



ARLINGTON COUNTY, VIRGINIA

ZOA-2024-03

(Outdoor visual entertainment)

Adopted May 18, 2024

Effective May 18, 2024

At the County Board regular meeting on May 18, 2024, on a motion duly made by County Board Member Matt de Ferranti and seconded by County Board Vice-Chair Takis P. Karantonis, the Arlington County Board unanimously adopted the following ordinance, effective immediately, to amend, reenact and recodify Articles 13 and 18 of the Arlington County Zoning Ordinance relating to:

- A. Replacing “large media screen” with “outdoor visual entertainment” throughout the ACZO, and amending the definition of outdoor visual entertainment to include live events, movies, or similar displays, and incorporating a new definition for commercial shopping center into Article 18 (Definitions);
- B. Amending and expanding the purposes, approval criteria, use standards, locations and luminance of outdoor visual entertainment, including allowing commercial messages and sound;
- C. Permitting modification of outdoor visual entertainment use standards, through County Board use permit approval, for certain use standards, including minimum distance from an R or RA zoning district, maximum sign area, maximum sign height, sign type, and hours of operation; and
- D. Making other editorial changes for improved clarity, and for other related reasons required by public necessity, convenience, general welfare, and good zoning practice.

* * *

Approved amendments are shown with **bold underline** to denote new text, and ~~strikethrough~~ to denote deleted text.

* * *

Article 13. Signs

§13.9 Signs for Public, Civic and Institutional Buildings

§13.9.3. Freestanding signs

A.

...

C. Other standards

1.

...

4. Additional signs for schools:

(a) ...

(b) In schools, one sign with no commercial messages, for each athletic field, up to a maximum of 150 sq. ft. Notwithstanding the provisions of §13.13, such signs shall be allowed automatic changeable copy elements of up to 25 percent of the sign. A sign as permitted by this subsection (b) shall not be considered a ~~large media screen~~ outdoor visual entertainment.

§13.10 Signs in Public Districts and on Public Property in any District

§13.10.7. Freestanding signs

A. ...

...

D. Additional freestanding signs allowed in addition to signs in B above

1. ...

...

3. Signs for each athletic field in schools and parks, with no commercial messages, except as permitted by specific agreement with the County. Notwithstanding the provisions of §13.13, these signs shall be allowed automatic changeable copy elements of up to 25 percent of the sign. A sign as permitted by this subsection 3 shall not be considered a ~~large media screen~~ outdoor visual entertainment.

§13.12 Sign Illumination

§13.12.2. Maximum allowable luminance

D. ~~Large Media Screens~~ Outdoor Visual Entertainment

Maximum luminance of ~~large media screens~~ outdoor visual entertainment shall not exceed the limits set forth below:

Location	Maximum Allowable Luminance (cd/m ²)	
	During Daylight Hours	During Nighttime Hours
Where allowed by §13.13.4	5000	500 <u>700</u>

§13.13. Flashing, Moving and Changeable Copy Signs

§13.13.1. General rule

Signs that move, flash or simulate movement are prohibited except automatic changeable copy signs as allowed under this §13.13 and ~~large media screens~~ **outdoor visual entertainment** that meet the standards in §13.13.4 below.

§13.13.4. ~~Large media screens~~Outdoor visual entertainment

A. Purpose

~~In addition to the purposes set forth in §13.1, The~~ **the additional** purposes of §13.13.4 ~~is are~~ to: ~~promote public health, safety, and welfare by providing opportunities to disseminate emergency broadcast information and public service messages, to~~

- ~~1. p~~**Promote economic development, and enhance the long-term economic viability of Arlington's major commercial centers.**
- 2. Foster a sense of place in these commercial centers as gatherers of people, in part, using creative and dynamic visual amenities.**
- ~~3. and to c~~**Create a convenient, attractive, and harmonious community in accordance with the visions for the public spaces mixed use settings identified in adopted master plans in the County and with the vision in adopted sector or small area plans for the subject area.**
- 4. Promote public health, safety, and welfare by providing opportunities to disseminate emergency broadcast information and public service message.**

B. Action by County Board

The County Board may approve ~~large media screens~~ **outdoor visual entertainment** that ~~does~~ not otherwise meet the standards for automatic changeable copy signs specified in in §13.13.2 and §13.13.3 **by use permit as specified in §15.4** in the following instances:

- ~~1. On buildings governed by site plan as specified in §15.5; or,~~
- ~~2. In P-S districts, on buildings governed by use permit as specified in §15.4.~~

C. ~~Approval criteria~~

~~Large media screens that do not otherwise meet the standards for automatic changeable copy signs specified in §13.13.2 and §13.13.3, may be approved when the County Board finds, consistent with the purposes outlined in §13.13.4.A and the standards specified in §13.13.4.C, that the large media screen is in accordance with the following criteria:~~

- ~~1. The large media screen~~ **outdoor visual entertainment** is oriented for viewing by pedestrians **or retail customers; and**
- ~~2. The large media screen~~ **outdoor visual entertainment** is placed in a location consistent with ~~the visions in~~ **adopted** County master plans and ~~adopted design guidelines for the area to which it is oriented, where pedestrian activity is encouraged~~ **in mixed use settings**, and that the presence of the large media screen **outdoor visual entertainment** in that location will ~~continue~~ **contribute** positively to the pedestrian experience and ~~further realization of that vision~~ **enhance the economic viability; and**

3. The outdoor visual entertainment functions as an element separate and distinct from the building façade plan, such that the visual interest and architectural integrity of the building and its facade are not derived primarily from the placement of outdoor visual entertainment; and
- ~~34.~~ The large media screen outdoor visual entertainment does not unreasonably interfere with or create a distraction that poses a hazard to drivers' operation of a motor vehicle on streets abutting or fronting the building on and/or plaza in which the sign is placed; and
- ~~45.~~ The large media screen outdoor visual entertainment does not unreasonably impact the monumental core of the District of Columbia or other sites of historic or national interest.

CD. Use standards

~~Large media screens~~Under no circumstances shall the County Board approve a use permit as specified in §15.4 for outdoor visual entertainment that does not~~shall~~ comply with the following requirements, except as specifically allowed to be modified subject to §13.13.4.E:

1. Location and siting

- (a) ~~Large media screens~~Outdoor visual entertainment shall be allowed only in a community shopping center or an urban regional shopping center within a commercial/mixed use (C) district:
 - ~~(1) In P-S districts; or~~
 - ~~(2) In commercial/mixed-use (C) districts within one-quarter mile of a metro station, major bus transfer station, or streetcar station.~~
- (b) ~~Large media screens~~Outdoor visual entertainment shall be wall signs and may be placed ~~only on commercial, mixed use, or multiple-family residential or public buildings,~~ provided that the building is within a community shopping center or an urban regional shopping center.
- (c) ~~Proximity to residential districts and uses~~ Outdoor visual entertainment shall not be placed within 200 feet of the common lot line of an R or RA district.
 - ~~(1) The video screen of a large media screen shall not be placed within 200 feet of the common lot line of an R or RA district, and shall be designed to not be visible from an R or RA district;~~
 - ~~(2) A large media screen shall not be located within 600 feet of any residential dwelling unless the applicant demonstrates that the video screen will not have substantial visual impact on any dwelling unit within 600 feet of the large media screen.~~
- (d) ~~Large media screens in parks and plazas:~~Outdoor visual entertainment shall be placed on elevations of the building that immediately abut plazas or similar open spaces that are not separated from the plaza or open space by principal or minor arterial streets.
 - ~~(1) A large media screen designed to be viewed from a park or plaza shall be allowed only on elevations of buildings that immediately abut the park or~~

plaza, or that are not separated from the park or plaza by streets identified as other principal or minor arterial streets on the Master Transportation Plan.

~~(2) A large media screen in a park or plaza shall face inward into the park or plaza such that it is designed to be viewed by persons using the park or plaza as opposed to persons outside of the park or plaza.~~

(e) ~~A large media screen shall function as an element separate from the building, such that the architectural design of the building is not derived primarily from the large media screen nor does it depend on the presence of the large media screen for architectural merit; and the media screen~~The outdoor visual entertainment shall not substitute for fenestration on the building.

~~(f) No large media screen shall be designed to be viewed from within a restaurant or outdoor café or placed in the windows of a restaurant.~~

2. Sign area

~~(a) No large media screen~~outdoor visual entertainment shall be larger ~~than~~ 750 square feet.

~~(b) Outdoor visual entertainment shall not be included in aggregate sign area specified in §13.7.1.D, §13.8.3.D, or §13.15.2.D. and may be approved by the County Board independently of a Comprehensive Sign Plan.~~

3. Sign height

~~(a) Large media screens~~Outdoor visual entertainment shall have a maximum sign height of 40 feet to the top of the sign.

~~(b) Notwithstanding the maximum sign heights specified above and specified in §13.7.1.G.5, large media screens~~outdoor visual entertainment ~~at~~ in urban regional shopping centers that have chosen to have their signs regulated under the regulations set forth in §13.8 may have a maximum sign height in accordance with the placement standards specified in §13.8.3.E.

4. Messages

Commercial messages ~~shall not be~~ are permitted on any large media screen on outdoor visual entertainment for any activity, product, or service within the community shopping center or urban regional shopping center for which the outdoor visual entertainment was approved through a use permit as specified in §15.4.

5. Lighting and sound

(a) The sign shall meet all standards for lighted signs as set forth in §13.12 and shall incorporate automatic level controls to reduce light levels at night and under cloudy or other darkened conditions by inclusion of an ambient light monitor that allows automatic adjustment of the brightness level of the sign based on ambient light conditions;

~~(b) Sounds shall be permitted only when associated with a scheduled Special Event open to the public, as permitted in §13.13.4.E below, such as, but not limited to movies, art displays, or other live programming such as concerns and special events~~

of national and/or community interest. Volume level of the large media screen during such events shall be in accordance with the noise ordinance during the hours of operation specified in §13.13.4.C.5, and shall comply with Chapter 15 of the Arlington County Code (Noise Control Ordinance).

6. Hours of operation

Outdoor visual entertainment may be operational only between the hours of 9:00 am – 10:00 pm, Sunday through Thursday, and the hours of 8:00 am – 11:00 pm on Fridays and Saturdays.

- ~~E.~~ Large media screens shall not be subject to aggregate sign area limitations in the zoning ordinance, and may be approved by the County Board independently of a Comprehensive Sign Plan.
- ~~F.~~ Large media screens located in parks or plazas that are publicly owned or have a public access easement and are a minimum of 12,000 square feet in size, may be used for special events associated with a Special Event permit issued by the County, and for special events sponsored by the County.
- ~~G.~~ The zoning administrator may approve a large media screen located in a park that is publicly owned or has a public access easement, where such sign meets all standards in §13.13.4.C, provided the sign is located such that the face of the sign is not visible from any street or residence on the perimeter of the park.

D. Modifications

The County Board may, through use permit approval as specified in §15.4, modify the following standards for outdoor visual entertainment:

1. Distance from an R or RA district as provided in §13.13.4.C.1.(c);
2. Maximum sign area as provided in §13.13.4.C.2(a);
3. Maximum sign height as provided in §13.13.4.C.3;
4. Sign type if the applicant demonstrates that an alternative to a wall sign better achieves the purposes outlined in §13.13.4.A; and
5. Hours of operation subject to the approval of a Special Event Permit as provided in §13.13.4.E.

E. Special Events

Hours of operation may be extended for special events associated with a Special Event Permit issued by the County and for special events to accommodate the possibility of live programming of a national and/or community interest.

- ~~F.H.~~ Operation of any approved large media screen outdoor visual entertainment shall be commenced within one year from the date of County Board approval, or the approval becomes null and void.
- ~~G.I.~~ All wall-mounted ~~A use permit or site plan for a~~ large media screens approved and installed in the approved location as of ~~December 17, 2013~~ **May 18, 2024**, shall be deemed to have been approved under §13.13.4 but shall be required may continue to operate in compliance with all conditions that govern size, location, sound, and operation of the large media screen of the use permit or site plan under which they were ~~it was~~ initially approved,

and with all provisions for lighting in ~~§13.13.4.D.5(a)~~**13.13.4.C.5(a)** above. Such signs may be replaced consistent with this ~~§13.13.4.G~~ and any amendments to the original approval that were approved prior to December 17, 2013**the approved use permit or site plan.**

- ~~J.~~ Signs at athletic fields as permitted in §13.9.3.C.4(b) or §13.10.7.E.3 shall not be considered a large media screen.

Article 18. Definitions

Community shopping center. A building(s) or the portion of a building that includes a minimum gross floor area of 200,000 square feet but less than 500,000 square feet of retail, entertainment and food establishment uses. A community shopping center is connected by at least one interior or exterior shared pathway fronted by retail, entertainment and food establishment uses and has shared, on-site parking.

~~Large media screen~~ **Outdoor visual entertainment:** An ~~wall-mounted~~ automatic changeable copy sign larger than 12 square feet that displays, on a video screen, either still, scrolling or moving images, including video, **live events**, media broadcasts, and animation, **movies, or similar displays**. Such images may be changed remotely through electronic means and utilizes a series of grid lights, including cathode ray, light emitting diode display, plasma screen, liquid crystal display, fiber optic, or other electronic media or technology, and meets the requirements of §13.13.4.