



**FAIRFAX
COUNTY**

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

Article 12, Signs, and Related Provisions

PUBLIC HEARING DATES

Planning Commission

December 5, 2018 at 7:30 p.m.

Board of Supervisors

February 5, 2019 at 4:00 p.m.

**PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
703-324-1314**

November 19, 2018

ABH



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STAFF COMMENT

The proposed Zoning Ordinance amendment is phase one of a two-part effort to amend the existing sign ordinance. This amendment includes a repeal and replacement of Article 12, Signs, by deleting redundant or outdated provisions; rewriting existing regulation and proposing new regulation of signs and/or their characteristics in a content-neutral manner; reorganizing existing and new provisions in a more user-friendly format to include graphics; and establishing more uniform regulation of signs in all zoning districts. In addition, related sign provisions found throughout the Zoning Ordinance are also proposed for amendment accordingly. The proposed amendment is identified on the 2018 Priority 1 Zoning Ordinance Amendment Work Program as an initiative under the Zoning Ordinance Modernization (zMOD) Project, and was carried over from the 2017 Work Program. While the second phase of amendments associated with zMOD will include a broader review of sign policies, the primary purpose of this phase of the amendment is to rewrite the existing provisions found in Article 12, Signs, of the Zoning Ordinance into content-neutral language in response to the United States Supreme Court's 2015 ruling in *Reed vs. Town of Gilbert (Reed)*.

BACKGROUND & OUTREACH

In its decision in *Reed*, the U.S. Supreme Court drew a distinct line concerning the use of content-based sign regulations. In *Reed*, the town of Gilbert, Arizona's sign ordinance assigned different size and posting requirements to political, ideological, and directional signs. The Court held that where a locality defines sign categories on the basis of the message expressed, the regulation is "content based" – no matter the sign's purpose or viewpoint – and thus is presumptive unconstitutional, and can only survive if it passes strict scrutiny review, a very high bar to cross. For a regulation to survive "strict scrutiny," it must further a compelling governmental interest, be narrowly tailored to achieve that interest, and must leave open ample alternative channels of communication. The town's sign ordinance failed the strict scrutiny test because it could not show a compelling governmental interest that justified the differences in regulations based on a sign's message.

As many other jurisdictions around the country are doing, Fairfax County is undertaking this phase of the Article 12 amendment to ensure that the County's sign regulations comply with *Reed*. Therefore, throughout the draft process and during all outreach efforts to date, staff has stressed that the purpose of this amendment is largely to ensure content neutrality. Since this effort requires a review and significant rewrite of the entire sign ordinance, staff has also taken the opportunity to streamline the text and make the regulatory document more user friendly. To this end, every section has been rewritten in some degree but staff's goal was to keep as much of the actual regulations – types of permitted signs, sizes, etc. – intact. However, there are some concepts for which this approach was not possible due to lack of clarity in the existing provisions, such as those related to minor, i.e. temporary, signs, or lack of any regulatory framework at all prior to the *Reed* decision, such as the case for electronic display, i.e. digital, signs. Therefore, the proposed amendment provides new text and options for these areas, which will require some action by the Board. These are discussed in more detail in the major issue areas section below.

In developing this proposed amendment, staff has conducted extensive outreach with individual Board members, the Planning Commission, affected County agencies, citizen and business groups,

and other interested stakeholders. The proposed amendment was discussed at the Board of Supervisors Development Process Committee (DPC) meetings on October 3, 2017; December 12, 2017; and March 13, 2018, and with the Planning Commission's Land Use Process Review (LUPR) Committee on February 7 and September 12, 2018. Additionally, DPZ has worked with staff members from Fairfax County Public Schools and the Fairfax County Park Authority. Staff presented the amendment and received input from the zMOD Citizen Advisory Group and Land Use Attorney Advisory Group, meeting with each group twice, and also met with a group of Chamber of Commerce representatives to discuss the amendment and receive their feedback. The topic has been presented at four DPZ Open Houses in 2017 and 2018, where citizens received information about the potential changes, staff responded to questions and where attendees were advised as to how to provide input, should they desire. The proposed changes were also presented to various citizens' associations/district councils and the amendment is listed on the zMOD website.

Staff will continue to conduct outreach and consider input from interested stakeholder groups following the Board's authorization on October 30, 2018, and throughout the public hearing process. Staff will be meeting with the Planning Commission's LUPR Committee again on November 28, 2018, and meetings are also scheduled to present the proposed amendment to the Mason District Council and the Braddock District Land Use & Environmental Committee. Staff will soon be scheduling meetings with the Land Use Aides Committee, Faith Communities in Action and additional meetings with the Park Authority.

PROPOSED AMENDMENT

In an effort to explain and discuss the proposed new sign regulations in easy to understand terms, the staff comment is organized as follows: (1) an overview that explains all proposed changes in four broad categories; (2) identification of provisions organized by new Section number; (3) discussion of major and/or new issue areas with staff recommendations; and (4) a detailed listing of all corresponding changes to other Articles of the Zoning Ordinance. In addition to the proposed text found at the end of the staff comment, staff has also prepared a "crosswalk" document that identifies each provision in the existing Sign Ordinance and gives, where applicable, the new ordinance section where the provision can be found, as well as some brief commentary as to why changes were made to the regulation. The crosswalk document has been created as an accompanying document to the staff comment and can be found on the DPZ webpage for the Sign Ordinance Amendment at: <https://www.fairfaxcounty.gov/planning-zoning/zmod/sign-provisions>

I. Overview & Explanation of Changes

While there are many proposed changes to the existing Sign Ordinance, the changes found in the proposed draft Ordinance fall into four distinct categories:

1. A re-write of the existing provisions for content neutrality and clarity.

For example, Par. 13.B. of Section 12-203, includes provisions for signs within an office park and states:

“One (1) freestanding building identification sign may be permitted for each detached building which houses a principal use within an office park. Such sign(s) shall be limited to identifying the name of the building and/or the individual enterprises located therein, the address, trademark or identifying symbol or any combination thereof. No such sign shall exceed twenty (20) square feet in area or eight (8) feet in height or be located closer than ten (10) feet to any lot line.”

The underscored text in the above provision is an example of a content-based regulation because the message of the sign is the basis for the regulation and, thus, it is recommended for deletion. Staff has reviewed each provision for similar language and has attempted to rewrite provisions with appropriate, clear language while keeping their original intent.

2. The proposal of new regulations.

While the majority of the existing regulations have been rewritten, there are some topical areas for which this approach was not possible due to the legal challenges presented by *Reed* (off-site/directional signs); a lack of clarity in the existing provisions (minor signs); or the absence of any regulatory framework at all prior to *Reed* (electronic display signs). Certain sections of the existing ordinance, particularly Sections 12-103, Temporary Signs, and 12-104, Prohibited Signs, were challenging to rewrite since many of the regulated sign types, such as political campaign signs and temporary signs for non-residential uses, were content-based. Therefore, these sections contain the most number of changes, as well as more significant policy changes that are being recommended by staff. Concerning entirely new regulation, staff is also proposing changes related to permanent signs in residential districts and the regulation of electronic display signs.

3. A reorganization of all provisions in a more user-friendly format with a new section of defined terms and appropriate graphics.

As proposed, the draft Sign Ordinance has been streamlined, much in the same fashion as is proposed for the entire Zoning Ordinance as part of the zMOD project. The existing Ordinance has been reorganized with redundant or duplicative provisions deleted. The provisions are organized into three separate parts: Part 1, General Provisions; Part 2, Sign Regulations by Use and District; and Part 3, Special Approvals. The draft Ordinance is also significantly shorter (approximately 16 pages). In addition, a new “Definitions” section has been added, with all sign types and necessary technical terms defined and located in the Article for convenience. Staff has also prepared a limited number of graphics to accompany the text, with the idea that more graphics could be added as part of any future amendment to be completed as part of zMOD.

4. The establishment of more uniform regulation of signs in all zoning districts.

In the current Ordinance, the sign provisions are generally organized depending on whether the principal land use is residential, commercial, or industrial and, further, whether a use requires special permit or special exception approval. As a result of the *Reed* decision, an ordinance construct based on the uniformity of sign provisions among land uses is more appropriate – meaning that it is difficult to argue that one particular land use is entitled to specific amounts and types of signs, different from another, on the basis of that land use itself. While the use impacts of these land uses

may differ, the impact of the accessory use of a sign for each land use is generally consistent. That being said, it is within the parameters of *Reed* to regulate signs based on time, place, and manner and to establish a uniform policy and organize sign regulations based on their location, i.e., their zoning district. Therefore, it is appropriate and practical to regulate different types, amounts, sizes and heights of signs depending on zoning district, as the land use impact of a sign in a residential district, which may be in close proximity or adjacent to residential uses, is different than a sign in a commercial or industrial district.

II. Section Highlights

Part 1, Section 12-100, General Provisions

12-101 Purpose & Intent

This section has been edited for conciseness and includes a statement that the purpose of the regulations, in part, is to ensure free speech is protected.

12-102 Definitions

The current ordinance defines a “sign” in Article 20, which also includes a subset of definitions of freestanding, building-mounted and portable signs; there is also a separate definition for the sign related term “raceway.” For enforcement and permitting purposes, it is appropriate to have a new, distinct “Definitions” section within the Ordinance itself; therefore, the existing sign definitions in Article 20 are proposed to be deleted and this new section added. Highlights of this section include:

- The current definition for a “sign” has mostly been retained but staff has eliminated the qualifier that a “sign” is anything visible from an adjacent property. (*Discussed below as a major issue area.*)
- Revised definitions of the terms “building-mounted sign” and “freestanding sign”; deletion of the terms and definitions of “portable sign” and “raceway.”
- Definitions for all relevant terms, such as “vehicle sign” and “window sign,” to include new terms/concepts such as “electronic display sign” and “minor sign.”

12-103 Applicability

This section sets forth the statements of applicability of the proposed Ordinance regulations. The section includes:

- A provision stating that the regulations apply to all signs in Fairfax County but, unless otherwise stated, exempts those signs on property owned by, or those signs required or sponsored by Fairfax County; the Commonwealth of Virginia or any of its political subdivisions; or the United States. Note that the provision reads that signs sponsored by Fairfax County are exempt “unless otherwise stated.” As proposed, staff is recommending that public uses, to include most County facilities such as a school or park, be subject to the proposed regulations. This is a major departure from the current Ordinance, which largely exempts public uses from most sign regulation. (*Discussed below as a major issue area.*)
- A provision stating that the proposed regulations do not regulate or restrict signs based on content.

- A provision clarifying that the regulations do not apply to, authorize, or prohibit signs placed in a public right-of-way; meaning, they only apply to signs posted on private property.

12-104 Administrative Provisions

This section sets forth all administrative provisions related to signs, such as when permits are required; what actions and/or structures are deemed to be signs and which are not; and other structural requirements for signs. It merges several similar sections of the current Ordinance into a single section. Highlights include:

- Adding the changing of the message on an electronic display sign to the list of actions that is deemed not to be a sign.
- Changes the provision that certain flags are deemed not to be a sign, by deleting reference to specific flags.
- Changes to the provisions exempting signs displaying address numbers in accordance with the County Code, by uniformly allowing 2 square feet for such purposes regardless of use and requiring that such signs associated with a residential building be building-mounted.
- Revised provisions regulating vehicle signs, which allow such signs only when located on a vehicle that is operable, parked at its associated place of business and within a parking space. *(Discussed below as a major issue area.)*
- A new provision that exempts non-illuminated lettering or numbers permanently attached or painted on the façade of a building of any school, college, or university, up to 10% of the façade on which they are placed. *(Discussed below as a major issue area.)*
- Changes to the provision allowing signs erected in a Commercial Revitalization District by a public agency or an appropriate organization, by deleting limits on sign type, size, and mounting height, requiring that such signs be approved by the Board, and allowing such signs to also be erected within activity centers as shown on the adopted Comprehensive Plan.

12-105 Minor Signs

Minor Signs, previously referred to as “temporary signs,” presented the most challenges for staff regarding content neutrality. It should be noted that several of the current provisions found in this Ordinance section are signs made by a “constituted governmental body,” most of which are not currently regulated and staff is not proposing new regulation in this area. For this reason, many of these provisions were eliminated because they are redundant given that new Section 12-103.1 already exempts constituted governmental bodies from these regulations. Highlights include:

- An increase in the maximum size of a sign located on a property that is actively marketed for sale, rent or lease, and is developed with or planned for development of, a single-family detached or attached dwelling unit, from 4 square feet to 6 square feet.
- A reduction in the minimum required setback of any sign for a new residential, commercial, or industrial development that is under construction or existing buildings in such developments that are being altered, from 10 feet to 5 feet from any lot line.
- A reduction in the number of signs permitted for a new residential, commercial, or industrial development that is under construction or existing buildings in such developments that are being altered, from 2 signs to 1 sign, except for those lots containing multiple road frontages.
- An increase in the maximum height for any sign for an individual single-family dwelling unit

that is undergoing construction, improvement or renovation, from 3.5 feet to 4 feet.

- A new sign type identified as a “yard sign,” for any lot developed with a residential use. Yard signs are proposed up to 12 square feet in total area, with a maximum sign size of 4 square feet for any individual sign and a maximum height of 4 feet. (*Discussed below as a major issue area.*)
- Provisions and regulations allowing for Minor Signs for all non-residential land uses based on road classification. For uses located on a lot with frontage on a major thoroughfare, Minor Signs up to 40 square in total area are allowed per lot, with a maximum sign size of 24 square feet. A single freestanding sign would be allowed as part of this total area, with a maximum height of 4 feet. For all other non-residential land uses, building minor signs are allowed up to 24 square in total area per lot. (*Discussed below as a major issue area.*)
- A new sign type, an “A-frame sign,” for all non-residential land uses, limited to a maximum of 16 square feet, 4 feet in height, and a requirement that the sign must be located within 25 feet of a building or site entrance that provides access to the use.

12-106 Prohibited Signs

Despite the challenges presented by this section due to content neutrality issues, staff was able to retain most of the provisions found in the existing Ordinance. However, staff is proposing that prohibited sign types be better organized into broader type categories, thereby providing more explicitly stated legal justification for each prohibited sign type. Noteworthy changes to this section include:

- Categories of prohibitions based on: general standards; materials or design; and location.
- A clear prohibition on roof signs has been expressly stated, whereas in the current ordinance it can be interpreted to be prohibited.

12-107 Nonconforming Signs

Other than minor edits for clarifying and streamlining, this section received only minor changes. The term “nonconforming sign” has been included in the Definitions section and the Board may wish to consider whether grandfathering provisions will be included as part of any adoption of a new ordinance. Highlights found in this section include:

- A new provision requiring that the property owner bears all responsibility to establish the nonconforming status of a sign and/or of the existing physical characteristics and location of such sign.
- Increase in the maximum number of days’ notice, from 15 to 30 days, that the Zoning Administrator must give a property owner to remove a nonconforming sign that has been demolished or destroyed by more than 50 percent of its appraised value, or is located on a property that becomes vacant and is unoccupied for at least 2 years.

Part 2, Section 12-200, Sign Regulations by Use and District

These regulations are for permanent signs that are accessory to any land use found in all zoning districts, which may include both residential and non-residential land uses. To eliminate problematic distinctions, staff has organized the provisions into two sections: Section 12-202, Signs in a Residential District; and Section 12-204, Signs in Commercial and Industrial Districts. These

sections prescribe a set amount of signage for a select number of land uses, with non-residential land uses generally being allotted the same types and amounts of signage regardless of the particular use.

12-201 Calculation of Sign Area

This section combines related provisions found in several different sections of the current Ordinance, all of which have been retained. Most of the changes are minor in nature to clarify existing regulation that is technical in nature and difficult for users to understand. The only highlight is the proposed change in how freestanding sign height is calculated: by measuring the vertical distance from the uppermost extremity of the sign to the lowest point of adjacent grade, rather than to the average ground level at the base as required in the current Ordinance.

12-202 Signs in Residential Districts

Current regulation prescribes allotments of signage for residential developments, such as a subdivision, as well as signs for agricultural uses. In addition, several non-residential uses located in a residential district are allowed varying amounts of signage via approval of special permit or special exception. These include country clubs, hospitals, and places of worship. The current regulations present a variety of content neutrality concerns, which has prompted staff to re-evaluate them from a land use perspective. As previously explained, a legal construct based on the uniformity of sign provisions among land uses is more appropriate since it is difficult to justify that one particular land use is entitled to a certain amount or type of signage as compared to another. Staff's position is that while the use impacts of unique land uses may differ, the impact of the accessory use of a sign for each use is generally consistent. Therefore, the highlights of this section include:

- The new provisions containing uniform regulations of all permanent building-mounted and freestanding signs for land uses when located in a residential district.
- As proposed, a total of 50 square feet of building-mounted sign area is allowed, and a single freestanding sign is allowed, up to 40 square feet in area and 8 feet in height. (*Discussed below as a major issue area.*)

12-203 Performance Standards for Signs in Residential Districts

This new section includes several existing provisions that have been carried forward with policy changes, as well as the new regulations for electronic display signs. Highlights of this section include:

- A new uniform regulation for the minimum setback from a street for all freestanding signs, which has generally been reduced from either 5, 10 or 50 feet to 5 feet.
- Proposed performance regulations for changeable copy or electronic display signs when located as part of a freestanding sign. As proposed, one such sign is allowed per lot, with no more than 50% of the maximum allowable area of a freestanding sign devoted to changeable copy or electronic display. Specific use limitations for electronic display signs also include: a limit on the frequency of copy change – no more than once every 8 seconds, with the change being instantaneous; the background of the sign face cannot be white, off-white or yellow; and the display boards must include a photo cell to control brightness and automatically dim at sunset to a nighttime level of 40-100 nits. (*Discussed below as a major issue area.*)
- Modification of the illumination standard for all signs by removing the restriction that

illumination must be white and not colored and just referencing that illumination of signs must conform to the performance standards for outdoor lighting in Part 9 of Article 14.

12-204 Signs in Commercial & Industrial Districts

In the current Ordinance, sign requirements for commercial and industrial uses are spread throughout several sections, and depend on a variety of factors, such as whether the use is in a sign control overlay district or on a particular roadway. To compound this confusion, when considering freestanding signs, there are great distinctions between development types: stand-alone businesses vs. shopping centers. For building-mounted signage, it is the same no matter the location or the development type, although commercial uses are permitted more than industrial uses. This resulted in a lot of redundant language, which the proposed amendment seeks to eliminate, and in doing so, entire sections are eliminated. The highlights of this section include:

- The uniform regulation of all permanent building-mounted and freestanding signs for land uses when located in commercial or industrial district, including those within a Sign Control Overlay District.
- An increase in the permitted amount of building-mounted sign area for industrial uses, from 1 square foot of sign area for each linear foot of building frontage, up to 1.5 square feet of sign area for each linear foot of building frontage.
- An increase in the size of a freestanding sign for each detached building that houses a principal use within an office park, from 20 square feet to 30 square feet.

12-205 Performance Standards for Signs in Commercial & Industrial Districts

Similar to above section for residential districts, this new section carries forward several existing provisions with some minor changes, as well as the new regulations for electronic display signs. Highlights of this section include:

- A uniform minimum setback of 5 feet from any curb of a service drive, travel lane, or adjoining street, for all freestanding signs; this results in a reduction of the minimum setback for freestanding signs located in an office or industrial park, from 10 feet to 5 feet.
- Proposed performance regulations for changeable copy or electronic display signs when located as part of a freestanding sign. As proposed, one such sign is allowed per lot, with no more than 50% of the maximum allowable area of a freestanding sign devoted to changeable copy or electronic display. Specific use limitations for electronic display signs also include: a limit on the frequency of copy change – no more than once every 8 seconds, with the change being instantaneous; the background of the sign face cannot be white, off-white or yellow; and the display boards must include a photo cell to control brightness and automatically dim at sunset to a nighttime level of 40-100 nits. (*Discussed below as a major issue area.*)

12-206 Other Permitted Signs

This is another new section that carries forward existing regulations for a select few land uses that are somewhat unique in that they either are allotted additional signage for some elements of their use or they do not easily fit into the district regulations found in Sections 12-203 and 12-205. The highlighted change in this section is the provision that clarifies that accessory service uses are allowed a single 15-square-foot building-mounted sign per individual use, and not a total of 15

square feet for all such accessory service uses located in a building.

Part 3, Section 12-300, Special Approvals

12-301 Administrative Comprehensive Sign Plan

While this is a new section, it includes the existing Ordinance provisions that allow the Zoning Administrator to approve an alternative method of calculating building frontage in order to authorize a different allotment of building-mounted signs for uses in a multi-tenant building. The purpose of separating this existing provision into its own section is to allow the formal codification of this process as an “Administrative Comprehensive Sign Plan.” It also formally establishes the \$95.00 fee for the process, which is the same as the current fee for a sign permit.

12-302 Special Permits

This section has been carried forward with only minor edits to clarify and simplify the language of the existing provisions.

12-303 Special Exceptions

This section has been carried forward with only minor edits to clarify and simplify the language of the existing provisions. It also includes the existing special exception option for a hospital, which has been relocated for uniformity.

12-304 Uses in P Districts

Another section that has been carried forward with most of the existing provisions edited to clarify and simplify language. However, the noted highlight of this section is the deletion of the off-site directional sign plan that is allowed in the PRC District and the Tysons Corner Urban Center with Planning Commission approval. Staff is recommending deletion of this provision since it would allow off-site directional signs, which are prohibited in the proposed draft Ordinance. (*Discussed below as a major issue area.*)

III. Major Issue Areas for Consideration

Definition of Sign – Section 12-102

The current Zoning Ordinance defines a sign, among other things, as that which is “visible from the public right-of-way or from adjoining property.” Staff identified this language as being problematic, as the Zoning Ordinance does not define “public right-of-way” and the term itself is assigned different meanings among several County agencies. In addition, the second part of the current provision stating that a sign is also that which is visible from an adjoining property is restrictive, since most signs are likely visible from another adjoining property. For these reasons, staff is proposing language that seeks to clarify this matter but still provide a similar level of regulation as the current Ordinance. As proposed, a sign includes that which is “visible from any street” and deletes the visibility provision from an adjoining property. As defined in Article 20, a street includes “a strip of land intended primarily for vehicular traffic and providing the principal means of access to property, including but not limited to road, lane, drive, avenue, highway, boulevard, or any other thoroughfare.” This definition is broad enough to include public streets, private streets, and travel lanes that are private and interior to larger developments such as a mall or office park, thereby having

the same effect as the current provision despite the deletion of the “adjoining property” language. Recently, staff was made aware of concerns from a representative associated with Tysons Corner Center that the change in the definition would negatively impact certain sign exemptions granted to the development under the current definition, by which some signage on the larger mall property is neither visible from a public right-of-way or from an adjoining property. For this reason, staff included language in the advertisement that would allow the Board to consider changes to the proposed definition to allow a more flexible visibility provision.

Staff Recommendation: While staff acknowledges that the proposed language could negatively affect some developments that are currently exempt from regulation, we continue to recommend the language found in the draft text as it provides the closest level of regulation as the current provision. In addition, some developments also can apply for a Comprehensive Sign Plan that could allow for additional signage.

Exemption of Public Uses – Section 12-103.1

The Zoning Ordinance defines a “public use” as “any area, building or structure held, used or controlled exclusively for public purposes by any department or branch of the Federal Government, Commonwealth of Virginia, or the Fairfax County government under the direct authority of the Board of Supervisors, the Fairfax County School Board or Fairfax County Park Authority...” Current policy has been that federal and state uses are completely exempt from the Sign Ordinance, and Fairfax County uses are exempt, except for a 6-foot maximum height for all freestanding signs and the requirement to obtain a building permit. Staff first raised the possibility of subjecting County uses to the proposed sign regulations in individual meetings with Board members in 2017, and the proposal is very similar to the policy change made in 2015 when the Board adopted the Noise Ordinance, subjecting all County uses to the new regulations. In addition, as previously discussed, in light of the *Reed* decision, an ordinance construct based on the uniformity of sign provisions among land uses is more appropriate – there is no arguable difference between a sign for a private school (currently regulated) and that of a public school (currently unregulated except for maximum height). For these reasons, staff is proposing that County public uses be subject to the minor sign provisions found in proposed Section 12-105, as well as the permanent sign provisions found in proposed Part 2, Section 12-200.

However, staff has received comments from both Fairfax County Public Schools (FCPS) and the Fairfax County Park Authority (FCPA), neither of which is in favor of eliminating the current exemption status. Of particular concern to the Park Authority is the limitation on the size, number and location of minor signs permitted for non-residential uses in a residential district. These signs are used to announce summer concert series, camps and other activities at the parks. The schools have raised concerns with the proposed height of permitted freestanding signs for non-residential uses in residential districts which is proposed to be limited to 8 feet in height. Many existing signs are taller than the currently permitted 6 foot maximum height and would not meet the proposed maximum height limitation of 8 feet. In addition, concerns were raised about the accolades posted on school facades and whether these accolades would be considered a sign. Staff has met with representatives of both agencies multiple times in the past year and to date, the minor sign provisions in particular have been modified in direct response to discussions that staff has had with these agencies and the current draft Ordinance reflects their input. In addition, the amendment has been advertised to give

the Board the ability to consider extending the current exemption policy for all County uses.

Staff Recommendation: The existing Zoning Ordinance sets forth a variety of regulations for all land uses – bulk requirements such as building heights and setbacks; density and floor area ratio; landscaping, screening, lighting and parking standards; requirements for site plan and permit review – and public uses are currently subject to all of these requirements, except for only the sign regulations. As a matter of consistent practice in this regard, as well as the uniformity discussion outlined above, staff continues to recommend that County public uses be subject to any adopted Ordinance.

Vehicle Signs– Section 12-104.6C

As proposed in the draft Ordinance, vehicle signs are allowed when the vehicle is: (1) operable and (2) is parked at its associated place of business within a duly designated parking space. Under the current regulations, vehicle signs are allowed at their place of business *or on an adjacent property* but they cannot be located any closer than 25 feet to any “public street line.” The existing language is problematic for two reasons. First, it allows signs to be located off-site, which is expressly prohibited in the draft Ordinance. Second, when parked at its place of business, a vehicle sign is subject to a 25-foot setback, which staff believes is overly restrictive given that a business, upon receiving a Non-Residential Use Permit, is certified to meet all applicable parking standards with respect to both customer parking and the parking of business vehicles. Therefore, a separate parking standard, for purposes of sign regulation, is challenging from a regulatory perspective. However, as part of the direction given to staff at the time of authorization, the legal advertisement for the amendment includes an option for the Board to consider a setback for vehicle signs, up to 25 feet from a front property line.

Staff Recommendation: Staff believes the proposed regulation of vehicle signs as published in the draft text is appropriate. While the minimum setback provision has been deleted, the prohibition of parking vehicle signs on an adjacent property is more restrictive. Furthermore, the current Ordinance requires a buffer strip of 10 feet in between parking and a front property line. For new development, this has the effect of pushing parking spaces further back from the road and would be included in the 25-foot setback limit for vehicle signs found in the Ordinance today.

Administrative Provision for Building-Mounted Signs for Schools – Section 12-104.6D

The proposed policy requiring that public uses be subject to the Sign Ordinance has led to a number of discussions regarding the types and amounts of signs that can be found at facilities such as public parks and schools. A sign type associated with schools, particularly high schools, is what staff has termed “spirit” or “accolade” signage. These signs are typically building-mounted and commemorate academic or athletic achievements, such as “Baseball State Champions, 2016.” FCPS representatives have expressed concern that the building-mounted sign allotments proposed for non-residential land uses in any given zoning district are likely not sufficient to accommodate both traditional building-mounted signs for a school and spirit signage. As proposed, commemorative citations that are non-illuminated and permanently affixed to the façade of any school, college or university would not be regulated, assuming that the display is limited to no more than 10% of the area of the façade on which they are placed. However, it is noted that this proposed exemption can be applied to any school, college, or university, since the land use impacts between a public vs. private school would not differ for purposes of sign regulation. Limiting this exemption to these particular land uses is

justified since these displays are often associated with and largely unique to schools, and not typically found in conjunction with other land uses. Similar provisions exist in the current Ordinance regarding hospitals, in that this particular land use is given additional signage on the basis of its uniqueness. Staff has included an advertising option to increase the exempted display area up to 25% of the façade, which will give the Board the ability to consider any amount between 10 and 25%.

Staff Recommendation: Given that the permission is extended to any school, college, or university, which typically occupy larger buildings, staff believes that the lower limit of 10% of the area of the façade is appropriate. In addition, to the extent that existing schools, colleges, or universities are currently displaying this type of signage, those displays would become legal nonconformities upon adoption of the draft Ordinance and could continue to be displayed.

Yard Signs & Minor Signs for Non-Residential Land Uses – Sections 12-105.4 and 12-105.5

Staff is proposing extensive changes to temporary signs, which are now referred to as “minor signs” in the proposed Ordinance, for both residential and non-residential land uses. All of the minor sign types are set forth in new Section 12-105. While many of the sign types in this section are those customarily identified as being “temporary” by their intermittent and/or seasonal display, staff is not proposing display time limits for many minor sign types, including yard signs and minor signs for non-residential land uses. It is staff’s intent to make any new regulations easy to enforce. In the case of minor signs, especially banners and promotional signs for businesses, the regulation of display duration, type of sign, size, height, etc. are interrelated. For example, the maximum size of minor signs will likely inform whether display times are needed, the types of minor signs allowed (building-mounted or freestanding), and the total number of minor signs that can be displayed at one time on a lot. In addition, it is noted that any minor signs, which are typically temporary in nature, will be in addition to the permanent signs that a land use is allowed to display on a lot – to include a digital message board as a permanent freestanding sign, which allows a land use to regularly change messages in lieu of using minor/temporary signs. Regarding display duration, specifically, staff’s position is that prescribing a display duration for some minor signs is difficult to enforce and will require a permitting process to ensure compliance, which is a burden on both County resources and non-residential land uses. However, by forgoing a display duration, staff is proposing smaller signs and, in some cases, prohibitions on freestanding signs, which tend to have the most negative visual impact since they are typically displayed adjacent to a right-of-way.

For residential land uses, staff is proposing a new type of sign, a “yard sign,” Section 12-105.4, which would allow citizens the opportunity to display a limited number of small signs, such as campaign signs during election season or a yard sale sign. As proposed, a residential use on a lot is allotted a maximum of 12 square feet of total signage, with no single sign exceeding 4 square feet in area and a height of 4 feet. It is noted that there is no display duration, so signs could be displayed on a lot at all times. Furthermore, there is also no limit on the total number of signs, although the maximum sign size limited to 4 square feet is somewhat limiting in combination with the maximum of 12 square feet. However, the legal advertisement for the amendment allows some flexibility to increase the maximum square footage up to 16 square feet.

Staff Recommendation: Staff continues to recommend that a maximum of 12 square feet be adopted. Given that there is no limit on display duration or the number of signs allowed, staff

believes that any amount over 12 square feet would be excessive.

Regarding minor signs for non-residential land uses (Section 12-105.5), earlier versions of the draft Ordinance allowed up to 24 square feet of minor signage for these uses and further required that the signs be building-mounted. However, based on stakeholder input received to date, staff is proposing a provision to allow more minor signage for non-residential land uses based on road classification. As proposed, on a land use located on a lot with frontage on a major thoroughfare, a total of 40 square feet of minor signage is allowed, with a maximum size of 24 square feet for any one sign, to include a single freestanding sign with a maximum height of 4 feet. The larger amount of signage based on road classification allows more signs for land uses in those geographic areas of the County that present less adverse impact on adjacent residential land uses. It would also provide the opportunity for additional signage for most shopping centers as well as certain parks, two land uses identified as needing possibly additional sign area. However, staff strongly notes that the expanded regulation would also apply to a stand-alone land use, such as a restaurant, and that the increased sign area and freestanding provision could have negative visual impacts, especially in special districts such as the revitalization areas. To this end, staff has proposed that only a single freestanding sign be allowed and the maximum height of 4 feet is in keeping with the height proposed for residential yard signs.

For all other non-residential land uses, i.e. those not located on a major thoroughfare, minor signs up to 24 square feet in area are allowed and all signs must be building-mounted or mounted to a structure such as a fence or existing freestanding sign.

The advertisement allows the Board to consider a range to allow up to 60 square feet in total area, with no limits on the maximums size of any one sign or on the number of freestanding signs, and a maximum freestanding sign height up to 6 feet. This option has been included for all non-residential land uses, regardless of their location based on road classification, although the Board may choose to apply it to only those uses located on a property with frontage on a major thoroughfare.

Staff Recommendation: Staff recommends the language contained in the draft Ordinance. However, it is acknowledged that a uniform standard for all non-residential land uses would be preferred for ease of enforcement. This would result in elimination of the distinction based on road classification and would require a determination as to the appropriate size, number and limits of minor signs. To this end, staff believes the sizes, types and limits proposed in Section 12-105.5A are appropriate. It is noted that under the current Ordinance, most non-residential land uses are not allowed any minor signs, except when the use first opens or is permanently closing. As such, any amount allotted as part of the draft Ordinance results in an increase well beyond what the current Ordinance allows.

Off-site/Directional Signs – Section 12-106

The current Ordinance allows off-site directional signs for some land uses but these provisions are all content-based, in that they require a specific message on the sign to ensure it is “directional” in nature. However, staff believes that the *Reed* decision simplifies the policy debate on this topic. If one cannot regulate content on signs, then the decision to allow any off-site signage is an all-or-nothing proposition. If off-site signs continue to be allowed, it would not be possible to stop a permit holder from allowing copy on the sign that may be unrelated to its intended use.

Staff Recommendation: Staff is proposing to eliminate all directional and off-site signs as part of the proposed draft Ordinance. Off-site signs are defined in the draft Ordinance and identified as a prohibited sign type in new Section 12-106. However, accommodations have been made for allowing wayfinding and branding programs by the County, or by those organizations in partnership with the County. These displays are proposed to be allowed in the Commercial Revitalization Districts and in those areas designated as activity centers in the adopted Comprehensive Plan.

Freestanding Sign Height in Residential Districts - Section 12-202.5B

These provisions contain the two proposed options for regulating permanent freestanding signs for non-residential land uses in a residential zoning district. Option 1 allows a freestanding sign up to 40 square feet in area and 8 feet in height. Option 2 allows for a range of freestanding sign sizes and heights, depending on lot size. As proposed: for a use on a lot smaller than 5 acres, a freestanding sign up to 16 square feet in area and 4 feet in height would be permitted; for a use on a lot of at least 5 acres but less than 20 acres, a freestanding sign up to 32 square feet in area and 6 feet in height would be permitted; for a use on a lot of at least 20 acres or more, a freestanding sign up to 40 square feet in area and 8 feet in height would be permitted. In addition, the advertisement for the amendment allows the Board to consider any height up to 20 feet for either option.

Staff Recommendation: While the potential increase in height would address issues raised by some Board members and public school representatives, staff continues to recommend Option 1, with a maximum freestanding sign height of 8 feet. This provision would apply to all non-residential land uses, including public schools - which are currently limited to a maximum freestanding sign height of only 6 feet. Staff's justification for an 8-foot maximum height is based on the potential incompatibility and negative impacts of taller, illuminated signs, including digital message boards, on neighboring residential land uses.

Electronic Display Signs in All Districts- Sections 12-203.3 & 12-205.4

The proposed Ordinance establishes electronic display signs, commonly referred to as "digital signs," as a new type of sign with appropriate definition and use standards. The current Ordinance does not explicitly regulate electronic display signs and all current County policy has been done largely through Zoning Administrator interpretation. Given the rise of the technology, especially as a sign type preferred by religious and educational institutions that are typically located in residentially zoned areas, the idea of formally codifying a set of regulations has appeared on prior versions of the Zoning Ordinance Amendment Work Program. Staff believes now is the appropriate time to address digital sign copy given the nexus between the concepts of copy and content.

Staff is proposing a new sign type, "electronic display signs," as defined in new Section 12-102, that allows an electronic message display *as part of a freestanding sign* in all zoning districts. In addition, specific use limitations for electronic display signs are also being proposed and include: a limit on the frequency of copy change – no more than once every 8 seconds, with the change being instantaneous; the background of the sign face cannot be white, off-white or yellow; and the display boards must include a photo cell to control brightness and automatically dim at sunset to a nighttime level of 40-100 nits. There are two different options for the Board to consider: Option 1 allows the electronic display sign on any freestanding sign, up to 50% of its maximum permitted area. For example, if a non-residential land use in a residential zoning district is allowed a 40-square-foot

freestanding sign with a maximum height of 8 feet, then the electronic display can be up to 20 square feet, or 50% of the maximum area of 40 square feet. Option 2 allows the Board to consider the total area of a permitted freestanding sign to be digitized, but in order to reduce potential impacts, staff has included a height limit of 6 feet, regardless of zoning district, and the sign is required to be a “monument sign.” For flexibility, the advertisement for Option 2 does allow the Board to increase the height of the monument sign up to 8 feet.

Staff Recommendation: Given the predominance of electronic display signs as a preferred sign type by land uses that are typically located in residentially zoned areas, staff is recommending Option 1 since it would reduce the potential negative land use impacts compared to Option 2.

Related Provisions

In addition to the repeal and replacement of Article 12, Signs, there are proposed changes to various provisions found throughout other Articles of the Zoning Ordinance. These changes are proposed with similar intent and scope as those proposed for Article 12, in that provisions have been changed to ensure content neutrality or to eliminate unnecessary and/or duplicative provisions. In addition, a significant number of the proposed changes in the following Articles are editorial in nature and refer to the section numbers found in the new Article 12. A summary of all related changes is as follows:

- Articles 4 & 5: amends those sections identified in the proposed text, to delete the sign requirement for quasi-public athletic fields in the C-1 through C-8 Districts, and the I-1 through I-6 Districts; to delete the requirement for signs near the stacking area for drive-through pharmacies in the C-5 through C-8 Districts; and to make necessary editorial changes.
- Article 6: amends those sections identified in the proposed text, to delete the requirement for signs near the stacking area for drive-through pharmacies in the in the PDH, PDC, and PRC Districts; and to make necessary editorial changes.
- Article 7: amends the section specified in the proposed text to make necessary editorial changes.
- Article 8: amends those sections identified in the proposed text, to delete the reference to temporary signs for temporary farmers’ markets, temporary portable storage containers, and open-air produce stands; and to make necessary editorial changes.
- Article 9: amends those sections identified in the proposed text, to delete the requirement for signs near the stacking area for drive-through pharmacies; and to make necessary editorial changes.
- Article 10: amends the section specified in the proposed text, to delete the sign provision for wayside stands; and to make necessary editorial changes.
- Article 14: amends the section specified in the proposed text to make necessary editorial changes.
- Article 16: amends the sections specified in the proposed text to make necessary editorial changes.
- Article 17: amends the section specified in the proposed text to make necessary editorial changes.
- Article 18: amends those sections identified in the proposed text, to include a new specific reference to the Sign Permit and Administrative Comprehensive Sign Plan fee of \$95.00; and

to make necessary editorial changes.

- Article 20: amends the section specified in the proposed text, to delete the definition of raceway, sign, building-mounted sign, freestanding sign, and portable sign, and all references thereto.
- Appendix 7: amends those sections identified in the proposed text, to delete the provision that currently allows for certain signage within or in proximity to any commercial revitalization district boundary; and to make necessary editorial changes.

CONCLUSION

Staff notes that this proposed Ordinance accomplishes its intended goals by: (1) deleting redundant or outdated provisions; (2) rewriting existing regulation and proposing new regulation of signs and/or their characteristics in a content-neutral manner; (3) reorganizing existing and new provisions in a more user-friendly format to include graphics; and (4) establishing more uniform regulation of signs in all zoning districts. Therefore, staff recommends approval of the proposed amendment as presented in the draft text and discussed above, to include **OPTION 1** where different options are presented. Furthermore, given the scope of the changes and the need to provide necessary outreach following adoption of the revised Ordinance, staff also recommends a delayed effective date of 60 days following adoption.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of October 30, 2018, and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 **Repeal Article 12, Signs, in its entirety, and replace with a new Article 12, Signs, to read as**
 2 **follows and to include all graphics as shown, which have not been underscored and may be**
 3 **subject to rearrangement and resizing for editorial purposes:**

ARTICLE 12

SIGNS

PART 1 12-100 GENERAL PROVISIONS

12-101 Purpose and Intent

11 The purpose of this Article is to regulate all signs placed for viewing by the public, in
 12 order to improve, promote and protect the public health, safety, convenience and
 13 general welfare; promote traffic safety; ensure that the First Amendment right to free
 14 speech is protected; protect property values; protect and enhance the aesthetic character
 15 of the various communities in the County; facilitate travel by identifying locations;
 16 protect against danger in travel and transportation by reducing distractions and hazards
 17 to pedestrian and automobile traffic; and, further the stated purpose and intent of this
 18 Ordinance.

12-102 Definitions

20 For purposes of this Article, signs and their characteristics are defined as follows:

21 A-FRAME SIGN: A minor freestanding sign constructed to form a two-
 22 faced sign with supports that are connected at the top and separated at the
 23 base, forming an "A" shape.



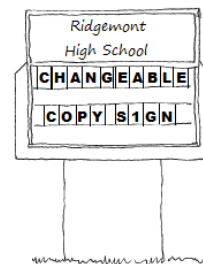
24 BUILDING-MOUNTED SIGN: Any sign attached to and
 25 supported by a building, awning, canopy, marquee or similar
 26 architectural feature, or permanently attached, etched or painted
 27 onto a window or door. For purposes of this Article, temporary



1 window signs as defined herein are not building-mounted signs.

2 CHANGEABLE COPY SIGN: A sign designed to accommodate manual changes in
3 messages.

4 ELECTRONIC DISPLAY SIGN: Any sign that contains light
5 emitting diodes (LEDs), fiber optics, light bulbs, plasma display
6 screens or other illumination methods, which are electronically
7 controlled and that contain a fixed or changeable copy and/or a
8 change to the intensity of light or colors displayed.



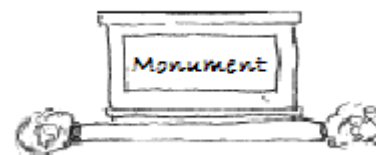
9 FLAG: A single piece of cloth or similar material, shaped like a
10 pennant, rectangle or square, attachable by one straight edge to a pole or attached at the
11 top of a pole and draped. For purposes of this Ordinance, a minor sign
12 is not a flag.

13 FREESTANDING SIGN: Any sign other than a building-mounted
14 sign, that is permanently supported by a fence, retaining wall, entrance
15 feature or by upright structural members or braces on or in the ground,
16 such as a pole, pylon, or monument style structure.



17 MINOR SIGN: Any sign that is (1) designed to be easily moved, (2)
18 typically not permanently attached to a structure or the ground, and (3)
19 is not illuminated. Such signs include, but are not limited to, A-frame signs, banners,
20 posters, window signs, yard signs or other moveable signs. For purposes of this Article,
21 flags and vehicle signs are not minor signs.

22 MONUMENT SIGN: A freestanding sign, typically no
23 more than 8 feet in height, that is supported primarily
24 by an internal structural framework or that is integrated
25 into landscaping or solid structural features other than
26 support poles.



27 MOVING OR WINDBLOWN SIGN: Any sign of which all or any part is in motion by
28 natural or artificial means (including fluttering, rotating, undulating, swinging,
29 oscillating) or by movement of the atmosphere. For purposes of this Ordinance, a flag
30 is not a moving or windblown sign.

31 OFF-PREMISE SIGN: A sign that directs attention to a product, service, attraction,
32 event, or the like that is being offered at a location that is not the premises on which the
33 sign is located.

34 ROOF SIGN: Any sign or portion thereof affixed to a building that extends above the
35 lowest point of the roof level of the building, including signs painted onto a roof
36 structure, or that is located on a chimney or other similar rooftop. For purposes of this
37 Article, a roof sign does not include a sign attached to the penthouse of a building.

1 SIGN: Any device or structure, or part thereof, designed and used to attract attention to
 2 an institution, organization, business, product, service, event, or location by any means
 3 involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination,
 4 or projected images, which is (1) used to direct attention to identify a permitted land
 5 use, and (2) is visible from any street. (*Advertised to include optional language*
 6 *relating to the visibility of signs based on specific streets types.*)

7 SIGN FACE: The part of a sign which is or can be used for visual representation or
 8 communication, including any background or surrounding material, panel, trim or
 9 ornamentation, color, and illumination that differentiates the sign from the building,
 10 structure, backdrop surface, or object upon or against which the sign is placed. The
 11 term does not include any portion of the support structure for the sign if no
 12 representation or message is placed or displayed on, or designed as part of, the support
 13 structure.

14 TENANT: An individual, entity, partnership, or corporation renting, leasing or owning
 15 non-residential space.

16 VEHICLE SIGN: Any sign that is painted,
 17 mounted, adhered, magnetically attached or
 18 otherwise permanently affixed to or
 19 incorporated into a vehicle or trailer, except
 20 for any signs not exceeding a total of 8
 21 square feet for the entire vehicle or trailer
 22 and bumper stickers.



23 WINDOW SIGN: A minor sign that is (1) attached to the glass area of a window or
 24 placed behind the glass of a window, and (2) easily read from outside the building.

25 YARD SIGN: A minor sign associated with a residential use, which is attached to a
 26 structure or placed upon or supported by the ground independently of any other
 27 structure.

28 12-103 Applicability

- 29 1. The regulations of this Article apply to all signs in Fairfax County and are in
 30 addition to any applicable provisions of Chapter 61 of the County Code
 31 (Buildings), and Title 33.2, Chapter 7, of the Virginia Code. Unless otherwise
 32 stated in this Article, these regulations do not apply to property owned by, or those
 33 signs required or sponsored by Fairfax County; the Commonwealth of Virginia, or
 34 any political subdivision of the Commonwealth; or, the United States. (*Advertised*
 35 *to include exemption for all property owned by, or signs required or sponsored*
 36 *by, Fairfax County.*)
- 37 2. These regulations do not regulate or restrict signs by content. However, some
 38 signs, such as off-premise signs and warning signs, have a targeted function that

1 makes their regulation impossible without referring to the function. In these limited
2 instances, the governmental interest is compelling enough to warrant their
3 description and regulation, and whenever a sign is described in a manner that refers
4 to function, this Article is intended to be neutral with respect to the content of the
5 speech appearing on it.

- 6 3. All signs are deemed to be accessory uses as defined in Article 20 and must be
7 associated with a principal use and located on the same lot as its principal use.
- 8 4. Nothing in this Article excuses any person from compliance with all other
9 applicable regulations, statutes or ordinances.
- 10 5. This Article does not apply to any sign placed in a public right-of-way and does not
11 authorize or prohibit placement of any sign there.

12 **12-104 Administrative Provisions**

- 13 1. Except where otherwise noted in this Article, no sign may be constructed, erected,
14 altered, refaced, relocated, or expanded without a sign permit.
- 15 2. The application for a sign permit must be filed with the Zoning Administrator on a
16 County form, must include all pertinent information required by the Zoning
17 Administrator to ensure compliance with this Ordinance, and must be accompanied
18 by the filing fee set forth in Section 18-106.
- 19 3. All signs must comply with this Article, the structural requirements specified in the
20 Virginia Uniform Statewide Building Code, Chapter 61 of the County Code, and,
21 the performance standards specified in Article 14 of this Ordinance.
- 22 4. A sign permit expires if the sign is not erected and all necessary final inspection(s)
23 are not approved within 12 months from the date of issuance.
- 24 5. The following are not a sign or are actions that do not require a sign permit:
- 25 A. The changing of the message on an allowed sign that is specifically designed
26 for the use of replaceable copy, to include changeable copy signs and
27 electronic display signs in accordance with Sections 12-203 and 12-205
28 below.
- 29 B. Painting, cleaning and other routine maintenance and repair of a sign or sign
30 structure.
- 31 C. Flags, no more than 3 per lot.
- 32 D. The display of address numbers as required by the County Code, and entrance
33 numbers not exceeding a total of 2 square feet in area. When displayed on a

- 1 residential building, any numbering must be mounted flush against the
2 building.
- 3 E. Temporary, seasonal decorations.
- 4 6. The following do not require a sign permit and are not counted toward maximum
5 allowed sign area:
- 6 A. Signs not exceeding a total of 4 square feet in area warning the public against
7 hunting, fishing, swimming, trespassing, dangerous animals, the location of
8 utilities or other similar risks.
- 9 B. Signs located on the outer surfaces of a temporary portable storage container.
- 10 C. Vehicle signs, when the vehicle is (1) operable and (2) is parked at its
11 associated place of business within a duly designated parking space.
12 *(Advertised to include a minimum setback for vehicle signs, up to 25 feet*
13 *from a front property line).*
- 14 D. Lettering and/or numbers permanently attached to or painted on the façade
15 of a building of any school, college, or university; such displays are limited
16 to no more than 10% of the area of the façade on which they are placed and
17 cannot be illuminated. *(Advertised up to 25% of the area of the façade on*
18 *which they are placed).*
- 19 E. Signs, erected by a public agency or appropriate organization in partnership
20 with the Board, located within or in proximity to the Commercial
21 Revitalization District boundaries or activity centers as shown on the adopted
22 comprehensive plan. Such signs are subject to approval by the Board and all
23 applicable outdoor advertising provisions of the Code of Virginia.
- 24
- 25 7. All signs and their components must be maintained in good repair and in safe
26 condition.
- 27 8. The Building Official or designated agent may require or cause the immediate
28 removal or repair, without written notice, of any sign determined to be unsafe or
29 that otherwise poses an immediate threat to the safety of the public. If action by the
30 County is necessary to render a sign safe, the cost of removal or repair will be at the
31 expense of the property owner or lessee as provided in Chapter 61 of the County
32 Code.
- 33 9. Except as provided in Sections 12-105 and 12-107 below, if a property becomes
34 vacant and is unoccupied for a continuous period of 2 years, any sign on that
35 property is deemed abandoned and must be removed. If the owner fails to remove
36 the sign, the Zoning Administrator may give the owner 15 days written notice to
37 remove it, after which the Zoning Administrator may initiate action to gain
38 compliance.

1 **12-105** **Minor Signs**

2 The following minor signs are allowed but cannot be illuminated, and, unless otherwise
3 stated, do not require a sign permit:

4
5 1. Signs posted by or under the direction of any public or court officer in the
6 performance of official duties, or by trustees under deeds of trust, deeds of
7 assignment or other similar instruments. These signs must be removed no later than
8 10 days after the last day of the period for which they are displayed.

9 2. Signs that are displayed on a lot or property that is actively marketed for sale, rent
10 or lease, as follows:

11 A. A single building-mounted or freestanding sign is allowed, except that 2 signs
12 are permitted on a corner lot when each sign faces a different street frontage.
13 Such sign(s) must be removed within 7 days of the settlement, rental or lease
14 of the property.

15 B. Sign(s) located on a property developed with, or planned for development of,
16 a single family detached or attached dwelling unit, cannot exceed 6 square
17 feet in area and a height of 6 feet.

18 C. Sign(s) located on a property developed with, or planned for development of,
19 a multiple family dwelling unit cannot exceed 12 square feet in area and a
20 height of 8 feet.

21 D. Sign(s) located on a property developed with, or planned for development of,
22 any non-residential use, or on a residential property containing a minimum of
23 20 acres, cannot exceed 32 square feet in area and a height of 8 feet

24 3. Signs during active construction or alterations to residential, commercial, and
25 industrial buildings are permitted, as follows:

26 A. For a new residential, commercial or industrial development, one sign per lot,
27 not to exceed 60 square feet in area and a height of 10 feet. For lots
28 containing multiple road frontages, one additional sign per street frontage is
29 allowed, limited to 32 square feet in area and a height of 8 feet. No sign may
30 be located closer than 5 feet to any lot line.

31 All signs must be removed within 14 days following completion of the
32 construction of the development, as determined by the Zoning
33 Administration, and no sign may be displayed for more than 2 years from the
34 date of the issuance of the first building permit for the development. If
35 construction has not been completed within this timeframe and building
36 permits are active for the development, a sign permit is required to allow the
37 continued display of any sign.

1 B. For an individual single family dwelling unit undergoing construction,
 2 improvement or renovation, one sign, not to exceed 4 square feet in area or a
 3 height of 4 feet is allowed.

4 No sign can be displayed before commencement of the improvement or
 5 renovation work, and the sign must be removed within 7 days after the
 6 improvement or renovation is completed with all necessary inspections
 7 approved, or within 6 months, whichever is less.

8 4. Yard signs on any lot developed with a residential use cannot exceed 12 square feet
 9 in total area, with no single sign exceeding 4 square feet in area and a height of 4
 10 feet. (*Advertised up to 16 square feet in total area.*)

11 5. For non-residential uses, including public uses as defined in Article 20, minor signs
 12 are permitted as follows:

13 A. For non-residential uses located on a lot with frontage on a major thoroughfare,
 14 minor signs are allowed, not to exceed 40 square feet in total sign area per lot,
 15 with no single sign exceeding 24 square feet in area. As part of this total area, a
 16 single freestanding sign is allowed, with a maximum height of 4 feet.
 17 *(Advertised up to 60 square feet in total sign area with no limitation on the*
 18 *maximum size of any one sign; and no limit on the number of freestanding*
 19 *signs, and a maximum freestanding sign height of up to 6 feet).*

20 B. For all other non-residential uses, building-mounted minor signs are allowed,
 21 not to exceed 24 square feet in total area per lot. (*Advertised up to 60 square*
 22 *feet in total sign area with the possibility of some or no limitation on the*
 23 *maximum size of any one sign; and to allow a single or unlimited*
 24 *freestanding signs with a maximum sign height of up to 6 feet).*

25 For purposes of this provision, building-mounted signs may include signs attached
 26 to a fence, wall, existing freestanding sign or other similar accessory structure.

27 6. Window signs for any non-residential use are allowed if the total of all signs at a
 28 given establishment does not cover more than 30 percent of the total area of the
 29 window in which the signs are located.

30 7. For non-residential uses, including public uses as defined in Article 20, a single A-
 31 frame sign not to exceed 16 square feet in area and a height of 4 feet, is allowed.
 32 The sign must be located within 25 feet of a building or designated site entrance
 33 that provides access to the use, and cannot impede pedestrian or vehicular traffic.
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12-106 Prohibited Signs

The following signs are prohibited in all zoning districts and areas of the County.

1. General Prohibitions:

- A. Any sign not expressly permitted in this Article.
- B. Any sign that violates any provision of any county, state or federal law or regulation.
- C. Any sign that violates any provision of Chapter 61 of the County Code and the Virginia Uniform Statewide Building Code.

2. Prohibitions Based on Materials or Design:

- A. Any sign that does not meet the performance standards for outdoor lighting set forth in Part 9 of Article 14.
- B. A moving or windblown sign, but not a changeable copy or electronic display sign, the hands of a clock, or a weather vane.
- C. Any sign displaying flashing or intermittent lights, or lights of changing degrees of intensity of color, or that is not in accordance with Sections 12-203 and 12-205 below.

3. Prohibitions Based on Location:

- A. Any off-premise sign, to include a sign located on a lot where no principal use exists or any sign that projects beyond a property line, except for a sign located on a lot being offered for sale, rent or lease, or on which buildings are being constructed, as provided for in Sect. 12-105 above.
- B. Roof signs, except for signs located on a penthouse or screening wall, as provided for in Sect 12-205 below.
- C. Any sign that obstructs a window, door, fire escape, stairway, ladder, opening or access intended for light, air, ingress to, or egress from, a building.
- D. Any sign located on a corner lot that is in violation of Sect. 2-505.
- E. Any sign that is found to be in violation of the Virginia Uniform Statewide Building Code with respect to minimum clearance.
- F. Any sign which, due to its location, size, shape and/or color, may obstruct, impair, interfere with the view of, or be confused with, any traffic control

1 sign, signal or device erected by a public authority or where it may interfere
2 with, mislead or confuse traffic. These signs are subject to immediate
3 removal and disposal by an authorized County official as a nuisance.

4 **12-107 Nonconforming Signs**

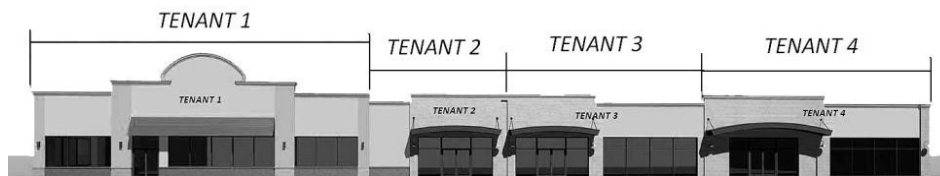
- 5 1. Signs lawfully existing on the effective date of this Ordinance or prior ordinances,
6 which do not conform to this Ordinance, and signs which are accessory to a
7 nonconforming use, are deemed to be nonconforming signs and may remain except
8 as qualified below. Except as provided for in a Commercial Revitalization District,
9 such signs cannot be enlarged, extended or structurally reconstructed or modified in
10 any manner; except a sign face may be changed if the new face is equal to or
11 reduced in height and/or sign area from the existing sign.
- 12 2. The property owner bears the burden of establishing the nonconforming status of a
13 sign and of the existing physical characteristics and location of a sign. Upon notice
14 from the Zoning Administrator, a property owner must submit verification that a
15 sign was lawfully existing at the time of erection. Failure to provide verification is
16 cause to remove the sign or bring it into compliance with this Article.
- 17 3. Nothing in this Section prevents keeping a nonconforming sign that is in good
18 repair; however, no nonconforming sign may be repaired, rebuilt, or restored if the
19 Building Official has declared it unsafe, as provided for in Sect. 12-104 above
20 unless the activity results in a sign that conforms to this Article.
- 21 4. Nonconforming signs may not be moved on the same lot, or to any other lot, unless
22 the change in location will make the sign conform to this Article.
- 23 5. When a nonconforming sign is removed, any sign erected later must conform to
24 this Article, except as provided for in a Commercial Revitalization District.
- 25 6. A nonconforming sign that is destroyed or damaged by any casualty to an extent of
26 50 percent or less of its appraised value, may be restored within 2 years after the
27 destruction or damage, but may not be enlarged in any manner. If a sign is
28 destroyed or damaged to an extent more than 50 percent of its appraised value, it
29 cannot be reconstructed unless it conforms to this Article.
- 30 7. A nonconforming sign that is changed to or replaced by a conforming sign will no
31 longer be deemed nonconforming, and any new sign must conform to this Article.
- 32 8. A nonconforming sign must be removed if the structure to which it is accessory is
33 demolished or destroyed by more than 50 percent of its appraised value. A
34 nonconforming sign subject to removal under this paragraph must be removed
35 within 30 days following written notice by the Zoning Administrator to the owner
36 of the property. If the owner fails to comply with this notice the Zoning
37 Administrator may initiate action to gain compliance with this Article.

- 1 9. If a nonconforming sign is located on property that becomes vacant and is
 2 unoccupied for a period of at least 2 years, the sign is deemed abandoned and the
 3 owner of the property must remove it. If the owner fails to do so, the Zoning
 4 Administrator may give the owner 30 days' written notice to remove it, except as
 5 otherwise provided in Sect. 12-104 above. If the owner fails to comply with the
 6 notice, the Zoning Administrator may enter onto the property and remove the sign.
 7 Such removal may be accomplished with the assistance of any agent designated by
 8 the Zoning Administrator or hired by the County for such purpose, and, the Zoning
 9 Administrator may charge the cost of removal to the property owner. In addition,
 10 the Zoning Administrator may initiate legal action in court for an injunction or
 11 other appropriate remedy requiring the owner to remove an abandoned
 12 nonconforming sign.
- 13 10. The ownership of the sign or the property on which the sign is located does not
 14 affect the nonconforming status of the sign.

15 **PART 2 12-200 SIGN REGULATIONS BY USE AND DISTRICT**

16 **12-201 Calculation of Sign Area**

- 17 1. When building frontage is used to calculate allowable sign area, the following
 18 applies:
- 19 A. Building frontage is the linear width of the wall taken at a height no
 20 greater than 10 feet above grade.
- 21
- 22 B. On buildings with a single tenant or with multiple tenants that access the
 23 building via a common outside entrance(s), building frontage is the face or
 24 wall that is architecturally designed as the front of the building and that
 25 contains the main public entrance, as determined by the Zoning
 26 Administrator.
- 27
- 28 C. On buildings with more than a single tenant where each tenant has its own
 29 outside entrance(s), building frontage for each tenant is the wall that
 30 contains that tenant's main public entrance, as determined by the Zoning
 31 Administrator.



- 32
- 33 2. When calculating any allowable building-mounted sign area, the following applies:

1 A. Building-mounted sign area is that area within a single continuous rectilinear
 2 perimeter of not more than 8 straight lines intersecting at right angles, which
 3 encloses the outer
 4 limits of all words,
 5 representations,
 6 symbols and/or
 7 pictorial elements,
 8 together with all
 9 material, color and/or lighting forming an integral part of the display or used
 10 to differentiate the sign from the background against which it is placed.



11 B. The area of building-mounted signs composed of individual letters and/or
 12 symbols is calculated by one of the following methods:

13 (1) If the space between the proposed individual letters or symbols is less in
 14 dimension than the width of the largest letter or symbol, sign area is
 15 calculated in accordance with Par. 2A above.

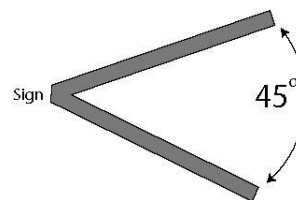
16 (2) If the space between the proposed individual letters or symbols is greater
 17 than the width of the largest letter or symbol, sign area is calculated as the
 18 total combined area of rectangular enclosures surrounding each individual
 19 letter or symbol.

20 3. The following provisions apply to any freestanding signs:

21 A. The supports, uprights or structure on which any freestanding sign is
 22 supported are not included in calculating sign area unless they form an
 23 integral background of the display, as determined by the Zoning
 24 Administrator; however, when a sign is placed on a fence, wall, or other
 25 similar structure that is designed to serve a separate purpose other than to
 26 support the sign, the area of such structure is not included in the sign area. In
 27 such cases, the sign area is calculated in accordance with Par. 2A above.

28 B. The area of a freestanding sign designed with more than one sign face is
 29 calculated as follows:

30 (1) If the sign faces are separated by an interior
 31 angle of 45 degrees or more, all sign faces are
 32 calculated in the sign area.



33 (2) If the sign faces are separated by an interior
 34 angle that is less than 45 degrees, sign area is calculated based on the area
 35 of the largest single face.

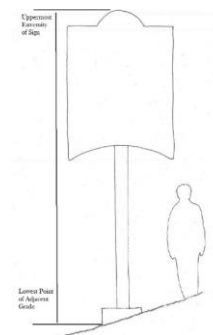
36 (3) If the sign faces are parallel to one another, the following applies:

1 (a) The area of the largest single face is used when the
 2 interior distance between the faces is 18 inches or less.

3 (b) The area of the largest single face and the area of the
 4 side or interval between faces is used when the interior
 5 distance between the faces is greater than 18 inches.



6 C. The height of a freestanding sign is calculated as the
 7 maximum vertical distance from the uppermost extremity
 8 of a sign and/or its support, to the lowest point of the
 9 adjacent grade.



10 12-202 Signs in Residential Districts

11 The following signs are allowed with approval of a sign permit, as
 12 accessory to residential or non-residential land uses in a residential
 13 district, to include public uses as defined in Article 20:

- 14 1. In a single family residential subdivision or a multiple family development, a
 15 freestanding sign is allowed at each major entrance, not to exceed 30 square feet in
 16 area and 8 feet in height. More than one sign may be placed at each major entrance
 17 but the total of all signs at a single entrance cannot exceed 30 square feet in area.
- 18 2. A rental office for a multiple family development is allowed one building-mounted
 19 or freestanding sign not to exceed 4 square feet in area and a height of 4 feet.
- 20 3. Agricultural uses on a lot at least 20 acres in size are allowed a total of 60 square
 21 feet of sign area. No single sign can exceed 30 square feet in area and a height of 8
 22 feet.
- 23 4. Hospitals, as follows:
 - 24 A. A single building-mounted sign for each building entrance, not to exceed 50
 25 square feet in area.
 - 26 B. A single freestanding sign at each entrance, not to exceed 80 square feet in
 27 area and 12 feet in height.
- 28 5. All other non-residential uses, including public uses as defined in Article 20, are
 29 allowed building-mounted and freestanding signs in accordance with the following:
 - 30 A. Building-mounted signs cannot exceed 50 square feet in total area.

31 OPTION 1:

- 32 B. A single freestanding sign not to exceed 40 square feet in area and 8 feet in
 33 height. (Advertised up to 20 feet in height).

OPTION 2:**B. Freestanding signs as follows:**

- (1) For properties on a lot smaller than 5 acres, a single freestanding sign, not to exceed 16 square feet in area and 4 feet in height. (Advertised up to 20 feet in height).
- (2) For properties on a lot of at least 5 acres but less than 20 acres, a single freestanding sign, not to exceed 32 square feet in area and 6 feet in height. (Advertised up to 20 feet in height).
- (3) For properties on a at least 20 acres, or more, a single freestanding sign, not to exceed 40 square feet in area and 8 feet in height. (Advertised up to 20 feet in height).

However, the BZA, in approving a special permit, or the Board, in approving a rezoning or special exception, may further limit any sign for any land use in furtherance of those provisions set forth in Sections 8-007 and 9-007 of the Ordinance.

12-203 Performance Standards for Signs in Residential Districts

1. Building-mounted signs must be installed flush against the wall and cannot extend above or beyond the perimeter of the wall or roof of the building to which they are attached.
2. Freestanding signs cannot be located closer than 5 feet to any property line.

OPTION 1:

3. Changeable copy and electronic display signs are allowed as part of any freestanding sign, in accordance with the following:
 - A. Only one changeable copy or electronic display sign is allowed per lot. The area of the changeable copy or electronic display cannot exceed more than 50 percent of the maximum allowable area of that freestanding sign.
 - B. The message or copy of an electronic display sign cannot move and/or change more frequently than once every 8 seconds. The change of message or copy must be instantaneous without rolling, fading, or otherwise giving the illusion of movement, nor flash or vary in brightness.
 - C. The background of the sign face of an electronic display sign cannot be white, off-white or yellow in color.

- 1 D. Electronic display signs must include a photo cell to control brightness and
 2 automatically dim at sunset to a nighttime level of 40-100 nits.

3 **OPTION 2:**

- 4
 5 3. Changeable copy and electronic display signs are allowed in accordance with the
 6 following:

7 A. As part of a monument sign, with a maximum height of 6 feet. (**Advertised up**
 8 **to 8 feet in height**).

9 B. The message or copy of an electronic display sign cannot move and/or
 10 change more frequently than once every 8 seconds. The change of message
 11 or copy must be instantaneous without rolling, fading, or otherwise giving
 12 the illusion of movement, nor flash or vary in brightness.

13 C. The background of the sign face of an electronic display sign cannot be
 14 white, off-white or yellow in color.

15
 16 D. Electronic display signs must include a photo cell to control brightness and
 17 automatically dim at sunset to a nighttime level of 40-100 nits.

- 18
 19 4. Illumination of signs must conform to the performance standards for outdoor
 20 lighting as set forth in Part 9 of Article 14.

21 **12-204 Signs in Commercial and Industrial Districts**

22 The following signs are allowed with approval of a sign permit, as accessory to land
 23 uses, including public uses as defined in Article 20, that are located in a commercial
 24 district, including the commercial area of a P district and/or commercial uses located in
 25 a mixed-use building or development; or in an industrial district:

- 26 1. Building-mounted signs are allowed as follows:

27 A. For buildings with a single tenant or with multiple tenants that access the
 28 building by one or more common outside entrances, signs are limited to 1½
 29 square feet of sign area for each of the first 100 linear feet of building
 30 frontage, plus one square foot of sign area for each additional linear foot of
 31 building frontage. However, no single sign may exceed 200 square feet in
 32 area.

33 B. For buildings with more than a single tenant where each tenant has its own
 34 outside entrance(s), signs cannot exceed 1½ square feet of sign area for each
 35 linear foot of building frontage occupied by each tenant, except as provided

1 3. The following regulations only apply to uses located on commercially and
 2 industrially zoned land located within a Sign Control Overlay District; where
 3 applicable, they are in addition to and supersede, Par. 2 above:

4 A. A single tenant or building on a lot may have one freestanding sign if, (1) the
 5 lot has frontage on a primary highway or major thoroughfare and, (2) the
 6 single tenant or building is not located within or on the same lot as a
 7 shopping center. The sign cannot exceed 40 square feet in area and a height
 8 of 20 feet.

9 B. A shopping center is allowed one freestanding sign not to exceed 40 square
 10 feet in area and a height of 20 feet.

11 **12-205 Performance Standards for Signs in Commercial and Industrial Districts**

12 1. Building-mounted signs may be located anywhere on the surface of a wall but no
 13 part of the sign may extend above or beyond the perimeter of a wall, except when
 14 the sign is (1) erected at a right angle to the wall, (2) does not extend into the
 15 minimum required yard and, (3) is not located closer than 2 feet to any street line.

16 2. A building-mounted sign may be located on the wall of a penthouse or rooftop
 17 screening wall, as follows:

18 A. The sign must be mounted flat against the wall, and no part of the sign can
 19 extend above or beyond the perimeter of the wall.

20 B. The sign cannot be located more than 12 feet above the building roof
 21 supporting the penthouse or screening wall.

22 3. Freestanding signs may not project beyond any property line or be located within 5
 23 feet of the curb of a service drive, travel lane or adjoining street. When located on a
 24 corner lot, a freestanding sign is subject to Sect. 2-505 of this Ordinance.

25 **OPTION 1:**

26 4. Changeable copy and electronic display signs are only allowed as part of any
 27 freestanding sign, in accordance with the following:

28 A. Only one changeable copy or electronic display sign is permitted per lot. The
 29 area of the changeable copy or electronic display cannot exceed more than
 30 50 percent of the maximum allowable area of that freestanding sign.

31 B. The message or copy of an electronic display sign cannot move and/or
 32 change more frequently than once every 8 seconds. The change of message
 33 or copy must be instantaneous, without rolling, fading, or otherwise giving
 34 the illusion of movement, nor flash or vary in brightness.

1
2 C. The background of the sign face of an electronic display sign cannot be
3 white, off-white or yellow in color.

4
5 D. Electronic display signs must include a photo cell to control brightness and
6 automatically dim at sunset to a nighttime level of 40-100 nits.

7
8 **OPTION 2:**

9
10 4. Changeable copy and electronic display signs are allowed as part of any
11 freestanding sign, in accordance with the following:

12
13 A. As part of a monument sign, with a maximum height of 6 feet. (Advertised up
14 to 8 feet in height).

15
16 B. The message or copy of an electronic display sign cannot move and/or
17 change more frequently than once every 8 seconds. The change of message or
18 copy must be instantaneous, without rolling, fading, or otherwise giving the
19 illusion of movement, nor flash or vary in brightness.

20
21 C. The background of the sign face of an electronic display sign cannot be
22 white, off-white or yellow in color.

23
24 D. Electronic display signs must include a photo cell to control brightness and
25 automatically dim at sunset to a nighttime level of 40-100 nits.

26
27 5. Illumination of signs must conform to the performance standards for outdoor
28 lighting as set forth in Part 9 of Article 14.

29
30 **12-206 Other Permitted Signs**

31 1. The following signs are only allowed in a commercial or industrial district, or the
32 commercial area of a P district, in addition to those sign types and amounts allowed
33 in Sect. 12-204 above:

34
35 A. Service stations or service station/mini-marts are permitted one additional
36 square foot of sign area to be displayed on each gasoline pump.

37
38 B. Motor vehicle fuel price signs required by Article 4 of Chapter 10 of The Code.

39
40 2. Accessory service uses permitted pursuant to Sect. 10-200 of this Ordinance are
41 allowed a single building-mounted sign not to exceed 15 square feet in area. These
42 signs will be calculated as part of the total allowable building-mounted sign area
43 for the building.

44

1 **Part 3** **12-300** **SPECIAL APPROVALS**

2 **12-301** **Administrative Comprehensive Sign Plan**

3 As an alternative to calculating building frontage in accordance with Par. 1B of Sect.
4 12-201 above, the Zoning Administrator may authorize a different allotment of sign
5 area to the various tenants of a building or buildings by approval of an administrative
6 comprehensive sign plan, as follows:

- 7 1. A request for an administrative comprehensive sign plan must include written
8 authorization from the owner of the building(s), or an authorized agent,
9 accompanying graphics showing the proposed size, height and location of all signs,
10 and the required filing fee as set forth in Section 18-106.
11
12 2. The total area for all signs cannot exceed the maximum allowable sign area for the
13 building as determined in accordance with Par. 1B of Sect. 12-201 above. The
14 maximum sign area for any single tenant cannot exceed 200 square feet.

15 However, a single tenant, (1) having building frontage that results in an allowable
16 sign area greater than 200 square feet and (2) the tenant occupies an area with more
17 than one perimeter wall containing a main public entrance, may place up to a
18 maximum of 200 square feet of total sign area on each such perimeter wall,
19 although the combined sign area on any such wall cannot exceed 1 ½ times the
20 length of the wall.

21 **12-302** **Special Permits**

- 22 1. The BZA may grant a special permit to increase the height of a freestanding sign in
23 a neighborhood or community shopping center when it determines that the
24 application of this Article would cause a hardship due to issues of topography.
25 However, such freestanding sign cannot extend to a height greater than 26 feet
26 above the elevation of the center line of the nearest street.
27
28 2. The BZA may grant a special permit to allow additional sign area and/or height, or
29 a different arrangement of sign area distribution for a regional shopping center
30 when it determines that the application of this Article would cause a hardship due
31 to issues of topography or location of the regional shopping center. However, the
32 total combined sign area for the regional shopping center cannot exceed 125
33 percent of the sign area otherwise allowed by the provisions of this Article.
34
35 3. In cases where an individual or grouping of enterprises within a shopping center are
36 located so that the building frontage is not visible from a street, the BZA may grant
37 a special permit to allow building-mounted sign(s) for such enterprises to be
38 erected at the entrances, arcades or interior malls. However, the total combined
39 sign area for the shopping center cannot exceed 125 percent of the sign area
40 otherwise permitted.

1
2 **12-303** **Special Exceptions**

- 3 1. In conjunction with the approval of a special exception for a hospital, the Board
4 may approve additional signs for the use in accordance with Sect. 9-308.
5
6 2. In commercial and industrial districts, the Board may approve, either in conjunction
7 with the approval of a rezoning or as a Category 6 special exception, a modification
8 or waiver of the sign regulations in accordance with Sect. 9-620.
9

10 **12-304** **Uses in P Districts**

11 The provisions set forth in the preceding Sections apply to signs accessory to uses in P
12 districts. However, in keeping with the intent to allow flexibility in the design of
13 planned developments, the following is applicable to signs in P districts:
14

- 15 1. Signs may be permitted in a P district in accordance with a comprehensive sign
16 plan subject to approval by the Planning Commission following a public hearing
17 conducted in accordance with Sect. 18-109. The comprehensive sign plan will
18 show the location, size, height and extent of all proposed signs within the specified
19 area of the P district.
20
21 2. An application for a comprehensive sign plan may be submitted by any property
22 owner, owner of an easement, lessee, contract purchaser or their agent. The
23 application must be accompanied by a statement setting forth the names of the
24 record owners of the properties upon which such signs are proposed to be located,
25 and a fee as set forth in Sect. 18-106.
26
27 3. Any comprehensive sign plan must be in accordance with the standards for all
28 planned developments as set forth in Part 1 of Article 16. All proposed signs must
29 be in scale and harmonious with the development and so located and sized to
30 ensure convenience to users of the development, while not adding to street clutter
31 or otherwise detracting from architectural and urban design elements of the
32 development.
33

34 **Amend Article 4, Commercial District Regulations, as follows:**

- 35
36 - **Amend Part 1, C-1 Low-Rise Office Transitional District, Section 4-105, Use Limitations;**
37 **and Part 2, C-2 Limited Office District, Section 4-205, Use Limitations; by revising Par. 5**
38 **and deleting Par. 5G, in both sections, to read as follows:**
39

- 40 5. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
41 with the following:
42

1 G.— ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 2 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 3 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 4 ~~to any street line.~~

- 5
 6 - **Amend Part 3, C-3 Office District, Section 4-305, Use Limitations; and Part 4, C-4 High**
 7 **Intensity Office District, Section 4-405, Use Limitations; by revising Par. 5, deleting Par.**
 8 **5G and revising Paragraphs 6 and 6C, in both sections, to read as follows:**

- 9
 10 5. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 11 with the following:

12
 13 G.— ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 14 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 15 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 16 ~~to any street line.~~

- 17
 18 6. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:

19 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
 20 associated vehicle, sale, rental and ancillary service establishment.

- 21
 22
 23 - **Amend Part 5, Neighborhood Retail Commercial District, Section 4-505, Use Limitations,**
 24 **by revising Par. 9, deleting Par. 9G, and revising Par. 10 to read as follows:**

- 25
 26 9. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 27 with the following:

28
 29 G.— ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 30 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 31 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 32 ~~to any street line.~~

- 33
 34 10. Drive-through pharmacies ~~shall be~~ are permitted by right (a) when located on a lot ~~which that~~
 35 is not abutting or ~~not~~ across a local or collector street from residentially zoned land, which
 36 land is either developed with dwellings or vacant; (b) when the lot is designed to minimize
 37 the potential for turning movement conflicts and to facilitate safe and efficient on-site
 38 circulation and parking; and (c) when there are adequate parking and stacking spaces for the
 39 use which are provided and located in such a manner as to facilitate safe and convenient
 40 vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not
 41 meet these limitations may be allowed by special exception in accordance with the provisions
 42 of Article 9.

43

1 In addition, signs shall be required to be posted in the vicinity of the stacking area stating
 2 ~~the limitations on the use of the window service and/or drive-through lane. Such signs shall~~
 3 ~~not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.~~

4
 5 - **Amend Part 6, C-6 Community Retail Commercial District, Section 4-605, Use Limitations,**
 6 **by revising Par. 8; deleting Par. 8G; and revising Paragraphs 9, 11, and 11C, to read as**
 7 **follows:**

- 8
 9 8. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 10 with the following:

11
 12 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 13 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 14 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 15 ~~to any street line.~~

- 16
 17 9. Drive-through pharmacies ~~shall be~~ are permitted by right (a) when located on a lot ~~which that~~
 18 is not abutting or ~~not~~ across a local or collector street from residentially zoned land, which
 19 land is either developed with dwellings or vacant; (b) when the lot is designed to minimize
 20 the potential for turning movement conflicts and to facilitate safe and efficient on-site
 21 circulation and parking; and (c) when there are adequate parking and stacking spaces for the
 22 use which are provided and located in such a manner as to facilitate safe and convenient
 23 vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not
 24 meet these limitations may be allowed by special exception in accordance with the provisions
 25 of Article 9.

26
 27 ~~In addition, signs shall be required to be posted in the vicinity of the stacking area stating~~
 28 ~~the limitations on the use of the window service and/or drive-through lane. Such signs shall~~
 29 ~~not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.~~

- 30
 31 11. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:

32
 33 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
 34 associated vehicle, sale, rental and ancillary service establishment.

35
 36 - **Amend Part 7, Regional Retail Commercial District, Section 4-705, Use Limitations, by**
 37 **revising Par. 9; deleting Par. 9G; and revising Paragraphs 10, 12 and 12C, to read as**
 38 **follows:**

- 39
 40 9. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 41 with the following:

42
 43 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 44 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~

1 square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet
2 to any street line.
3

- 4 10. Drive-through pharmacies ~~shall be~~ are permitted by right (a) when located on a lot ~~which~~ that
5 is not abutting or ~~not~~ across a local or collector street from residentially zoned land, which
6 land is either developed with dwellings or vacant; (b) when the lot is designed to minimize
7 the potential for turning movement conflicts and to facilitate safe and efficient on-site
8 circulation and parking; and (c) when there are adequate parking and stacking spaces for the
9 use which are provided and located in such a manner as to facilitate safe and convenient
10 vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not
11 meet these limitations may be allowed by special exception in accordance with the provisions
12 of Article 9.
13

14 ~~In addition, signs shall be required to be posted in the vicinity of the stacking area stating~~
15 ~~the limitations on the use of the window service and/or drive-through lane. Such signs shall~~
16 ~~not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.~~
17

- 18 12. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:
19

20 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
21 associated vehicle, sale, rental and ancillary service establishment.
22

23 - **Amend Part 8, Highway Commercial District, Section 4-805, Use Limitations, by revising**
24 **Par. 11; deleting Par. 11G; and revising Paragraphs 12, 14, and 14C, to read as follows:**
25

- 26 11. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
27 with the following:
28

29 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
30 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
31 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
32 ~~to any street line.~~
33

- 34 12. Drive-through pharmacies ~~shall be~~ are permitted by right (a) when located on a lot ~~which~~ that
35 is not abutting or ~~not~~ across a local or collector street from residentially zoned land, which
36 land is either developed with dwellings or vacant; (b) when the lot is designed to minimize
37 the potential for turning movement conflicts and to facilitate safe and efficient on-site
38 circulation and parking; and (c) when there are adequate parking and stacking spaces for the
39 use which are provided and located in such a manner as to facilitate safe and convenient
40 vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not
41 meet these limitations may be allowed by special exception in accordance with the provisions
42 of Article 9.
43

1 In addition, signs shall be required to be posted in the vicinity of the stacking area stating
 2 ~~the limitations on the use of the window service and/or drive-through lane. Such signs shall~~
 3 ~~not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.~~
 4

5 14. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:
 6

7 C. ~~There shall be no~~ No signs ~~identifying~~ are allowed for the use ~~and/or the~~ or its
 8 associated vehicle, sale, rental and ancillary service establishment.
 9

10 **Amend Article 5, Industrial District Regulations, as follows:**
 11

12 - **Amend Part 1, I-1 Light Industrial Research District, Section 5-105, Use Limitations, by**
 13 **revising Par. 6 and deleting Par. 6G, to read as follows:**
 14

15 6. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 16 with the following:
 17

18 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 19 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 20 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 21 ~~to any street line.~~
 22

23 - **Amend Part 2, I-2 Industrial Research District, Section 5-205, Use Limitations, by revising**
 24 **Par. 5 and deleting Par. 5G, to read as follows:**
 25

26 5. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 27 with the following:
 28

29 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 30 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 31 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 32 ~~to any street line.~~
 33

34 - **Amend Part 3, I-3 Light Intensity Industrial District, Section 5-305, Use Limitations, by**
 35 **revising Par. 5, deleting Par. 5G, and revising Paragraphs 7 and 7C, to read as follows:**
 36

37 5. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
 38 with the following:
 39

40 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
 41 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
 42 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
 43 ~~to any street line.~~
 44

45 7. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:

1
2 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
3 associated vehicle, sale, rental and ancillary service establishment.
4

5 - **Amend Part 4, I-4 Medium Intensity Industrial District, Section 5-405, Use Limitations, by**
6 **revising Par. 6, deleting Par. 6G, and revising Paragraphs 8 and 8C, to read as follows:**
7

8 6. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
9 with the following:
10

11 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
12 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
13 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
14 ~~to any street line.~~
15

16 8. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:
17

18 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
19 associated vehicle, sale, rental and ancillary service establishment.
20

21 - **Amend Part 5, I-5 General Industrial District, Section 5-505, Use Limitations, by revising**
22 **Par. 8 and deleting Par. 8G to read as follows:**
23

24 8. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
25 with the following:
26

27 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
28 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
29 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
30 ~~to any street line.~~
31

32 - **Amend Part 6, I-6 Heavy Industrial District, Section 5-605, Use Limitations, by revising**
33 **Par. 7 and deleting Par. 7G to read as follows:**
34

35 7. Quasi-public athletic fields and related facilities ~~shall be~~ are permitted by right in accordance
36 with the following:
37

38 G. ~~There shall be a sign which identifies the athletic field as an interim use of the site. No~~
39 ~~such sign shall exceed thirty two (32) square feet in area or be less than ten (10)~~
40 ~~square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet~~
41 ~~to any street line.~~
42

43 **Amend Article 6, Planned Development District Regulations, as follows:**
44

45 - **Amend Part 1, PDH Planned Development Housing District, Section 6-106, Use**
Limitations, by revising Par. 11 to read as follows:

1
2 11. Drive-through pharmacies ~~shall be~~ are permitted only on a lot which is designed to minimize
3 the potential for turning movement conflicts and to facilitate safe and efficient on-site
4 circulation and parking. Adequate parking and stacking spaces for the use ~~shall are to be~~
5 provided and located in such a manner as to facilitate safe and convenient vehicle and
6 pedestrian access to all uses on the lot. ~~In addition, signs shall be required to be posted in the~~
7 ~~vicinity of the stacking area stating the limitations on the use of the window service and/or~~
8 ~~drive through lane. Such signs shall not exceed two (2) square feet in area or be located~~
9 ~~closer than five (5) feet to any lot line.~~

10
11 - **Amend Part 2, PDC Planned Development Commercial District, Section 6-206, Use**
12 **Limitations, by revising Paragraphs 11, 13 and 13C to read as follows:**

13
14 11. Drive-through pharmacies ~~shall be~~ are permitted only on a lot which is designed to minimize
15 the potential for turning movement conflicts and to facilitate safe and efficient on-site
16 circulation and parking. Adequate parking and stacking spaces for the use ~~shall are to be~~
17 provided and located in such a manner as to facilitate safe and convenient vehicle and
18 pedestrian access to all uses on the lot. ~~In addition, signs shall be required to be posted in the~~
19 ~~vicinity of the stacking area stating the limitations on the use of the window service and/or~~
20 ~~drive through lane. Such signs shall not exceed two (2) square feet in area or be located~~
21 ~~closer than five (5) feet to any lot line.~~

22
23 13. New vehicle storage ~~shall be~~ is permitted by right in accordance with the following:

- 24
25 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
26 associated vehicle, sale, rental and ancillary service establishment.

27
28 - **Amend Part 3, PRC Planned Residential Community District, Section 6-305, Use**
29 **Limitations, by revising Par. 12 to read as follows:**

30
31 12. Drive-through pharmacies ~~shall be~~ are permitted only on a lot which is designed to minimize
32 the potential for turning movement conflicts and to facilitate safe and efficient on-site
33 circulation and parking. Adequate parking and stacking spaces for the use ~~shall are to be~~
34 provided and located in such a manner as to facilitate safe and convenient vehicle and
35 pedestrian access to all uses on the lot. ~~In addition, signs shall be required to be posted in the~~
36 ~~vicinity of the stacking area stating the limitations on the use of the window service and/or~~
37 ~~drive through lane. Such signs shall not exceed two (2) square feet in area or be located~~
38 ~~closer than five (5) feet to any lot line.~~

39
40 - **Amend Part 5, Planned Tysons Corner Urban District, Section 6-505, Use Limitations, by**
41 **revising Paragraphs 15 & 15C to read as follows:**

42
43 15. New vehicle storage ~~shall only be~~ is permitted when located within a parking structure as a
44 temporary use and only in accordance with the following:
45

- 1 C. ~~There shall be no~~ No signs identifying are allowed for the use and/or the or its
2 associated vehicle, sale, rental and ancillary service establishment.

3
4 **Amend Article 7, Overlay and Commercial Revitalization District Regulations, as follows:**

- 5
6 - **Amend Part 5, Sign Control Overlay District, Section 7-508, Use Limitations, by revising**
7 **the provision to read as follows:**

8
9 As specified in the underlying zoning district(s), and as qualified for signs by the provisions
10 of Par. 3 of Sect. 12-204.

11
12 **Amend Article 8, Special Permits, as follows:**

- 13
14 - **Amend Part 0, General Provisions, Section 8-004, Status of Special Permit Uses, by revising**
15 **Par. 4J to read as follows:**

- 16
17 4. Minor modifications to special permits are allowed when the Zoning Administrator
18 determines that they substantially conform to the approved special permit and do not
19 materially alter the character of the development. In making this determination, the Zoning
20 Administrator may consider factors such as topography, engineering and design.

21
22 Minor modifications may not:

- 23
24 J. Expand the area or type of signage approved, although changes to color and typeface
25 may be considered ~~provided they do not change the character of the approved sign;~~

- 26
27 - **Amend Part 8, Group 8 Temporary Uses, Section 8-810, Standards and Time Limits for**
28 **Temporary Farmers' Markets, by deleting Par. 7, as follows:**

29
30 ~~7.—One (1) temporary sign may be permitted in accordance with the provisions of Sect. 12-103.~~

- 31
32 - **Amend Part 8, Group 8 Temporary Uses, Section 8-812, Standards and Time Limits for**
33 **Temporary Portable Storage Containers, by deleting Par. 6, as follows:**

34
35 ~~6.—Signage on portable storage containers shall be in accordance with Par. 2S of Sect. 12-103.~~

- 36
37 - **Amend Part 8, Group 8 Temporary Uses, Section 8-909, Additional Standards for Open-**
38 **Air Produce Stands, by deleting Par. 6, as follows:**

39
40 ~~6.—One (1) sign may be permitted in accordance with the provisions of Sect. 12-103.~~

41
42 **Amend Article 9, Special Exceptions, as follows:**

- 43
44 - **Amend Part 0, General Provisions, Section 9-004, Status of Special Exception Uses, by**
45 **revising Par. 4J to read as follows:**

- 1
2 4. Minor modifications to special exceptions are allowed when the Zoning Administrator
3 determines that they substantially conform to the approved special exception and do not
4 materially alter the character of the development. In making this determination, the Zoning
5 Administrator may consider factors such as topography, engineering and design.

6
7 Minor modifications may not:

- 8
9 J. Expand the area or type of signage approved, although changes to color and typeface
10 may be considered ~~provided they do not change the character of the approved sign;~~

11
12 - **Amend Part 1, Category 1 Light Public Utility Uses, Section 9-105, Additional Standards
13 for Mobile and Land Based Telecommunication Facilities, by revising Par. 2 to read as
14 follows:**

- 15
16 2. Except for a flag mounted on a flagpole as permitted under the provisions of ~~Par. 2 of Sect.~~
17 12-203 Article 12, no ~~commercial advertising or signs shall be~~ are allowed on any monopole,
18 tower, antenna, antenna support structure, or related equipment cabinet or structure.

19
20 - **Amend Part 3, Category 3 Quasi-Public Uses, Section 9-308, Additional Standards for
21 Medical Care Facilities, by revising Par. 7 to read as follows:**

- 22
23 7. For hospitals, the Board of Supervisors may approve additional on-site signs when it is
24 determined, based on the size and nature of the hospital, that additional signs are necessary in
25 order to ~~provide needed information to~~ better serve the public and that such signs will not
26 have an adverse impact on adjacent properties. All proposed signs ~~shall be~~ are subject to the
27 maximum area and height limitations for hospital signs set forth in Article 12. All requests
28 ~~shall~~ must show the location, size, height and number of all existing and proposed signs, as
29 well as the information to be displayed on the signs.

30
31 - **Amend Part 3, Category 3 Quasi-Public Uses, Section 9-311, Additional Standards for
32 Alternate Use of Public Facilities, by revising Par. 4 to read as follows:**

- 33
34 4. Signs as may be permitted in accordance with the provisions of ~~Par. 2M of Sect. 12-208~~ Sect.
35 12-202 ~~shall be~~ are limited to one building-mounted and one freestanding sign for all
36 alternate uses in a given public facility.

37
38 - **Amend Part 5, Category 5 Commercial and Industrial Uses of Special Impact, Section 9-
39 505, Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial
40 Institutions, Drive-Through Pharmacies, Quick-Service Food Stores, Restaurants,
41 Restaurants with Drive-Through, Carryout Restaurants, Service Stations, and Service
42 Stations/Mini-Marts, by deleting Par. 1E, as follows:**

- 43
44 1. In all districts where permitted by special exception:
45

1 E. ~~For a drive through pharmacy, signs shall be required to be posted in the vicinity of~~
 2 ~~the stacking area stating the limitations on the use of the window service and/or~~
 3 ~~drive through lane. Such signs shall not exceed two (2) square feet in area or be~~
 4 ~~located closer than five (5) feet to any lot line.~~

5
 6 - **Amend Part 6, Category 6 Miscellaneous Provisions Requiring Board of Supervisors’**
 7 **Approval, Section 9-620, Waiver of Certain Sign Regulations, by revising Par. 1 to read as**
 8 **follows:**

- 9
 10 1. Such waiver may be for an increase in sign area, increase in sign height or different location
 11 of a sign, not otherwise provided by ~~Sect. 12-304~~ Sect. 12-302. Such waiver ~~shall~~ may not
 12 allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this
 13 Ordinance, or the establishment of any sign prohibited by the provisions of ~~Sect. 12-104~~
 14 Article 12.

15
 16 **Amend Article 10, Accessory Uses, Accessory Service Uses and Home Occupations, as follows:**

17
 18 - **Amend Part 1, Accessory Uses and Structures, Section 10-102, Permitted Accessory Uses,**
 19 **by revising Paragraphs 27 and 27H; revising Par. 28 and deleting Par. 28E; and deleting**
 20 **Par. 30G, to read as follows:**

- 21
 22 27. Temporary family health care structures ~~shall be~~ are permitted on lots zoned for and
 23 developed with single family detached dwellings, subject to the approval of the Zoning
 24 Administrator by issuance of a permit and compliance with the following provisions:

25
 26 H. No signs ~~promoting or advertising the structure shall be permitted on the structure or~~
 27 ~~on the lot~~ are allowed for a temporary family health care structure.

- 28
 29 28. Temporary portable storage containers ~~shall be~~ are allowed in any yard on lots containing a
 30 dwelling, subject to all of the following:

31
 32 E. ~~Signage on temporary portable storage containers shall be in accordance with Par. 28~~
 33 ~~of Sect. 12-103.~~

- 34
 35 30. Wayside stands, but subject to the following limitations:

36
 37 G. ~~Notwithstanding the provisions of Article 12, a wayside stand may have one (1)~~
 38 ~~building mounted sign, mounted flush against the stand, which does not exceed ten~~
 39 ~~(10) square feet in area.~~

40
 41 **Amend Article 14, Performance Standards, as follows:**

42
 43 - **Amend Part 9, Outdoor Lighting Standards, Section 14-902, Applicability and General**
 44 **Provisions, by revising Paragraphs 2 and 2D, to read as follows:**

45

1 2. Except as provided in Sections 904 and 905 below, all outdoor lighting fixtures ~~shall~~ must
2 comply with the following:

3
4 D. Internally illuminated signs, ~~except those which bear a state or federal registered~~
5 ~~trademark, shall~~ must have an opaque background and translucent text and symbols,
6 or ~~shall~~ have a translucent background that is not white, off-white or yellow in color.
7 ~~In addition, internally illuminated signs must comply with the provisions of Article~~
8 ~~12.~~

9 All illuminated signage located on the sides of a canopy ~~shall~~ must be
10 internally illuminated or backlit.

11
12 **Amend Article 16, Development Plans, as follows:**

13
14 - **Amend Part 2, Procedures for Review and Approval of a PRC District, Section 16-203,**
15 **PRC Plan Approval, by revising Par. 8J, to read as follows:**

16
17 8. Minor modifications to an approved rezoning and development plan may be permitted in a
18 PRC plan when it is determined by the Zoning Administrator that they substantially conform
19 to the approved rezoning and development plan and do not materially alter the character of
20 the development. In making this determination, the Zoning Administrator may consider
21 factors such as topography, engineering, and design.

22
23 Minor modifications may not:

24
25 J. Expand the area or type of signage approved, although changes to color and typeface
26 may be considered ~~provided they do not change the character of the approved sign;~~

27
28 - **Amend Part 4, Procedures for Review and Approval of All P Districts Except the PRC**
29 **District, Section 16-403, Site Plan/Subdivision Plat Preparation, Building Permit,**
30 **Residential Use Permit and Non-Residential Use Permit, by revising Par. 4J, to read as**
31 **follows:**

32
33 4. Minor modifications to a final development plan are allowed when the Zoning Administrator
34 determines that they substantially conform to the approved final development plan and do not
35 materially alter the character of the development. In making this determination, the Zoning
36 Administrator may consider factors such as topography, engineering and design.

37
38 Minor modifications may not:

39
40 J. Expand the area or type of signage approved, although changes to color and typeface
41 may be considered ~~provided they do not change the character of the approved sign;~~

42
43
44
45

1 **Amend Article 17, Site Plans, as follows:**

- 2
3 - **Amend Part 2, Required Improvements, Section 17-201, Improvements To Be Provided, by**
4 **revising Par. 7, to read as follows:**

- 5
6 7. Installation of adequate ~~‘No Parking’~~ signs along travel lanes or service drives to prohibit
7 parking on same. Such signs ~~shall~~ must be located on each curbed side, no more than fifty
8 (50) feet apart.
9

10 **Amend Article 18, Administration, Amendments, Violations and Penalties, as follows:**

- 11
12 - **Amend Part 1, Administration, Section 18-106, Application and Zoning Compliance Letter**
13 **Fees, by revising Par. 5 and adding a new Par. 14, to read as follows:**

- 14
15 5. Fees for food trucks, small cell facilities, home occupations, ~~sign permits~~ and site plans, ~~shall~~
16 ~~be~~ as specified in Articles 2, 10, ~~12~~ and 17, respectively.
17

18 14. Sign Permits and Administrative Comprehensive Sign Plans: \$95

- 19
20 - **Amend Part 2, Amendments, Section 18-204, Proffered Condition Regulations, by revising**
21 **Par. 4J, to read as follows:**

- 22
23 4. Minor modifications to the proffered conditions are allowed when the Zoning Administrator
24 determines that they substantially conform to the proffered conditions and do not materially
25 alter the character of the approved development. In making this determination, the Zoning
26 Administrator may consider factors such as topography, engineering and design. Minor
27 modifications are not amendments or variations to the proffered conditions.
28

29 Minor modifications may not conflict with a proffer or:

- 30
31 J. Expand the area or type of signage approved, although changes to color and typeface
32 may be considered ~~provided they do not change the character of the approved sign;~~
33

- 34 - **Amend Part 3, Appeals, Section 18-303, Time Limit on Filing, by revising Paragraphs 2, 2E**
35 **and 2F, to read as follows:**

- 36
37 2. Appeals for notices of violation involving the following violations ~~shall~~ must be filed within
38 ten (10) days from the date of the notice with the Zoning Administrator and the BZA:
39

- 40 E. Erection of prohibited signs on private property in violation of ~~Paragraphs 1, 4, 5, 6,~~
41 ~~7, 11, 12, 13 or 14 of Sect. 12-104~~ Par. 2 and Paragraphs 3A through 3E of Sect. 12-
42 106.
43

- 44 F. Erection, alteration, refacing or relocation of a sign on private property in violation of
45 ~~Sect. 12-304~~ Par. 1 of Sect. 12-104.

1 - **Amend Part 4, Variances, Section 18-406, Unauthorized Variances, by revising Par. 6, to**
 2 **read as follows:**

- 3
 4 6. No variance shall may be authorized that would relate to signs, ~~except that a variance may be~~
 5 ~~considered to the provisions of Par. 14 of Sect. 12-104.~~

6
 7 **Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 3, Definitions,**
 8 **by deleting the references to Building-Mounted Sign, Freestanding Sign and Portable Sign,**
 9 **and also deleting the definition of Raceway and Sign, as follows:**

10
 11 ~~BUILDING MOUNTED SIGN: See SIGN, BUILDING MOUNTED.~~

12
 13 ~~FREESTANDING SIGN: See SIGN, FREESTANDING.~~

14
 15 ~~PORTABLE SIGN: See SIGN, PORTABLE.~~

16
 17 ~~RACEWAY: A structure or architectural component of a building specifically designed to support~~
 18 ~~and contain a continuous series of signs accessory to a series of tenants occupying space in a given~~
 19 ~~building. Such structures generally traverse the entire length of the building and may be illuminated~~
 20 ~~or constructed of materials so as to be different from the facade of the building.~~

21
 22 ~~SIGN: Any writing, letter work or numeral, pictorial presentation, illustration or decoration,~~
 23 ~~emblem, device, symbol or trademark, flag, banner or pennant or any other device, figure or similar~~
 24 ~~character which:~~

25
 26 1. ~~Is used to announce, direct attention to, identify, advertise or otherwise make anything~~
 27 ~~known; and~~

28
 29 2. ~~Is visible from the public right of way or from adjoining property.~~

30
 31 ~~SIGN, BUILDING MOUNTED: A sign attached to and deriving its support from a building.~~

32
 33 ~~SIGN, FREESTANDING: A nonmovable sign supported by a fence, retaining wall, or by upright~~
 34 ~~structural members or braces on or in the ground and not attached to a building.~~

35
 36 ~~SIGN, PORTABLE: Any sign not permanently affixed to the ground nor to a building,~~
 37 ~~including, but not limited to, a sign that is moveable, such as a sandwich board sign, A frame sign,~~
 38 ~~gas or hot air filled displays, balloons or banners.~~

39
 40 **Amend Appendix 7, Commercial Revitalization Districts, as follows:**

- 41
 42 - **Amend Part 1, Annandale Commercial Revitalization District, Section A7-109, Additional**
 43 **Provisions; Part 2, Bailey's Crossroads/Seven Corners Commercial Revitalization District,**
 44 **Section A7-209, Additional Provisions; Part 3, McLean Commercial Revitalization District,**
 45 **Section A7-309, Additional Provisions; Part 4, Richmond Highway Commercial**

1 **Revitalization District, Section A7-409, Additional Provisions; and Part 5, Springfield**
2 **Commercial Revitalization District, Section A7-509, Additional Provisions; by revising Par.**
3 **4 in all sections to read as follows:**

4
5 4. The sign provisions of Article 12 shall apply, except as follows:

6
7 A. ~~Signs that signs~~ lawfully existing on the effective date of this Ordinance or prior
8 ordinances, which do not conform to the provisions of this Ordinance, and signs
9 which ~~that~~ are accessory to a nonconforming use, shall be are deemed to be
10 nonconforming signs and may remain. Notwithstanding Paragraphs ~~1 and 4 of Sect.~~
11 ~~12-110~~ 1 and 5 of Sect. 12-107, such signs shall may not be enlarged or extended but
12 may be removed and replaced with a sign which ~~that~~ is reduced in height and/or sign
13 area.

14
15 B. ~~When erected by a public agency or County recognized revitalization organization,~~
16 ~~there may be freestanding signs, located within or in proximity to the Commercial~~
17 ~~Revitalization District boundaries, which identify the district or give directions~~
18 ~~and/or distances to commercial areas or centers within the district. No such sign shall~~
19 ~~give the name, direction, or distance to any specific business or identify a specific~~
20 ~~product. Such signs, which may include a banner affixed to the signpost, shall not~~
21 ~~exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within~~
22 ~~the Commercial Revitalization District, there may be separately erected banners,~~
23 ~~erected by a public agency or County recognized revitalization organization,~~
24 ~~identifying the district or announcing districtwide events, but no individual~~
25 ~~businesses or products. Such banners shall not exceed twenty (20) square feet in area~~
26 ~~or twenty (20) feet in height. All banners shall be securely affixed at the top and the~~
27 ~~bottom so as to preclude any fluttering or rotation by the movement of the~~
28 ~~atmosphere. The banners shall also be subject to the applicable outdoor advertising~~
29 ~~provisions of the Code of Virginia. When erected by a public agency, such signs~~
30 ~~and/or banners shall not require a sign permit, but when erected by a County~~
31 ~~recognized revitalization organization, a sign permit shall be required.~~
32