or second story windows. Under the current regulations

window signs are limited to the windows of office tenants. Staff proposes allowing window signs for retail, as well as office, tenants.

### *Street Address Signs*

Staff proposes allowing the lettering on street address signs to be six (6) to eight (8) inches tall, as opposed to limiting the lettering to a height of six (6) inches. This recommendation is the result of a discussion with members of the AWG, who suggested that larger letters may be more visible.

### *Blade Signs*

Blade signs are currently limited to two (2) feet vertical by three (3) feet horizontal. In order to allow for greater creativity in their design, staff proposes removing the specific shape parameters and merely restricting blade signs to an overall square footage of six (6) feet, which is effectively the maximum sign area permitted. Some AWG members have suggested that the overall square footage be increased to as much as ten (10) square feet, while others have recommended that no increase in size is needed. With this mixed input, staff is recommending that the blade sign maximum remain at six (6) square feet, which is already twice as large as what is permitted in the Zoning Ordinance. As the goal of the Code is to promote a pedestrian-friendly experience, staff does not think that a larger blade sign should be permitted by administrative approval. If, in certain instances, a larger blade sign may be warranted, a developer could apply for a larger blade sign through the special exception process by requesting the County Board's approval of a modification. In terms of the clear height for blade signs, the Code currently requires a minimum ten (10) foot clear height above the sidewalk. AWG members commented that lowering the clear height by one (1) foot might create a more pedestrian-oriented sidewalk experience. Upon further analysis, staff concurs and proposes amending the Code to permit a nine (9) foot clear height for blade signs. In addition, as described above, blade signs should be limited to one (1) per tenant per frontage, which would allow a tenant occupying a corner space to have up to two (2) blade signs. Lastly, staff recommends that only ground floor and second story tenants should be permitted to have blade signs, so as to limit the potential for cluttering a façade with signs. Previously, it was unclear whether or not there was a limit on the placement of blade signs.

### *Prohibited Signs*

Currently, the Code includes a list of "prohibited signs," but does not specify whether these types of signs may be permitted by the County Board by special exception. Staff proposes dividing the current list of prohibited signs into those which are prohibited unless otherwise permitted by special exception, including canopy signs, marquees, signs located above a height of 35 feet other than the building plaque, and signs painted on the exterior walls of buildings, and those which the County Board shall not permit under any circumstances, including flashing, traveling, animated or intermittent lighting, portable or wheeled signs, billboards, any kind of animation.

### *Graphics Signs*

Staff recommends amending the Code to allow up to one (1) "graphics sign" designed to be read from less than three (3) feet away to be displayed in a permanently mounted display box, not to exceed three (3) square feet, on the surface of the building adjacent to the entry.

The graphics sign is not permitted to be exposed to the elements in order to prevent degradation. Under the current provisions of the Form Based Code, a restaurant menu sign, building directory or other such sign posted in a display box would not be permitted, as wall signs are only permitted within the designated sign band. Staff recommends adding this provision to the Code to allow signage to be posted in a display box. Some AWG members recommended that the display box be increased in size to up to five (5) square feet to accommodate, for example, a large unfolded menu, while other AWG members approved of the proposed three (3) square foot limit. Staff continues to recommend limiting display boxes to three (3) square feet.

#### *Awning Signs*

Staff recommends allowing logos as well as lettering on awnings. Currently lettering on awnings is limited to five (5) inches in height on the vertically hanging fabric at the curb side of awnings. Staff recommends allowing logos to be of the same height and in the same placement as the lettering.

#### Amendment to Section 20. “CP-FBC” Columbia Pike Form Based Code Districts, E. 3. Standards for Review of Use Permits

Lastly, staff is proposing an amendment to Section 20. “CP-FBC” Columbia Pike Form Based Code Districts, E. 3. Standards for Review of Use Permits to allow sign requirements in the Code to be modified by the County Board, thereby correcting an inconsistency between the Zoning Ordinance and the Code, which have conflicting regulations regarding whether sign provisions may or may not be modified.

Community Process: The proposed amendments to the provisions for signage in the Code were discussed with the Form Based Code Advisory Working Group (“AWG”) at its January 22, 2009 meeting. At this meeting, members of the AWG expressed general support for the proposed amendments, but suggested several minor changes to the proposed language, as indicated in this report. The proposed amendments also were discussed with the Zoning Ordinance Committee of the Planning Commission (“ZOCO”) at its January 28, 2009 meeting. ZOCO members generally agreed with staff’s recommendations, but also recommended that a few minor changes be made, as discussed in this report. Staff made most of the changes recommended by AWG and ZOCO members and provided to the AWG and ZOCO a copy of the revised language, a memorandum detailing the AWG and ZOCO comments which included a staff response to each, and additional graphics to illustrate the proposed changes to the regulations. Staff received comments and feedback from the AWG on the revised proposal and issued a second comment/response memorandum to the AWG and to ZOCO. Staff met again with ZOCO on February 25, 2009, at which time ZOCO members agreed that staff had addressed the outstanding issues. At its March 14, 2009 meeting, the County Board authorized advertisement of the proposed amendments.

At the April 13, 2009 Planning Commission meeting, the commissioners voted to recommend that the County Board approve the proposed amendments. The Planning Commission made a motion to clarify the term “tenant.” According to the Zoning Administrator, a tenant is someone who holds a certificate of occupancy and typically a

certificate of occupancy is for one occupiable area. The Planning Commission also made a motion to allow under no circumstances signs above 35 feet. Staff's current proposed language prohibits signs above 35 feet except for the masonry or bronze building plaques, but does allow signs above 35 feet to be approved by the County Board through special exception. Staff continues to recommend that signs above 35 feet be permitted by special exception for the following reasons. There may be unforeseen circumstances where a sign over 35 feet may be appropriate or desirable. Such signs could attract tenants and enhance leasing viability. Not allowing any signs above 35 feet could also limit creative sign design and make more challenging the compatibility and design of signs for historic structures. As proposed, signs above 35 feet, except for the aforementioned building plaques, would be reviewed by the County Board at a public hearing. There were no public speakers at this meeting.

**CONCLUSION:** Staff recommends that the County Board adopt the proposed amendments to amend, reenact and recodify Section VI. Architectural Standards, F. Signage of the Columbia Pike Special Revitalization District Form Based Code (Attachment A) and the proposed amendment to amend, reenact, and recodify the Arlington County Zoning Ordinance provisions in Section 20. "CP-FBC" – Columbia Pike Form Based Code Districts, E. Administration, 3. Standards for Review of Use Permits (Attachment B).

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY THE ARLINGTON COUNTY ZONING ORDINANCE, SECTION 20. (APPENDIX A), “CP-FBC” COLUMBIA PIKE FORM BASED CODE DISTRICTS, SECTION VI. ARCHITECTURAL STANDARDS OF THE COLUMBIA PIKE SPECIAL REVITALIZATION DISTRICT FORM BASED CODE TO CLARIFY THE RELATIONSHIP BETWEEN THE SIGNAGE REGULATIONS IN THE FORM BASED CODE AND SECTION 34. NAMEPLATES, SIGNS, AND OTHER DISPLAYS OR DEVICES TO DIRECT, IDENTIFY AND INFORM OF THE ZONING ORDINANCE; TO MODIFY THE SIZE, DIMENSION, PLACEMENT AND LETTERING SIZE REGULATIONS FOR SIGNS IN THE FORM BASED CODE TO CLARIFY THE REGULATIONS AND/OR PROVIDE ADDITIONAL FLEXIBILITY; AND TO ESTABLISH MAXIMUMS OF THREE (3) WALL OR WINDOW SIGNS PER TENANT, ONE (1) BUILDING PLAQUE PER BUILDING, ONE (1) BLADE SIGN PER TENANT, ONE (1) GRAPHICS SIGN AND ONE (1) ADDITIONAL WALL OR WINDOW SIGN AND ONE (1) ADDITIONAL BLADE SIGN FOR CORNER TENANTS.**

Be it ordained that Section 20. (Appendix A), “CP-FBC” Columbia Pike Form Based Code Districts, Section VI. Architectural Standards of the Columbia Pike Special Revitalization District Form Based Code of the Arlington County Zoning Ordinance is hereby amended, reenacted and recodified as follows to clarify the relationship between the signage regulations in the Form Based Code and Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify and Inform of the Zoning Ordinance; to modify the size, dimension, placement and lettering size regulations for signs in the Form Based Code to clarify the regulations and/or provide additional flexibility; and to establish maximums of three (3) wall or window signs per tenant, one (1) building plaque per building, one (1) blade sign per tenant, one (1) graphics sign and one (1) additional wall or window sign and one (1) additional blade sign for corner tenants; and to reduce or prevent congestion in the streets; to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare, and good zoning practice:

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1 **Section VI. Architectural Standards**

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**F. Signage**



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**STANDARDS FOR SIGNAGE** (WHERE CLEARLY VISIBLE FROM THE STREET)

Signs that are permitted in Section 34.A.1, 34.A.4, 34.D.4., 34.E., 34.F.1, 34.F.5. and 34.J. of the Zoning Ordinance are permitted on property developed under the Form Based Code.

General:

In addition, Form Based Code projects may have the following number of signs provided they comply with the standards set forth below:

AWNING signs, 1 masonry or bronze plaque per building bearing an owner's or building's name and STREET address signs. In addition, 1 blade sign, 1 graphics sign and up to a total of 3 wall or window signs per tenant. One additional wall or window sign and 1 additional blade sign are permitted for tenants occupying retail or office spaces with more than one STREET FRONTAGE.

Signage Standards:

- Wall signs (placed against a wall) are permitted only within the area above the GROUND STORY windows and below the second STORY windows between the second STORY floor line and the first floor ceiling, within a horizontal band not to exceed 2 feet in height. In no case shall t~~his band shall not be located~~ higher than 18 feet or lower than 12 feet above the adjacent sidewalk.
- Letters on wall signs shall not exceed 18 inches in height or width and 3 inches in relief. Wall signs shall not come closer than 2 feet to an adjacent COMMON LOT LINE or the boundary of the area permitted to be used by the retail or office tenant and shall not exceed 20 feet in length.
- ~~Company logos or names may be placed within this horizontal band or placed or painted~~ Window Signs are permitted to be placed or painted within GROUND FLOOR or second STORY office and retail windows and . Company logos or names shall not be larger than the entire window sign shall fit within a rectangle of 8 square feet.
- ~~A~~ One ~~masonry or bronze plaque bearing an owner's or building's name may be placed in the building's cornice/PARAPET wall or under the eaves, and~~

38 above the upper STORY windows. Any such plaque shall be no larger than a  
39 rectangle of 8 square feet.

- 40 ■ STREET addresses signs may be placed at STREET entry doors using 6 to 8 inch  
41 tall, non-cursive type lettering. Such letters shall be located between 6 feet  
42 and 10 feet above grade.
- 43 ■ Blade type shop signs are encouraged, and shall be permitted for retail and  
44 office tenants. They shall be not more than ~~(not more than 24 inches vertical~~  
45 ~~by 3 feet horizontal,~~ 6 square feet and shall be located so that there is a  
46 minimum of 9 feet clear height above the sidewalk and below the blade  
47 type sign.) ~~are encouraged~~ Blade signs ~~and~~ may be hung from an overhang  
48 or AWNING. Blade signs shall not be internally illuminated and the company  
49 name or logo may occupy no more than one-half of the square footage within  
50 the blade sign. Creative art, graphics or materials is encouraged in the area  
51 of the blade sign not containing the company name or logo. Only one ~~B~~blade  
52 signs shall be permitted ~~in addition to the permitted square footage of~~  
53 ~~signage affixed to the facade of the building.~~ per tenant per STREET FRONTAGE  
54 and only for tenants occupying the GROUND FLOOR or second STORY.
- 55 ■ One graphics sign (a graphics sign is a sign designed to be read only from a  
56 distance of less than 3 feet away), such as, but not limited to restaurant  
57 menus or building directories, may be displayed in a permanently mounted  
58 display box of not more than 3 square feet on the surface of the building  
59 adjacent to the entry. Graphics signs shall not be exposed to the elements.
- 60 ■ Prohibited Signs: The following signs are prohibited unless otherwise  
61 permitted by the County Board by Special Exception: Billboards, canopy  
62 signs, marquees, any kind of animation, signs located above a height of 35  
63 feet except for masonry or bronze plaques as permitted above roof,  
64 freestanding signs, and painted window signs other than described above,  
65 and signs painted on the exterior walls of buildings are prohibited. Under no  
66 circumstances shall ~~No~~ flashing, traveling, animated, or intermittent lighting  
67 ~~shall~~ be on the exterior of any building whether such lighting is of temporary  
68 or long-term duration, and under no circumstances shall the County Board  
69 permit. ~~Portable or wheeled signs and advertising devices located outside~~  
70 ~~any building, are not allowed, pursuant to County regulations.~~ billboards, any  
71 kind of animation or signs specified in Section 34.C. of the Zoning Ordinance.

- 72       ▪ External lighting directed towards signage that is not internally illuminated is  
73       permitted. The energy efficiency of lighting should be considered.

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75       AWNINGS/Overhangs:

76       Notwithstanding the foregoing, when an AWNING or overhang is incorporated into a  
77       building, the following requirements must be met:

- 78       ▪ Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from  
79       the building façade (maximum to curb or tree-planting strip/furniture zone,  
80       whichever is closer).
- 81       ▪ Canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
- 82       ▪ No internal illumination through the AWNING/overhang.
- 83       ▪ Lettering and/or logo on AWNING limited to 5 inches tall on vertically hanging  
84       fabric at curb side of AWNING.
- 85       ▪ No one-quarter cylinder configurations.

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY THE ARLINGTON COUNTY ZONING ORDINANCE, SECTION 20. “CP-FBC” – COLUMBIA PIKE FORM BASED CODE DISTRICTS TO ADD SIGNS AS A REQUIREMENT OF THE FORM BASED CODE THAT MAY BE MODIFIED BY THE COUNTY BOARD.**

Be it ordained that Section 20. “CP-FBC” – Columbia Pike Form Based Code Districts, E. Administration, 3. Standards for Review of Use Permits of the Arlington County Zoning Ordinance is hereby amended, reenacted and recodified as follows to add signs as a requirement of the Form Based Code that may be modified by the County Board; and to reduce or prevent congestion in the streets; to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare, and good zoning practice:

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**SECTION 20. “CP-FBC” – COLUMBIA PIKE FORM BASED CODE DISTRICTS**

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**E. Administration**

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**3. Standards for Review of Use Permits**

- a. *Proposals that do not conform to the Form Based Code:* The County Board may modify the provisions of the Form Based Code upon a finding that, after the proposed modification, the subject development will better accomplish the purposes and intent of Section 20 of the Arlington County Zoning Ordinance than would the development without those modifications and that the proposed uses will not (1) affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use; (2) be detrimental to the public welfare or injurious to property or improvements in the neighborhood; (3) be in conflict with the purposes of the master plans of the County.
- b. Pursuant to a use permit application, the County Board may modify only the following requirements of the Form Based Code: Provided, however, that after such modifications, the County Board is still able to make the finding called for in subsection 3.a. above.
  - (1) Height of first floor relative to fronting sidewalk elevation;
  - (2) RBLs for the location of new alleys or streets, for historic buildings and for existing parking garages as of February 25, 2003;
  - (3) Streetscape details;
  - (4) Design issues related to the inclusion of existing or historic buildings or mature trees;
  - (5) Signs.