

The Committee of 100 on the Federal City



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MEMO TO: Alice Kelly, District of Columbia Department of Transportation

SUBJECT: Comments on proposed sign regulations: correction

FROM: George R. Clark, Chair, Committee of 100 on the Federal City

DATE: December 14, 2012

Our comments submitted earlier included a comment on proposed §902.3, which carries forward the existing restrictions on transfer of self-standing Special Signs. The last sentence of that comment omitted the term “transferred” before “self-standing Special Sign”. The corrected comment is set out below.

The inventory of Special Signs currently displayed on the DCRA website includes some self-standing signs that, on the basis of the dates of their original location permits, appear to be in violation of the existing restrictions.

Again, thank you for the opportunity to comment on this draft.

PERMIT REQUIRED

- 902.1 No Special Sign or Special Sign Artwork shall be displayed or transferred without a Special Sign permit and approval of the artwork in accordance with this chapter.
- 902.2 A Special Sign requires both an approved Special Sign permit and an approved Special Sign Artwork permit.
- 902.3 The twelve (12) self-standing Special Signs approvals existing as of January 1, 2004, shall be allowed to remain or be transferred within the area specified in § 909.1(c); provided, that the transfer of an existing self-standing Special Sign to a new self-standing sign location is subject to the following additional conditions:
- (a) A transferred self-standing Special Sign shall be issued a Special Sign permit and shall be allowed to remain in its transferred location for only a two (2) year time period beginning on the latter of the date of issuance of the Special Sign transfer permit or the date of issuance of the associated building permit for the Special Sign structure; and
 - (b) The location to which the self-standing Special Sign is transferred shall be a future construction site, to be developed in the foreseeable future as demonstrated by development plans, marketing materials, or ongoing administrative processes to develop the site.

Self-standing Special Signs are in every respect functionally equivalent to billboards, which the existing and proposed regulations prohibit in the District, except that they can be very much bigger than is allowed for DC billboards. This section carries forward the restrictions on transferability now found at 12A DCMR 317.17.1. Casual observation raises serious questions about whether this restriction has been enforced in good faith – witness the familiar double-faced Special Sign that has been a fixture at 6th and New York Avenue NW for years. **If DCRA is interpreting the language on calculating the two-year time period to mean that a sign can remain indefinitely so long no building permit for the planned project for the site has been issued, that interpretation is clearly wrong and must be changed. The regulation clearly means that no *transferred* self-standing sign can lawfully exist for longer than two years, and super-annuated freestanding Special Signs should be required to be removed.**