

**FAIRFAX COUNTY PLANNING COMMISSION
LAND USE PROCESS REVIEW COMMITTEE
WEDNESDAY, NOVEMBER 28, 2018**

PRESENT: James T. Migliaccio, Lee District, Chairman
Ellen J. Hurley, Braddock District, Vice Chairman
John C. Ulfelder, Dranesville District
John A. Carter, Hunter Mill District
Peter F. Murphy, Springfield District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

OTHERS: Julie M. Strandlie, Mason District
Walter C. Clarke, Mount Vernon District
Phillip Niedzielski-Eichner, Providence District
Donté Tanner, Sully District
Mary D. Cortina, Commissioner At-Large
Jill G. Cooper, Director, Planning Commission
Teresa Wang, Senior Deputy Clerk, Planning Commission
Barbara Byron, Office of Community Revitalization (OCR)
Leslie Johnson, Zoning Administration Division (ZAD), Department of Planning
and Zoning (DPZ)
Casey Judge, ZAD, DPZ
Andrew Hushour, ZAD, DPZ

ATTACHMENTS:

- A. zMod Industrial Uses Follow-Up: Data Center, Goods Distribution Facility, Self-Storage, and Warehouse Uses
- B. zMod White Paper Draft Public, Institutional, and Community Uses Draft
- C. zMod PowerPoint Presentation on Public, Institutional, and Community Uses
- D. Sign Ordinance Table: Current Sections and Corresponding New Ordinance Section & Comments on Changes

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Chairman James T. Migliaccio called the meeting to order at 7:03 p.m. in the Board of Supervisors Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, 22035.

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Casey Judge, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ), gave a presentation on zMod Industrial Uses Follow-up: Data Center, Goods Distribution Facility, Self-Storage, and Warehouse Uses, a copy of which is included in Attachment A, wherein she outlined staff's recommendation on the uses, permissions, and associated standards.

There was a discussion between Barbara Byron, Director, Office of Community Revitalization; Leslie Johnson, Zoning Administrator, DPZ; Casey Judge, ZAD, DPZ; and multiple Committee members wherein the following topics were discussed:

- The standards and size restrictions for Data Center uses;
- The standards, types of vehicles permitted for delivery, parking time limits, and customer pickup practices for Goods Distribution Hub uses; and
- The standards, special exception requirements, loading area provisions, and building aesthetics for Self-Storage facilities.

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Casey Judge, ZAD, DPZ, gave a PowerPoint presentation on zMod Public, Institutional, and Community Uses, a copy of which is included in Attachment A, wherein Barbara Byron, Office of Community Revitalization; Leslie Johnson, Zoning Administrator, DPZ; and multiple Committee members discussed the following topics:

- The Public, Institutional, and Community use classifications, associated categories, and specific land uses;
- Associated Service uses under existing guidelines;
- Club, Service Organization, or Community Center uses;
- College or University standards for facilities located in a C-1 District;
- Solar Power Facility requirements; and
- Permission changes to uses such as child care centers, PRC Districts, Specialized Instruction Centers, and Airports.

Barbara Byron, announced that staff has scheduled a public meeting that would be streamed via Facebook Live to present the Public, Institutional, and Community uses on Tuesday, January 8, 2019, at 7:00 p.m. in Conference Rooms 4 and 5, Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

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Andrew Hushour, Planner, ZAD, DPZ, provided a PowerPoint presentation on the Sign Ordinance Amendment, which highlighted the following eight areas of concern or proposed changes:

- The definition of a sign under the proposed amendment;
- Regulation of public uses;
- Vehicle signage;
- Building-mounted sign exemptions for school facilities;
- Minor signs for non-residential land uses and yard signs;
- Off-site/Directional signage;
- Freestanding sign height in residential districts; and
- Electronic display signs.

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Commissioner Migliaccio announced that the Sign Ordinance Amendment was scheduled for public hearing before the Planning Commission on December 5, 2018.

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The meeting was adjourned at 8:36 p.m.
James T. Migliaccio, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Teresa Wang
Approved on: March 7, 2019



Teresa Marie Wang

Jacob Caporaletti

Jacob Caporaletti, Clerk to the
Fairfax County Planning Commission



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

zMOD Industrial Uses Follow-Up: Data Center, Goods Distribution Facility, Self-Storage, and Warehouse Uses November 28, 2018

During October 2018, Clarion Associates presented the zMOD Industrial Use classification to citizens, staff, industry, and County officials. During these presentations, Data Center, Goods Distribution Facility, Self-storage, and Warehouse uses were identified as needing additional research and discussion. Since this time, Clarion and staff have analyzed the potential land use impacts of these uses. The following summary includes staff's recommendations on the uses, their permissions, and associated standards. Changes to the table are highlighted in red text.

Use Table for Residential, Commercial, and Industrial Districts

TABLE 4101.3: Use Table for Residential, Commercial, and Industrial Districts

P = permitted; SE = special exception; SP = special permit

A = allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards

T = permitted as a temporary use; blank cell = not allowed

Use	Residential Districts														Commercial Districts								Industrial Districts						Use Standards	
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6		
INDUSTRIAL USES																														
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.																														
Data Center																	P SE	P SE	P	P	P	P			P SE	P SE	P	P	P	4-102.2A / *
Freight Distribution Hub																										P	P	P	*	
Goods Distribution Hub																		P	P	P	P	P							4-102.2B / *	
Self-storage																						SE			P	P	P	P	4-102.2C / *	
Warehouse																									SE	P	P	P	*	

*The general standards in Sect. 4-102.1 also apply.

Use Table for Planned Development Districts

TABLE 4101.4: Use Table for Planned Development Districts

P = permitted on final development plan/development plan and PRC plan;
P/SE = permitted on final development plan/development plan and PRC plan, or as special exception if not on plan(s)
P/SP = permitted on development plan and PRC plan, or as special permit if not on plans
SE = special exception; SP = special permit
A = allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards;
T = permitted as a temporary use; blank cell = not allowed

Use	PDH		PRC					PDC		PRM		PTC	Use Standards
	Principal	Secondary	Residential	Neighborhood Convenience Center	Village Center	Town Center	Convention/Conference Center	Principal	Secondary	Principal	Secondary		
INDUSTRIAL USES													
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.													
Data Center						P	P	P				P	*
Freight Distribution Hub													*
Goods Distribution Hub									P/SE			P/SE	4-102.2B / *
Self-storage									P/SE			P/SE	/*
Warehouse													

*The general standards in Sect. 4-102.1 also apply.

Data Center:

The Zoning Administrator previously determined that a data center is considered a “telecommunications facility,” which is an allowed use by right in the R-12 through R-30 Districts, all commercial districts, all industrial districts, and all planned districts when shown on an approved development plan. As part of the Industrial Use classification, Clarion added Data Center as a separate use. Staff received feedback based on concerns about the potential impacts on adjacent residential areas, specifically relating to noise from generators and cooling equipment, as well as size. There was also discussion about enabling data centers to repurpose existing vacant office buildings. A Data Center was never envisioned nor intended to be included in residential or select commercial districts. In addition, it is not an explicitly permitted use today, but rather the result of a determination of the Zoning Administrator in an effort to find the most similar existing use. Based on potential impacts, staff recommends the use be restricted from certain districts where it would be allowed under today’s Ordinance. As a result of the comments received and subsequent research, staff recommends that Data Centers be allowed as shown in the table above and subject to the following use standards. All of these standards are new standards that have been added since the release of the Industrial Uses document.

A. Data Center

Standards when permitted by right or by special exception:

- (1) In all districts except the I-4, I-5, and I-6 Districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within the exterior walls of the in an enclosed building where the use is located.
- (2) The following standards apply to Data Centers located in the C-3 and C-4 Districts:
 - (a) Any emergency power generators and emergency power supply equipment must be located within an enclosed building.
 - (b) The maximum size of the structure containing this use is 40,000 square feet in gross floor area. However, this size limit may be exceeded if the use is located in a building existing as of the effective date of this Ordinance or in accordance with *[reference to special exception procedures]*.
- (3) In the I-2 and I-3 Districts, the maximum size of the structure containing the use is 80,000 square feet in gross floor area. However, this size limit may be exceeded in accordance with *[reference to special exception procedures]*.

Goods Distribution Facility:

During the October 9, 2018, Development Process Committee meeting, the question was raised about “last mile distribution” and how this use would be classified and accommodated. Last mile distribution involves the movement of goods from a transportation hub (such as a Freight Distribution Hub or Warehouse use) to its final destination (such as a residence or business). As a general trend, major distributors and retailers are choosing to locate small, local warehousing in more urban and densely populated areas rather than in larger, more remote traditional warehouses. This allows for the last leg of the delivery to be located nearby the end destination point, reducing both transportation impacts on the surrounding area and cost to the distributor. Examples include an array of startup companies, such as *Deliv* and *TForce Final Mile*.

The previous industrial use document included Freight Distribution Hub, which has a definition intended for heavier industrial-scale delivery and reshipment, including the parking and storage of semitrailers and tractor-trailers. Rather than include a series of use standards to permit a smaller, more retail-focused version of this use that would be compatible in commercial and planned districts, staff proposes a new use called “Goods Distribution Facility,” which would be defined as follows:

Goods Distribution Hub:

A facility for the receipt, transfer, short-term storage, and dispatching of retail and other similar goods transported by truck.

To limit potential impacts, staff has included standards regulating the maximum size of the facilities, which align with the sizes proposed in the ongoing Small-Scale Production Zoning Ordinance amendment. Standards have also been included limiting the types of delivery vehicles used in the distribution of goods from the site. Through the addition of a smaller-scale distribution and warehouse use, businesses are able to locate in retail areas closer to consumers,

rather than be restricted to the traditional industrial warehouse approach. Staff recommends that this use be permitted in the C-4 through C-8 Districts, as well as in the PDC and PTC Districts. The use is not proposed in the I-1 through I-3 Districts, as these districts are intended to serve lower-intensity office, research, and development type uses. In addition, the use is not proposed in the I-4 through I-6 Districts, as it would be permitted in those districts at a larger scale under the Freight Distribution Hub or Warehouse use. Staff recommends Goods Distribution Facility be permitted subject to the following standards:

B. Goods Distribution Hub

Standards when permitted by right:

- (1) The use, parking, or storage of semitrailers, including tractor or trailer units, is not permitted in conjunction with the distribution of goods.
- (2) In the C-4 and C-5 Districts, the maximum size is 6,000 square feet of gross floor area.
- (3) In the C-6 through C-8 Districts, PDC, and PTC Districts, the maximum size is 10,000 square feet of gross floor area.

Self-Storage:

As part of the October 2018, outreach meetings, Clarion requested feedback on whether a Self-storage facility should be changed from a special exception use to by right in the C-8 (Highway Commercial) and I-3 (Light Intensity Industrial) Districts. Self-storage facilities (currently “mini-warehousing” in the Ordinance) typically have few employees and low trip generation; however, they are often located along busy roadways. The C-8 District provides for commercial and service uses along heavily traveled highways. It is often configured as a narrow strip along arterials with residential uses on adjacent properties to the rear. Because Self-storage is intended to provide for personal storage of seldom-used items, the use does not support the activation of the commercial area, and staff recommends maintaining the requirement for special exception approval in the C-8 District. In addition, it is recommended that a standard, borrowed from the PTC District, be added to not allow individual storage by doors, storage items, or lighted hallways to be visible from the outside of the storage structure.

As the I-3 District is an industrial district intended to provide for research and development, office, manufacturing, and other clean industries, staff recommends simplifying the ability to locate Self-storage in the I-3 District by changing it from a special exception use to by right, subject to use standards. The proposed standards are the same as the special exception standards, with the addition of several standards from the PDC and PTC District to require: a) loading and unloading areas to be located, screened, or enclosed to minimize adverse impacts on adjacent property; b) a minimum three-story structure that is office-like in appearance; and c) no individual storage bay doors, storage items, or lighted hallways along the lengths of the facades be visible from the outside. The proposed standards for the I-3 District are shown below:

C. Self-storage

Standards when permitted by right:

- (4) Incidental retail sale of storage-related items, including, but not limited to, boxes and packing tape, is permitted.
- (5) Storage units must be primarily for unused or seldom used items.
- (6) In the I-3 District, Self-storage is permitted by right if it complies with the following:
 - (a) Loading and unloading areas must be located, screened, or fully enclosed to minimize the potential for adverse impacts on adjacent property. All other activities associated with the use must be conducted completely indoors in a minimum three-story structure that is office-like in appearance.
 - (b) Loading docks are not permitted.
 - (c) No individual storage bay doors, storage items, or lighted hallways along the lengths of the building façades may be visible from the outside of the storage structure.
 - (d) Incidental parking or storage of trucks, trailers, or moving vans, except for purposes of loading and unloading, is not permitted.

Warehouse:

As part of the October 2018, outreach meetings, Clarion also requested feedback on whether Warehouse should be changed from not permitted to by right in the PTC and I-3 Districts. This question arises from the proposed removal of the Industrial/Flex use, which is permitted in the PTC District and is allowed with special exception approval in the I-3 District. Industrial/Flex allows warehousing if it is combined with at least one of the following uses: contractor's offices and shops; establishments for production, processing, assembly, manufacturing; wholesale trade establishments; or offices. To date, no special exception applications for Industrial/Flex have been approved in the I-3 District.

As warehousing is not consistent with the purpose and intent of the PTC District to create a high quality urban, mixed-use, transit, and pedestrian-oriented community, staff does not recommend adding the use to that district. As noted above, it is recommended that a Goods Distribution Facility be permitted in the PTC District. However, warehousing can be a compatible use in the I-3 District. It is noted that the County currently has 1,647 acres zoned in the I-3 District for office, research and development, and manufacturing uses. Staff recommends allowing warehousing with special exception approval in the I-3 District, subject to the general special exception standards.

Next Steps:

Staff is continuing to work with Clarion to prepare drafts of the other use classifications which will be posted for public review in winter/spring 2019. Following that, a consolidated draft of the use regulations for all of the classifications will be presented in May 2019. Revisions to the industrial uses will be incorporated into that consolidated draft.

FAIRFAX COUNTY



ZONING ORDINANCE MODERNIZATION PROJECT

DRAFT

PUBLIC, INSTITUTIONAL, AND COMMUNITY USES

NOVEMBER 28, 2018

Background

Since early 2018, Clarion Associates has been assisting Fairfax County in modernizing its Zoning Ordinance through the zMOD project. Outreach meetings were conducted by Clarion Associates in January and May of 2018 to establish a new structure for these regulations and to outline a process for updating and recategorizing the land uses listed in the Zoning Ordinance. Drafts of the modernized use names and regulations will be released in four installments, in the following order:

- Industrial uses (October 2018)
- Public, Institutional, and Community uses
- Agricultural and Commercial uses (late January 2019)
- Residential, Accessory, and Temporary uses (March 2019)

In October of 2018, Clarion conducted another round of outreach meetings to present the first installment of this work, which included definitions and regulations for industrial uses. The proposed changes to industrial uses are posted on the zMOD website and can be reviewed [here](#). We encourage you to review that document to familiarize yourself with the recommended organization, format, and the proposed industrial use regulations.

This document presents the second installment of updated regulations – those related to public, institutional, and community uses. The proposed regulations include land use definitions that combine uses of similar impact for consistency and ease of implementation, and compatibility with how people live and businesses operate. They also remove inconsistencies and fill gaps in the current public, institutional, and community use regulations.

All revisions to the current zoning regulations are tracked in the document via footnotes. Footnotes will continue to be used in drafts throughout the zMOD process to identify the basis for any proposed revisions, but will not be included in the final adopted Ordinance.

Proposed Revisions to Public, Institutional, and Community Uses

The major changes to the Public, Institutional, and Community use classification are summarized below.

Uses

Fifty existing, individually listed uses are now combined into 26 uses, which are grouped into the following five categories:

- Community, Cultural, and Educational Facilities
- Funeral and Mortuary Services
- Health Care
- Transportation
- Utilities

The list includes three new uses: Solar Power Facility, and Adult Day Care Center and Continuing Care Facility which are part of a separate pending Zoning Ordinance amendment. As with the Industrial section, Clarion's approach includes consolidating similar uses into fewer uses with more broad definitions. The uses which have been consolidated are identified below:

Combined Uses	
New Use	Existing Uses
Club, Service Organization, or Community Center	Private clubs
	Private clubs and public benefit associations
	Community clubs, centers, meeting halls, swimming pools, archery ranges
	Any other recreational/social use operated by a non-profit, where membership is limited to residents of nearby residential areas
College or University	Seminary
	Colleges, universities
Child Care Center	Child care center and nursery schools
	Nursery schools
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	Churches, chapels, temples, synagogues and other places of worship with a child care center or nursery school
	Churches, chapels, temples, synagogues and other places of worship with a child care center, nursery school or private school of general education
	Churches, chapels, temples, synagogues and other places of worship with a child care center, nursery school, or private school of general or special education
Cemetery	Cemetery for human or animal interment
	Columbarium/mausoleum with cemetery
	Funeral home in existing cemetery of more than 75 acres
Funeral Home	Funeral home
	Funeral chapel

Airport	Airports
	Heliports
Transit Facilities	Accessory electrically-powered regional rail transit facilities
	Bus or railroad station
	Bus or railroad terminals, car barns, garages, storage and inspection yards, railroad switching and classification yards, and railroad car and locomotive repair shops
	Regional non rail transit facilities
	Electrically-powered regional rail transit facilities
Utility Facility, Heavy	Electrical generating plants and facilities
	Local office space and maintenance facility incidental to heavy public utility use
	Sewage treatment and disposal facilities
	Sewage treatment and disposal facilities (regional only)
	Supply yards for any public utility
Utility Facility, Light	Water purification facilities
	Electric substations and distribution centers
	Natural gas, oil and other petroleum product metering, regulating, compressor, control and distribution stations, and local office space
	Sewerage pumping facilities
	Telecommunication facilities, including central offices and repeat stations
	Utility transmission facilities, including but not limited to poles, structures, wires, conduits, cables, vaults, laterals, pipes, mains, valves or other similar equipment for the transmission of telephone or other communication, electricity, gas or water.
Wireless Telecommunications Facility	Water storage, control and pumping facilities
	Mobile and land based telecommunication facilities
	Radio and television broadcasting tower facilities, microwave facilities and satellite earth stations.

While the uses above are consolidated, the existing Private School of Special Education use has been divided into two separate uses: Specialized Instruction Center and Health/Exercise Facility, Small (which will be moved to the Commercial Use classification). With this separation, uses with an instructional focus (such as piano instruction or certification classes) will be treated as Specialized Instruction Centers, and fitness-based classes (such as yoga or karate schools) will fall under the Health/Exercise Facility, Small use.

Changes in Permissions

A number of adjustments are proposed in where and how uses are permitted. The proposed changes are identified in the table below, followed by a discussion of the more notable changes:

Changes in Permissions		
Use	Affected District	Change in Permission SE = Special Exception Use SP = Special Permit Use
Alternate Uses of Public Facilities	R-A	From SE to not allowed
	PRM, PRC Convention/ Conference	From not allowed to permitted when shown on a development plan or by SE
Child Care Center	R-A and R-C	Nursery school from SE to not allowed
	R-E	From SE to not allowed
	C-1, C-4, I-1, I-6	Accessory service use (renamed to associated service use) is deleted because the use is permitted by right
Club, Service Organization, or Community Center	R-C	Private clubs: SE to not allowed
		Community clubs, centers, meeting halls and other recreational/social use by a non-profit (Community Uses "Group 4" #1 and #4): from SP to not allowed
	R-E - R-MHP, I-2 - I-4	Community clubs, centers, meeting halls and other recreational/social use by a non-profit (Group 4 uses #1 and #4): from SP to SE
	C-1 - C-4, I-5, I-6	Community clubs/meeting halls and other recreational/social use by a non-profit (Group 4 uses #1 and #4): from not allowed to SE
	C-5, C-6	Other recreational/social use by a non-profit (Group 4 use #4): from SP to by right
		Swimming pools/archery ranges (when part of a community center – Group 4, use #1): from SP to by right
	C-7, C-8	Other recreational/social use by a non-profit (Group 4 use #4): from not allowed to by right
		Swimming pools/archery ranges (when part of a community center – Group 4, use #1): from not allowed to by right
	PRC	From not allowed to permitted when shown on a development plan or by SE in the Conference/Convention area
		The use remains permitted when shown on a development plan, but the option for an SP is changed to an SE in all other areas
College or University	PRM	From not allowed to permitted when shown on a development plan or by SE
	C-1 - C-3	From SE to by right, subject to use standards
	PDC	From a secondary use to a principal use when shown on a development plan or by SE

Community Swim, Tennis, and Recreation Club	PRM	From not allowed to permitted when shown on a development plan or by SE
Cultural Facility/Museum	PRC Convention/Conference	From not allowed to permitted when shown on a development plan or by SE
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	I-1 - I-6	From SP or SE to by right, subject to use standards (corrects an inconsistency for a religious assembly with a child care)
School, Private	R-A	From SE to not allowed
Specialized Instruction Center	R-E	From SE to not allowed
Funeral Home	PDC	From not allowed to permitted when shown on a development plan or by SE
Helipad	C-5	From not allowed to SE
	PRC Convention/Conference	From not allowed to permitted when shown on a development plan or by SE

- **Accessory service uses** are renamed **associated service uses**, to more accurately reflect the relationship among the uses. Associated service uses are intended to provide a convenient service to the residents in a multifamily development, or employees in an office or industrial park, and are not otherwise allowed by right in the districts where they are allowed as associated service uses. Other associated service uses will be presented as part of the Commercial Uses classification; the revised approach to these uses is included as part of this document to address Child Care Center as an associated service use.

The regulations for associated service uses are proposed to be included with the use tables and standards. The current standards from Articles 10 and 11 of the Ordinance are included in the general standards section with revisions to simplify the regulations in a manner that supports the purpose of associated service uses. The major revisions to the standards include: a) deleting the option for the use to be located in a freestanding building, which is only allowed in limited circumstances today; b) deleting the requirement that the use may not be located above the second floor; and c) deleting the specific hours of operation (Article 11, 6:00 a.m. to 6:00 p.m.) and instead requiring that in the non-residential districts, the hours for the associated service use generally conform to those of the principal use. A Child Care Center would be permitted as an associated service use in a multifamily development in the R-12 through R-30, PDH, PDC, and PRC Districts, subject to the general standards and the specific standards for a Child Care Center, which are listed with the other standards for that use. Because a Child Care Center is allowed by right in the C-1 through C-4 Districts and in the industrial districts, it is not necessary to allow a Child Care Center as an associated service use in those districts. Additional revisions to associated service uses, such as deleting outdated uses, will be included with the draft revisions to the Commercial Uses classification.

- In the R-A and R-C Districts, a **Nursery School**, which will now be consolidated into the **Child Care Center** use, is proposed to be changed from a special exception use to a use that is not allowed. In addition, in the R-E District, a **Child Care Center** is proposed to be changed from a special exception use to a use that is not allowed. These changes are recommended due to concerns about compatibility

in very low density residential districts. To date, only one special exception has been approved for the use in the R-E District.

- The multiple changes shown in the table for the **Club, Service Organization, or Community Center** use result from consolidating of two of the Community Group 4 special permit uses: a) Community Clubs, Centers, Meeting Halls, Swimming Pools, Archery Ranges, and b) Any Other Recreation or Social Use Operated by a Nonprofit Organization, with the Quasi-Public Category 3 special exception uses: Private Clubs and Public Benefit Associations.

The uses are proposed to be consolidated because there has been overlap in the various uses and how they have been applied. For instance, the Jewish Community Center was approved as a Public Benefit Association (Category 3 SE), and the Mott Community Center which has similar impacts was approved as a Community Center (Group 4 SP). Given the nature and scope of the potential activities, staff believes that the consolidated use should be carried forward as a special exception use. However, community swim, tennis and recreation clubs will continue to be subject to special permit approval. The current permissions for Private Clubs and Public Benefit Associations are carried forward and applied to the new consolidated use, which changes the previous Group 4 special permit uses of Community Clubs, Meeting Halls, Centers and Other Social/Recreation Use by a Non-Profit to special exception uses, and the differences in entitlements in the districts have been reconciled. As a result, the use would be allowed: a) by right in the retail districts (C-5 – C-8) and in the planned districts when shown on an approved development plan; b) by special exception in most residential and industrial districts; or c) by special exception in the planned districts, if the use is not shown on an approved development plan.

- **College or University** is changed from a special exception to a permitted use in the C-1, C-2, and C-3 Districts because it has similar impacts to other uses allowed in those districts, such as an office. It is also changed from a secondary to a principal use in the PDC District. A new use standard provides that any residential, athletic, or large-scale assembly facilities require special exception approval.
- **Funeral Home** is changed from a special exception use to a special permit use in the R-E through R-MHP Districts to make it consistent with the other Funeral and Mortuary Services uses.
- **Solar Power Facility** is added as a new use for utility-scale operations; this does not apply to the private collection of solar energy that is permitted as an accessory use. The new use is proposed with the same permissions as a Utility Facility, Light, which would allow a Solar Power Facility by right in the I-3 through I-6 Districts and with a special exception in all other districts. During the review process, staff will continue to review possible use standards to mitigate potential visual impacts for this use and for accessory solar facilities.
- For ease of implementation, as shown in the combined uses table above, the multiple transit-related uses have been combined into a single use - **Transit Facilities**. The current distinctions in permissions are carried forward in the use standards; however, with the consolidation, all bus or railroad terminals, storage, maintenance, and inspection yards will now be treated consistently, which will change such uses that are associated with regional rail or non-rail facilities from special exception to

by right uses in the I-6 District and will permit such uses that are not associated with regional facilities with special exception approval in all other districts.

Other Notable Changes and Discussion Items


- The uses in the **Health Care** category, which include Adult Day Care Center, Continuing Care Facility, Independent Living Facility, and Medical Care Facility, are part of a separate ongoing Zoning Ordinance amendment and will be revised based on the Board of Supervisors' decision. As such, the permissions and standards for that category do not appear in this document.
- The **Wireless Telecommunications Facility** use, permissions, and standards are brought forward from the current County, state, and federal permissions. This use will continue to be reviewed and updated due to recent revisions to federal regulations.
- In the **PRC District**, uses that are not shown on an approved development plan, but are currently presented as Group uses or listed in Section 6-303 are allowed with special permit approval by the BZA. Staff proposes that these uses be made consistent with the other planned districts, which require special exception approval by the Board if not shown on an approved development plan. In the Public, Institutional, and Community classification, the uses that would now require a special exception include: Community Swim, Tennis, and Recreation Club, Religious Assembly, Cemetery, and Crematory, as well as additional uses in the other classifications.
- Under today's regulations, **Private Schools of Special Education** (renamed **Specialized Instruction Center**) are allowed in conjunction with Churches, Chapels, Temples, Synagogues, and Other Places of Worship (renamed Religious Assembly). While the draft brings forward the permissions of the current Ordinance, staff proposes to remove Specialized Instruction Center from being allowed in conjunction with a Religious Assembly use. This change results in a Specialized Instruction Center not being permitted in the R-C, R-E, or I-6 Districts, as the use is not allowed as a standalone use under today's regulations and is only permitted in conjunction with a place of worship. In addition, Religious Assembly uses seeking to add a Specialized Instruction Center in the Residential Districts would need to seek a special exception in addition to their special permit approval.
- Currently, the Zoning Ordinance allows **Airports** in the R-E and R-1 with a special exception and in PDH and PRC – Residential and Town Center if shown on an approved development plan or with a special exception. As there are currently no existing airports in these districts, staff proposes to remove this use from those districts.

Next Steps

- In the coming months, drafts of the remaining use classifications will be posted on the zMOD portion of the County's website for public review. Each posting will be advertised by email, Facebook, and other press releases.
- County staff are available to answer questions and receive feedback on the documents (DPZZMODComments@fairfaxcounty.gov).
- Clarion Associates will return in mid-2019 for another round of public meetings to present the remaining use regulations.
- Work will continue in 2019 to develop a complete draft of the modernized Zoning Ordinance, with continued outreach along the way.

Questions?

If you have questions or comments about any aspect of the zMOD project, please email zMOD staff at dpzzmodcomments@fairfaxcounty.gov or visit the project website at www.fairfaxcounty.gov/planning-zoning/zmod. If you would like to receive email updates about this project, please visit the project website and click "Add Me to the zMOD E-Mail List." You may follow us at <https://www.facebook.com/fairfaxcounty zoning/>



FAIRFAX COUNTY
Virginia

ATTACHMENT C

Zoning Ordinance Public, Institutional, and Community Uses

Z M O D

Land Use Process Review Committee
November 28, 2018

1

Today's discussion

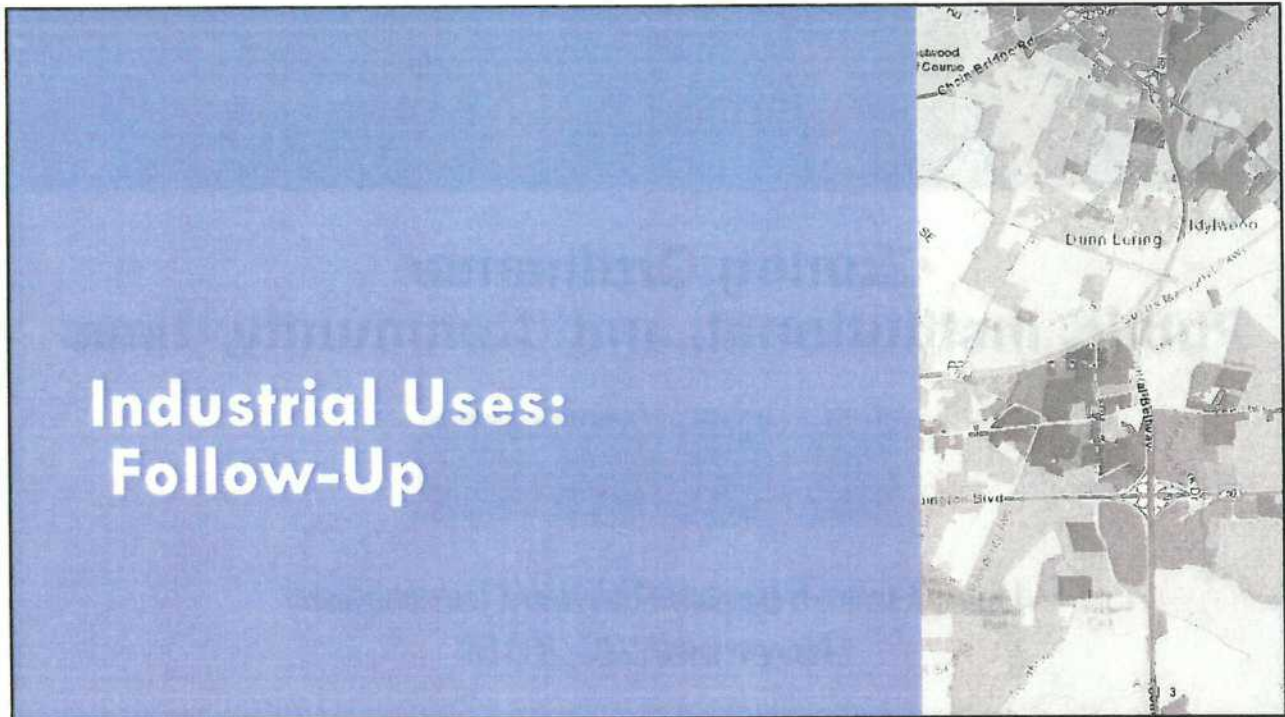
- Industrial Uses follow-up
- Public, Institutional, and Community Uses
- Discussion



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Industrial Uses

Four uses covered in Industrial white paper:

- Data Center
- Goods Distribution Hub
- Self-Storage
- Warehouse

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Data Center

Proposed use standards when by right:

- Enclose cooling and other equipment (except I-4 – I-6)
- C-3 and C-4: enclose generators and maximum size 40,000 SF
 - Size may be exceeded for repurposing or with SE approval
- I-2 and I-3: maximum size 80,000 SF



CoreSite Realty Reston Data Center

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Goods Distribution Hub

Allow “last mile distribution” facilities in retail districts, PDC, and PTC

A smaller version of Freight Distribution geared to the short-term storage and transfer of goods to businesses and consumers, subject to use standards:

- No distribution by semi-trailers
- C-4 and C-5: maximum size 6,000 SF
- C-6 – C-8, PDC, PTC: max. size 10,000 SF



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Self-Storage

Should Self-Storage be allowed by right in the C-8 and I-3 Districts?

- C-8: Keep SE requirement
- I-3: Allow by right with use standards:
 - Screen loading areas
 - Minimum 3-story building, office-like
 - No loading docks
 - No individual storage bay doors, etc. visible from the outside
 - No incidental parking or storage of trucks, trailers, or moving vans



Self-Storage on Waples Hill Road

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Warehouse

Should Warehouse be allowed by right in the PTC and I-3 Districts?

- PTC: Do not add to this district
- I-3: Allow with special exception approval
 - Subject to general special exception standards



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Public, Institutional, and Community Uses



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Examples of P/I/C Uses



Wakefield Chapel in Annandale



Wiehle Metro Station



Public Safety Building

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P/I/C Structure

Use Classification



Public, Institutional, and Community

Use Category



1. Community, Cultural, and Educational Facilities
2. Funeral and Mortuary Services
3. Health Care
4. Transportation
5. Utilities

Specific Land Uses



26 Specific P/I/C Uses

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Use Names:

Community, Cultural, and Educational Facilities

Proposed Use Name	Current Use Name
Alternate Uses of Public Facilities	Alternate Uses of Public Facilities
Child Care Center	Combines: <ul style="list-style-type: none"> • Child care center and nursery schools • Nursery Schools
Club, Service Organization, or Community Center	Combines four uses
College or University	Combines: <ul style="list-style-type: none"> • Seminary • Colleges, Universities
Community Swim, Tennis, and Recreation Club	Swimming Club and Tennis Club/Courts

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Use Names:

Community, Cultural, and Educational Facilities Cont'd

Proposed Use Name	Current Use Name
Convention/Conference Center	Exposition halls and facilities to house cultural or civic events or conventions of political, industrial, fraternal or similar associations
Cultural Facility/Museum	Cultural centers, museums, and similar other facilities
Public Use	Public Use
Religious Assembly	Churches, chapels, temples, synagogues and other places of worship
Religious Assembly with Private School, Specialized Instruction Center, or Child Care Center	Combines three uses
School, Private	Private School of General Education
Specialized Instruction Center	Private School of Special education

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Use Names:

Funeral and Mortuary Services

Proposed Use Name	Current Use Name
Cemetery	Combines: <ul style="list-style-type: none"> • Cemetery for human or animal interment • Columbarium/mausoleum with cemetery • Funeral home in existing cemetery of more than 75 acres
Crematory	Crematory
Funeral Home	Combines: <ul style="list-style-type: none"> • Funeral Home • Funeral Chapel

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Use Names: Transportation

Proposed Use Name	Current Use Name
Airport	Combines: <ul style="list-style-type: none"> • Airport • Heliport
Helipad	Helistop
Transit Facilities	Combines: <ul style="list-style-type: none"> • Accessory electrically-powered regional transit facilities • Bus or railroad station • Bus or railroad terminals, car barns, garages, etc. • Regional Non-Rail Transit Facilities • Electrically-Powered Regional Rail Transit Facilities

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Use Names: Utilities

Proposed Use Name	Current Use Name
Solar Power Facility	New use
Utility Facility, Heavy	Combines six uses
Utility Facility, Light	Combines six uses
Wireless Telecommunications Facility	Combines: <ul style="list-style-type: none"> • Mobile and land based telecommunication facilities • Radio and television broadcasting tower facilities, microwave facilities and satellite earth stations

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Associated Service Uses

- New name for today's Accessory Service Uses
- Provide services to residents and employees in multifamily developments, office parks, and industrial parks
- Included as "A+" uses in the table

Example: Child Care Center



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Club, Service Organization, or Community Center

- Consolidates Group 4 special permit uses with Category 3 special exception uses
- Overlap in the characteristics and the ways these uses operate
- Community swim, tennis, and recreation clubs will continue to be a special permit

Examples:

- Jewish Community Center (currently Category 3 special exception)
- Mott Community Center (currently Group 4 special permit)



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College or University

- Expand permissions from special exception to by right in the C-1, C-2, and C-3 Districts
 - Residential, athletic, or large-scale assembly facilities require special exception approval
- Change from secondary use to principal use in the PDC District



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Solar Power Facility

- Added as a new use for utility-scale facilities
- Does not apply to private solar collection (such as panels installed on the roof of a home)

Proposed:

- I-2 through I-6 as a permitted use
- All other districts as a special exception use



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Transit Facilities

- Combination of multiple transit-related uses
- Uses that are associated with regional rail or non-rail facilities will be changed from requiring special exception approval to allowed in the I-6 District.
- All uses that are not associated with regional facilities will be permitted with special exception approval in all other districts.



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Other Permission Changes

- **Child Care Center** – from special exception to not permitted in the R-E District; nursery schools from special exception to not permitted in the R-A or R-C Districts
- **PRC District** – change Group uses to require special exception approval if not shown on an approved development plan to be consistent with other planned districts
- **Specialized Instruction Center** – remove from Religious Assembly use
- **Airports** – remove from R-E, R-1, PDH, and PRC Districts

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Next Steps and Outreach



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Next Steps

Work is underway following a similar process for the other classifications groups of uses:

- Agricultural
- Commercial
- Residential
- Accessory
- Temporary

Timeline

Winter 2019:

Drafts of remaining recategorized use regulations posted for public review

May 14 -16 2019:

Clarion presents draft of all use definitions and regulations

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Outreach

- All drafts will be posted on the zMOD website, zMOD Listserv, and Zoning Facebook page
- Public meetings will be scheduled for each draft
 - January 8th – Public/Institutional/Community uses will be presented at the Government Center and streamed via Facebook Live
 - Similar meetings will be scheduled for the remaining classifications

Staff is available to present the drafts to community groups, receive feedback, and answer questions

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Questions & Discussion



November 2018

zMOD

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ATTACHMENT D

Sign Ordinance Amendment
Main Discussion Points
11/14/2018

Definition of Sign



- Section 12-102 - staff is proposing changes to the existing definition of sign, to include a sign as being something that is visible from a "public street."
- A "street" is broadly defined in the Ordinance and includes public and private streets, as well as travel ways interior to a commercial development.
- The new definition results in a similar level of regulation as the existing definition but with a few exceptions.
- Alternative advertising option includes flexibility to change the visibility provision.

Regulation of Public Uses



- Section 12-103.1 - staff is proposing that all Fairfax County public uses be subject to the minor sign provisions in proposed Section 12-105 and the permanent sign provisions in Part 2.
 - These uses are currently exempt from sign regulation except for freestanding sign height.
- Precedents for regulation of County uses exist: Noise Ordinance and other zoning requirements.
- Difficult to argue that impacts of a sign for a public use are different than for a similar private use, or any use for that matter.
- Alternative option includes ability to continue the exemption of public uses from sign regulation.

Vehicle Signs



- Section 12-104.6C – proposed changes will allow a vehicle sign to be parked at its place of business, in a designated parking space.
 - Currently regulation requires the vehicle be parked 25 feet from the street line but allows them to be parked *on an adjacent property*.
- The new regulation eliminates all off-site parking of the vehicles, which is more restrictive, but balances this with the removal of the required setback.
- Alternative advertising option gives flexibility to require a setback from the front property line, up to 25 feet.

Building-Mounted Sign Exemption for Schools



- Section 12-104.6D – a new regulation, which allows exemption of “spirit” or “accolade” signs for any school, college or university, regardless of whether public or private.
- Lettering and numbers must be: building-mounted, permanently affixed; non-illuminated; and cannot cover more than 10% of the façade on which placed.
- Alternative option to include a larger percentage of façade coverage, up to 25%.

Minor Signs: Non-Residential Land Uses



- Section 12-105.4 – the proposed regulations for minor signs for all non-residential land uses represents a relaxing of existing Ordinance regulation and County policies.
 - The existing Ordinance only allows this type of sign for a select group of land uses.
- Staff is proposing that any non-residential land use in any zoning district be allowed this type of sign, with proposed regulation based on road frontage.
- For those land uses located on a lot with frontage on a major thoroughfare, 40 square feet of total sign area would be allowed: with no single sign exceeding 24 square feet in area; a single freestanding sign is allowed, at 4 feet in height; there is no limit on display duration or overall number.
- For those land uses located on all other lots, staff is proposing 24 square feet of total sign area: but signs must be building-mounted, to include signs attached to a fence, wall, or existing freestanding sign; there is no limit on display duration or overall number.
- Alternative options for both sign types to include: an increase total sign area to 60 square feet; no limit on the maximum size of any one sign; no limit on the type of sign; and a maximum height of up to 6 feet.

Minor Signs: Yard Signs



- Section 12-105.4 – a new sign type that is allowed on any lot developed with a residential use.
- Allows a total of 12 square feet of sign area, with no single sign allowed to exceed 4 square feet, and a maximum height of 4 feet.
- No limit on the number of signs or the display duration.
- This sign type could accommodate a variety of signs that are customarily displayed by home owners.
- Advertising option allows for a possible increase in total sign area, up to 16 square feet.

Off-site/Directional Signs



- Section 12-106 – staff is proposing the deletion of all provisions allowing for off-site/directional signs.
 - Existing allowances are made for places of worship and other non-profit organizations; office and industrial parks; and for development in the PRC District and the Tysons Corner Urban Center.
- Absent content control, it is difficult to allow this sign type for select uses; it is to be either fully embraced for all land uses or prohibited.
- No alternative option is provided; however, this does not preclude a use from applying for state sponsored wayfinding programs.

Freestanding Sign Height in Residential Districts



- Section 12-202.5B – there are two different options advertised for the regulation of freestanding signs for most non-residential uses in residential zoning districts.
- Staff is recommending a single 40 square foot freestanding sign, with a maximum height of 8 feet.
- An alternative option sets up a sliding scale for freestanding sign size and height, based on lot size: for a use on a lot smaller than 5 acres, a sign up to 16 square feet and 4 feet in height; on a lot of at least 5 acres but less than 20 acres, a sign up to 32 square feet and 6 feet in height; or on a lot of at least 20 acres or more, a sign up to 40 square feet in area and 8 feet in height.
- Advertising for both options allows the possibility of an increase in freestanding sign height up to 20 feet.

Electronic Display Signs



- Section 12-203.3 & 12-205.4 – a new sign type that is allowed as part of any permanent freestanding sign in any zoning district.
- Staff recommended option would allow for 50% of the allowable freestanding sign area to be an electronic/digital display, subject to the height limits required in the underlying zoning district.
- Standards include: frequency of message change (1 time/8 seconds), with the change being instantaneous; limits on background color; and dimming standards.
- Alternative option would allow for the entire freestanding sign area to be electronic/digital, with the same standards, except that the height is restricted to 6 feet and the sign must be a monument style sign. The advertising language also allows consideration of a height up to 8 feet.



<p>14. Hospitals shall be permitted one (1) freestanding sign at each entrance. No freestanding sign shall exceed eighty (80) square feet in area or twelve (12) feet in height, or be located closer than five (5) feet to any lot line. Hospitals shall also be permitted one (1) building-mounted sign for each building entrance for the purpose of identifying a hospital function. No such sign shall exceed fifty (50) square feet in area. The Board may approve additional signs in accordance with Sect. 9-308.</p>	<p>12-202.4/12-204.1C/12-204.2C/12-203.2/12-205.3/12-303.1: The sign regulations for hospitals can be found in various sections throughout the existing Ordinance. Staff has carried forward the existing regulations with edits made for clarity and content neutrality. Since the use is allowed in all districts, the provisions can be found in new Section 12-202.4 for residential districts, and new Section 12-204 for commercial and industrial districts. The minimum setback for freestanding signs has been moved to the performance standards section for both sections. In addition, the final sentence in the existing provision has also been moved to new Section 12-303, Special Exceptions, since this provision allows the Board to approve additional signage for a hospital with approval of a special exception.</p>
<p>12-204 Commercial and Industrial Uses in Sign Control Overlay Districts</p>	
<p>The following regulations shall supplement the provisions set forth in Sections 203 and 207, and shall apply to all uses located on commercially and industrially zoned land within those areas designated on the Official Zoning Map as a Sign Control Overlay District, which district is established by the provisions of Part 5 of Article 7.</p>	<p>12-204.3: This existing section has been deleted since most of the provisions are redundant in that they simply refer to other provisions of the existing Ordinance. Therefore, the only provisions that apply to land uses located on a lot in the Sign Control Overlay District are existing Sections 12-204.2 & 3, which decrease the allowable amount of square footage for freestanding signs by half. These provisions have been carried forward into the new Section 12-204.3.</p>
<p>1. Building-mounted signs shall be limited to the sign area as specified in Sections 203 and 207.</p>	<p>Deleted: Redundant citation.</p>
<p>2. An individual enterprise with frontage on a primary highway or major thoroughfare which is not located within or on the same lot with a shopping center shall be permitted one (1) freestanding sign. Such sign shall be limited to a maximum sign area of forty (40) square feet.</p>	<p>12-204.3A: Carried forward with minor edits for clarity. In addition, the new provision cites the maximum freestanding sign height of 20 feet, which is not explicitly identified in the existing provision.</p>
<p>3. Shopping centers shall be permitted freestanding signs in accordance with the provisions of Par. 10 of Sect. 203 above. Such signs shall be limited to a maximum sign area of forty (40) square feet.</p>	<p>12-204.3B: Carried forward with minor edits for clarity. In addition, the new provision cites the maximum freestanding sign height of 20 feet, which is not explicitly identified in the existing provision.</p>
<p>4. Office parks shall be permitted freestanding signs in accordance with the provisions of Par. 13 of Sect. 203 above.</p>	<p>Deleted: Redundant citation.</p>
<p>5. Industrial parks shall be permitted freestanding signs in accordance with the provisions of Par. 12 of Sect. 207 below.</p>	<p>Deleted: Redundant citation.</p>
<p>6. Hospitals shall be permitted signs in accordance with the provisions of Par. 14 of Sect. 203 above.</p>	<p>Deleted: Redundant citation.</p>
<p>12-205 Commercial Uses with Frontage on Primary Highways and Major Thoroughfares</p>	

The following regulations shall supplement the provisions set forth in Sect. 203 above and shall apply to all uses located on commercially zoned lands which have frontage on a primary highway or on a major thoroughfare as shown on the adopted comprehensive plan but which are not located in a Sign Control Overlay District.	12-204.2: This existing section has been deleted since most of the provisions are redundant in that they simply refer to other provisions of the existing Ordinance. The provisions that do apply, existing Sections 12-205.2 & 3, sets forth the allowance of freestanding signs for commercial and industrial uses. These provisions have been carried forward into new Section 12-204.2, with edits made for clarity.
1. Building-mounted signs shall be limited to the sign area as specified in Sect. 203 above.	Deleted: Redundant citation.
2. An individual enterprise which is not located within or on the same lot with a shopping center shall be permitted one (1) freestanding sign. Such sign shall be limited to a maximum sign area of eighty (80) square feet.	12-204.2A/12-204.2B: Carried forward with minor edits for clarity.
3. Shopping centers shall be permitted freestanding signs in accordance with the provisions of Par. 10 of Sect. 203 above. Such signs shall be limited to a maximum sign area of eighty (80) square feet.	12-204.2D: Carried forward with minor edits for clarity.
4. Office parks shall be permitted freestanding signs in accordance with the provisions of Par. 13 of Sect. 203 above.	Deleted: Redundant citation.
5. Hospitals shall be permitted signs in accordance with the provisions of Par. 14 of Sect. 203 above.	Deleted: Redundant citation.
12-206 Commercial Uses in Other Commercial Areas	
The following regulations shall supplement the provisions set forth in Sect. 203 above and shall apply to all uses located on commercially zoned lands which are not located in a Sign Control Overlay District or which do not have frontage on a primary highway or on a major thoroughfare, except as provided in Par. 12 of Sect. 207 below.	Deleted: This existing section has been deleted since all but one of the provisions are redundant in that they simply refer to other provisions of the existing Ordinance. The only provision that has been retained is existing Section 12-206.2, as explained below.
1. Building-mounted signs shall be limited to the sign area as specified in Sect. 203 above.	Deleted: Redundant citation.
2. No individual enterprise shall be permitted a freestanding sign.	12-204.2A/12-204.2B: This provision has been carried forward and added to the freestanding sign provisions for uses located in a commercial or industrial district, which is now found in new Sections 12-203.2A & B.
3. Shopping centers shall be permitted freestanding signs in accordance with the provisions of Par. 10 of Sect. 203 above. Such signs shall be limited to a maximum sign area of eighty (80) square feet.	Deleted/12-204.2D: Carried forward with minor edits for clarity.
4. Office parks shall be permitted freestanding signs in accordance with the provisions of Par. 13 of Sect. 203 above.	Deleted: Redundant citation.
5. Hospitals shall be permitted signs in accordance with the provisions of Par. 14 of Sect. 203 above.	Deleted: Redundant citation.
12-207 Industrial Uses	

<p>The following regulations shall apply to all signs which are accessory to permitted, special permit and special exception uses located in an I district, except as qualified by the provisions of Sect. 204 above and 208 below.</p>	<p>12-204/12-205: The existing Ordinance has different Section containing the regulation of signs for commercial and industrial uses. These regulations are generally the same, identical in some instances, and contain only a few minor differences, such as the amount of building-mounted signage and the size of freestanding signs in office and industrial parks. For this reason, staff is proposing to combine these sections into a new Section 12-204, Signs in Commercial and Industrial Districts, which presents a uniform set of regulations for all land uses located in these districts. In addition, new Section 12-205 sets forth the performance standards for all allowed signs.</p>
<p>1. Building mounted signs may be located anywhere on the surface of the walls or roof of the building, but no part of any sign shall extend above or beyond the perimeter of the building wall, parapet wall or roof, except as permitted by Par. 2 below. No sign shall be located on a chimney, flue, antenna, monopole, transmission tower or cable, smokestack, or other similar rooftop structures and mechanical appurtenances. A sign may be mounted flat against a rooftop penthouse wall or rooftop screening wall which is an integral architectural element of the building through the continuation of materials, color, and design exhibited by the main portion of the building. Such signs shall conform to the following:</p> <p>A. No part of the sign shall extend above or beyond the perimeter of the penthouse wall or screening wall to which it is attached or project outward from the penthouse wall or screening wall.</p> <p>B. The sign shall not extend more than twelve (12) feet above the lowest point of the wall, and shall be limited to identification signs consisting of an organizational logo and/or the name of a company or premises.</p>	<p>12-205.1/12-205.2: These two provisions have been broken into two different provisions for clarity, with editorial changes. The existing provisions are very difficult to read and interpret but contain two distinct concepts: the regulation of signs that project from a building, and the regulation of signs located on building features (such as a penthouse) on the roof of a building. The existing provision 12-203.1 mixes these provisions to much confusion. As such, staff has separated the concepts into their appropriate provisions in new Sections 12-205.1 and 12.205.2. Most of the technical aspects of the provisions have been retained with minor deletions due to redundant language and content neutrality.</p>
<p>2. A building-mounted sign may extend beyond the wall of a building when such sign is erected at a right angle to the wall, does not extend into the minimum required yard and is not located closer than two (2) feet to any street line.</p> <p>3. Building-mounted signs on buildings housing only one (1) tenant or multiple tenants that access the building via a common outside entrance(s) shall not exceed one (1) square foot of sign area for each linear foot of building frontage. No one sign, however, shall have a sign area in excess of 200 square feet.</p>	<p>12-204.1A: Carried forward with edits. In the proposed Ordinance, the provisions for building-mounted signs for commercial and industrial uses is currently the same, except that an industrial use is allowed 1 square foot of sign area for each linear foot of building frontage, whereas a commercial use is allowed 1.5 square feet for each linear foot of building frontage. As such, in combining the regulations for all uses to establish uniformity in regulation, staff has elected to apply the higher amount of 1.5 square foot of sign area.</p>

4. Building-mounted signs on buildings housing more than one (1) tenant where each tenant has its own outside entrance(s) shall not exceed one (1) square foot of sign area for each linear foot of building frontage occupied by each tenant, except as provided for in Par. 3 of Sect. 106 above. The maximum allowable sign area for any one tenant, however, shall not exceed a total of 200 square feet, except that a tenant, which has building frontage that results in an allowable sign area greater than 200 square feet and occupies an area with more than one perimeter wall containing a main entrance for use by the general public, may place a maximum of 200 square feet of allowable sign area on each such perimeter wall; however, in no instance shall the square footage of signage on any such wall exceed one and one-half (1 1/2) times the length of such wall.	12-204.1B: Carried forward with edits. In the proposed Ordinance, the provisions for building-mounted signs for commercial and industrial uses is currently the same, except that an industrial use is allowed 1 square foot of sign area for each linear foot of building frontage, whereas a commercial use is allowed 1.5 square feet for each linear foot of building frontage. As such, in combining the regulations for all uses to establish uniformity in regulation, staff has elected to apply the higher amount of 1.5 square foot of sign area.
5. One (1) freestanding sign may be erected for each building that has frontage on a major thoroughfare; provided, however, a grouping of separate buildings that house only one (1) tenant shall not be permitted more than one (1) freestanding sign. A building that does not have frontage on a major thoroughfare shall not be permitted a freestanding sign.	12-204.2B: Carried forward with minor edits for clarity.
6. Freestanding signs shall in no instance project beyond any lot line or be within five (5) feet of the curb line of a service drive, travel lane or adjoining street. When located on a corner lot, a freestanding sign shall be subject to the provisions of Sect. 2-505.	12-205.3/12-106.3D: This provision has been carried forward and has been applied as a performance standard for all signs in a commercial or industrial district, in new Section 12-205.3. The last sentence of the provision, relating to location on a corner lot, has been moved to new Section 12-106.3D, as it is a prohibition regulation that applies to all signs in the County.
7. No freestanding sign shall exceed a maximum sign area of eighty (80) square feet or a height of twenty (20) feet.	12-204.2B: Carried forward with minor edits for clarity.
8. Illumination of signs shall be in conformance with the performance standards for outdoor lighting as set forth in Part 9 of Article 14.	12-205.5: Carried forward.
9. Except as qualified herein, signs shall be limited to identifying or advertising the property, the individual enterprises, the products, services or the entertainment available on the same property where the sign is located.	Deleted/12-103.3: This provision has been deleted for content neutrality; however, the intent of this provision - that a sign must be located on the same lot as its principle land use - can be found in new Section 12-103.3.
10. Service stations or service station/mini-marts may be allowed one (1) additional square foot of sign area on each gasoline pump for the sole purpose of identifying the specific product dispensed from that pump.	12-206.1A: Carried forward to new Section 12-106, Other Permitted Signs, since it is a unique sign type that is allowed in addition to the signs allowed for the principal land use in new Section 12-204. It has been edited for clarity and for content neutrality.
11. Notwithstanding the provisions of this Ordinance, motor vehicle fuel price signs required by the provisions of Article 4 of Chapter 10 of The Code shall be permitted, and the sign area of such sign(s) shall not be computed in the maximum sign area permitted by this Ordinance.	12-206.1B: Carried forward to new Section 12-106, Other Permitted Signs, since it is a unique sign type that is allowed in addition to the signs allowed for the principal land use in new Section 12-204. It has been edited for clarity.

<p>12. The following signs are permitted as accessory to an industrial park:</p> <p>A. One (1) freestanding sign may be erected at each major entrance to an industrial park. Such sign(s) shall identify the name of the industrial park. No such sign shall exceed forty (40) square feet in area or twenty (20) feet in height or be located closer than ten (10) feet to any street line.</p> <p>B. One (1) freestanding building identification sign may be permitted for each detached building on a commercially or industrially zoned lot within an industrial 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 thirty (30) square feet in area or eight (8) feet in height or be located closer than ten (10) feet to any lot line.</p> <p>C. One (1) freestanding on-site directory sign may be permitted in close proximity to each major entrance of an industrial park. Such sign(s) shall be limited to identifying and providing directional information to the individual enterprises located within the industrial park. 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 street line.</p>	<p>12-204.2E/12-205.3/Partial Deletion: Most of this provision has been carried forward, with several edits made for clarity and content neutrality. Regarding provision 12-207.12C, it has been deleted in its entirety since it is a directional sign, which is difficult to regulate in content neutral terms. In the proposed Ordinance, existing Sections 12-207.12 A & B have been carried forward and combined into a new Section 12-204.2E that applies to both office and industrial parks. The provisions for both are currently the same, except that a detached building housing a principal use within an office park is only allowed 20 square feet of freestanding signage, whereas the same use in an industrial park is entitled to 30 square feet. As such, in combining the regulations for office and industrial parks to establish uniformity in regulation, staff has elected to apply the higher amount, 30 square feet, to both office and industrial parks.</p> <p>The provisions requiring a minimum setback of 10 feet from any street line for a freestanding sign has been reduced to 5 feet, in order to create uniformity throughout the regulations. This setback requirement has also been moved to new Section 12-205.3 since it is a performance standard that applies to all freestanding signs in a commercial or industrial district.</p>
<p>13. Hospitals shall be permitted one (1) freestanding sign at each entrance. No freestanding sign shall exceed eighty (80) square feet in area or twelve (12) feet in height, or be located closer than five (5) feet to any lot line. Hospitals shall also be permitted one (1) building-mounted sign for each building entrance for the purpose of identifying a hospital function. No such sign shall exceed fifty (50) square feet in area. The Board may approve additional signs in accordance with Sect. 9-308.</p>	<p>12-202.4/12-204.1C/12-204.2C/12-203.2/12-205.3/12-303.1: The sign regulations for hospitals can be found in various sections throughout the existing Ordinance. Staff has carried forward the existing regulations with edits made for clarity and content neutrality. Since the use is allowed in all districts, the provisions can be found in new Section 12-202.4 for residential districts, and new Section 12-204 for commercial and industrial districts. The minimum setback for freestanding signs has been moved to the performance standards section for both sections. In addition, the final sentence in the existing provision has also been moved to new Section 12-303, Special Exceptions, since this provision allows the Board to approve additional signage for a hospital with approval of a special exception.</p>

12-208 Special Permit, Special Exception Uses	
<p>The following regulations shall apply to signs accessory to all uses which require approval of a special permit or special exception as set forth in Articles 8 and 9. In addition, the regulations shall apply to signs accessory to such uses where they are permitted by right and to existing such uses which were established prior to the effective date when a special permit or special exception was required for a given use in a given zoning district.</p> <p>The BZA, in approving a special permit use, and the Board, in approving a special exception use, may specify the area, height, color or illumination of a sign accessory to such a use; but in no event shall the area or height of a sign exceed the limits prescribed below.</p>	<p>Deleted/12-202/12-204: The major distinction between the existing and proposed Ordinance is that the permanent sign regulations will no longer be categorized by use. As currently presented in this existing section, the Ordinance establishes provisions allowing different types and sizes of signs for several different land uses that require either special permit or special exception approval. With some exceptions, such as hospital, the proposed Ordinance is organized to regulate signs based on zoning district, which furthers staff's goal of creating uniformity among the regulations. While individual land uses will have different impacts, the impact of an accessory use, such as a sign, is arguably no different from one use to another. To this end, all the use specific sign provisions found in existing Section 12-208.2 below are proposed for deletion in favor of a uniform set of standards found in new Section 12-202.5, if the non-residential land use is in a residential district, or in new Section 12-204 for uses located in a commercial or industrial district.</p> <p>Also, worth noting, the final sentence of this provision that allows the BZA or Board to further limit signage for any entitled use as part of the approval process, this provision has been carried forward to new Section 12-202.</p>
<p>1. In all C districts, I districts and commercial areas of P districts, signs accessory to special permit and special exception uses shall be subject to the applicable provisions set forth in Sections 203, 204, 205, 206 and 207 above.</p>	<p>Deleted: Redundant citation.</p>
<p>2. In all R districts and the residential areas of all P districts, signs accessory to special permit and special exception uses shall be subject to the provisions set forth in the paragraphs that follow.</p> <p>Illumination, if used, shall be white and not colored. All illumination shall be in conformance with the performance standards for outdoor lighting as set forth in Part 9 of Article 14.</p> <p>Building mounted signs shall be flush against the building and shall not extend above or beyond the perimeter of the wall or roof of the building to which they are attached.</p>	<p>Deleted/12-203.4/12-203.1: The first part of this provision has been deleted since it is no longer needed based on the changes made to this section, as discussed above. The illumination provision has been carried forward in new Section 12-203.4 with deletion of the first part of the provision. Article 14 already contains provisions that limit illumination of signs, as do the proposed limitations for digital signs. For these reasons, staff believes this part of the provision is unnecessary and is a duplication of these other existing and proposed regulations. The second provision, relating to illumination. The final provision, relating to the mounting requirements for building-mounted signs, has been carried forward in new Section 12-203.1.</p>

<p>A. Airports and heliports may be permitted:</p> <p>(1) Building-mounted signs not to exceed a combined total sign area of fifty (50) square feet, and</p> <p>(2) One (1) freestanding sign, not to exceed a sign area of forty (40) square feet or eight (8) feet in height. No such sign shall be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>B. Churches, chapels, temples, synagogues, and other such places of worship (places of worship) including schools, monasteries and seminaries directly affiliated with such uses may be permitted:</p> <p>(1) Building-mounted signs not to exceed a combined total sign area of fifty (50) square feet and,</p> <p>(2) One (1) freestanding sign, with or without a reader board, provided, however, when more than one congregation of a place of worship shares the use of the same facility, two (2) freestanding signs, with or without a reader board, shall be permitted. No such sign shall exceed a sign area of forty (40) square feet or eight (8) feet in height or be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>C. Convenience centers may be permitted one (1) building-mounted sign not to exceed a sign area of twelve (12) square feet.</p>	<p>Deleted: see explanation above.</p>
<p>D. Country clubs, colleges, universities, all medical care facilities which have a capacity of fifty (50) beds or more, except hospitals, cultural centers, museums, congregate living facilities and independent living facilities may be permitted:</p> <p>(1) Building-mounted signs not to exceed a combined total sign area of fifty (50) square feet, and</p> <p>(2) One (1) freestanding sign not to exceed a sign area of forty (40) square feet or eight (8) feet in height. No such sign shall be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>

<p>E. Establishments for scientific research and development may be permitted:</p> <p>(1) Building-mounted signs not to exceed a combined total sign area based on one (1) square foot for each one (1) linear foot of building frontage, and</p> <p>(2) One (1) freestanding sign not to exceed a sign area of forty (40) square feet or eight (8) feet in height. No such sign shall be located closer than fifty (50) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>F. Funeral chapels may be permitted:</p> <p>(1) One (1) building-mounted sign not to exceed a sign area of fifteen (15) square feet, and</p> <p>(2) One (1) freestanding sign not to exceed a sign area of twelve (12) square feet or five (5) feet in height. No such sign shall be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>G. Hospitals shall be permitted one (1) freestanding sign at each entrance. No freestanding sign shall exceed eighty (80) square feet in area or twelve (12) feet in height, or be located closer than five (5) feet to any lot line. Hospitals shall also be permitted one (1) building-mounted sign for each building entrance for the purpose of identifying a hospital function. No such sign shall exceed fifty (50) square feet in area. The Board may approve additional signs in accordance with Sect. 9-308.</p>	<p>12-202.4/12-204.1C/12-204.2C/12-203.2/12-205.3/12-303.1: The sign regulations for hospitals can be found in various sections throughout the existing Ordinance. Staff has carried forward the existing regulations with edits made for clarity and content neutrality. Since the use is allowed in all districts, the provisions can be found in new Section 12-202.4 for residential districts, and new Section 12-204 for commercial and industrial districts. The minimum setback for freestanding signs has been moved to the performance standards section for both sections. In addition, the final sentence in the existing provision has also been moved to new Section 12-303, Special Exceptions, since this provision allows the Board to approve additional signage for a hospital with approval of a special exception.</p>
<p>H. Offices in the R-30 District shall not be permitted a sign.</p>	<p>Deleted: see explanation above.</p>
<p>I. Open-air produce stands may be permitted one (1) sign in accordance with the provisions set forth in Par. 3I of Sect. 103 above.</p>	<p>Deleted: see explanation above.</p>
<p>J. Parking in R districts may be permitted one (1) sign not to exceed a sign area of four (4) square feet.</p>	<p>Deleted: see explanation above.</p>
<p>K. Temporary farmer's markets may be permitted one (1) sign in accordance with the provisions set forth in Par. 3H of Sect. 103 above.</p>	<p>Deleted: see explanation above.</p>
<p>L. Washington Metropolitan Area Transit Authority (WMATA) facilities may be permitted building-mounted and freestanding signs as specifically approved by the Board.</p>	<p>Deleted: see explanation above.</p>

<p>M. Any other use located in structures that have the exterior appearance of a single family detached dwelling may be permitted one (1) sign, either building-mounted or freestanding. Such sign shall not exceed six (6) square feet in area.</p> <p>(1) If building-mounted, such sign shall not exceed a height of ten (10) feet above grade.</p> <p>(2) If freestanding, such sign shall not exceed a height of four (4) feet or be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>N. Any other use located in structures that do not have the exterior appearance of a single family detached dwelling and uses which are predominantly outdoor uses such as golf courses, marinas and cemeteries may be permitted one (1) building-mounted sign and one (1) freestanding sign. No such sign shall exceed a sign area of twelve (12) square feet and the combined total sign area for a given use shall not exceed twenty (20) square feet.</p> <p>(1) If building-mounted, such sign shall not exceed a height of twenty (20) feet above grade.</p> <p>(2) A freestanding sign shall not exceed a height of ten (10) feet or be located closer than ten (10) feet to any lot line.</p>	<p>Deleted: see explanation above.</p>
<p>12-209 Accessory Service Uses</p> <p>Accessory service uses as permitted by the provisions of Part 2 of Article 10 shall be permitted one (1) building-mounted sign not to exceed fifteen (15) square feet in area for all such uses in a given building. Such signs shall be calculated as part of the sign area permitted for the building by the provisions of this Article.</p>	<p>12-206.2: Carried forward with edits for clarity. The new Section 12-206.2 clarifies that the allotted maximum sign area of 15 square feet applies to the maximum size of any one sign for a single accessory service use, and not for all accessory service uses located in a single building. This codifies a longstanding Zoning Administrator interpretation.</p>
<p>12-210 Uses in P Districts</p> <p>The provisions set forth in the preceding Sections shall be applicable to signs accessory to uses in P districts. However, in keeping with the intent to allow flexibility in the design of planned developments, the following options may be applicable to signs in the P districts:</p>	<p>12-304: This section has been carried forward with edits made for clarification and content neutrality.</p>

<p>1. As an alternative, signs may be permitted in a P district in accordance with a comprehensive plan of signage subject to the approval of the Planning Commission following a public hearing conducted in accordance with the provisions of Sect. 18-109. The comprehensive plan of signage shall show the location, size, height and extent of all proposed signs within the P district or section thereof, as well as the nature of the information to be displayed on the signs.</p>	<p>12-304.1: Carried forward with minor edits for clarity.</p>
<p>2. In addition, within a PRC District or the Tysons Corner Urban Center as designated in the adopted comprehensive plan, a plan for off-site directional signs which identify destinations or locations within the district or center such as commercial centers, residential areas, public uses or community facilities may be approved by the Planning Commission following a public hearing conducted in accordance with Sect. 18-109; provided, however, that written notice to property owners and adjacent property owners shall not be required. The plan for off-site signs shall show the location, size, height and extent of all signs encompassed within the plan as well as the nature of the information to be displayed on each sign. All such signs shall be located within the PRC District or the Tysons Corner Urban Center, as applicable.</p>	<p>Deleted: This provision has been deleted in its entirety since it allows for off-site directional signs, which are difficult to regulate in content neutral terms.</p>
<p>3. Any application submitted pursuant to Par. 1 or 2 above may be made by any property owner, owner of an easement, lessee, contract purchaser or their agent or within the Tysons Corner Urban Center, an application pursuant to Par. 2 above may be made by a public agency or County recognized redevelopment organization or authority. Such application shall be accompanied by a statement setting forth the names of the record owners of the properties upon which such signs are proposed to be located and a fee as set forth in Sect. 18-106. In the event an application pursuant to Par. 2 above is made within the Tysons Corner Urban Center to include property not zoned PTC, such directional signs shall not impact the amount or size of signage otherwise permitted on such property.</p> <p>When such application requests permission to erect a sign on property owned by someone other than the applicant, then such application shall be accompanied by a written statement signed by the record owners of such properties which indicates their endorsement of the application.</p>	<p>12-304.2: Modified for clarity and for deletion of reference to existing Section 12-210.2.</p>
<p>4. The above-cited signage options shall be in accordance with the standards for all planned developments as set forth in Part 1 of Article 16. All proposed signs shall be in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the development and the purposes of architectural and urban design elements.</p>	<p>12-304.3: Carried forward with minor edits for clarity.</p>

PART 3 12-300 ADMINISTRATION	This part has been deleted and replaced with a new Part 3, Section 12-300, Special Approvals. Therefore, existing Sections 12-304 and 12-305 have been retained with edits as discussed below but existing Sections 12-301, 12-302, and 12-302 have been relocated to their appropriate new sections, or deleted, as discussed below.
12-301 Permit Requirements	
1. Except as otherwise provided herein, no sign shall be erected, altered, refaced or relocated unless a sign permit has been approved by the Zoning Administrator.	12-104.1: Carried forward with minor edits for clarity.
2. Any sign erected under permit shall indicate in the lower right hand corner of the sign the number of the permit. The permit number shall be so affixed that it is legible from the ground.	Deleted: This provision has been applied and enforced with moderate success. In the case of signs that are erected at lower heights, the numbers can be legible. However, for taller freestanding signs or most building-mounted signs, the permit number cannot easily be viewed. In addition, the level of information collected as part of the permit review process renders this provision moot. For these reasons, staff has proposed that it be deleted.
12-302 Permit Application	
<p>The application for a sign permit shall be filed with the Zoning Administrator on forms furnished by the County. The application shall contain the identification and address of the property on which the sign is to be erected; the name and address of the sign owner and of the sign erector; drawings showing the design, dimensions and location on the building/site of the sign; and such other pertinent information as the Zoning Administrator may require to ensure compliance with the provisions of this Ordinance and other applicable ordinances of the County.</p> <p>The application for a permit shall be accompanied by a filing fee made payable to the County of Fairfax in the amount of ninety-five dollars (\$95).</p>	12-104.2: Carried forward with edits for clarity and ease of use.
12-303 Expiration of a Sign Permit	
1. A sign permit shall expire and become null and void if the sign is not erected within a period of twelve (12) months from the date of the permit.	12-104.4: Carried forward with edits. In the new Section 12-104.4, staff has added the requirement that in addition to erecting the sign within 12 months of the date of permit issuance, all necessary inspections must also be completed and approved.
2. In the event the sign is not erected within the twelve (12) month period, an application for extension of an additional six (6) month period may be made to the Zoning Administrator. Such an extension may be granted if the proposed sign is in accordance with current applicable regulations. If the proposed sign is not in accordance, the application for an extension shall be denied.	Deleted: This provision has not been regularly utilized; as such, staff is recommending that it be deleted.

12-304 Special Permits	
1. The BZA may grant a special permit to allow an increase in the height of a freestanding sign in a neighborhood or community shopping center where, in its opinion, the provisions of this Article would cause a hardship by virtue of topography. No such permit shall be granted that would permit a freestanding sign to extend to a height of more than twenty-six (26) feet above the center line elevation of the nearest street.	12-302.1: Carried forward with minor edits for clarity.
2. The BZA may grant a special permit to allow additional sign area, additional sign height, or a different arrangement of sign area distribution for a regional or super-regional shopping center where, in its opinion, the provisions of this Article would cause a hardship by virtue of topography or location of the regional or super-regional shopping center. No such permit shall be granted that would permit the total combined sign area for the regional or super-regional shopping center to exceed 125 percent of the sign area otherwise permitted by the provisions of this Article.	12-302.2: Carried forward with edits for clarity and deletion of the reference to super-regional shopping centers. Super-regional shopping centers were only permitted in the C-9 District, which was deleted from the Ordinance as part of the approved Zoning Ordinance Text Amendment related to restaurants.
3. In cases where an individual or grouping of enterprises are so located within a shopping center as not to have frontage visible from a street, the BZA may grant a special permit to allow building-mounted sign(s) for such enterprises to be erected at the entrances, arcades or interior malls. No such permit shall be granted that would permit the total combined sign area for the shopping center to exceed 125 percent of the sign area otherwise permitted by the provisions of this Article.	12-302.3: Carried forward with minor edits for clarity.
12-305 Special Exceptions	
In the C and I districts, the Board may approve, either in conjunction with the approval of a rezoning or as a Category 6 special exception, a modification or waiver of the sign regulations in accordance with Sect. 9-620.	12-303.2: Carried forward with minor edits for clarity.

4. Unless further restricted by the provisions that follow, no freestanding sign shall exceed a height of twenty (20) feet.	12-204.2: The maximum height for a freestanding sign has been carried forward and applies to all signs in a commercial or industrial district.
5. Freestanding signs, where permitted, shall in no instance project beyond any property line or be within five (5) feet of the curb line of a service drive, travel lane or adjoining street. When located on a corner lot, a freestanding sign shall be subject to the provisions of Sect. 2-505.	12-205.3/12-106.3D: This provision has been carried forward and has been applied as a performance standard for all signs in a commercial or industrial district, in new Section 12-205.3. The last sentence of the provision, relating to location on a corner lot, has been moved to new Section 12-106.3D, as it is a prohibition regulation that applies to all signs in the County.
6. Illumination of signs shall be in conformance with the performance standards for outdoor lighting as set forth in Part 9 of Article 14.	12-205.5: Carried forward.
7. Except as qualified herein, signs shall be limited to identifying or advertising the property, the individual enterprises, the products, services or the entertainment available on the same property where the sign is located.	Deleted/12-103.3: This provision has been deleted for content neutrality; however, the intent of this provision - that a sign must be located on the same lot as its principle land use - can be found in new Section 12-103.3.
8. Building-mounted signs on buildings housing only one (1) tenant or multiple tenants that access the building via a common outside entrance(s) shall not exceed one and one-half (1 ½) square feet of sign area for each of the first 100 linear feet of building frontage plus one (1) square foot of sign area for each linear foot over 100 linear feet of building frontage. No one sign, however, shall have a sign area in excess of 200 square feet.	12-204.1A: Carried forward with minor edits for clarity.
9. Building-mounted signs on buildings housing more than one (1) tenant where each tenant has its own outside entrance(s) shall not exceed one and one-half (1 1/2) square feet of sign area for each linear foot of building frontage occupied by each tenant, except as provided for in Par. 3 of Sect. 106 above. The maximum allowable sign area for any one tenant, however, shall not exceed a total of 200 square feet, except that a tenant, which has building frontage that results in an allowable sign area greater than 200 square feet and occupies an area with more than one perimeter wall containing a main entrance for use by the general public, may place a maximum of 200 square feet of allowable sign area on each such perimeter wall; however, in no instance shall the square footage of signage on any such wall exceed one and one-half (1 1/2) times the length of such wall.	12-204.1B: Carried forward with minor edits for clarity.
10. A shopping center shall be permitted one (1) freestanding sign; provided, however, that a shopping center with frontage on two (2) or more major thoroughfares may have one (1) freestanding sign for each frontage on a major thoroughfare with a maximum of two (2) such signs. No freestanding sign(s), other than those noted above, shall be permitted for individual enterprises located within or on the same lot with a shopping center.	12-204.2D/12-204.2A: This provision has been carried forward with minor edits for clarity. The last sentence is a requirement for standalone businesses, so this provision has been moved to new Section 12-204.2A.

<p>11. Service stations or service station/mini-marts may be allowed one (1) additional square foot of sign area on each gasoline pump for the sole purpose of identifying the specific product dispensed from that pump.</p>	<p>12-206.1A: Carried forward to new Section 12-106, Other Permitted Signs, since it is a unique sign type that is allowed in addition to the signs allowed for the principal land use in new Section 12-204. It has been edited for clarity and for content neutrality.</p>
<p>12. Notwithstanding the provisions of this Ordinance, motor vehicle fuel price signs required by the provisions of Article 4 of Chapter 10 of The Code shall be permitted, and the sign area of such sign(s) shall not be computed in the maximum sign area permitted by this Ordinance.</p>	<p>12-206.1B: Carried forward to new Section 12-106, Other Permitted Signs, since it is a unique sign type that is allowed in addition to the signs allowed for the principal land use in new Section 12-204. It has been edited for clarity.</p>
<p>13. The following signs are permitted as accessory to office parks:</p> <p>A. One (1) freestanding sign may be erected at each major entrance to an office park. Such sign(s) shall identify the name of the office park. No such sign shall exceed forty (40) square feet in area or twenty (20) feet in height or be located closer than ten (10) feet to any street line.</p> <p>B. 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.</p> <p>C. One (1) freestanding on-site directory sign may be permitted in close proximity to each major entrance of an office park. Such sign(s) shall be limited to identifying and providing directional information to the individual enterprises located within the office park. No such sign shall exceed fifteen (15) square feet in area or eight (8) feet in height or be located closer than ten (10) feet to any street line.</p>	<p>12-204.2E/12-205.3/Partial Deletion: Most of this provision has been carried forward, with several edits made for clarity and content neutrality. Regarding provision 12-203.13C, it has been deleted in its entirety since it is a directional sign, which is difficult to regulate in content neutral terms. In the proposed Ordinance, existing Sections 12-203.13 A & B have been carried forward and combined into a new Section 12-204.2E that applies to both office and industrial parks. The provisions for both are currently the same, except that a detached building housing a principal use within an office park is only allowed 20 square feet of freestanding signage, whereas the same use in an industrial park is entitled to 30 square feet. As such, in combining the regulations for office and industrial parks to establish uniformity in regulation, staff has elected to apply the higher amount, 30 square feet, to both office and industrial parks.</p> <p>The provisions requiring a minimum setback of 10 feet from any street line for a freestanding sign has been reduced to 5 feet, in order to create uniformity throughout the regulations. This setback requirement has also been moved to new Section 12-205.3 since it is a performance standard that applies to all freestanding signs in a commercial or industrial district.</p>

<p>6. A nonconforming sign which is changed to or replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this Article.</p>	<p>12-107.7: Carried forward with minor changes to simply the language.</p>
<p>7. A nonconforming sign shall be removed if the structure to which it is accessory is demolished or destroyed to an extent exceeding fifty (50) percent of its appraised value. A nonconforming sign subject to removal under this paragraph shall be removed by the owner of the sign or the owner or lessee of the property. If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner fifteen (15) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator may initiate such action as may be necessary to gain compliance with the provisions of this Article.</p>	<p>12-107.8: Carried forward with minor changes to simply the language. In addition, the timeframe of written notice has been increased from 15 to 30 days, to align with current enforcement practices for most zoning violations.</p>
<p>8. Any nonconforming sign located on property which becomes vacant and is unoccupied for a period of two (2) years or more shall be deemed abandoned. An abandoned nonconforming sign shall be removed by the owner of the property on which the sign is located. If the owner fails to remove the sign, the Zoning Administrator shall give the owner fifteen (15) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator may enter the property upon which the nonconforming sign is located and remove such sign. Such removal may be accomplished with the assistance of any agent or employee designated by the Zoning Administrator or hired by the County for such purpose. If the Zoning Administrator should remove the nonconforming sign, the Zoning Administrator shall charge the cost of removal to the owner of the property from which the nonconforming sign was removed. In addition, the Zoning Administrator may initiate such other action in a court of competent jurisdiction for an order requiring the removal of such abandoned nonconforming sign by the owner by means of injunction or other appropriate remedy.</p>	<p>12-107.9: Carried forward with minor changes to simply the language. In addition, the timeframe of written notice has been increased from 15 to 30 days, to align with current enforcement practices for most zoning violations.</p>
<p>9. The ownership of the sign or the property on which the sign is located shall not, in and of itself, affect the status of a nonconforming sign.</p>	<p>12-107.10: Carried forward with minor changes to simply the language.</p>

PART 2 12-200 SIGN REGULATIONS BY USE AND DISTRICT	
<p>The following regulations shall apply to all signs which require a sign permit by the provisions of this Article. The regulations are based on the zoning district in which the use and accessory sign are located, the use itself and the location of the use.</p>	<p>Part 2: Sign Regulations by Use & District: The major distinction between the existing and proposed Ordinance is that the permanent sign regulations will no longer be categorized by use. With some exceptions, such as hospitals, the proposed Ordinance is organized to regulate signs based on zoning district, which furthers staff's goal of creating uniformity among the regulations. While individual land uses will have different impacts, the impact of an accessory use, such as a sign, is arguably no different from one use to another. Therefore, to the extent that certain sign types should be allowed or prohibited, or when debating what size or height is appropriate, such policy decisions should be made based on the underlying zoning district and surrounding development.</p>
<p>12-201 Residential, Single Family Uses</p>	
<p>The following regulations shall apply to all signs which are accessory to single family residential uses, to include single family detached, single family attached and mobile home dwellings.</p>	<p>12-103.3: Moved to new Section 12-103, where it is more appropriate, with minor changes to simplify the language.</p>
<p>1. Unless otherwise qualified, permitted signs may be located anywhere on the lot of the use to which the sign is accessory.</p>	<p>12-203.1/12-104.5D: Modified with deletion of the reference to mounting height above grade and applied in the new Ordinance as a performance standard for all building-mounted signs. This provision refers to Section 2-103.2F, which is the provision relating to address numbers. Given that the addressing of buildings is regulated by Chapter 102 of the County code, it is debatable as to whether separate zoning regulations are even necessary. The regulation of address numbers for all uses has been retained in new Section 12-104.5D.</p>
<p>2. Building-mounted signs may be permitted in accordance with Par. 2F of Sect. 103 above; however, such signs shall be flush against the building and shall not exceed a height of ten (10) feet above grade.</p>	
<p>3. Illumination, if used, shall be white and not colored. All illumination shall be in conformance with the performance standards for outdoor lighting as set forth in Part 9 of Article 14.</p>	<p>12-203.4: Carried forward with deletion of the first part of the provision. Article 14 already contains provisions that limit illumination of signs, as do the proposed limitations for digital signs. For these reasons, staff believes this part of the provision is unnecessary and is a duplication of these other existing and proposed regulations.</p>
<p>4. Freestanding signs which identify the name of a single family residential subdivision or development shall be permitted at each major entrance thereto. Such signs shall not exceed thirty (30) square feet in area or eight (8) feet in height. More than one (1) sign may be placed at each major entrance; however, the aggregate area of all such signs shall not exceed thirty (30) square feet at each entrance.</p>	<p>12-202-1: The first part of this provision has been deleted for content neutrality, and the remaining part of the provision has been carried forward with minor edits for clarity.</p>

12-202 Residential, Multiple Family Uses	
The following regulations shall apply to all signs which are accessory to multiple family residential uses.	
1. Unless otherwise qualified, permitted signs may be located anywhere on the lot of the use to which the sign is accessory.	Deleted/12-103.3: This provision is duplicative, as it applies to all signs. Therefore, it has been moved to new Section 12-103, where it is more appropriate, with minor changes to simplify the language.
2. Building-mounted signs identifying the name of the building and the address as required by Chapter 102 of The Code shall be permitted. Such signs shall be flush against the building and shall not exceed twelve (12) square feet in area per building nor be located at a height exceeding thirty (30) feet above grade.	Deleted/12-104.5D: This provision refers to Section 2-103.2F, which is the provision relating to address numbers. Given that the addressing of buildings is regulated by Chapter 102 of the County code, it is debatable as to whether separate zoning regulations are even necessary. However, it has been deleted since new Section 12-104.5D contains the Ordinance provisions for address numbers for all uses.
3. Illumination, if used, shall be white and not colored light. All illumination shall be in conformance with the performance standards for outdoor lighting as set forth in Part 9 of Article 14.	12-203.4: Carried forward with deletion of the first part of the provision. Article 14 already contains provisions that limit illumination of signs, as do the proposed limitations for digital signs. For these reasons, staff believes this part of the provision is unnecessary and is a duplication of these other existing and proposed regulations.
4. Freestanding signs which identify the name of a multiple family development shall be permitted at each major entrance thereto. Such signs shall not exceed thirty (30) square feet in area or eight (8) feet in height. More than one (1) sign may be placed at each major entrance; however, the aggregate area of all such signs shall not exceed thirty (30) square feet at each entrance.	12-202-1: The first part of this provision has been deleted for content neutrality, and the remaining part of the provision has been carried forward with minor edits for clarity.
5. In addition to the signs permitted above, each multiple family development shall be permitted one (1) sign identifying a rental office. Such sign shall not exceed four (4) square feet in area, may be either building-mounted or freestanding, and if freestanding shall not exceed four (4) feet in height or be located closer than five (5) feet to any lot line.	12-202.2/12-203.2: The first part of this provision has been deleted for content neutrality and the remaining part of the provision has been carried forward with minor edits for clarity. The 5-foot setback requirement is proposed as a performance standard for all signs in a residential district and can be found in new Section 12-203.2.

<p>12-203 Commercial Uses - General</p>	<p>12-204/12-205: The existing Ordinance has different Section containing the regulation of signs for commercial and industrial uses. These regulations are generally the same and contain only a few minor differences, such as the amount of building-mounted signage and the size of freestanding signs in office and industrial parks. For this reason, staff is proposing to combine these sections into a new Section 12-204, Signs in Commercial and Industrial Districts, which presents a uniform set of regulations for all land uses located in these districts. In addition, new Section 12-205 sets forth the performance standards for all allowed signs.</p>
<p>The following regulations shall apply to all signs which are accessory to permitted, special permit and special exception uses located in a C district or the commercial area of a P district, except as provided in Par. 12 of Sect. 207 below. The regulations of this section are supplemented by the provisions set forth in Sections 204, 205 and 206 below.</p>	
<p>1. Building-mounted signs may be located anywhere on the surface of the walls or roof of the building, but no part of any sign shall extend above or beyond the perimeter of the building wall, parapet wall or roof, except as permitted by Par. 2 below. No sign shall be located on a chimney, flue, antenna, monopole, transmission tower or cable, smokestack, or other similar rooftop structures and mechanical appurtenances. A sign may be mounted flat against a rooftop penthouse wall or rooftop screening wall which is an integral architectural element of the building through the continuation of materials, color, and design exhibited by the main portion of the building. Such signs shall conform to the following:</p> <p>A. No part of the sign shall extend above or beyond the perimeter of the penthouse wall or screening wall to which it is attached or project outward from the penthouse wall or screening wall.</p> <p>B. The sign shall not extend more than twelve (12) feet above the lowest point of the wall, and shall be limited to identification signs consisting of an organizational logo and/or the name of a company or premises.</p>	<p>12-205.1/12-205.2: These two provisions have been broken into two different provisions for clarity, with editorial changes. The existing provisions are very difficult to read and interpret but contain two distinct concepts: the regulation of signs that project from a building, and the regulation of signs located on building features (such as a penthouse) on the roof of a building. The existing provision 12-203.1 mixes these provisions to much confusion. As such, staff has separated the concepts into their appropriate provisions in new Sections 12-205.1 and 12.205.2. Most of the technical aspects of the provisions have been retained with minor deletions due to redundant language or content neutrality.</p>
<p>2. A building-mounted sign may extend beyond the wall of a building when such sign is erected at a right angle to the wall, does not extend into the minimum required yard and is not located closer than two (2) feet to any street line.</p>	
<p>3. Signs may be located on the vertical face of a marquee, but no part of the sign shall extend above or below the vertical face. The bottom of a marquee sign shall be no less than ten (10) feet above a walkway or grade, at any point.</p>	<p>Deleted/12-205.1 & 12-106.3E: This provision has been deleted since a marquee is an architectural feature of a building, and the placement of a sign on a marquee would then be regulated pursuant to Section 12-203.1 above. For this reason, this particular provision is redundant and is regulated pursuant to new Section 12-205.1. The minimum clearance requirement can be found in new Section 12-106.3E, as a prohibition requirement that applies to all signs.</p>

Current Ordinance Section	Corresponding New Ordinance Section & Comments on Changes
Part 1 12-100 General Provisions	
12-101 Purpose and Intent	
<p>The purpose of this Article is to regulate all exterior signs and interior signs placed for exterior observance so as to protect property values, to protect the character of the various communities in the County, to facilitate the creation of a convenient, attractive and harmonious community, to protect against danger in travel and transportation, to improve and protect the public health, safety, convenience and general welfare, and to further the stated purpose and intent of this Ordinance.</p> <p>Any sign erected on a lot or building for the purpose of identification or for advertising a use conducted therein or thereon shall be an accessory use to the principal use.</p> <p>It is further intended that all signs within a given development be coordinated with the architecture of the principal use in such a manner that the overall appearance is harmonious in color, form and proportion, and that the signs shall be structurally sound so as to ensure the safety of the general public.</p>	<p>12-101: Purpose and Intent has been edited for clarity. The second paragraph including the statement that signs are accessory to a primary use has been deleted for brevity; this statement, while true, is redundant. The third paragraph includes a compatibility statement; this has also been deleted as it is largely unenforceable without the addition of new, specific design provisions.</p>
12-102 Permit Required	
<p>1. For the purpose of this Ordinance, all signs, to include those set forth in Sect. 103 below, are deemed to be accessory uses as defined in Article 20 and, unless specifically qualified, shall be located on the same lot with the principal use. Any sign authorized by this Ordinance is allowed to contain non-commercial content in lieu of any other content.</p>	<p>12-103.3: This provision has been edited for clarity and the last sentence has been deleted. The deleted portion relates to content neutrality and can be found in elements of the new Section 12-103.2.</p>
<p>2. In keeping with the purpose and intent of this Article, all signs shall be regulated in accordance with the provisions that follow and in accordance with the provisions of the zoning district in which the sign is to be located.</p>	<p>12-103.4: This provision has been edited for clarity.</p>
<p>3. No sign, except for those signs listed in Sect. 103 below, shall be painted, constructed, erected, remodeled, relocated, or expanded until a sign permit for such sign has been obtained in accordance with the provisions of Part 3 below.</p>	<p>12-104.1: Also edited for clarity and moved to the new Section 12-104, Administrative Provisions, which groups similar provisions together.</p>
<p>4. No permit for any sign shall be issued unless the sign complies with the following regulations: this Article 12; Chapter 61 of The Code, Buildings; and Chapter 7 of Title 33.1 of the Code of Virginia.</p>	<p>12-203.1: This provision has been edited for clarity.</p>
12-103 Permit Not Required & Temporary Signs to Include Political Campaign Signs	
<p>1. The following operations shall not be considered as creating a sign and therefore shall not require a sign permit:</p>	<p>12-104.5: This provision heading has been carried forward.</p>
<p>A. The changing of the advertised copy or message on an approved painted or printed sign or billboard or a theater marquee and similar approved signs which are specifically designed for the use of replaceable copy.</p>	<p>12-104.5.A: Edited for clarity and moved to the new Section 12-104, Administrative Provisions, which groups similar provisions together. The specific references to sign type have been deleted, although new reference is made to electronic display signs.</p>

B. Painting, repainting, cleaning and other normal maintenance and repair of an approved sign or sign structure, unless a structural alteration is made.	12-104.5.B: Edited for clarity and moved to the new Section 12-104, Administrative Provisions, which groups similar provisions together.
2. No Fairfax County sign permit shall be required for any of the following signs; however, all other applicable regulations of the Zoning Ordinance and those set forth in Chapters 61 and 102 of the Code of the County of Fairfax, the Virginia Uniform Statewide Building Code, and Chapter 7 of Title 33.1 of the Code of Virginia shall apply to such signs.	12-104.6: This provision heading has been carried forward, although the applicability statement has been deleted as it is redundant to language found in new Section 12-103.1.
A. Signs of a constituted governmental body, including traffic signs and signals or similar regulatory devices or warnings at railroad crossings. Such signs may be located off-site.	12-103.1: While these existing provisions include exemptions for various levels of government, the provisions themselves are content based. In addition, it is redundant to list specific signs when a broader statement to government applicability, as found in new Section 12-103.1, can be interpreted to include all such sign types.
B. Memorial tablets or signs, and historic markers erected by duly constituted and authorized public authorities. Such signs may be located off-site.	
C. Signs required to be maintained by law or governmental order, rule or regulation, with a total area of all such signs not to exceed twelve (12) square feet on any lot or parcel.	
D. Signs erected by a public agency which identify or give direction to public uses. Such signs may be freestanding or building mounted and may be located off site. If freestanding, no such sign shall exceed six (6) feet in height.	
<p>E. Flags of the United States, the Commonwealth of Virginia, Fairfax County, other countries and states, the United Nations Organization or similar organizations of which this nation is a member, the President or Vice-President of the United States, religious groups, civic organizations and service clubs, provided, however, that there shall be no more than three (3) flags on any one lot.</p> <p>In addition, any commercial or industrial use on a parcel of two (2) acres or more may display its corporate emblem in the form of a flag, provided:</p> <ol style="list-style-type: none"> (1) That there is no more than one such flag on any parcel, and (2) That the area of such corporate emblem shall be deducted from the permitted area of the building-mounted sign. <p>For the purpose of this provision, a flag shall be a piece of fabric, cloth or bunting varying in size and of distinctive color and design which hangs loose from a flagstaff or pole and is used as a symbol or emblem.</p>	12-104.5.C and 12-102: The existing flag provisions require editing for content neutrality, since they specify flag types for regulation or exemption. As proposed, the new flag provisions in Section 12-104.5 have been simplified – no more than 3 flags on lot would be allowed without permit, which is the essence of the first part of this existing provision. The middle section relating to a corporate flag has been deleted entirely for content neutrality, and the same commercial or industrial use will be permitted up to 3 flags on a lot based on the revised provisions. The final portion of the existing provision is a definition, which has been moved to new Section 12-102 with all other defined terms.

<p>F. Small signs which post or display address numbers as required by Chapter 102 of The Code. In addition, small signs which identify the name and/or address of the occupant of a single family dwelling unit. Such additional signs shall be limited to one (1) per dwelling unit, shall not exceed two (2) square feet in area, may be either building mounted or freestanding, and if freestanding shall not exceed four (4) feet in height or be located closer than five (5) feet to any lot line.</p>	<p>12-104.5D: These provisions have been rewritten for clarity and content neutrality and simplified with minor changes to the existing provisions – mainly that when displayed on a building, the address numbers must be mounted flush against a wall. Given that the addressing of buildings is regulated by Chapter 102 of the County code, it is debatable as to whether separate zoning regulations are even necessary.</p>
<p>G. Small signs displayed on site for the direction or convenience of the public, such as signs which direct traffic or identify the location of restrooms, public telephones, freight entrances or parking areas or limitations on the use of drive-through windows. No such sign shall exceed two (2) square feet in area or be located closer than five (5) feet to any lot line. Notwithstanding the above limitations, signs displayed on site to identify elements and spaces of accessible facilities shall be permitted and shall conform to the specifications as required in the Virginia Uniform Statewide Building Code (VUSBC) and the Public Facilities Manual</p>	<p>Deleted/12-103.1: This existing provision exempts certain directional signs, a sign type that is content based and difficult to regulate in content neutral terms. For this reason, it has been deleted; however, it is noted that any such sign when erected by a government, or required by law, such as signs for accessibility requirements, would be exempt under the provisions found in Section 12-103.1. Any other directional signage could be permitted but would have to be taken out of the allotment for a particular use – such as drive-through signs for a restaurant or pharmacy.</p>
<p>H. Small signs placed by a public utility showing the location of underground facilities. No such sign shall exceed two (2) square feet in area.</p>	<p>12-104.6.A: This is a warning sign, similar to those regulated elsewhere in the existing sign ordinance. They have all been grouped together under the new provision 12-104.6A, with appropriate editing for clarity.</p>
<p>I. Seasonal displays and decorations, for events such as religious holidays and the Fourth of July, not advertising a product, service or entertainment.</p>	<p>12-104.5.E: Carried forward and edited for content neutrality.</p>
<p>J. Signs located on site warning the public against hunting, fishing, trespassing, dangerous animals, swimming or the like. Such signs may be freestanding or attached to a fence, and such shall not exceed four (4) square feet in area. Such signs shall be posted at approximate eye level, and shall not be located closer than five (5) feet to any street line.</p>	<p>12-104.6.A: This is a warning sign, similar to those regulated elsewhere in the existing sign ordinance. They have all been grouped together under the new provision 12-104.6A, with appropriate editing for clarity.</p>
<p>K. Signs accessory to an agricultural use located on a parcel of not less than twenty (20) acres for the purpose of identifying such agricultural uses or advertising the products thereof. No such sign shall exceed thirty (30) square feet in area, and all such signs on a given farm shall not exceed sixty (60) square feet in area. No such sign shall exceed eight (8) feet in height or be located closer than ten (10) feet to any street line.</p>	<p>12-202.3 and 12-203.2: This provision includes the allowable, permanent signs for agricultural uses and currently does not require a permit. However, in order to provide uniformity among the regulations and land uses, this provision has been moved to the new Section 12-202, which regulates all signs in residentially zoned districts. The provision has been edited for content neutrality, but the sizes and types have been retained. In addition, the setback is reduced to 5 feet, as required in new Section 12-203.2 for all freestanding signs in a residential district.</p>

<p>L. Signs erected by a public agency for the purpose of identifying a geographical area or giving directions and distances to commercial districts in which are located the following types of commercial facilities: restaurants, motels and establishments for the servicing of motor vehicles; provided, that no such sign shall give the name, direction or distance to any specific business establishment. Such signs may be located off-site.</p>	<p>Deleted/12-103.1: While this existing provision includes exemptions for various levels of government, it addresses certain directional signs and also off-site signs, two types that are content based and difficult to regulate in content neutral terms. For this reason, it has been deleted; however, it is again noted that such signs when erected by a government, such as those part of VDOT's wayfinding program, would continue to be exempt under new Section 12-103.1.</p>
<p>M. Small signs, above grade, which identify accessible parking for persons with disabilities as required by the provisions of Sect. 11-102 and the Public Facilities Manual.</p>	<p>12-103.1: These specific reference has been deleted as the specified sign type would be exempted by new Section 12-103.1 as a sign erected by or required by a government entity.</p>
<p>N. Signs posted by a service station or service station/mini-mart identifying the hours of operation of the service station establishment. Such signs may be posted only during the period of an emergency gasoline shortage as determined by the County Executive in accordance with the provisions of Sect. 10-4-4 of The Code. Such signs shall be limited to a maximum of two (2) per establishment and no such sign shall exceed sixteen (16) square feet in area.</p>	
<p>O. Signs which denote religious, charitable, fraternal, military or service organizations located within the County. Such signs may be freestanding and may be located off site, provided, however, that no one (1) individually chartered organization may have more than two (2) such signs. A sign denoting a single chartered organization shall not exceed eight (8) square feet in area or six (6) feet in height. A number of such signs may be placed on one structure, provided, however, the area of each individual sign does not exceed four (4) square feet in area, and the structure does not exceed forty (40) square feet in area or eight (8) feet in height.</p>	<p>Deleted: This existing provision exempts certain directional and off-site signs, both types of signs that are content based and difficult to regulate in content neutral terms. For this reason, it has been deleted but it is noted that any existing signs that were legally established will be deemed legally non-conforming under the new sign ordinance. In addition, prospectively, such signs could be exempted under new Section 12-103.1 if erected by a government, such as those part of VDOT's wayfinding program.</p>
<p>P. Signs posted by a service station or service station/mini-mart for the purpose of identifying such station as being authorized to perform State safety and/or emission control inspections. Such signs shall not exceed ten (10) square feet in area and may be either building-mounted or attached to an existing authorized freestanding sign structure. If attached to an authorized freestanding sign structure, such signs shall not exceed the height of the existing sign and shall comply with the provisions of Sect. 2-505.</p>	<p>12-103.1: These specific reference has been deleted as the specified sign type would be exempted by new Section 12-103.1 as a sign erected by or required by a government entity.</p>
<p>Q. Signs erected by a hospital for the purpose of giving directions and distance to the hospital. Each sign may include the name of the hospital, directional arrow and distance. Such signs shall be limited to ten (10) per hospital and may only be located within a one mile radius of the hospital property. No such sign shall exceed eight (8) square feet in area or six (6) feet in height.</p>	<p>Deleted: This provision includes exemptions for directional signs and also off-site signs, two types that are content based and difficult to regulate in content neutral terms. For this reason, it has been deleted; however, it is noted that such signs when erected by a government, such as those part of VDOT's wayfinding program, would continue to be exempt under new Section 12-103.1.</p>

<p>R. When erected by a public agency or County recognized revitalization organization, there may be freestanding signs, located within or in proximity to a commercial revitalization area, as designed in the adopted comprehensive plan or by the Board of Supervisors, which identify the area or give directions and/or distances to commercial areas or centers within such area. No such sign shall give the name, direction, or distance to any specific business or identify a specific product. Such signs, which may include a banner affixed to the signpost, shall not exceed sixty (60) square feet in area or twenty (20) feet in height. In addition, within the commercial revitalization area, there may be separately erected banners, erected by a public agency or County recognized revitalization organization, identifying the area or announcing area-wide events, but no individual businesses or products. Such banners shall not exceed twenty (20) square feet in area or twenty (20) feet in height. All banners shall be securely affixed at the top and the bottom so as to preclude any fluttering or rotation by the movement of the atmosphere. The banners shall also be subject to the applicable outdoor advertising provisions of the Code of Virginia. When erected by a public agency, such signs and/or banners shall not require a sign permit, but when erected by a County recognized revitalization organization, a sign permit shall be required.</p>	<p>12-104.6.E: This provision is also cited in each of the 5 CRD Districts regulations found in Appendix 7. Some of the language has been deleted for content neutrality. Staff deliberated as to whether or not to delete the provision in its entirety since the sign type could be regulated under the new Section 12-103.1 as a government sign. For ease of reference, staff opted to include it as a specific sign type in new Section 12-104.6.E. The size and height limitations have been removed, as the County could establish these as a matter of policy for a particular program. In addition, the new provision has also been extended to activity centers as shown on the adopted comprehensive plan.</p>
<p>S. Signs on temporary portable storage containers shall be subject to the following:</p> <p>(1) Signs shall provide container provider contact information and shall not include the advertisement of any other product or service.</p> <p>(2) An individual container shall be permitted to display signage on any portion of its outer surface.</p>	<p>12-104.6B: This provision has been partly carried forward and edited for clarification. The first part of the provision, regarding owner contact information and prohibitions on advertising have been deleted for content neutrality. References to this type of sign found in Sections 8-812 and 10-102.28 have also been deleted as they are redundant.</p>
<p>T. Signs containing advertisements or notices that have been authorized by the County and are securely affixed to a public transit passenger shelter that is owned by the County. Such signs shall be in accordance with Board established policy as administered by the Fairfax County Department of Transportation and may be located off-site.</p>	<p>Deleted/12-103.1: These specific reference has been deleted as the specified sign type would be exempted by new Section 12-103.1 as a sign erected by or required by a government entity.</p>
<p>3. Except where specifically qualified below, no permit shall be required for any of the following temporary signs; however, all other applicable regulations of the Zoning Ordinance and those set forth in Chapters 61 and 102 of The Code of the County of Fairfax, the Virginia Uniform Statewide Building Code and Chapter 7 of Title 33.1 of the Code of Virginia shall apply to such signs.</p>	<p>12-105: This provision heading has been carried forward, although the term "temporary sign" has been deleted. Such signs are now referred to as "minor signs," which is defined in new Section 12-102. The applicability statement has been deleted as it is redundant to language found in new Section 12-103.1.</p>
<p>A. Official notices or advertisements posted by or under the direction of any public or court officer in the performance of his official duties, or by trustees under deeds of trust, deeds of assignment or other similar instruments; provided, that all such signs shall be removed not later than ten (10) days after the last day of the period for which the same are required to be displayed in order to accomplish their purpose.</p>	<p>12-105.1: Carried forward and edited for clarity.</p>

<p>B. Political campaign signs erected on election day at officially designated polling places for a period not to exceed twenty-four (24) hours.</p>	<p>Deleted/12-103.1: These specific reference has been deleted as the specified sign type would be exempted by new Section 12-103.1 as a sign erected by or required by a government entity.</p>
<p>C. Temporary signs, announcing a campaign, drive or event of a civic, philanthropic, educational, historical or religious organization. Such signs may be either building mounted or freestanding and shall not exceed sixteen (16) square feet in area. If freestanding, no such sign shall exceed six (6) feet in height or be located closer than five (5) feet to any street line. Such signs may be located on or off site, and may be posted for a period not to exceed fourteen (14) days.</p>	<p>Deleted/12-105.5: This provision has been deleted for content neutrality. However, since there are no existing provisions that allow most non-residential land uses to display any sort of temporary, aka minor signs, staff believes it is appropriate at this time to consider a policy allowing this sign type. The new Section 12-105.5 proposes regulation for consideration, which would include this specific sign type. However, the off-site element of the current provision cannot be carried forward due to content neutrality.</p>
<p>D. Real estate signs advertising the sale, rental or lease of a premise or part of the premises on which the signs are displayed. Such signs shall not exceed a total area of four (4) square feet or a maximum height of six (6) feet when advertising a single family detached, attached or multiple family dwelling unit; a total area of twelve (12) square feet or a maximum height of eight (8) feet when advertising a multiple family dwelling development; a total area of thirty two (32) square feet or a maximum height of eight (8) feet when advertising a commercial or industrial property or a residential property containing a minimum of twenty (20) acres.</p> <p>Such signs shall not exceed one (1) in number per property, except that there may be two (2) such signs on a corner lot. Such signs shall be removed within seven (7) days of the settlement, rental or lease.</p>	<p>12-105.2: This provision has been carried forward with editing for content neutrality and re-organization for clarity. The only substantive change proposed is an increase in sign size, from 4 SF to 6 SF, for signs associated with single family dwelling units. The increase is based on requirements placed on the real estate industry by the state, relating to additional information that must appear on signs advertising the sale, rental or leasing of property.</p>
<p>E. Freestanding, off-site directional sign(s) providing information as to the location of private garage or yard sales or of real estate that is for sale or for rent. Such signs shall be subject to the following conditions:</p> <ol style="list-style-type: none"> (1) No such sign shall exceed three (3) square feet in area or four (4) feet in height. (2) Such signs shall not exceed five (5) in number per property or yard sale being advertised, provided that no two (2) signs advertising the same property and located beside the right-of-way of any one street shall be located closer than five hundred (500) yards from each other. (3) Signs giving direction to a private garage or yard sale shall not be posted more than two (2) weekends or legal holidays in any one calendar year. (4) All such signs shall be permitted only if, and in only those locations, approved by the Virginia Department of Transportation. (5) Nothing in this provision shall be construed to authorize the posting of such signs upon trees, utility poles, traffic control signs, lights or devices or in any place or manner prohibited by the provisions of this Article. 	<p>Deleted: This existing provision exempts certain directional and off-site signs, both types of signs that are content based and difficult to regulate in content neutral terms; for this reason, it has been deleted. It is also noted that any sign(s) appearing in a right-of-way are subject to VDOT regulation and not enforceable by Fairfax County unless separate agreement is made with VDOT.</p>

F. Temporary signs associated with construction or alterations of residential, commercial, and industrial buildings shall be permitted in accordance with the following:

(1) Temporary signs for a new residential, commercial or industrial development, which identify the name of the proposed development, the character of the building(s), enterprise(s), or the purpose for which the development is intended. Any such sign shall be limited to one (1) in number for each development, may be freestanding or building-mounted and shall be limited to a maximum area of sixty (60) square feet, and if freestanding, a maximum height of ten (10) feet.

In addition, temporary construction signs for the proposed development or additions/alterations to an existing development, other than those provided for in Par. 3F(2) below, which identify the architects, engineers, contractors, realtors and other individuals or firms involved with the construction shall be permitted but shall not include any advertisement of any product. Any such sign, not to exceed one (1) per street frontage, may be freestanding or building-mounted, shall be limited to a maximum area of thirty-two (32) square feet, and if freestanding, a maximum height of eight (8) feet. No such sign shall be located closer than ten (10) feet to any lot line.

Such sign shall be located on the site of the development and shall be removed within fourteen (14) days following completion of construction. No such sign shall be displayed for a period in excess of two (2) years, except if construction has not been completed, a sign permit may be obtained for an additional period as may be approved by the Zoning Administrator.

(2) Temporary signs for home improvements to individual single family dwelling units. Any such sign may identify the contractor, architect, or firm involved with the home improvement but shall not include any advertisement of any product. Such sign shall be located on the lot of the dwelling unit with the home improvement, shall not exceed a total area of four (4) square feet and a maximum height of three and one-half (3 ½) feet, shall be limited to one (1) in number per dwelling unit, and may be freestanding. No such sign shall be displayed prior to commencement of the one-site home improvement work, and such sign shall be removed within seven (7) days after the home improvement is complete. However, in no event shall such sign be displayed for a period in excess of six (6) months.

12-105.3: This provision has been carried forward with changes made to simplify and clarify its specific regulation, with a few substantive changes. The provision is still organized into two distinct paragraphs, and all content based requirements (such as that signs must identify the name of the development, contractor, etc.) have been deleted.

In the first paragraph, the regulations provide signs for new residential, commercial or industrial developments and it is noted that there are two different types currently allowed: a 60 SF sign, with a maximum 10-foot height, and a 32 SF sign with a maximum 8-foot height. In addition, this second type of sign can be multiplied, as a property with multiple frontages is allotted one 32 SF sign per frontage. With the limits on content found in the current regulation, the intent and distinction between the two types is clear. However, absent that, staff does not believe the extra sign is warranted. As proposed, the 60 SF sign has been retained and additional 32 SF signs are only allowed on each additional frontage. In addition, the setback has been reduced from 10 feet to 5 feet, in order to establish uniformity of setback for all sign types. The display limit has also been carried forward with clarifications and editorial changes.

The second provision sets forth requirements for signs displayed on lots with single family dwellings undergoing construction or some improvement. The amendment has been largely carried forward with clarifications and editorial changes, except that the maximum height has been increased from 3.5 feet to 4 feet for uniformity and ease of enforcement.

G. Temporary signs announcing such happenings as 'Grand Opening', 'Under New Management', or 'Going Out of Business'. Such signs may be either freestanding or building-mounted and shall be subject to the following conditions:

- (1) A maximum of twenty (20) square feet in area;
- (2) If freestanding, not to exceed eight (8) feet in height or located closer than ten (10) feet to any lot line;
- (3) For a period not to exceed fourteen (14) days;
- (4) Only in a location which has been given written approval by the Zoning Administrator;
- (5) On a given property, such temporary sign may be displayed only one (1) time by the same proprietor in a twelve (12) month period; and
- (6) Only upon the posting of a \$100.00 bond, with surety satisfactory to the Zoning Administrator, to ensure the removal of the sign(s) at the termination of the fourteen (14) day period.

In addition to the above, bunting, banners, pennants and other decorative materials may be displayed on a building temporarily. Such decorative material shall be securely attached to the building; shall not exceed twice the allowable building-mounted sign area for the use which it identifies; and shall be subject to the provisions of Paragraphs (3) through (6) above.

H. Temporary signs identifying a temporary farmer's market as may be approved under the provisions of Part 8 of Article 8. Such may be freestanding or building-mounted; shall not exceed one (1) in number per use; shall not exceed thirty-two (32) square feet in area and, if freestanding, exceed eight (8) feet in height. Such signs may be erected only for the duration of the temporary special permit issued to the temporary farmer's market, and shall be located only as approved by the Zoning Administrator. Such signs may be erected only upon the posting of a \$100.00 bond, with surety satisfactory to the Zoning Administrator, to ensure the removal of the sign upon expiration of the temporary special permit.

Deleted/12-105.5: This provision has been deleted for content neutrality. However, since there are no existing provisions that allow most non-residential land uses to display any sort of temporary, aka minor signs, staff believes it is appropriate at this time to consider a policy allowing this sign type. The new Section 12-105.5 proposes regulation for consideration, which would include this specific sign type.

Deleted: The use is permitted in most residential districts, the planned districts and all commercial and industrial districts with special permit approval. In order to establish uniformity among the sign provisions, this provision has been deleted, along with its reference in Section 8-810. The intent in deleting it is that the use will now be allowed that type and amount of signage depending on the zoning district in which it is located.

<p>I. Temporary signs identifying an open-air produce stand as may be approved under the provisions of Part 9 of Article 8. Such signs may be freestanding or building-mounted; shall not exceed one (1) in number per use; shall not exceed thirty-two (32) square feet in area and, if freestanding, exceed eight (8) feet in height. Such signs may be erected only for the duration of the special permit approved for the open-air produce stand, and shall be located only as approved by the Zoning Administrator. Such signs may be erected only upon the posting of a \$100.00 bond, with surety satisfactory to the Zoning Administrator, to ensure the prompt removal of the sign upon expiration of the special permit at the end of each season as approved by the BZA.</p>	<p>Deleted: The use is permitted by-right in the C-5 through C-8 Districts, and with special permit approval in all residential and industrial districts, and in the PDH and PRC Districts. In order to establish uniformity among the sign provisions, this provision has been deleted, along with its reference in Section 8-909. The intent in deleting it is that the use will now be allowed that type and amount of signage depending on the zoning district in which it is located.</p>
<p>J. Temporary signs advertising the sale of seasonal products such as Christmas trees, pumpkins, and fireworks as may be approved under the provisions of Part 8 of Article 8. Such signs may be either freestanding or building-mounted, and the total area of all such signs shall not exceed thirty-two (32) square feet. If freestanding, such signs shall not exceed eight (8) feet in height or be located closer than ten (10) feet to any lot line. Such signs shall not be posted for a period that exceeds twenty-one (21) days.</p>	<p>Deleted: The use is permitted as a temporary special permit in all zoning districts. In order to establish uniformity among the sign provisions, this provision has been deleted and the use will now be allowed that type and amount of signage depending on the zoning district in which it is located.</p>
<p>K. Temporary signs affixed to or clearly visible through windows in commercial or industrial establishments advertising the sale or promotion of specific products, services or events. Such signs shall be temporary in construction, materials and method of attachment, and shall be removed promptly following the sale or promotion. The aggregate of all such signs at a given establishment shall not cover more than thirty (30) percent of the total window area through which the signs are clearly visible or affixed.</p>	<p>12-105.6: This regulation has been carried over, edited for content neutrality and is listed as one of the permitted minor sign types. It has been modified to be extended uniformly to any non-residential land use although the 30% limit has been retained.</p>

<p>L. Temporary political campaign signs may be permitted off-site in any district subject to the following conditions:</p> <p>(1) No one such sign shall exceed thirty two (32) square feet in area, and no freestanding sign shall exceed eight (8) feet in height.</p> <p>(2) One (1) sign permit shall be required for all temporary political campaign signs for each candidate or organization.</p> <p>(3) A \$5.00 non refundable sign permit fee shall be required and, prior to the issuance of a permit, a \$100.00 bond, with surety to the satisfaction of the Zoning Administrator, shall be posted with the Zoning Administrator to ensure removal of such signs in accordance with the time period(s) set forth below.</p> <p>(4) The sign permit number assigned to the applicant shall be affixed in the lower right hand corner of each sign.</p> <p>(5) No signs shall be erected for more than seventy five (75) days prior to the nomination, election or referendum which they purport to advertise.</p> <p>(6) All signs shall be removed within fifteen (15) days after the nomination, election or referendum.</p> <p>(7) Nothing in this provision shall be construed to authorize the posting of political campaign signs upon trees, utility poles, traffic control signs, lights or devices, or in any place or manner prohibited by the provisions of this Article.</p>	<p>12-105.4 and 12-105.5: This provision has been deleted for content neutrality. It is noted the existing provisions allow the sign type in any zoning district. As proposed, yard signs are allowed on any lot developed with a residential land use (12-105.4) and minor signs are allowed for any non-residential land use in any zoning district (12-105.5). As there is no limit on content for either of these types of signs, it is staff's position that political signs logically fit into these allotments for any land use.</p> <p>It is important to note that the size and number of signs originally proposed was based on the limits in the current Ordinance for campaign signs, although it has been reduced in the current draft based on Board and stakeholder input. Likewise, display timeframes were also discussed but considering the administrative and enforcement resources needed to enforce time limits, staff has opted to allow smaller yard signs year round.</p>
<p>12-104 Prohibited Signs</p>	
<p>The following signs are prohibited in any zoning district and in any area of the County. Where applicable, these prohibitions shall apply to those signs permitted by the provisions of Sect. 103 above.</p>	<p>12-106: This section has been carried over and is further categorized by types of prohibition: general prohibitions; prohibitions based on materials or design; and prohibitions based on location.</p>
<p>1. Any portable signs except such signs that are permitted by the provisions of Sect. 103 above.</p>	<p>Deleted/12-106.3A: The term portable sign has been deleted and replaced with the new term "off-premise sign." The intent of this existing provision has been carried over to a new provision prohibiting off-premise signs.</p>
<p>2. Any sign that violates any provision of any law or regulation of the Commonwealth of Virginia or the United States relative to outdoor advertising.</p>	<p>12-106.1B: This provision has been carried forward but restated more broadly in that any sign violating any local, state or federal law is prohibited.</p>
<p>3. Any sign that violates any provision of Chapter 61 of The Code, Buildings and the Virginia Uniform Statewide Building Code.</p>	
<p>4. Any sign or illumination that does not meet the performance standards for outdoor lighting set forth in Part 9 of Article 14.</p>	<p>12-206.2A: Carried forward with no changes.</p>
<p>5. Any sign of which all or any part is in motion by any means, including fluttering, rotating or set in motion by movement of the atmosphere. This prohibition shall not apply to the hands of a clock, a weather vane, flags as provided for in Par. 2E of Sect. 103 above, or those temporary signs approved by the Zoning Administrator as provided for in Par. 3G of Sect. 103 above.</p>	<p>12-206.2A: The new term "moving or windblown sign" has been added to the definition section, and includes much of the descriptive language found in this provision. As such, this existing regulation has been carried forward in a similar provision with similar exemptions except for the reference to temporary signs.</p>

6. Any sign displaying flashing or intermittent lights, or lights of changing degrees of intensity of color or moving copy. This prohibition shall not apply to signs which display time, temperature, weather or environmental conditions, but only when the sign does not constitute a public safety or traffic hazard as determined by the Zoning Administrator.	12-206.2C: This provision has been carried forward with clarifying changes given the proposed regulations for electronic display signs. As such, the second sentence is no longer needed and has been deleted.
7. Any sign so placed that it obstructs any window, door, fire escape, stairway, ladder, opening or access intended for light, air, ingress to, or egress from any building.	12-206.3C: Carried forward with only minor editorial changes.
8. Any sign that is attached to a tree, whether on public or private property, except official notices or announcements as provided in Par. 3A of Sect. 103 above.	Deleted: Staff opted to delete this provision as there is no evidence to support that display signs on a tree is common issue. In addition, the second part of this provision is redundant, as the official notice provision has been carried forward.
9. Any sign that is attached to a rock, stone, tree, fence, stump, pole, mile-board, milestone, danger-sign, guide-sign, guidepost, highway sign, historical marker, building or other object lawfully within the limits of any highway, except official notices or announcements as provided in Par. 3A of Sect. 103 above, warning signs as provided in Par. 2J of Sect. 103 above, signs as provided for in the Commercial Revitalization District regulations of Appendix 7, and signs affixed to a public transit passenger shelter as provided for in Par. 2T of Sect. 103 above.	Deleted/12-103.5: This provision was deleted since the County generally has no enforcement authority for signs occurring in public rights-of-way. In addition, signs affixed to transit shelters and signs permitted in the right-of-way within or in proximity to a CRD are separately regulated in the current Ordinance, as well as in the proposed Ordinance. Therefore, this information is partly redundant.
10. Any sign which by reason of its location, position, size, shape or color may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device erected by a public authority or where it may interfere with, mislead or confuse traffic. To those ends, no sign shall use the words 'Stop', 'Slow', 'Caution', 'Yield', 'Danger', 'Warning', or 'Go' when such sign may be confused with a traffic control sign used or displayed by a public authority.	12-106.3F: The first part of this provision has been carried forward with only minor editorial changes; the second part was deleted for content neutrality. In addition, staff added language to the new provision stating that the County has the authority to immediately remove such signs as a nuisance.
11. Any sign located in the vision triangle formed by any two (2) intersecting streets, as regulated by the provisions of Sect. 2-505.	12-106.3D: Carried forward with only minor editorial change.
12. Any sign that projects beyond a lot line, except signs affixed to a public transit passenger shelter as provided for in Par. 2T of Sect. 103 above.	Deleted/12-106.3A: The intent of this existing provision has been carried over to a new provision prohibiting off-premise signs.
13. Any sign that overhangs and has a minimum clearance less than ten (10) feet above a walkway or fifteen (15) feet above a driveway, alley or travel lane, unless a lower clearance is specifically approved by the Zoning Administrator.	12-106.3E: Carried forward with changes; also deleted specific clearance heights and the ability of Zoning Administrator waiver of what is a Building Code matter.

<p>14. Except as qualified below, any sign attached to, painted, or displayed on a vehicle/trailer that is an arrow, or other such directional symbols or language, for example, "Turn Left Here," that provides directions to a use on the lot in which the vehicle/trailer is parked or to an adjacent lot; or any sign attached to, painted, or displayed on a vehicle/trailer that is parked twenty-five (25) feet or less from any public street line and is located on the same lot, or an adjacent lot, as the establishment to which the sign identifies. The Zoning Administrator may approve a request to allow the parking of vehicles/trailers with such signs within the twenty-five (25) foot setback when the sign owner has adequately demonstrated that there are no on-site parking spaces that are greater than twenty-five (25) feet from the public street line. The twenty-five (25) foot setback shall not apply to the parking of the one commercial vehicle that may be allowed in an R district pursuant to Sect. 10-102 of this Ordinance.</p>	<p>Deleted/12-104.6C: This provision has been deleted in favor of new provisions regulating vehicle signs, which has been located in the new Administrative Provisions section where it is more logical and is grouped with similar types of signs. Most of the elements found in this existing provision have been deleted, partly for content neutrality and partly to simplify the policies on vehicle signs to ensure easier enforcement. As proposed, vehicle signs are permitted, assuming the vehicle is operative, parked at its place of business and within a duly authorized space.</p>
<p>12-105 Sign Measurements</p>	<p>12-201: Given their similar topics, this Section 12-105, Sign Measurements, and the following Section 12-106, Calculation of Allowable Sign Area have been reorganized into a new, single section 12-201 Calculation of Sign Area.</p>
<p>1. Except as qualified below, the area of a sign shall mean and shall be computed as the entire area within a single continuous rectilinear perimeter of not more than eight (8) straight lines enclosing the extreme limits of writing, representation, emblems or a figure of similar character together with all material, color or lighting forming an integral part of the display or used to differentiate the sign from the background against which it is placed.</p> <p>The area of a sign(s) located on a raceway shall be computed in accordance with the provisions of Par. 2 below.</p>	<p>12-201.2A: Carried forward with minor changes to existing language, and the proposed regulation includes a graphic illustrating the concept. The term "raceway" has been deleted from Article 20 and is not included in the new list of definitions, as it is not a term used frequently enough that it needs separate definition. Therefore, the last sentence of this provision has been deleted.</p>
<p>2. The area of building-mounted signs composed of individual letters and/or symbols shall be computed in accordance with one of the following methods:</p> <p>A. If the space between the proposed individual letters and/or symbols is less in dimension than the width of the largest unit, the computation shall be made in accordance with a strict application of the provisions of Par. 1 above.</p> <p>B. If the space between the proposed individual letters and/or symbols is greater than the width of the largest unit, the computation may be based on the total area within rectangular enclosures surrounding each individual unit.</p>	<p>12-201.2B: Carried forward with minor changes to simplify the language.</p>

<p>3. The area of a sign designed with more than one (1) exterior face shall be computed in accordance with one of the following methods:</p> <p>A. If the sign faces are separated by an interior angle of forty-five degrees (45°) or greater, all faces shall be included in computing the area of the sign.</p> <p>B. If the sign faces are separated by an interior angle that is less than forty-five degrees (45°), the computation of the area of the sign shall be as follows:</p> <p>(1) The area of one (1) face shall be used when the two (2) faces are equal in area.</p> <p>(2) The area of the larger face shall be used when the two (2) faces are unequal in area.</p> <p>C. If the sign faces are parallel to one another, the computation of the area of the sign shall be as follows:</p> <p>(1) The area of one (1) face shall be used when the interior distance or space between the two (2) faces is eighteen (18) inches or less.</p> <p>(2) The area of one (1) face and the area of one (1) side or interval between faces shall be used when the interior distance or space between the two (2) faces is greater than eighteen (18) inches.</p>	<p>12-201.3B: Carried forward with minor changes to simplify the language, and the proposed regulation now includes graphics illustrating the concepts.</p>
<p>4. The supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure area are designed in such a manner as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the provisions of Par. 1 above.</p>	<p>12-201.3A: Carried forward with minor changes to simplify the language and to clarify that this provision applies to freestanding signs. In addition, the specific reference to "planter" was removed due to compliance issues.</p>
<p>5. Unless specifically qualified, the area of any sign permitted by Sect. 103 above shall not be calculated in determining allowable sign area.</p>	<p>Deleted: The provision is redundant, as the regulations for temporary signs make this clear in the current Ordinance, as well as those related to minor signs in the proposed Ordinance.</p>
<p>6. The height of a sign shall be calculated as the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.</p>	<p>12-201.3C: Carried forward, although the proposed regulation now states that the height is taken from uppermost extremity of a sign and/or its support, to <i>the lowest point of the adjacent grade</i>. Staff is proposing this change since average ground level is difficult to calculate and easier to manipulate in order to increase sign height.</p>

<p>12-106 Calculation of Allowable Sign Area</p>	<p>12-201: Given their similar topics, this Section 12-106, Calculation of Allowable Sign Area, and the previous Section 12-105, Sign Measurements, have been reorganized into a new, single section 12-201 Calculation of Sign Area.</p>
<p>In those instances, where allowable sign area for building-mounted signs is based on building frontage, the following rules shall govern the determination of building frontage and allowable sign area:</p>	<p>12-201.1: Carried forward with minor changes to simply the language.</p>
<p>1. On buildings housing only one (1) tenant or multiple tenants that access the building via a common outside entrance(s), building frontage shall be that one face or wall of a building which is architecturally designed as the front of the building and which contains the main entrance for use by the general public. In instances where building frontage cannot be clearly determined due to the building design, location and/or orientation, an average of the linear feet of those walls in questions shall be used in calculating allowable sign area.</p>	<p>12-201.1B: This provision has been carried over with minor changes to simplify the language. The second part of the provision has been deleted in favor of new language allowing a ruling by the Zoning Administrator.</p>
<p>2. On buildings housing more than one (1) tenant where each tenant has its own outside entrance(s), building frontage for each tenant shall be that one architecturally designed perimeter wall that contains that tenant's main entrance for use by the general public to the area occupied by that tenant. In instances where a tenant occupies an area which has more than one (1) architecturally designed wall located on the perimeter of the building, only that one (1) wall which contains the primary entrance for use by the general public shall be used in calculating allowable sign area. In instances where it cannot be clearly determined which perimeter wall contains the primary entrance for use by the general public, an average of the linear feet of those walls in question shall be used in calculating allowable sign area.</p>	<p>12-201.1C: The first part of this provision has been carried over with minor changes to simplify the language. However, the second part of the provision has been deleted as it is redundant considering the language contained in the first part. In addition, the third part of the provision has also been deleted in favor of new language allowing a ruling by the Zoning Administrator.</p>

<p>3. As an alternative to Par. 2 above, a differing allotment of sign area may be assigned to the various tenants upon the receipt, by the Zoning Administrator, of a written authorization from the owner or authorized management firm of the building(s). As part of the written authorization, the owner or authorized management firm shall submit a schematic of the comprehensive signage plan to include the buildings as well as the proposed location and dimensions of all signs.</p> <p>In no instance shall the total combined sign area for all signs exceed the maximum allowable sign area for the building as determined in accordance with the provisions of Par. 2 above. In addition, the maximum allowable sign area for any one tenant shall not exceed 200 square feet, except that a tenant, which has building frontage that results in an allowable sign area greater than 200 square feet and occupies an area with more than one perimeter wall containing a main entrance for use by the general public, may place a maximum of 200 square feet of allowable sign area on each such perimeter wall; however, in no instance shall the square footage of signage on any such wall exceed one and one-half (1 ½) times the length of such wall.</p>	<p>12-301: This existing provision allows for an alternative method of calculating and allotting sign area for multiple tenant buildings, to be formally approved by the Zoning Administrator. Given its construct as a special approval, staff has opted to move this provision into a new Part 3, Special Approvals, where it is found in the proposed Ordinance with similar sign types requiring some specific approval or entitlement. As proposed in new Section 12-301, there are minor changes to the actual policy seen here. However, staff has formally given the process a name, an Administrative Comprehensive Sign Plan, and codified its fee - \$95.00, which is the same fee as a sign permit.</p>
<p>4. Regardless of the height, number of stories or number of tenants in a building, building frontage shall be determined by one measurement of the linear feet of the wall(s) at a height that is not greater than ten (10) feet above grade.</p>	<p>12-201.1A: Carried forward with minor changes to simply the language.</p>
<p>12-107 Structural Requirements and Performance Standards</p>	<p>12-104: This section will be deleted as it contains administrative provisions that have been collectively combined into proposed Section 12-104.</p>
<p>No sign shall be erected unless it complies with the structural requirements as specified in the Virginia Uniform Statewide Building Code and Chapter 61 of The Code, Buildings, and with the performance standards as specified in Article 14 of this Ordinance.</p>	<p>12-104.3: Carried forward.</p>
<p>12-108 Maintenance and Removal</p>	<p>12-104: This section will be deleted as it contains administrative provisions that have been collectively combined into proposed Section 12-104.</p>
<p>1. All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.</p>	<p>12-104.7: Carried forward with minor changes to simply the language.</p>
<p>2. The Building Official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapter 61 of The Code, Buildings.</p>	<p>12-104.8: Carried forward with minor changes to simply the language.</p>

3. Except as provided for in Paragraphs 7 and 8 of Sect. 110 below, any sign located on property which becomes vacant and is unoccupied for a period of two (2) years or more shall be deemed abandoned. An abandoned sign shall be removed by the owner of the sign or the owner or lessee of the property. If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner fifteen (15) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator may initiate such action as may be necessary to gain compliance with the provisions of this Article.	12-104.9: Carried forward with minor changes to simply the language.
12-109 (Deleted by Amendment #95-283, Adopted October 30, 1995, Effective October 31, 1995 at 12:01 AM)	Deleted: Reference is no longer necessary.
12-110 Nonconforming Signs	12-107: This section has been carried forward with an additional provision added that places the burden of establishing a non-conforming sign on the affected property owner.
1. Signs lawfully existing on the effective date of this Ordinance or prior ordinances, which do not conform to the provisions of this Ordinance, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. Except as provided for in a Commercial Revitalization District, such signs shall not be enlarged, extended or structurally reconstructed or altered in any manner; except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.	12-107.1: Carried forward with minor changes to simply the language.
2. Nothing in this Section shall be deemed to prevent keeping in good repair a nonconforming sign; provided, however, that no nonconforming sign which has been declared by the Building Official to be unsafe because of its physical condition, as provided for in Par. 2 of Sect. 108 above, shall be repaired, rebuilt or restored unless such repair or restoration will result in a sign which conforms to all applicable provisions of this Article.	12-107.3: Carried forward with changes to simply the language.
3. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform to the provisions of this Article.	12-107.4: Carried forward with minor changes to simply the language.
4. Except as provided for in a Commercial Revitalization District, if a nonconforming sign is removed, the subsequent erection of a sign shall be in accordance with the provisions of this Article.	12-107.5: Carried forward with minor changes to simply the language.
5. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its appraised value may be restored within two (2) years after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding fifty (50) percent, it shall not be reconstructed except for a sign which would be in accordance with the provisions of this Article.	10-107.6: Carried forward with minor changes to simply the language.