



## COUNCIL OF THE DISTRICT OF COLUMBIA

Committee on Transportation and the Environment

2016 Budget Hearing

**District Department of Transportation**

Meg Maguire, Chair, Transportation Subcommittee

April 21, 2015

I am Meg Maguire, Chair of the Transportation Subcommittee of the Committee of 100. We appreciate the opportunity to request Council to budget three studies to accompany DDOT's proposed sign regulations.

We are astonished that the draft sign regulations propose **radical and unacceptable changes in existing sign policy to increase the spread of highly intrusive outdoor advertising billboard technologies throughout the District.** These proposals constitute major, wholly unwarranted and indeed inexplicable concessions to the sign industry at the expense of the public interest.

The proposed regulations would, among other provisions:

- Establish two very large new "Designated Entertainment Areas" (DEAs) on the SW Waterfront and the Ballpark, in addition to the already established DEAs at Gallery Place and Verizon Center, where huge digital billboards as large as 1200sf would be permitted.
- Give the Mayor sole authority to designate additional DEAs throughout the city.
- Permit rooftop signs.
- Remove geographic limitations on so-called "Special Signs," the gigantic wall billboards as large as 6,000sf, permitting them to move all over the city.

In other words, **mixed use becomes mixed abuse.** The proposed changes will blight reviving commercial and mixed-use areas and impose unacceptable hardships on residents and office tenants, invading homes and offices with flashing strobe lighting and radically changing the nature of the public realm. This is happening right now at Gallery Place and the Verizon Center, where residents and office businesses had no warning that their quality of life would be so severely disrupted by giant public televisions they cannot turn off.

In 1965, Congress enacted Lady Bird Johnson's Highway Beautification Act (HBA). The Act dealt not only with highway safety but also beauty of the public realm. Mrs. Johnson focused many of her efforts on Washington, DC as a showcase for other cities. How ironic that, on the 50<sup>th</sup> anniversary of the HBA, DC is considering adopting what would be, in effect, the **Gigantic Electronic Billboard Pollution Protection Act.**

Before further consideration of radical de-regulation, we ask the Council to provide funds for three studies:

**Study #1: Show the impact of all proposed regulations through visual simulation.**

As city officials charged with protecting the public trust, DDOT, DCRA and OP have an obligation to make it as easy as possible to understand what they propose. These agencies need to accurately depict the visual effects of digital signs in all proposed and vulnerable locations (including H St. and 14<sup>th</sup> St.). The simulations should show the full impacts of digital and full motion video signs – including both direct and bounced light -- on all affected built and natural elements including the Potomac and Anacostia Rivers, historic buildings, public parks, and streetscapes; as well as on pedestrians, office tenants and residents.

This technology has been in use a long time, and its application to these sign regulations will demystify the regulatory language. Visual simulation is neither expensive nor unfamiliar to OP, DDOT or the federal agencies. A series of 2-D photo montages showing the impact of proposed regulations on rooftops, buildings and streetscapes in various vulnerable communities throughout the city, coupled with 3-D animated simulations of the proposed two additional “designated entertainment districts,” are both possible and essential.

**Study #2: Investigate the effects of digital billboards on personal well-being and property values of residents, office tenants and businesses at Gallery Place/Verizon Center, through an impartial, objective study conducted by Council.**

We are skeptical that the agencies promulgating these regulations could be objective enough to produce a credible study of the human impacts of digital billboards at the politically favored Gallery Place and the Verizon Center. But what about the point of view of those whose only view is of enormous, high-intensity television screens day and night? The methodology for this study must be sound and the public should have an opportunity to pose research questions. An outside firm with strong credentials in environmental psychology and the social sciences should be retained to conduct the study.

**Study #3: Document the history of enforcement and compliance with all agreements at both Gallery Place and the Verizon Center.** An outside law firm, perhaps on contract to the Attorney General, should conduct this study rather than the agencies that were party to permitting digital billboards in these locations. We know from recent experience that enforcement of restrictions on off-premise advertising and light intensity has been virtually non-existent. In fact, DCRA has been handicapped in enforcing the law that would pit regulators against Monumental Sports and Entertainment with its threat of lawsuits. This study is important because emasculated regulation is typical of the experience throughout the US in cities that permit digital billboards, and it is important that Council understand the legal issues you have bought into in the present before you extend them to the future.

Finally, we request that Council hold hearings on digital billboards and seek testimony from both local neighborhoods and from municipalities and counties throughout the country that have banned the construction of new billboards. **The only way to defend our city from the ravages of the billboard industry as thousands of other far-sighted cities and towns have done around the country is to ban construction of all new billboards.**

Thank you.