



County of Fairfax, Virginia

MEMORANDUM

DATE: October 18, 2023

TO: Planning Commission

FROM: Casey Judge *Casey V. Judge*
Deputy Zoning Administrator

SUBJECT: Signs Part II Zoning Ordinance Amendment – Electronic Display Sign Options
Planning Commission Public Hearing on October 25, 2023

As part of the proposed Signs Part II Zoning Ordinance amendment, as discussed in the [staff report](#), staff has proposed to increase the maximum nighttime nit levels for electronic display signs. Currently per [subsection 7101.1.A\(4\)](#) of the Zoning Ordinance, all electronic display signs are limited to a maximum nighttime level of 100 nits after sunset. Staff has recommended increasing the nit limitation to 500 nits for these signs in Planned, Commercial, and Industrial districts. A range from 100 to 1,000 nits has been advertised for consideration. The proposed text is included below:

Staff recommendation:

- (1)** Electronic display signs must include a photocell to control brightness and automatically dim at sunset to the following nighttime levels:
 - (a)** Residential Districts (excluding residential areas of Planned Districts): 100 nits; and
 - (b)** Planned, Commercial, and Industrial Districts: 500 nits **[advertised range from 100 to 1,000 nits]**. The Board may approve an increase in nits in accordance with subsection 7102.1.E.

During authorization of public hearings on September 26, 2023, the Board of Supervisors (Board) requested a range of options for addressing the brightness of electronic display signs at night be advertised for consideration. Concerns mainly focused on the potential brightness impacts at night, including the potential glare on nearby residential areas. Staff has prepared two options below in response to this request:

Option 1 – retain current 100-nit nighttime limitation for electronic display signs in all zoning districts and change dimming requirement from “sunset” to a set time: This option would keep the current brightness limitation at 100 nits for all zoning districts, but it would allow for a longer period where brightness is not limited. Currently, the dimming requirement begins at sunset and lasts until dawn; setting a uniform time (such as 10:00 p.m. to 6:00 a.m.)



PLANNING & DEVELOPMENT

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would allow for brighter signs during winter months when businesses are still open at night and would aid in enforcement, but all electronic signs would be limited to the same 100-nit standard overnight.

- (1) Electronic display signs must include a photocell to control brightness and automatically dim from 10:00 p.m. to 6:00 a.m. ***[advertised to allow for any time]*** to 100 nits ***[advertised to allow up to 1,000 nits]***. The Board may approve an increase in nits in accordance with subsection 7102.1.E.

Option 2 – require electronic display signs located near residential areas to be further limited: This option would increase the brightness for electronic signs in Planned, Commercial, and Industrial districts, but it would limit these signs to a more restrictive nit level if located near a residential area.

- (1) Electronic display signs must include a photocell to control brightness and automatically dim at sunset to the following nighttime levels:
- (a) Residential Districts (excluding residential areas of Planned Districts): 100 nits.
 - (b) Planned, Commercial, and Industrial Districts: 500 nits ***[advertised range from 100 to 1,000 nits]***. However, if the sign is ***[potential options: adjacent to; located within 100 feet of]*** any property developed with a residential use, it may not exceed 100 nits. The Board may approve an increase in nits in accordance with subsection 7102.1.E.

If you have any questions, please contact me at 703-324-1314.

cc: Rachel Flynn, Deputy County Executive
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