

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend Title 12 of the District of Columbia Municipal Regulations to impose a permanent moratorium upon the issuance of any permits for the erection or construction of a Special Sign and to place restrictions on the transferability of locations for Special Signs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Special Signs Amendment Act of 2001".

Sec. 2. Title 12 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Subsection 3115.4.2.7 is amended to read as follows:

"3115.4.2.7 Transferability of Special Sign Locations: A special sign permit shall be transferable to a new location only under the following conditions:

"(a) Except for transfers from locations presently lying outside the area defined in paragraph (b) of this subsection, the transfer is for cause, which only means that: (1) the lease for the location of the Special Sign is cancelled, terminated, or otherwise invalid; (2) the Special Sign is partially or totally obstructed; or (3) the location of the Special Sign is or would be no longer feasible because of construction or development.

"(b) The new location is within the Central Business District (C-4), as defined by Title 11 of the District of Columbia Municipal Regulations; the commercial or industrial portions of the New York Avenue corridor, areas zoned industrial (M,C-M), as defined in Chapter 8 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR § 800 *et seq.*); facilities within the jurisdiction of the District of Columbia Sports Commission as of November 1, 2001; or the following areas within the Central Employment Area which are bounded as follows:

"(1) Beginning at the corner of F Street, N.W. and 17th Street, N.W., west along F Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to Pennsylvania Avenue, N.W., west along Pennsylvania Avenue, N.W. to 21st Street, N.W., north along 21st Street, N.W. to M Street, N.W., east along M Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to N Street, N.W., east along N Street, N.W. to 19th Street, N.W., south along 19th Street, N.W. to G Street, N.W., east along G Street, N.W. to 17th Street, N.W., south along 17th Street, N.W. to F Street, N.W.;

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"(2) Beginning at the corner of Rhode Island Avenue, N.W. and M Street, N.W., northeast along Rhode Island Avenue, N.W. to Massachusetts Avenue, N.W., east along Massachusetts Avenue, N.W. to 15th Street, N.W., south along 15th Street, N.W. to M Street, N.W., west along M Street, N.W. to 16th Street, N.W., south along the east side of 16th Street, N.W. to Eye Street, N.W., north along the west side of 16th Street, N.W. to M Street, N.W., west along M Street, N.W. to Rhode Island Avenue, N.W.;

"(3) Beginning at the intersection of Massachusetts Avenue, N.W. and 14th Street, N.W., east along Massachusetts Avenue, N.W. to 9th Street, N.W., north along 9th Street, N.W. to N Street, N.W., east along N Street, N.W. to 7th Street, N.W., south along 7th Street, N.W. to K Street, N.W., east along K Street, N.W. to 3rd Street, N.W., south along 3rd Street, N.W. to Massachusetts Avenue, N.W., west along Massachusetts Avenue, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 9th Street, N.W., south along 9th Street, N.W. to H Street, N.W., west along H Street, N.W. to 11th Street, N.W., north along H Street, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 12th Street, N.W., north along 12th Street, N.W. to L Street, N.W., west along L Street, N.W. to 14th Street, N.W., north along 14th Street, N.W. to Massachusetts Avenue, N.W.;

"(4) Beginning at the intersection of Massachusetts Avenue, N.W. and H Street, N.W., east along H Street, N.W. to the closed alley (formerly Smith Court) in the mid-block between 1st Street, N.W. and North Capitol Street, south along that closed alley line to G Street, N.W., east along G Street, N.W., to North Capitol Street, south along North Capitol Street, N.W. to Massachusetts Avenue, N.W., northwest on Massachusetts Avenue, N.W. to H Street, N.W.;

"(5) Beginning at the intersection of Florida Avenue, N.E. and North Capitol Street, southeast along Florida Avenue, N.E. to 4th Street, N.E., south along 4th Street, N.E. to M Street, N.E., west along M Street, N.E. to 3rd Street, N.E., south along 3rd Street, N.E. to K Street, N.E., west along K Street, N.E. to 1st Street, N.E., south along 1st Street, N.E. to G Place, N.E., west along G Place, N.E. to North Capitol Street, north along North Capitol Street to Florida Avenue, N.E.;

"(6) Beginning at the corner of M Street, S.E. and South Capitol Street, east along M Street, S.E., to 1st Street, S.E., south along 1st Street, S.E., to Potomac Avenue, S.E., west along Potomac Avenue, S.E., to South Capitol Street, north along South Capitol Street to M Street, S.E.; and

"(7) Beginning at the intersection of Maryland Avenue, S.W. and Maine Avenue, S.W., east along Maryland Avenue, S.W. to 9th Street, S.W., south along 9th Street, S.W. to Interstate 395, west along Interstate 395 to Maine Avenue, S.W.

"(c) The new Special Sign location is approved by the Department in accordance with the provisions of Subsection 3115.4.2. through 3115.4.2.10.

"(d) The permit holder pays a "change location" fee in the amount of \$500. The \$500 change location fee shall be refundable if the transfer of the Special Sign permit to a new location

is not approved. If the relocation of the Special Sign is made at the request of the Department, a "change location" fee shall not be required.

"(e) If the Special Sign is painted or drawn onto an existing structure, the method of removal shall be that the existing structure where the Special Sign has been placed shall be made neutral prior to the relocation.

"(f) If a current Special Sign permit for a location that is not in the zone of transferability, as defined in paragraph (b) of this subsection, is transferred to another location under this subsection, the Department shall ensure that the current Special Sign has been removed prior to the relocation and no subsequent Special Sign shall be permitted to be erected in the former location or area outside the zone of transferability.

"(g) No Special Sign shall be installed so as to go beyond the lowest portion of the roofline of an existing building's dimensions."

(b) Subsection 3115.4.2.9 is amended as follows:

(1) The lead-in text is amended to read as follows:

"3115.4.2.9. Limitations on Special Sign Permits: The Department shall not issue any new permits, whether the initial permit, changes to artwork pursuant to Subsection 3115.4.2.5, or a transfer to a new location pursuant to Subsection 3115.4.2.7, for any Special Sign to be displayed upon buildings or land located in any of the following areas:"

(2) Paragraph (1) is amended to read as follows:

"(1) In or within one hundred feet (100 ft) of a Residential District, as defined in the District of Columbia Zoning Regulations, or within one hundred feet (100 ft) of a school or church with a valid certificate of occupancy for such use, or within one hundred feet (100 ft) of a federal or District of Columbia park or monument."

(c) A new subsection 3115.4.2.11 is added to read as follows:

"3115.4.2.11. Moratorium on Issuance of Special Signs: Notwithstanding the provisions of Subsections 3115.4.2 through 3115.4.2.10, a Special Sign permit shall not be issued after November 9, 2000. No more than 32 Special Sign permits shall be allowed to exist after November 9, 2000 in the District."

### **Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

### **Sec. 4. Effective date.**

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of

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Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia