

Perez, Benito (DDOT)

From: Clinton, Anne <Anne.Clinton@brookfield.com>
Sent: Friday, December 14, 2012 2:58 PM
To: DDOT, Policy (DDOT)
Cc: Carney, Simon
Subject: Title 13--Comments to Proposed Sign Regulations

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Dear Ms. Kelly:

On behalf of Brookfield Office Properties, an owner and developer of commercial real estate in Washington, D.C. (as well as in other major cities across the world), we respectfully submit comments to the current draft of Title 13 of the District of Columbia Municipal Regulations (the "Current Draft") for consideration, as set forth below.

1. Timing

Based on the sections of the Current Draft noted below, review of a signage application can take 30 days, plus 30 – 45 days in certain circumstances, plus another 14 days to provide notice if denied:

Section 203.2: The permitting official shall notify the applicant in writing of the reasons for the denial no later than fourteen (14) days after the application is officially denied.

Section 303.2: The application shall be submitted to the permitting official who shall, no later than thirty (30) days after receipt, refer the application to the Commission for review and comment.

Section 303.3: For applications subject to the Shipstead-Luce Act, the Commission shall issue a report to the permitting official within thirty (30) days after receipt, and for applications subject to the Old Georgetown Act, the Commission shall issue a report to the permitting official within forty-five (45) days after receipt.

If an applicant's signs are ultimately denied, it could take up to 90 days to receive that negative determination. Per Section 502 of the Current Draft, if the Office of Planning gets involved, it can take an additional 200 days.

We are concerned that the review period is too long, especially for a smaller construction projects, and could unduly delay projects. Perhaps it would be possible to set up a "safe harbor" regime, whereby signs that meet specific requirements are automatically deemed approved and therefore would not require submittal and review?

2. Permit numbers on signage –

The proposed height of the permit numbers (at least one inch in height) as set forth in Section 606.4(d) of the Current Draft seems rather large. We are not aware of other major cities that require the signs themselves to be stamped. As an alternative, perhaps there can be a stamp on the permit on record in the management office? This would be similar to the elevator use permits.

Also, we have a number of technical questions about the permit stamp that are left unanswered by the Current Draft, including:

- Where is the stamp intended to go on the sign? Can it go on the side of the sign instead of immediately on the front of the sign (if you have a raised sign with a thick enough edge)?
- What is the process for getting the sign stamped?
- How far in advance would the sign need to be prepared to ensure that it is installed in a timely manner?
- Can the sign be stamped in place or does it have to be sent somewhere?

3. Temporary Construction Signage Duration

Per Section 605.3 of the Current Draft, temporary signage may be in place for a maximum of 180 days or else it must go through the submittal/review process. Our concern is that 180 days is far too short for a development or major project, which can easily extend beyond a year.

4. Temporary Construction Signs Size

Per Section 605.9, the total area of temporary construction signs can be up to a maximum of two square feet. We think this is too small. Lengthy walk-through scaffolding with graphics/signage have a much better appearance than just the scaffolding. Also, building tenants (particularly retail) frequently expect large temporary signs when scaffolding is obstructing their premises.

5. Grandfather Provision

The regulations should clearly provide that existing signs that are compliant with existing regulations will be “grandfathered” into this new program.

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Thank you in advance for considering our comments. If you need clarification on any of the items noted above or wish to discuss further, please do not hesitate to contact me at the information listed below.

Best regards.

Anne Clinton
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