

ZONING ORDINANCE COMMITTEE

December 15, 2021
ELECTRONIC MEETING
9:00 AM TO 11:00 AM

NOTICE OF ELECTRONIC MEETING: Due to the ongoing COVID-19 pandemic, this [Zoning Ordinance Committee](http://www.loudoun.gov/remoteparticipation) meeting will be conducted as an Electronic Meeting pursuant to the adopted Continuity Ordinance adopted by the Board of Supervisors on March 16, 2021. Members of the public are strongly encouraged to view and participate in the meeting by electronic or other means, in furtherance of the Governor's Executive Orders and social distancing directives. This meeting will be conducted in the WebEx Events platform. Login/call-in information will be posted to www.loudoun.gov/remoteparticipation prior to the meeting.

1. Call to Order/Review Agenda
2. Public Input
3. Disclosures
4. Status Updates on Other Zoning Ordinance Amendmentsⁱ (ZOAM):
 - a) ZOAM-2018-0001: Short-term Residential Rentals: Revised draft text presented to the Zoning Ordinance Committee on October 20, 2021; under internal and referral agencies review; anticipate final draft text ready for public outreach in January 2022.
 - b) ZOAM-2020-0002: Cluster Subdivision Regulations: Interactive story maps released on [GeoHub](http://www.geo.gov) for prime agricultural soils, cluster subdivisions, etc.; Revised draft text presented to the Zoning Ordinance Committee on December 1, 2021; anticipate final draft text ready for public outreach in early 2022.
 - c) ZOAM-2021-0002: Airport Impact Overlay District: Staff working on revised draft text, to be reviewed by the Zoning Ordinance Committee; public outreach scheduled virtually for December 13, 2021; presenting to the Board of Supervisors in early 2022.
 - d) ZOAM-2021-0003: Traffic Study Fees
Resolution of Intent to Amend presented to Board of Supervisors on December 7, 2021; presentation to Zoning Ordinance Committee on January 5, 2021.

5. ZOAM-2020-0001: Zoning Ordinance Rewrite
 - a) Signs
6. New Business
7. Upcoming Meetings
 - a) Electronic meeting. Wednesday, January 5, 2022, 9:00 AM.
8. Adjourn

ⁱ View project documents at www.loudoun.gov/lola.

MEMORANDUM

To: Zoning Ordinance Committee
From: Ryan Reed, Deputy Zoning Administrator
Judi Birkitt, Interim Assistant Director
Date: 12/8/2021
Re: December 15, 2021, ZOC Meeting
Review Chapter 6 - Signs

The Zoning Ordinance Committee (ZOC) is reviewing Zoning Ordinance Rewrite (ZO Rewrite) draft Chapter 6 - Signs (Attachment 1, Draft Chapter 6 - Signs). This is consistent with the ZOC bylaws that state, "at the discretion of the Planning Commission, County staff, or Board of Supervisors (Board), ZOC may be asked to provide input on proposed amendments prior to the initiation of the referral process." The following excerpt from the ZOC bylaws provides guidance on how to review draft Zoning Ordinance (ZO) text.

Recommendations may include, but are not limited to:

- a. Correcting errors and inconsistencies;
- b. Clarifying regulations;
- c. Simplifying the Zoning Ordinance to make it more user friendly;
- d. Keeping the Zoning Ordinance current to reflect changes in the state code, the market, economic, fiscal, and land use conditions and the emergence of new uses;
- e. Addressing a specific issue;
- f. Identifying when proposed Zoning Ordinance amendments are inconsistent with the Comprehensive Plan and may require a Comprehensive Plan amendment (Board of Supervisors, October 6, 2020).

Please keep in mind that the ZO Rewrite team is at the beginning stages of socializing draft concepts and text in a public forum, and the ZOC is the first stop of many as we progress towards Board review and adoption tentatively scheduled for mid to late 2022. ZOC review of these draft documents will not only provide essential input regarding proposed revisions but will also help capture unintentional errors and omissions in these draft documents.

Sign Regulation Analysis

As part of the Zoning Ordinance Rewrite efforts for Chapter 6 – Signs, the County's consultant performed a sign regulation analysis (**Attachment 1** – Loudoun County Sign Regulation Analysis). This analysis is organized into the following sections:

-2019 General Plan Policies (Plan Policies)

-Current Sign Regulations (Subtask 5.1)

-Initial Sign Regulation Diagnosis (Subtask 5.4)

The consultant's analysis provides in-depth consideration of plan policy, legal considerations, current practices, and rationale regarding the organization of the draft Chapter 6.

What is in Draft Chapter 6?

Draft Chapter 6 is included in this referral memo as **Attachment 2**. Note that the approach to sign regulations in Draft Chapter 6 has shifted away from a sign's content, purpose, or user and towards a sign's physical characteristics (i.e., size, height, number, and setback). Because signs are a form of expression, they are protected by the free speech principles of the United States Constitution. Sign regulations must comply with state and federal free speech protections. As such, Draft Chapter 6 strives to keep the sign regulations content-neutral and integrate signs with the General Plan's quality design and placemaking policies.

Note that Draft Chapter 6 regulates sign characteristics by common zoning districts that implement the policy areas and place types established by the Comprehensive Plan. The zoning districts have common characteristics and are collapsed into the following categories for purposes of applying the sign regulations: urban/mixed use, neighborhood (principally residential districts), commercial, employment/industrial, and rural districts. This allows a set of dimensional and design standards that are appropriate across zoning districts.

Draft Chapter 6 is organized into the following sections:

- 6.01 Application of Sign Regulations
- 6.02 General Sign Requirements
- 6.03 Prohibited Signs
- 6.04 Freestanding Signs
- 6.05 Attached Signs
- 6.06 Incidental Signs
- 6.07 Historic Signs
- 6.08 Illuminated and Digital Signs
- 6.09 Sign Permits and Administration
- 6.10 Sign Measurements

Prior to the December 15th ZOC meeting, staff plans to provide ZOC members information regarding sign regulations for comparable jurisdictions that have recently updated their sign ordinances. Future drafts of the sign regulations will include a workflow for sign permit and SIDP processes and may include regulations for sculptural art and murals, which the existing Zoning Ordinance does not address.

Next Steps after December 15th ZOC Meeting

An abbreviated version of the ZOC Pre-Referral Work Plan is shown below. The next ZOC meeting is scheduled for January 5, 2022. The tentative agenda for that meeting

includes revised draft text for Chapter 5 – Development Standards, as well as a staff overview of ZOAM-2021-0003: Traffic Study Fees. Additionally, staff anticipates distributing draft text for ZOAM-2020-0002: Cluster Subdivision Regulations by December 31, 2021. Please be advised that the work plan schedule is tentative and subject to change.

Tentative Zoning Ordinance Committee Pre-Referral Work Plan

Topic	Meeting Date	Packet Distribution
Standalone ZOAM: Short Term Residential Rentals	20-Oct	13-Oct
Zoning Districts (and VCOD)	3-Nov	27-Oct
Zoning Districts (and VCOD)	17-Nov	10-Nov
Standalone ZOAM: Cluster Subdivision Regulations	1-Dec	24-Nov
Signs	15-Dec	8-Dec
Development Standards	5-Jan	29-Dec
Standalone ZOAM: Traffic Data Collection and Warrant Study Fees	5-Jan	29-Dec
Development Standards, Nonconformities	19-Jan	12-Jan
Attainable Housing	2-Feb	26-Jan
Procedures	16-Feb	9-Feb

NOTE: EnCode changes to be released to public beginning April 2022

NOTE 2: Draft chapters to be reviewed as part of April 2022 referral package: Ch. 1 Introduction, Ch. 10 Officials, Boards and Commissions, Ch. 11 Rules of Interpretation

NOTE 3: ZOC Work Plan subject to change

Attachments

1. Loudoun County Sign Regulation Analysis, December 3, 2021
2. Draft Chapter 6 - Signs



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MEMORANDUM

To: James David, Acting Planning Director
Judi Birkitt, Interim Assistant Planning Director

From: Mark White, White and Smith, LLC

Date: December 3, 2021

Re: Sign Regulation Analysis (ZOAM-2020-0001 – Zoning Ordinance Rewrite)

Comment Due Date: No specific comments are required for this memo.

Loudoun County's existing sign regulations are codified at (Zoning Ordinance Art. 5, Div. C). We are proposing to codify the new sign regulations in Chapter 6 of the new Zoning Ordinance. This memorandum provides a Review and Summary of Loudoun County's Current Sign Regulations (Subtask Task 5.1) and Sign Regulation Diagnosis (Subtask 5.4).

The sign regulations have been in place in various forms since the 1972 Zoning Ordinance. The County is revisiting them to ensure that they keep up with best practices and changes in land development policy. In addition, there have been significant changes in the law in recent years. The most significant change is the United States Supreme Court's 2015 decision in *Reed v. Town of Gilbert*, which generally prohibits regulations that discriminate on the basis of a sign's content (i.e., what a sign says).

Plan Policies

The Loudoun County 2019 General Plan (2019 GP) establishes the following policies for signs:

1. The Quality Development chapter recognizes signs as an element of community character: “Foster places with distinctive identities through the use of high-quality design, siting, landscaping, architecture, signage, sustainability, and other design elements.”
2. The 2019 GP’s glossary recognizes signs as part of the County’s “built environment”: “Built Environment: Human-made surroundings that provide the setting in which people live, work, learn, and play on a day-to-day basis, and how they are interrelated as a complete and connected system in relationship to human activity. The built environment includes uses such as buildings and structures, parks, utilities and communication infrastructure, roads, paths, transportation infrastructure, streetscapes, signage, man-made landscapes, and open space.”
3. The Urban Policy Area Design Guidelines (Appendix-4) establish several policies relating to signs as part of building design:
 - “3. Use of architectural features, enhanced materials, fenestration, planting, lighting, and signage should contribute to a more pedestrian friendly streetscape.
 4. Reinforce the existing façade rhythm along the street with architectural elements, landscaping, signage, street lighting, and street furnishings.”

The Sidewalks, Streets Trees, and Plantings guidelines provide:

- “1. Create a continuous and predominantly straight sidewalk to support two-way pedestrian traffic with enough space for streetscape amenities such as street furnishings, street trees, ground cover plantings areas, street lighting, signage, and utilities.”
4. The Suburban Policy Area Design Guidelines (Appendix A-7) establish several policies relating to signs as part of building design:
 - “1. Buildings within larger multi-building developments should exhibit a unity of design through the use of similar elements such as rooflines, exterior materials, facade treatments, window/fenestration arrangements, sign location, and architectural styles and details.
 8. Retail development should avoid the appearance of strip commercial development which is commonly characterized by the following features to be avoided: multiple entrances serving individual uses, minimal setbacks

and landscaping, and multiple structures and signs without a unified design scheme."

The Street Furnishings and Lighting (Appendix A-8) policies provide:

"2. Signs for development will be developed as an integral part of the overall design. A unified graphic design scheme is strongly encouraged that is in conformance with an appropriate regulatory framework.

4. Both lighting and signs will be designed for pedestrians, bicyclists, and vehicles."

The Parking, Circulation, and Loading guidelines (Appendix A-8):

"2. Pedestrian traffic, internal to non-residential centers, should be provided with a safe travel route from the parking area to the building with a demarcated pathway and clear directional signage. Trees and other plantings should be provided along the walkway."

5. The glossary also addresses signs as part of transit stops: "Transit Stop: A location along the street or transit line that has simple facilities like signage and shelters."
6. QD Policy 8, Strategy 8.1., Action D provides: "Review and revise county sign regulations to facilitate signage and way-finding at appropriate heights that incorporate Braille, tactile markings, and other accessibility improvements." Note: this is a very unusual requirement for sign regulations, which address outdoor signs to minimize traffic distractions and to promote quality design. A search of 1,968 sign regulation files in our system turned up no sign regulations that address this issue. However, the Americans with Disabilities Act [Standards for Accessible Design](#) promulgated by the Department of Justice do require and establish standards for braille and tactile characters. The sign regulations can establish a link to those standards to assist applicants.

While the 2019 GP has few policies directly targeted to the sign regulations, it is clear that they are considered part of the County's built environment. Therefore, the sign regulations should integrate with the character of development prescribed for the policies areas, place types and associated zoning districts.

Current Sign Regulations (Subtask 5.1)

The Revised 1993 Zoning Ordinance codifies the sign regulations at Section 5-1200 of Article 5 (Additional Regulations and Standards). A sign requirements matrix (Table 5-1204(D)) (“sign matrix”) establishes sign categories, along with standards related to the type, size, setbacks, and design of signs. These are broken into seven categories: (1) Residential/Agriculture Signs, (2) Public/Quasi-Public Signs, (3) Commercial Development Entrance/Project Identification Signs in the PD, CLI, GB, and MR-HI Districts, (4) Signs for Commercial, Office, and Industrial Uses, (5) Temporary Signs, (6) Real Estate Signs, and (7) Miscellaneous Signs. These broad categories are summarized as follows:

- Two of these broad categories relate the use (Public/Quasi-Public and Commercial, Office, and Industrial). Some of the uses set out in the sign regulations do not match the use descriptions in the zoning district regulations or in the definitions. These include: auto dealer, farm, place of worship, private recreation parks, and public or quasi-public facility.
- For the first category (residential / agriculture), it is not clear whether the category refers to districts (i.e., residential districts) or residential/agricultural uses (such as farms, regardless of a farm’s zoning district).
- Two of the categories relate to a sign’s message (identification and real estate signs).
- The fifth and seventh categories (temporary and miscellaneous) categorizes signs based on their message (such as informational signs), location (such as entry signs), or time, design or dimensions (such as temporary signs, banners or de minimus signs).

There are two main sign categories, common to most sign codes: building (or attached) and freestanding. In the current Loudoun County sign regulations, “building mounted” signs are attached to the wall of a building or structure, while freestanding signs are not attached to a building. In addition to the two main sign categories (freestanding and building mounted), the sign regulations recognize 48 specific sign types for purposes of applying the dimensional standards (see Table 1), some of which are building, freestanding, or either category. Of these categories, over half (19) relate to the sign’s message and 18 relate to the sign’s use. Only 11 categories are based on physical parameters (timing, location or design). Fewer than half of the sign types are defined.

Some of these signs have several subcategories (i.e., rows in the sign matrix). For example, business signs have the following separate subcategories: (1) business in A-3, A- 10, AR, JLMA, TR, and CR Districts – building mounted, (2)

business in A-3, A- 10, AR, JLMA, TR, and CR Districts – freestanding, (3) business in R Districts¹ – lots of up to 10 acres, (4) business in R Districts – lots larger than 10 acres, (5) business in RC District– building mounted, and (6) business in RC District – freestanding. Combined with the sign categories, there are 93 subcategories.

Table 1 Current Sign Categories

Category	Defined?	Subcategories	Freestanding	Attached	Temporary	Incidental
Signs Defined by Physical Features, Location or Timing:						
Banner Signs	Cloth, paper, vinyl, bunting or the like, intended to be hung either with or without frames. (Does not include government or symbolic flags.)	1				
De Minimis Signs	Any sign with an area no greater than one (1) square foot.	1				
Entrance Signs	--		*			
Entry Sign	--	1		*		
Flag	--				*	*
Ground Mounted	Refers to graphics (Figure 1, Section 5-1200)		*			
Pole Mounted	--					
Pylon	--		*			
Sidewalk Sign	A movable sign not secured or attached to the ground or surface upon which it is located. May be freestanding, placed on an easel, or constructed in a manner to form an "A" shape.	1	*			
Temporary Signs	A sign of temporary duration or non-recurring nature that is associated with a special event [see Section 5-500(C) of the Revised 1993 Zoning Ordinance], or other event that lasts no longer than 48 hours and falls outside of the primary permitted use of the property upon which the event is located.	1	*		*	
Window or Display Sign	(Business): A sign within a window of a business relating to the business conducted within. (Non-Business): A sign within a window of a business not relating to the business conducted within; but to amusements or civic, religious, cultural, educational, or charitable activities.	2		*		*
Signs Defined by Message						
Building ID/Tenant Signs - Office Buildings	--	1		*		
Business	A sign which identifies a business or profession conducted, or a commodity or service sold, offered, or manufactured, or an entertainment offered on the premises where the sign is located.	6	*	*		
Church Bulletin Board	--	2	*	*		*
Community Directional	On-site or Off-site (within boundaries of approved PD-H district)	1	*			

¹ The sign regulations do not define what constitutes an "R" district. It is assumed for purposes of this discussion that this refers to "residential" districts other than those enumerated for the A-3 through CR category (R-1, R-2, R-3, R-4, R-8, R-16, R-24, PD-H, and PD-AAAR).

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Category	Defined?	Subcategories	Freestanding	Attached	Temporary	Incidental
Danger, Aviation, Railroad, Bridge, Ferry Transportation, Red Cross, and Other Similar Signs	See Code of Virginia 33.2-1204 (5), (6), (7), (8), (15), and (17). ²	6				*
Directional Signs, On- Site	Any sign providing directions to a specific use, which sign is located onsite of the same parcel or on-site within the same development as the use to which such sign provides directions.	1	*			*
Directory Sign	A sign on which the names and locations of occupants or the uses of a building or group of buildings is given.	2	*	*		*
Government / Official Notices	Sign erected and maintained by or under the direction of the Virginia Department of Transportation, other governmental authorities, or court officer in accordance with the law.	1				*
Historical Markers	Any sign or marker erected to identify a site, location, or landscape related to a person, structure, or event documented as historically significant at the local, state, or national level.	1				
HOA Activity Signs	--	2	*			
Informational Signs	Signs to identify such locations as restrooms, loading areas, parking areas, no parking areas, entrances, exits, and the like.	3	*	*		*
Movie Title Building Sign	--	1		*		
No Hunting, No Fishing, or No Trespassing Signs	--	3	*	*		*
Project Directional Signs - Non-PD District	Signs giving direction to new homes for sale or lease for non-Planned Development District projects, subject to the boundaries of a rezoning plat approved by the Board of Supervisors, which do not contain the names of specific builders.	1	*			

² These are defined as follows: "5. Notwithstanding the provisions of § 33.2-1224, danger or precautionary signs relating to the premises or signs warning of the condition of or dangers of travel on a highway erected or authorized by the Commissioner of Highways; forest fire warning signs erected under authority of the State Forester; and signs, notices, or symbols erected by the United States government under the direction of the U.S. Forest Service;

6. Notwithstanding the provisions of § 33.2-1224, notices of any telephone company, telegraph company, railroad, bridges, ferries, or other transportation company necessary in the discretion of the Commissioner of Highways for the safety of the public or for the direction of the public to such utility or to any place to be reached by it;

7. Signs, notices, or symbols for the information of aviators as to location, direction, and landings and conditions affecting safety in aviation erected or authorized by the Commissioner of Highways;

8. Signs of 16 square feet or less and bearing an announcement of any locality, or historic place, museum, or shrine situated in the Commonwealth advertising itself or local industries, meetings, buildings, or attractions, provided such signs are maintained wholly at public expense or at the expense of such historic place, museum, or shrine;

15. Notwithstanding the provisions of § 33.2-1224, signs erected by Red Cross authorities relating to Red Cross Emergency Stations, with authority hereby expressly given for the erection and maintenance of such signs upon the right-of-way of all highways in the Commonwealth at such locations as may be approved by the Commissioner of Highways;

17. Signs advertising only the name, time, and place of bona fide agricultural, county, district, or state fairs, together with announcements of related special events that do not consume more than 50 percent of the display area of such signs, provided the person who posts the signs or causes them to be posted shall post a cash bond as may be prescribed by the Commissioner of Highways adequate to reimburse the Commonwealth for the actual cost of removing such signs that are not removed within 30 days after the last day of the fair so advertised; ...

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Category	Defined?	Subcategories	Freestanding	Attached	Temporary	Incidental
Project Identification Signs	A sign that identifies the name of the development only, including any corporate typeface or logo.	2	*			
Real Estate	Sign pertaining only to the offering for sale or lease of the land or structures on the land upon which the sign is placed.	5	*			*
Residential Name Signs	Sign upon property displaying the name and/or address of the owner, lessee, or occupant of the premises.	3	*	*		*
Tenant Signs	--	2		*		
Theater Name Building Sign	--	1		*		
Signs Defined by Use						
Auto Dealer	--	2	*	*		
Auto Service Station (including convenience store, car wash & repair)	--	2	*	*		
Bed & Breakfast Inn and Homestay	--	2	*	*		
Childcare Home	--	2	*	*		
Country Inn, Guest Farm or Ranch, Rural Retreat, Rural Resort, and Rural Agricultural Corporate Retreat	--	2	*	*		
Farm Signs	Sign erected or maintained on any farm by the owner or tenant of such farm and relating solely to farm or horticultural produce, livestock, silviculture, or services sold, produced, manufactured or furnished on such farm.	2	*			
Flex/Industrial/Warehouse/Data Center	--	1		*		
Ground Floor Tenants in Office Buildings	--	1		*		
Home Occupation	Any sign upon property displaying the name and/or address of the occupant(s) of the premises and the nature of the home occupation(s).	2	*	*		
Hospital	--	3	*	*		
Hotel, Motel, and Conference Center	--	1	*	*		
Places of Worship	--	2	*	*		
Private Recreation Parks	--	1	*			
Public or Quasi-Public Facility	Sign identifying or locating a town, community center, public building or historical place situated in Loudoun County, Virginia, and also a sign for a use owned or operated by a nonprofit, religious, or charitable institution and providing educational, cultural, recreational, religious, or similar types of programs.	1	*			
Restaurant	--	4	*	*		
Restaurant/Car Wash Drive-Through Menu	--	2	*	*		
School, College, Library, and Publicly Owned Community Center	--	2	*	*		

Category	Defined?	Subcategories	Freestanding	Attached	Temporary	Incidental
Wayside Stands	Sign erected or maintained by any farm owner or tenant of such farm and relating solely to farm or horticultural produce or merchandise sold from said stand located on farm including Christmas trees, vineyards and wineries.	2	*	*		
Total:	48 total categories	93	34	27	2	11

The sign requirements matrix establishes, by sign category, a maximum aggregate and individual sign area, maximum number of signs, maximum height, minimum right-of-way setback, and whether illumination (backlight or white light) is permitted. Ground signs may include a bonus for the sign face and the sign's background structure. This bonus applies only to individual signs and does not expand the aggregate sign area permitted (Section 5-1204(B), Revised 1993 Zoning Ordinance). We prepared a summary of the sign dimensions by district, including ranges of dimensions for the freestanding, building and incidental categories and ranges of dimensions, in a spreadsheet available [here](#). The initial sign regulation draft attempts to maintain the overall allowances for projects based on these broad categories as discussed in Initial Sign Regulation Diagnosis (Subtask 5.4) beginning on page 11 below.

Off-Premise Signs and Billboards

Off-premise signs and billboards are separate, but related, concepts. On-premise signs are those that direct attention to uses or activities on the same premises. Off-premise signs direct attention to a use or activity located elsewhere. While any type of sign could relate to off-premise activities, the typical conduit for this is a billboard. Billboards are large, panel signs typically found along arterial roads and highways. While billboards are a type of physical structure, the off-premise category relates the sign's location. Loudoun County currently prohibits off-premise signs (Revised 1993 Zoning Ordinance, Section 5-1202(A)(1), with certain exceptions. These include:

1. Signs erected by government authorities, including the County or the Virginia Department of Transportation (VDOT).
2. PD-H – Community Directional Signs (within boundaries of the approved PD-H district) (Sign Matrix, Table 5-1204(D)(1)(b)).
3. Non-PD District Project Directional Signs (Sign Matrix, Table 5-1204(D)(6)(e)).
4. Wayside stands (Sign Matrix, Table 5-1204(D)(1)(f)).

Sign Design

Loudoun County's sign regulations does not allow some forms of sign design or features, except with a Sign Development Plan (SIDP) (discussed under Process beginning on page 10 below).

Animation

It is common for sign codes to prohibit animation, typically because it is considered a traffic distraction. The sign regulations do not explicitly address animation. County staff indicate that animation can be approved with an SIDP.

Banners and Attention-Getting Devices

Banners, balloons, streamers and similar devices are commonly found in commercial corridors but are often prohibited or regulated by sign codes. Loudoun County does not generally allow balloons, banners, pennants, or inflated devices (Section 5-1202(A)(5)). An exception is ornamental/seasonal banners are allowed on lamp posts in PD-CC, PD-SA, PD-TC, PD-TREC, PD-TRC, and PD-MUB (Sign Matrix, Table 5-1204(D)(7)(h)).

Illumination and Digital Signs

The sign matrix recognizes two kinds of illumination for certain signs: backlight or white light. Backlight is defined as illumination from the back of the sign or on the interior of an enclosed sign. An example would be "halo lit," "reverse channel" or "reverse lit" illumination that conceals the light source behind three-dimensional opaque letters, numbers, or other characters of a sign, resulting in the nighttime perception of a halo around the silhouette of each character. "White light" is not defined.

Several kinds of illumination are generally prohibited but allowed with approval of an SIDP: neon outlining of buildings or signs (Section 5-1202(A)(2)), and electronic message (including digital) signs (Section 5-1202(A)(6)). Examples of digital signs approved include NVCC-Sterling's digital sign on state property, and Dulles Town Center's Route 7 digital monument. For neon, building or sign outlines are prohibited, but the copy can be neon.

Illumination that reflects or casts glare, directly or indirectly, on public roadways or adjacent property is prohibited (Section 5-1202(A)(4)).

Process

Permits

Section 5-1203(A) generally requires sign permits issued by the Zoning Administrator, but exempts the following:

1. Government Signs/Official Notices
2. Historical Markers
3. Danger, Aviation, Railroad, Bridge, Ferry Transportation, Red Cross, and Similar Signs
4. No Hunting, No Fishing, or No Trespassing Signs
5. Residential Name Signs
6. Window or Display (Non-Business) Signs
7. De Minimis Signs.

The first three categories listed above are listed as “not regulated” in the sign matrix.

As is discussed in the Initial Sign Regulation Diagnosis (Subtask 5.4) beginning on page 11 below, the County can create sign categories for government signs differently, and the de minimus (defined as those smaller than 1 square foot) is a physical threshold. The other categories are triggered by the message, so the new sign regulations will fold those into broader incidental sign categories.

Modifications (Sign Development Plans and Variances)

An applicant may request alternative sign regulations for permitted signs through a Sign Development Plan (SIDP). These are processed as a special exception, but with considerations spelled out in the “state of justification” set out on Section 5-1202(E)(1) of the sign regulations rather than the special exception criteria. These include:

- (a) Assist motorists, bicyclists and/or pedestrians in finding a location without difficulty or confusion;
- (b) Clearly identify places of business or communities, while avoiding unnecessary redundancy;
- (c) Demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign;
- (d) Address impacts to the night sky;

- (e) Incorporate energy efficient measures, where possible; and
- (f) Provide a sufficient number of graphic messages or displays without creating competing demands for visual attention.

The SIDP allows for additional sign area or height, illumination or design features, and related standards for permitted signs. It does not allow the approval of signs that are not permitted.

County staff was not aware of any applicants for a sign variance for a sign. They seek approval for deviation from the sign regs through a SIDP.

The following section provides an initial diagnosis of the County's sign regulations.

Initial Sign Regulation Diagnosis (Subtask 5.4)

Signs are a pervasive element of the built environment. Signs serve important purposes, such as identifying places of business or institutions, directing traffic, and expressing opinions. Businesses rely on signs to create a street presence, and to generate sales from motorists or pedestrians who might not otherwise become aware of their presence. Politicians and activists rely on signs to get the word out about their campaigns or matters of public interest. Institutions (such as churches and schools) use signs to announce events, speakers, and inspirational messages. Some signs can also have a negative impact on the public. Signs are often identified with clutter along roadway corridors, driver distraction, and – when not properly maintained – blighting influences. Excessively bright signs can disrupt the quiet enjoyment of residential neighborhoods or distract drivers (while, at the same time, making those signs more visible to motorists). How can the County effectively regulate signs in a way that avoids potential negative impacts, while enabling freedom of expression and commerce?

As is discussed above, the County's current sign regulations establish, among other things:

- sign categories, some of which relate to a sign's physical features (such as ground signs), and other based on the sign's message (such as real estate signs) or user (such as an auto dealer),
- the districts where the sign categories are permitted,
- dimensional standards (i.e., maximum size and height, minimum setbacks),
- maximum number of signs and cumulative sign area, and

- design features such as illumination.

Signs are physical objects that communicate a message. The messages can be:

- Commercial, such as advertising a product or directing a motorist to a place of business, or
- Non-commercial, such as signs that express an opinion, promote a candidate, or display a religious belief.

The Revised 1993 Zoning Ordinance currently defines a “sign” as:

“Any visual display that comprises letters, words, numerals, figures, logos, trademarks, symbols, emblems, devices, or illustrations, or any combination thereof, which identifies a property, business, product, service, person, or entertainment, but not including, when standing alone, a flag, emblem, badge, or insignia of any governmental unit.”

Because signs are a form of expression, they are protected by the free speech principles of the United States Constitution. Sign regulations must comply with state and federal free speech protections. In nutshell, the First Amendment to the U.S. Constitution creates the following guiding principles for developing new sign regulations:

- 1. Avoid Regulating Content** (i.e., what a sign says). The County should avoid content-based regulations on noncommercial speech unless they are needed to promote a compelling public interest and are narrowly drafted to achieve that end. Regulation of content – or what a sign says – triggers a legal standard known as “strict scrutiny” and must further a “compelling” public interest. In other words, if the County’s zoning officials have to read the message written on a sign to determine what regulations apply, or a regulation is based on a sign’s function or purpose, the regulation is likely subject to strict scrutiny. The same principles can also apply to signs that preference or trigger a sign’s user. However, sign regulations that do not regulate what the sign says – i.e., regulations that are “content neutral” – are subject to more lenient review. Regulation of the “time, place and manner” of signs is given significantly more deference in the courts.

The recent United States Supreme Court decision in *Reed v. Town of Gilbert* (2015) illustrates the risk associated with regulating content. The Town of Gilbert, Arizona, established size and timing restrictions for temporary signs relating to events (such as church services). However, the Town’s sign regulations had different size and timing allowances for other kinds of temporary signs with different messages – such as political or opinion signs.

Finding the regulations content based and applying strict scrutiny, the court found that the directional message did not increase driver distraction or impair aesthetics more than other, more favorably regulated signs. Therefore, the regulations were ruled unconstitutional.

The fact pattern in *Reed v. Town of Gilbert* dealt with noncommercial speech, but it is not clear from the decision whether the same standards will now apply to commercial speech. In the past, content-based restrictions on truthful, non-misleading commercial speech receive intermediate scrutiny “with bite” where a court determines that (1) the expression is protected by the First Amendment; (2) the government interest is “substantial”; (3) the regulation directly advances the governmental interest asserted; and, (4) the regulation is no more extensive than is necessary to serve that interest. Therefore, the County has more leeway in regulating commercial speech (such as advertising), but that speech is still protected by the First Amendment.

Sign regulations that are “content-neutral” may permissibly impose reasonable time, place, and manner restrictions. Content-neutral regulations restrictions are valid if they (1) are narrowly tailored to serve a substantial government interest and (2) leave open ample alternative channels for communication of the information.

- 2. Allow Alternative Channels of Communication.** The sign regulations must allow reasonable avenues of communication by signs. Even if the regulations are content-neutral, they must leave adequate alternative channels of communication. In other words, they cannot choke off all methods of communication by signs. In regulating the size, height, and number of signs, or their design features, local governments typically have significant leeway in crafting the appropriate standards. People are not entitled to the largest, tallest, and brightest sign technology can support. Caps on total square footage are a reasonable, content neutral form of regulation. For example, regulation of signs in designated commercial districts that leave property owners the choice of displaying either a commercial or noncommercial message has been upheld. This type of regulation must allow noncommercial signs.
- 3. Establish Clear Standards.** The review of sign permit applications should include clear standards for the issuance of permits. Permit review should not be discretionary but should give the applicant a clear direction on what is expected from the written language of the ordinance. Regulations should not be vague or give decision makers unfettered discretion to deny or condition sign permits.

- 4. Establish Reasonable Dimensional and Design Standards.** Reasonable restrictions on the size, type or manner of display of both commercial and noncommercial signs are normally acceptable. Courts have upheld reasonable restrictions on size, height, setback, spacing, and the color of signs as well as bans on temporary, overhanging, free-standing, rooftop, windblown, moving, flashing, and illuminated signs.
- 5. Establish Time Limits for Permit Review.** Sign regulations may require permits for the establishment of signs. The permit review, however, must occur within a reasonable period of time. In addition, the sign regulations should spell out the time period for review.
- 6. Never Favor Commercial over Non-Commercial Speech.** The distinction between "commercial" and "noncommercial" signs must be reasonable and constitutionally valid. Regulation may not in any way favor "commercial" over "noncommercial" signs or permit commercial signs where noncommercial signs are prohibited. The ordinance should permit noncommercial speech in any instance where commercial speech is permitted. In addition, the ordinance should focus, as much as possible, on structural characteristics rather than the sign's message, advertisement, or content. Some communities use a general "substitution" provision that allows the substitution of a non-commercial message wherever a commercial message is allowed. After *Reed v. Town of Gilbert*, this should also allow any non-commercial message to substitute for another non-commercial message (for example, a sign with directions to Sunday church services could substitute for a political sign). A possible exception is hazard warning signs or traffic directional signs that comply with the Manual on Uniform Traffic Control Devices (MUTCD), which are needed for public safety (and recognized by the majority opinion in *Reed* as a potential compelling interest).
- 7. Avoid User Discrimination.** While Loudoun County can set different size and design metrics by district and context, it should not discriminate between speakers. This can be done by avoiding special treatment for signs related to public or semi-public agencies, nonprofit organizations, permitted clubs, or signs connected to limited and vaguely defined events.
- 8. On- Versus Off-Premise Advertising.** Sign regulations traditionally distinguish "on-premise" from "off-premise" signs. The current sign regulations specifically prohibit off-premise except in for certain uses (see Off-Premise Signs and Billboards, page 8 above). There are several different types of off-premise signs, but perhaps the most notable are billboards.

Regulation that prohibits all off-site commercial signs has been held constitutional and was recognized in the concurring opinion in *Reed v. Town of Gilbert* and some decisions after *Reed* as a constitutional form of regulation. However, several federal circuits have ruled traditional off-premise sign restrictions unconstitutional, and the issue is currently pending a decision from the United States Supreme Court on appeal from *Reagan National Advertising v. City of Austin*, 972 F.3d 696 (5th Cir. 2020), and was [argued on November 10, 2021](#).

- 9. Establish a Purpose Statement with Findings.** The sign regulations should include legislative findings to support ordinance provisions. Although ordinances regulating signs and billboards are not granted the usual "presumption of validity," courts generally will defer to a reasonably plausible and common-sense legislative judgment that regulation furthers aesthetic and other supporting public purposes. The current sign regulations include a purpose statement (Section 5-1201). The new regulations should include an expanded set of findings in the adopting ordinance, along with purpose statements and illustrations that accompany individual restrictions.

Location and Regulatory Structure

While the County should avoid distinguishing signs by their message or user, the County can set different sign type, dimensional and design standards by zoning district. This should reflect the district character, which in turn relates to the policy area and place types established by the Comprehensive Plan. The current sign regulations distinguish signs principally broader use categories (such as residential/agriculture), with some categories tying sign dimensional and design standards to districts (for example, there are several sign types identified for commercial development entrance / project identification signs in the PD, CLI, GB, and MR-HI districts).

Draft Sign Regulations: The revised sign regulations (section 6.02.E) consolidate the new district categories based upon their common plan area in character features. These include categories for urban/mixed use, neighborhood (principally residential districts), commercial, employment/industrial, and rural districts. This allows the County to develop a set of dimensional and design standards that are appropriate across districts. The County can revise the draft to call out regulations for individual sign types and categories for specific districts as needed as this process unfolds.

Using this district structure, the revised sign regulations create consolidated tables for individual types of freestanding (section 6.04), attached (section

6.05), and incidental (section 6.06) signs. For each family of districts, each section addresses the following requirements and criteria:

	Regulation	Meaning
1	Allowed?	Whether the sign type is allowed in the districts.
2	Permit required?	Whether a permit is required for that sign type in that district.
3	Number allowed (<i>max</i>)	The total number of signs in that category allowed on a lot or parcel
Dimensions		
4	Cumulative area (<i>max</i>)	The cumulative/aggregate area of signs of that type allowed on a lot or parcel.
5	Individual sign area (<i>max</i>)	The maximum area for an individual sign of that type in that district.
6	Height (<i>ft, max</i>)	The maximum height for that sign type.
Location		
7	ROW Setback (<i>ft, min</i>)	The sign's minimum setback from the public right-of-way
8	Spacing from other signs (<i>ft, min</i>)	Minimum spacing from other signs.
Design		
9	Digital	Whether digital technology is allowed, and any maximum that applies (e.g., 30 percent of the sign face)
10	Backlight	Whether backlighting is allowed
11	Illumination, External	Whether external illumination is allowed
12	Illumination, Halo Lit	Whether halo lit or reverse channel illumination is allowed
13	Channel Letters	Whether channel letters are allowed or required

	Regulation	Meaning
14	Animated	Whether animation is allowed

Sign Types and Categories

To keep the sign regulations content-neutral, integrate signs with the County's quality design and placemaking policies, and to allow a reasonable amount of speech, the sign regulations should include a revised category of sign categories based on their physical design instead of their message or user.

Many of the categories in the current sign regulations fall into a **functional** classification-i.e., they describe the sign's purpose rather than its physical characteristics. For example, a real estate sign may be attached to a building, or to a separate freestanding structure in the front yard. So long as the sign offers for sale or lease the land or structures on the land where the sign is located, it qualifies as a real estate sign. The physical, locational and temporal characteristics of signs, however, fall into three broad categories:

- 1. Freestanding or Detached Signs.** These are signs that are located on individual structures that are not attached to another structure or building. Examples include monument signs and pole signs.
- 2. Attached Signs.** These are signs that are attached to a building, fence, or other structure. Examples include wall signs and projecting signs.
- 3. Incidental Signs.** This category includes small signs that are either temporary in nature or subordinate to the main freestanding or attached signs on the property. Examples include "feather" signs that are typically used to advertise special events or sales, or to provide a secondary source of advertising or directional communications on a site. Others include small signs with panels attached to metal frames, and typically used as election signs, real estate signs, or similar temporary events.

Draft Sign Regulations: To coordinate with the Comprehensive Plan's placemaking policies, the draft sign regulations divide the sign categories into five district categories: Rural, Residential, Commercial, Employment / Industrial, and Urban / Mixed Use. These are assembled into tables that indicate whether a particular sign type is allowed in the districts, whether a permit is required, the number allowed, cumulative and individual sign area,

and design features (such as illumination types, digital, channel letters, etc.).

Freestanding

The sign regulations currently recognize freestanding signs as an overarching category, with many of the specific sign types having different dimensions and standards depending on whether they are freestanding or building mounted (see Table 1 on page 5 above). Freestanding signs include ground signs, pole mounted signs, pylon signs, and sidewalk signs. Ground mounted signs have a “bonus multiplier” that increases a sign’s sign face and structure area.

Draft Sign Regulations: Section 6.04 of the draft sign regulations establish three tables for freestanding signs – ground, pole and sidewalk signs. Each table includes discrete dimensional standards to simplify regulations, and to clarify what standards apply to each sign type.

Attached

Sign regulations typically include separate regulations for signs that are attached to buildings. Currently defined as “building mounted” signs, these can include wall signs, canopy or marquee signs, roof signs, and window signs. To avoid clutter, the sign regulations typically establish a maximum number and area for building signs. In Loudoun County, these can include a fixed number (such as 15 feet for church bulletin boards) or a portion of the building façade (for example, ½ square feet per linear feet of building frontage for flex/industrial/ warehouse/data center buildings and signs for businesses in MR-HI, PD-IP, and PD-GI districts).

Draft Sign Regulations: Section 6.05 of the draft sign regulations establish two tables for building signs – wall and window signs. The regulations could add standards for additional categories such as projecting signs, roof signs, murals, and canopy or marquee signs. Each table includes discrete dimensional standards to simplify regulations, and to clarify what standards apply to each sign type.

Incidental and Temporary

Institutional, commercial and industrial sites typically include a principal sign (such as a large monument sign at the entrance) and a number of smaller, subordinate signs that serve a variety of purposes (such as providing directions, leasing information, temporary sales information, or political speech). These subordinate sign types are referred to as “incidental signs.” The current sign regulations call these signs out in a variety of ways - either by their dimensional characteristics

(such as de minimus signs that are less than one square foot in size), or by their function (such as real estate signs) (see Table 1 on page 5 above). These signs can be building mounted or freestanding. To maintain content neutrality, we recommend setting an overall numerical and area allocation for the signs to provide adequate space for communication while controlling sign clutter, minimizing driver distractions and promoting placemaking.

Temporary signs are a form of incidental sign, but many communities regulate them separately. In other words, the County can regulate temporary and incidental separately, or fold what are currently temporary signs into one "bucket" for both incidental and temporary signs (which is easier because the practice of enforcing time limits can be time-consuming). The advantage of folding temporary signs into the incidental sign category is that it provides a flexible, overall sign allocation for the property owner while avoiding the need to track the number of days a sign is placed. It also avoids having to make content-based distinctions between signs that have clearly defined timing (such as 30 days before a grand opening, or 90 days before and 30 days after an election), and those where the timing is difficult to define (such as a real estate sign, where the time needed depends on how long it takes to sell a property). Some communities want to define temporary signs differently as a way to control sign clutter by having separate allocations for permanent incidental signs and those that remain temporarily.

The sign regulations currently allow an unlimited number of temporary signs up to 32 square feet per sign and eight feet tall. However, these are defined to relate only to special events of no more than 48 hours. This would not include longer events, such as an election, or temporary signs of indefinite duration (such as signs that express an opinion or involve the sale of real estate).

Draft Sign Regulations: Section 6.06 of the draft sign regulations establish four tables for incidental signs – banners, de minimus signs, temporary signs, and a general category for additional incidental signs. Each table includes discrete dimensional standards to simplify regulations, and to clarify what standards apply to each sign type.

Dimensional Standards

The sign regulations control the physical dimensions of signs – i.e., their size, height, number, and setbacks. A sign needs to have adequate area to host the sign's message – i.e. the shapes, logos, symbols, text, and numbers that express the sign's message. And a sign must be viewed by its intended audience to serve a viable purpose. At the same time, oversized signs can overwhelm a building's scale, and excessive numbers of signs can create visual clutter and bury a sign's

message amidst a forest of competing messages. How should the County develop metrics that balance these competing considerations? Some considerations include:

- 1. Vehicle Speeds.** According to the Center for Neighborhood Technology (CNT), Loudoun County households travel 23,129 miles annually by car, while only four percent (3%) of Loudoun County's workers commute by transit (CNT, [Housing and Transportation \(H+T®\) Affordability Index](#)). While Loudoun County is taking concerted action to reduce its reliance on motor vehicles, this remains the principal way that households and workers in the County travel. Therefore, sign messages have more impact if they can be seen by motorists. Empirical studies of signs have attempted to identify minimum sign sizes needed for visibility by motorists, taking into consideration sign size, font, setback, orientation, illumination, and vehicle speeds. As vehicle speeds increase, sign sizes must increase so that the motorist has time to read, absorb and react to the information. Mandelker, Baker, & Crawford, *Street Graphics and the Law: Fourth Edition* (American Planning Association, PAS Report 580, 2015), at 24-45; United States Sign Council (USSC), *Sign Legibility Rules of Thumb* (2006). Few sign regulations directly tie sign size to traffic speed – this depends on complex formulas that relate to all of the factors listed above and can result in signs that are out of scale with their context.
- 2. Pedestrian and Transit Users.** In addition to the relationship of a sign to vehicle speed, the signs can relate to the speed of pedestrians, cyclists, light rail and bus users. The author is not aware of studies that specifically address these additional modes of transportation and the appropriate sign size. This is because pedestrians tend to move at much slower speeds than motorists and have significantly more time to safely read and react to smaller signs. Therefore, sign size is less of a concern for pedestrians than it is for motorists.
- 3. Relationship to Building Size.** Signs can be scaled so that they are compatible with the size of the buildings where they are placed, or nearby buildings.
- 4. Context.** Signs can be scaled to the Comprehensive Plan policy areas and related zoning districts. This can provide for smaller signs that are oriented to pedestrians in higher density areas, and signs that are legible to motorists in automobile-accessible areas.

Considerations include:

- The County could consider tying the sign area allocation to gross lot or parcel size or to frontage, with reasonable time, place and manner restrictions for particular sign structures. This eliminates content-based sign distinctions and enhances flexibility, while avoiding sign clutter. The allocation could capture a size sufficient to include the main sign types on the property, including monument signs and wall signs with an additional allocation for incidental signs.
- Create an allocation specifically for attached signs that embraces all of the attached sign categories, including awnings, canopies, under canopy signs, projecting signs, and window signs. Murals can be subject to the wall sign allocation but limited to side or rear walls.
- Consider tying the sign area allocation for freestanding signs to address vehicle speeds. Vehicle speeds can be addressed either through general increases by traffic corridor, or through a modification or variance procedure where the applicant calculates the appropriate sign size based upon vehicle speed, the sign's distance and orientation from the street, the font type, and items of information. Some communities limit items of information, which would minimize distracting clutter and inherently limit sign size.
- Some sign codes limit the "items of information" that a sign can display. This is a flexible standard to ensure that the sign is quickly readable, which minimizes that time needed for motorists to read and absorb the information (*Street Graphics and the Law* (4th Edition, American Planning Association PAS report 580, August 2015), at 85). The code can also require the applicant to explain steps that were taken to make the sign readable – which depends on a variety of factors such as the sign's size, background, font, and related considerations (A. Weinstein, *A Framework For On-Premise Sign Regulations* (March 2009), at 3). For example, a recent sign code adopted by the Unified Government of Wyandotte County-Kansas City, Kansas provides:

In designing a sign, an applicant for a sign permit shall consider and explain the sign's readability and comprehension in terms of:

- The size of the copy, including the minimum size of the letters based on the distance that the viewer is from the sign.
- The relationship of the copy to the background area – often referred to as the "white space" or "negative space" - of the sign.

- The thickness and spacing of the letters.
- The number items of information that can be comprehended in the short period of time that the viewer (typically the motorist) likely has available. This is particularly relevant to wall signs that need to be seen and comprehended instantaneously.
- Color contrasts between the message and the background.
- Font or letter style.
- Lighting.

Each sign displayed on a premise, or by an occupant of shopping center or multiuse building, may contain up to 10 items of information. For purposes of this section, an "item of information" means a word, logo, abbreviation, symbol, or geometric shape (see Figure 1).



Figure 1 Items of Information

Draft Sign Regulations: For discussion purposes, Sections 6.04 - 6.06 of the draft sign regulations establish sign dimensional standards that attempt to replicate, as much as possible, the sign allowances achievable under the current regulations. The regulations do not tie sign size to traffic speeds or include items of information at this time, which would introduce additional complexity to the regulations. However, we could add these provisions if requested.

Illumination



Figure 2 Types of Sign Illumination

Ordinances restricting lighting levels are becoming increasingly common, with concerns ranging from the effect of lighting levels on the peace and tranquility of residential areas, to environmental concerns such as light pollution, ability to view stars and planets at night, and energy conservation. While the sign code is not a lighting code, the new draft should pay close attention to the illumination of signs. Preventing "light trespass" onto neighboring properties is a priority, as is causing unwanted illumination from signs into adjoining residential properties from commercial properties. Lighting standards can range from detailed "**dark sky**" ordinances that prescribe maximum illumination levels, to simple height and shielding requirements. Some modern lighting ordinances prescribe maximum lighting levels for by type of land use. The International Dark Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA) have published a "Model Lighting Ordinance" that reduces glare, light trespass, and skyglow (see <https://www.ies.org/product/model-lighting-ordinance-mlo-with-users-guide/>). The MLO establishes lighting zones that vary lighting intensity by future land use and establish a rating system for luminaires (i.e., lighting units or fixtures) to effectively control light trespass and glare. In addition, lighting levels should vary by development context. In rural or low-density residential locations, strict illumination levels could apply. In more intense areas, such as the Urban Policy Area districts, higher lighting levels are acceptable. If the County were to adopt a lighting ordinance, signs could simply comply with those standards instead of lighting requirements that are specific to signs.

Digital and Electronic Message Signs



Figure 3 Digital or Electronic Message Signs

Businesses, churches, schools, and other entities have constantly changing messages to communicate to the public. These can include religious events, speakers, gasoline prices, new products and services, and related items. Electronic message signs (EMSs) or Changeable Electronic Variable Message Signs (CEVMS) have grown in popularity because they provide an effective, dynamic displays of information. When are EMSs appropriate? How can they be designed in a way that is not distracting and unsafe for drivers?

In recent years, digital signs have become a trend in the sign industry, as well as a source of zoning controversy. These signs are increasingly popular because "[a]dvances in display technology and decreases in cost have created interest to expand the deployment of high resolution and dynamic imaging," along with the ability to quickly, flexibly, and cost effectively deploy changes in messages (Federal Highway Administration (FHWA), *Research Review of Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction-Final Report* (Sept. 11, 2001)). Some communities regulate or ban these types of signs due to concerns about traffic safety (driver distraction) and concerns about the impact of the signs' brightness on community character. There are conflicting studies relating to the impact of these types of signs on driver safety. [FHWA, CEVMS and Driver Visual Behavior Study - Peer reviewed report \(FHWA-HEP-16-036, September 2012\)](#); Federal Highway Administration, *The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update* (Publication No. FHWA-HRT-09-018, February 2009); for a critique of these studies arguing that electronic variable message signs contribute to driver distraction, see [Wachtel, Compendium of Recent Research Studies on Distraction from Commercial Electronic Variable Message Signs \(CEVMS\) \(Feb. 2018\)](#); [Digital Signs and Billboards: Crafting and Enforcing Local Regulations Evaluating Siting Issues, Environmental Concerns and Revenue Sharing Opportunities](#) (July 23, 2015); Wachtel, A Peer-Reviewed Critique of the Federal Highway Administration (FHWA) Report Titled: "Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS)" (Jan. 2015).

An EMS can reduce the number and size of "static" signs would otherwise used in a given area. In areas with a high-density business concentration, an EMS can take care of the needs of each business involved. In most communities, there are three major areas of concern: 1) regulation of brightness and rate-of-change to prevent the sign from becoming a dangerous distraction and an eyesore; 2) if EMSs are allowed, providing for an EMS shared (in perpetuity) by all businesses in the complex, so that one business does not get to dominate/restrict the others, and each individual business does not get its own EMS, and 3) because the businesses get an EMS, prohibiting them from turning around and also seeking or employing additional "static" signs.

There are seven main issues involved in regulating digital signs (see Baker & Wolpert, "Local Regulation of Dynamic Displays: Bridging Research, Planning Policy, and Law," presented to Planning, Zoning and Eminent Domain for Lawyers, Planners and Public Officials, The Center for American and International Law (November 17-18, 2009):

1. The appropriate **duration** of dynamic messages. The "dwell" or "hold" time keeps a message static, minimizing driver distraction. Standards tend to range from six to ten seconds, although the Virginia outdoor advertising legislation permits a four-second hold time (Code of Virginia § [33.2-1216.2](#)).
2. Whether, and under what conditions, to permit **motion, animation, and video messages**. These are typically prohibited, except in pedestrian oriented or entertainment contexts.
3. The appropriate level of **brightness** of dynamic signs. Brightness can be measures in "nits" (candela per square meter, typically at the light source), or in foot candles (typically measured at a set distance from the light source) (Illuminating Engineering Society of North America, Lighting Handbook (9th ed. 2000)). Nits are a measure of luminance (perceived brightness or lighting intensity), as opposed to illuminance (lighting density, measured in footcandles or lux) (Illinois Coalition for Responsible Outdoor Lighting, " Digital Billboards: New Regulations for New Technology" (May 2010)). The Outdoor Advertising Association of America (OAAA), an industry association, recommends a standard of 0.3 footcandles over ambient light levels, using a footcandle meter from specific distances from posters and bulletins (OAAA Recommended Brightness Guidelines (undated); Lighting Sciences Inc., Report to Outdoor Advertising Association of America on Digital Billboard Recommendations (February 21, 2008). This technique has been criticized by at least one advocacy group because it is less accurate than using a luminance meter, which is more expensive (Illinois Coalition for

Responsible Outdoor Lighting). Brightness levels can also be set by the manufacturer and verified by the applicant. For example, San Antonio provides: "Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed seven thousand (7,000) NITS and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the director."

4. The appropriate **placement and spacing** of signs. Some regulations establish minimum spacing between electronic signs on the same side of a street or highway. Some regulations also establish setbacks from residential districts, such as 100 feet.
5. **Whether to treat on-site and off-site dynamic signs differently.** The County currently bans new off-premise advertising. Some communities allow conversion to EMS's if existing billboards at other locations are removed. Whether the County can treat on- versus off-premise EMSs differently is currently subject to a case pending before the United States Supreme Court.
6. The appropriate **size** of EMSs. Some regulations limit dynamic displays to a percentage of the copy area, typically ranging from thirty to thirty-five percent (30-35%) (Baker & Wolpert, above; Morris, "Looking Ahead: Regulating Digital Signs and Billboards," *Zoning Practice* (April 2008)).
7. The appropriate **text size** for dynamic signs. One example is: "Every line of copy and graphics in a dynamic display must be at least seven inches in height on a road with a speed limit of twenty-five to thirty-four miles per hour, nine inches on a road with a speed limit of thirty-five to forty-four miles per hour, twelve inches on a road with a speed limit of forty-five to fifty-four miles per hour, and fifteen inches on a road with a speed limit of fifty-five miles per hour or more." A digital sign is not allowed if the text would not fit on the display.

Draft Sign Regulations: Sections 6.04 - 6.06 of the draft sign regulations address, for each sign type and zoning district, whether and what types of illumination or other design features are permitted. Section 6.08 consolidates general standards on brightness, along with standards for digital signs. This provides a predictable set of standards and does not rely on the discretionary SIDP process to decide whether and how digital signs are permitted. It also offers a more detailed set of standards for illumination categories than the current regulations.

Permitting, Enforcement and Modifications

The County sign permit process, which involves administrative approval by the Zoning Administrator, is very common and a recommended practice. Sign permits should not involve discretionary approval unless a modification is requested.

It is impossible for any set of sign regulations to capture the right set of standards for every project. Therefore, it makes sense to include reasonable standards for modification. These include traditional zoning variance standards along with the county's SIDP process, which allows modifications for signs based on site context. The SIDP is currently used to allow signage larger than permitted by the underlying regulations, but that make sense for a site based on its context.

Draft Sign Regulations: Section 6.09 consolidates the sign permit and administration procedures. A future draft will provide a specific workflow for both the sign permit and SIDP processes. To the extent possible, the new code attempts to codify recurrent modifications where they make sense for a policy area, while limiting the process to unusual sign types or situations in revising the standards to time more closely to the comprehensive plan. This would also capture large, monument type structures that are treated as signs.

Artwork

There is a common misconception that “art” is not a sign. Because artwork is a form of communication, it is treated as a sign and cannot be targeted for preference in the same way as any other kind of message. However, the County can define physical sign categories that are associated with artwork as a physical form rather than a message type. These include sculptural or three-dimensional signs and murals.

The sign regulations do not currently address sculptural signs or murals. The regulations could include an additional allowance for three-dimensional signs or continue to maintain SIDP review.

Loudoun County's sign regulations make no reference to murals. Murals are typically signs that are painted onto walls and are a common historic sign. Murals may be a helpful tool in efforts to generate interest and support revitalization efforts in parts of Loudoun County, and a separate mural program may be warranted. Murals are essentially painted wall signs. The County can limit them to certain wall planes, and either count them toward the applicable wall sign allowance or establish a separate size or percentage allowance for murals. The County could also establish a mural program that allows for the placement of publicly-owned murals on building walls. The sign regulations can also establish

maintenance requirements to avoid fading, peeling, or the removal of graffiti that is applied without the building owner's permission.

Draft Sign Regulations: to be addressed in future drafts, if requested.

Off-Premise Signs

See Off-Premise Signs and Billboards on page 8, above. As is discussed there, the County does not currently allow off premise signs except in limited situations based on a property's use or message type.

Draft Sign Regulations: pending further discussion, the current draft continues the county's general prohibition of off-premise signs. However, the exceptions are removed. If the general band were removed, the regulations would allow off-premise signs as part of a property's overall sign allowance, because the sign regulations do not regulate sign messages.

6: SIGNS

Contents:

- 6.01 Application of Sign Regulations
- 6.02 General Sign Requirements
- 6.03 Prohibited Signs
- 6.04 Freestanding Signs
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- 6.06 Incidental Signs
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- 6.10 Sign Measurements

6.01 Application of Sign Regulations

[5-1201]

Purpose: *The visual environment has an effect on, and is an important element of, safeguarding life, health, and property, and preserving the natural beauty, historic and cultural attributes, unique character, and attractiveness of communities. Careful control of signs can protect the general welfare, safety of individuals, and property values, support economic vitality and viability, and enhance Loudoun's communities overall. This section, therefore, establishes well-designed signs that contribute in positive ways to Loudoun County's visual environment while expressing local character and helping to develop a distinctive image of the County. The purposes of this Chapter are to:*

- *Establish standards for the physical type, number, physical dimensions, location, design, construction, installation, display, and safety of signs to accomplish the purposes listed below;*
- *Protect the right to freedom of expression;*
- *Ensure the compatibility of signs with land uses;*
- *Promote orderly, attractive, and effective signs;*
- *Treat similar types of signs consistently;*
- *Minimize competing demands for visual attention to graphic messages or displays by preventing and reducing visual clutter to help people find a location without difficulty or confusion;*
- *Allow for identification of addresses, places of business and communities to promote public safety and identification by public safety and emergency personnel, residents, employees, consumers, and visitors to the County;*
- *Ensure that signs are accessory components of an overall composition of architectural elements, and do not become dominant architectural elements by themselves. These standards ensure that signs are subordinate to the [Structures](#) and land use functions on the site;*
- *Determine placement consistent with traffic safety by reducing traffic hazards caused by distractions to motorists and impairment of sight lines;*
- *Protect property values by facilitating the harmony between residential and commercial uses;*

- *Incorporate new technologies for sign design and display where consistent with their context and the County's long-range planning policies;*
- *Complement the character of the comprehensive plan policy areas and zoning districts;*
- *Preserve the residential character of residential neighborhoods;*
- *Reduce administrative burdens;*
- *Avoid the creation of nonconformities;*
- *Facilitate the implementation of the City's Comprehensive Plan planning areas and place types; and*
- *Preserve, protect and promote the public health, safety and general welfare.*

Findings: *The County finds that the type, dimensions, setbacks, and physical design of signs permitted by this Chapter protects its interests in traffic safety, community character, and design, while allowing for adequate visibility, legibility, and pedestrian or motorist recognition and comprehension. The County finds and determines that the standards set out in this Chapter were developed after a public process in which the design and dimensional standards were tested against industry criteria, past experience in administering sign standards, and community input as to the appropriate characteristics of signs in the County's various neighborhoods and business areas.*

- Title.** This Chapter is known and may be cited as the "Loudoun County Sign Regulations" or "Sign Regulations."
- Applicability.** This Chapter regulates the type, dimensions, design, and other characteristics of signs throughout the County. This Chapter applies to any sign within the County's zoning jurisdiction (see Section 1.03).
- Content Neutral.** This Chapter regulates only the sign **Structure** and physical parameters and not the sign's content. Despite any other provision of this Chapter, no sign is subject to any limitation based on the content of its message. Any sign authorized in this Chapter may contain any noncommercial copy in lieu of any other copy.
- Allocation Standards.** This Chapter allocates signs by number and area to lots and structures. This system provides flexibility for persons and entities who display signs, avoids sign distinctions that depend on a sign's message, and minimizes potential traffic hazards and clutter. Because this Chapter does not regulate sign content, applicants and property owners may allocate signs by message type (for example, onsite advertising, directional, and opinion messages) in any manner within the sign quantity and area limits established in this Chapter.
 - Sections 6.04 through 6.06 establish standards and overall allowances for signs by number and area for 3 major sign categories:
 - Freestanding signs (Section 6.04);
 - Attached signs (Section 6.05); and
 - Incidental signs (Section 6.06).
 - Sections 6.04 through 6.06 include tables that establish the standards for individual sign types, including:
 - Whether the sign type is permitted in the designated zoning districts (see subsection E, below).
 - Whether a sign permit is required.
 - The maximum permitted number of signs of the designated category on the property, which may be based on factors such as:
 - Number per street frontage;
 - Number per occupant (such as a business, institution, or other entity occupying a multitenant building) that has its own ground floor entryway or storefront;
 - Number entry (for example, per single-tenant building or multi-tenant building with a single entry); or

4. The total number of that sign type on a single lot or parcel.
 - d. Maximum sign dimensions, which may include:
 1. Sign area;
 2. Height;
 3. Location;
 4. Property line setback; or
 5. Spacing in relation to other signs.
 - e. Design characteristics, including whether the following design features are allowed or required:
 1. Digital;
 2. Illumination, internal;
 3. Illumination, external;
 4. Illumination, halo lit;
 5. Channel letters;
 6. Changeable copy; or
 7. Animation.
- E. **Categories.** Sections 6.04 through 6.06 regulate sign characteristics by common zoning districts. The County regulates use, setbacks, building dimensions, and site and building design by zoning districts, which implement the policy areas and place types established by the Comprehensive Plan. The zoning districts have common characteristics and are collapsed into common categories for purposes of applying this Chapter's sign regulations. These zoning districts are categorized for purposes of this Chapter as follows:
 1. **Urban/Mixed Use:** Urban Transit Center (UT), Urban Mixed Use (UM), Suburban Mixed Use (SM), Transition Community Center (TCC), and Planned Development-Rural Village (PD-RV).
 2. **Neighborhood:** Suburban Neighborhood (SN), Suburban Compact Neighborhood (SCN), Transition Large Lot Neighborhood (TLN-1), Transition Large Lot Neighborhood (TLN-3), Transition Large Lot Neighborhood (TLN-10), Transition Small Lot Neighborhood (TSN), Transition Compact Neighborhood (TCN), Village Residential (VR), Village Agricultural/Residential (VAR), Joint Land Management Area Neighborhood (JLMA-1), Joint Land Management Area Neighborhood (JLMA-2), Joint Land Management Area Neighborhood (JLMA-3), Joint Land Management Area-Leesburg Residential Neighborhood (JLMA-LN), Joint Land Management Area-20 (JLMA-20), Single-Family Residential (R-1), Single-Family Residential (R-2), Single-Family Residential (R-3), Transitional Residential-2 (TR-2), and Agricultural/Residential-3 (A-3).
 3. **Commercial:** Suburban Commercial (SC), Rural Commercial (RC), and Village Commercial (VC).
 4. **Employment/Industrial:** Urban Employment (UE), Suburban Employment (SE), Suburban Industrial (SI), Suburban Mineral Extraction (SME), Transition Light Industrial (TLI), Transition Industrial (TI), Transition Mineral Extraction (TME), Joint Land Management Area – Leesburg Employment (JLMA-LE), and Joint Land Management Area – Leesburg Industrial/Mineral Extraction (JLMA-LME).
 5. **Rural:** Agricultural Rural North (ARN), Agricultural Rural South (ARS), and Agricultural-10 (A-10).

6.02 General Sign Requirements

- A. **Signs Permitted.** Only signs listed in Sections 6.04, 6.05, 6.06, and 6.07 are permitted. Those signs are subject to any regulations specifically set forth for each category and to all other regulations in this Chapter. No other signs are permitted.

- B. **Sign Requirements.** Signs are permitted in accordance with Sections 6.04, 6.05, 6.06, and 6.07. Those sections regulate the following: 1) total aggregate sign area; 2) maximum number of signs; 3) maximum area of any one sign (with special provisions for ground mounted signs and ground mounted background structures); 4) illumination permitted; 5) minimum setback from road right-of-way; 6) maximum height; 7) sign type permitted; and 8) other additional requirements.
- C. **Signs in PD Districts.** Signs in a Planned Development District (PD) are subject to the approved PD Master Plan or any applicable amendments.
- D. **Safety.** Signs must be properly secured and not impede visibility at intersections pursuant to 5.11.
- E. **Nonconforming Signs and Removal.** Any sign lawfully in existence at the time of the effective date of this ordinance may be maintained although it does not conform with the provisions of this ordinance, except that any such nonconforming sign, which was required to be removed under the prior ordinance, must be removed. See chapter 9 for additional requirements and allowances for nonconformities.

[1204(A)-D(D); 1202(B), (C)]

6.03 Prohibited Signs

Signs with any of the following characteristics are prohibited:

- A. **Signs Not Enumerated.** Any sign not specifically permitted by this Chapter.
- B. **Off-Premise Signs.** Other than those on property or structure to which it directs attention. Is located anywhere other than on the property or structure to which it directs attention or to which it is appurtenant, except (a) any sign erected or maintained by or under the supervision of county or other governmental authority or the Virginia Department of Transportation, and (b) any other off-site sign that is specifically provided for in this Chapter.
- C. **Neon/Lighted Outlines.** Outlines any building or sign with exposed neon illumination or other permanent lights. Outlines any building, sign, or part thereof with exposed neon illumination or other permanent lights, except as specifically permitted with the approval of a Sign Development Plan.
- D. **Snipe Signs.** Signs fastened, placed, painted, pasted, or attached in any way to, in, or upon any tree, fence, public utility pole, rock, curbstone, sidewalk, lamp post, hydrant, bridge, highway marker, publicly owned art within the public right-of-way, or another sign, except as required by law.
- E. **Glare.** Illuminated signs that reflect or cast glare, directly or indirectly, on any public roadway or adjacent property.
- F. **Attention-Getting Devices.** Balloons, banners, pennants, or inflated devices, unless otherwise permitted by this Chapter.
- G. **Traffic Hazards.** No sign may be located or illuminated, or mimic traffic control signs, if the Zoning Administrator finds that the location, lighting, or design would cause a traffic hazard.

[5-1202(A), (D)]

6.04 Freestanding Signs

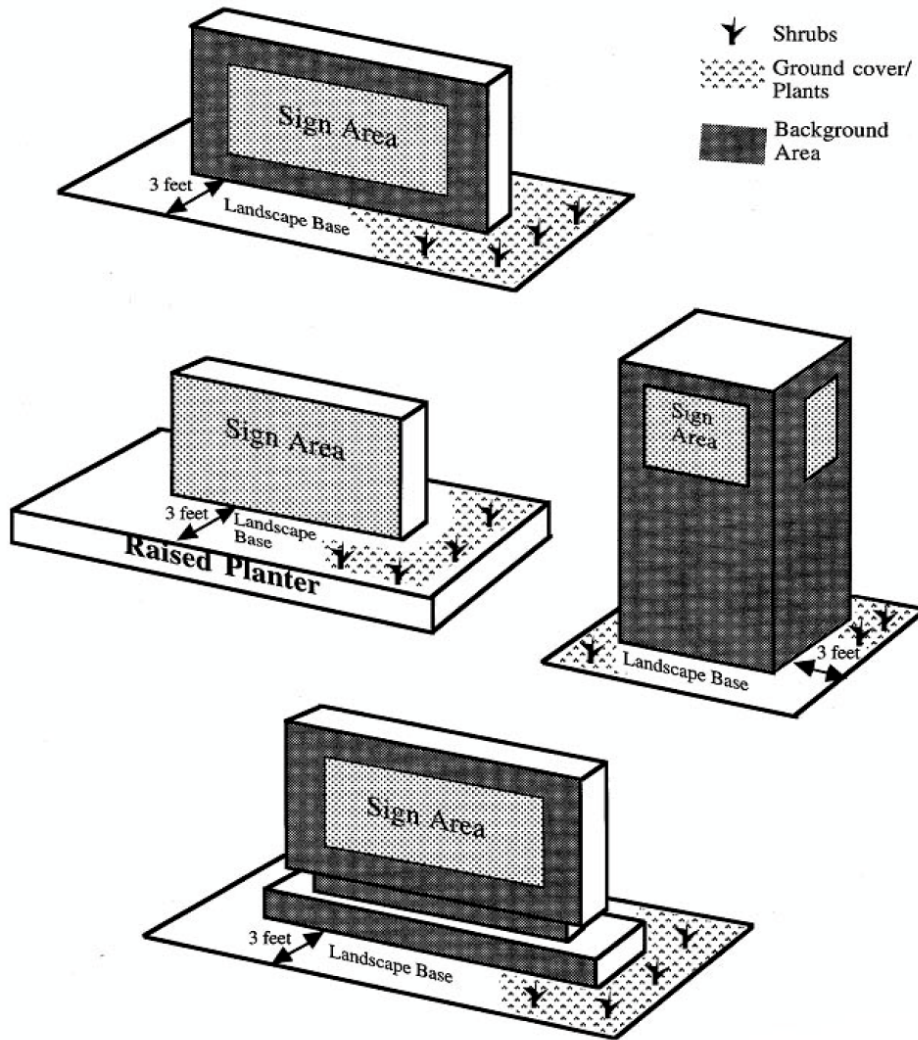
- A. **Applicability.** This section applies to freestanding signs, which include the following sign types:
 - 1. Ground signs. Pylon signs are subject to the same standards as ground signs.
 - 2. Pole signs.
 - 3. Sidewalk signs.
- B. **Ground Signs.**
 - 1. Ground signs must comply with Table 6.04-1 below.

- Ground signs must include a landscaped base with a minimum depth of 3 feet on all sides (see Figure 1). The applicant must maintain the landscaped base.

Table 6.04-1 Ground Signs

Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	NR	Y	Y	Y
2	Permit required?	Y	Y	Y	Y	Y
3	Number allowed (all ground and pole signs)	Lot < 5 acres: 1 Lot > 5 acres: 2	2	4	3	2
Dimensions						
4	Cumulative area (max-all ground and pole signs)	Lot > 5 acres: 60 sf	20 sf	120 sf	100 sf	120 sf
5	Individual sign area (max)	Lot < 5 acres: 30 sf Lot > 5 acres: 45 sf	15 sf	45 sf	60 sf	45 sf
6	Height (ft, max)	5'	8'	15'	8'	15'
Location						
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
9	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	40%	40%	40%
10	Backlight	Y	Y	Y	Y	Y
11	Illumination, External	Y	Y	Y	Y	Y
12	Illumination, Halo Lit	N	N	N	N	N
13	Channel Letters	Y	Y	Y	Y	Y
14	Animated	N	N	N	N	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.						

Figure 6.04-1



C. **Pole Signs.** Pole signs must comply with Table 6.04-2 below.

Table 6.04-2 Pole Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	NR	Y	Y	Y
2	Permit required?	Y	Y	Y	Y	Y
3	Number allowed (<i>all ground and pole signs</i>)	Lot < 5 acres: 1 Lot > 5 acres: 2	2	4	3	2
Dimensions						
4	Cumulative area (<i>max-all ground and pole signs</i>)	Lot > 5 acres: 60 sf	20 sf	120 sf	100 sf	120 sf
5	Individual sign area (<i>max</i>)	Lot < 5 acres: 30 sf Lot > 5 acres: 45 sf	10 sf	20 sf	30 sf	20 sf

Table 6.04-2 Pole Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
6	Height (ft, max)	5'	5'	15'	8'	15'
Location						
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
9	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	N	N	
10	Backlight	Y	Y	Y	Y	Y
11	Illumination, External	Y	Y	Y	Y	Y
12	Illumination, Halo Lit	N	N	N	N	N
13	Channel Letters	Y	Y	Y	Y	Y
14	Animated	N	N	N	N	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; “—” the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.						

- E. **Sidewalk Signs.** Sidewalk signs must comply with Table 6.04-3. In addition, sidewalk signs must be located on the sidewalk in front of and within 20 linear feet of a building entrance for the tenant space. The sidewalk sign's placement must leave at least a 4-foot-wide unobstructed space for pedestrians on the sidewalk in front of the tenant space.

Table 6.04-3 Sidewalk Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	N	N	Y	Y	Y
2	Permit required?	--	--	Y	Y	Y
3	Number allowed	--	--	1 per building entry	1 per building entry	1 per building entry
Dimensions						
4	Cumulative area (max-all ground signs)	--	--	--	--	--
5	Individual sign area (max)	--	--	6 sf	6 sf	6 sf
6	Height (ft, max)	--	--	3'	3'	3'
Location						
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	--	--	N	N	N
8	Backlight	--	--	N	N	N
9	Illumination, External	--	--	N	N	N

Table 6.04-3 Sidewalk Signs

Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
10	Illumination, Halo Lit	--	--	N	N	N
11	Channel Letters	--	--	N	N	N
12	Animated	--	--	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf = s square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.05 Attached Signs

- A. **Applicability.** This section applies to attached signs, which include the following sign types:
1. Wall signs.
 2. Window signs.
- B. **Wall Signs.** Wall signs must comply with Table 6.05-1 below.

Table 6.05-1 Wall Signs

Standard / Requirement		Zoning District Categories					
		Rural	Residential		Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	Y	NR	Y	Y	Y
2	Permit required?	Y	N	Y	Y	Y	Y
3	Number allowed	Per building: Lot < 5 acres: 1 Lot > 5 acres: 3	2 per building	2 per building	4 per building + 1 per building entry	4 per building	4 + 1 per building entry
Dimensions							
4	Cumulative area (all building signs, per building)	Lot > 5 acres: 60 sf	4 sf	20 sf	20% per building facade	20% per building facade	20% per building facade
5	Individual sign area (max)	Lot < 5 acres: 10 sf Lot > 5 acres: 20 sf	4 sf	10 sf	1% of building facade, up to 200 sf	0.5% of building facade, up to 100 sf	1% of building facade, up to 200 sf
6	Height (ft, max)	No part of a building sign may? will? must? extend above or beyond the perimeter of the wall to which it is attached.					
Location							
7	ROW Setback (ft, min)						
8	Spacing from other signs (ft, min)						
Design							
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	N	40%	40%	40%
8	Backlight	N	N	Y	Y	Y	Y
9	Illumination, External	Y	N	Y	Y	Y	Y
10	Illumination, Halo Lit	Y	N	N	Y	Y	Y
11	Channel Letters	N	Y	Y	Y	Y	Y

Table 6.05-1 Wall Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
12	Animated	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.

C. **Window Signs.** Window signs must comply with Table 6.05-3.

Table 6.05-3 Window Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	Y	Y	Y	Y
2	Permit required?	N	N	Y	Y	Y
3	Number allowed	3	3	4 per building facade or tenant space*	4 per building facade or tenant space*	4 per building facade or tenant space*
Dimensions						
4	Cumulative area (max-all ground signs)	--	--	Lesser of 25% of the total square footage of window area of 10 sf		
5	Individual sign area (max)	1.5 sf	1.5	--	--	--
6	Height (ft, max)	--	--	--	--	--
Location						
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	N	N	40%
8	Backlight	N	N	Y	N	Y
9	Illumination, External	N	N	Y	N	Y
10	Illumination, Halo Lit	N	N	Y	N	Y
11	Channel Letters	N	N	Y	Y	Y
12	Animated	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01. "Tenant space" means a building space occupied by a tenant or owner, and that has a ground floor public entrance abutting a sidewalk.

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.06 Incidental Signs

A. **Applicability.** This section applies to incidental signs, which include the following sign types:

1. Banners.
2. De Minimus Signs.

3. Temporary signs.
4. Incidental signs, generally.

B. **Banners.** Banners must comply with Table 6.06-1 below.

Table 6.06-1 Banners	
Standard / Requirement	Commercial, Employment / Industrial, and Urban / Mixed Use Zoning District Categories
1 Allowed?	Y
2 Permit required?	Y
3 Number allowed	1 per lamp post
Dimensions	
4 Cumulative area (<i>max-all banner signs on property</i>)	--
5 Individual sign area (<i>max</i>)	8 sf
6 Height (<i>ft, max</i>)	No point of the banner shall extend higher than 15 feet above grade.
Location	
7 ROW Setback (<i>ft, min</i>)	
8 Spacing from other signs (<i>ft, min</i>)	
Design	
9 Backlight	N
10 Illumination, External	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf =s square feet; ' = feet. For zoning district categories, see Section 6.01.

C. **De Minimus Signs.** De minimus signs shall comply with Table 6.06-2 below.

Table 6.06-2 De Minimus Signs	
Standard / Requirement	Any Zoning District Categories
1 Allowed?	Y
2 Permit required?	N
3 Number allowed	--
Dimensions	
4 Cumulative area (<i>max-all de minimus signs on property</i>)	2 sf
5 Individual sign area (<i>max</i>)	1 sf
6 Height (<i>ft, max</i>)	--
Location	
7 ROW Setback (<i>ft, min</i>)	--
8 Spacing from other signs (<i>ft, min</i>)	--
Design	
7 Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	Y
8 Backlight	Y
9 Illumination, External	Y
10 Illumination, Halo Lit	Y
11 Channel Letters	Y
12 Animated	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf =s square feet; ' = feet. For zoning district categories, see Section 6.01.

- D. **Temporary Signs.** Temporary signs shall comply with Table 6.06-3 below. Sign permits for temporary signs are limited to 120 days within a twelve (12) month period. The sign permit will include the dates of sign display, which do not have to be consecutive. Signs shall be removed prior to permit expiration.

Table 6.06-3 Temporary Signs	
Standard / Requirement	Any Zoning District Categories
1 Allowed?	Y
2 Permit required?	Y
3 Number allowed	--
Dimensions	
4 Cumulative area (<i>max-all temporary signs</i>)	--
5 Individual sign area (<i>max</i>)	32 sf
6 Height (<i>ft, max</i>)	8 sf
Location	
7 ROW Setback (<i>ft, min</i>)	5 feet
8 Spacing from other signs (<i>ft, min</i>)	20 feet
Design	
7 Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	N
8 Backlight	N
9 Illumination, External	N
10 Illumination, Halo Lit	N
11 Channel Letters	N
12 Animated	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.	

- E. **Incidental Signs, Generally.** Incidental signs shall comply with Table 6.06-4 below. This subsection applies to incidental signs generally. The number and area of incidental signs described below is net of any temporary signs on the property. *For example, if a residential lot has 4 temporary signs that are 2 square feet each (8 square feet cumulative), then 2 additional incidental signs are allowed up to ____ square feet cumulative.* Incidental signs may be freestanding or attached, subject to any restrictions established by Table 6.04-4.

Table 6.06-4 Incidental Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment/ Industrial	Urban/ Mixed Use
1 Allowed?		Y	N	Y	Y	Y
2 Permit required?		N	--	Y	Y	Y
3 Number allowed		6 (2 ≤ attached)	--	1 per building entry	1 per building entry	1 per building entry
Dimensions						
4 Cumulative area (<i>max-all ground signs</i>)		32 sf	32 sf	32 sf	32 sf	32 sf
5 Individual sign area (<i>max - attached only</i>)		2 sf	2 sf	2 sf	2 sf	2 sf
6		5'	5'	6'	6'	6'
Location						

Table 6.06-4 Incidental Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment/ Industrial	Urban/ Mixed Use
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	40%	N	40%
8	Backlight	N	N	Y	N	Y
9	Illumination, External	N	N	Y	N	Y
10	Illumination, Halo Lit	N	N	N	N	N
11	Channel Letters	Y	Y	Y	Y	Y
12	Animated	N	N	N	N	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.						

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.07 Historic Signs

- A. **Applicability.** A property owner may apply to designate a sign as an Historic Landmark in the National Register of Historic Places, the Virginia Landmark Register, the County Heritage Register.
- B. **Designation.** Landmark designation for any sign must occur as provided in Section 4.07.
- C. **Effect of Designation.** A sign designated as a landmark:
 1. Must comply with all applicable requirements of Section 4.07 and any criteria adopted by the designating agency, and
 2. May exceed the area or height established by this Chapter, may include any design features otherwise prohibited by this Chapter and consistent with the landmark designation, and is considered a conforming sign.
- D. **Alteration or Destruction.** If the sign is altered or destroyed, it loses its historic designation. However, the sign may be rebuilt at the same location and up to the area and height of the original sign, and must replicate the design characteristics of the original sign in terms of color, materials, mounting, and similar features. Subject to the prior approval of the designating agency, alternate comparable materials may be substituted in the reconstruction of the sign if the original materials:
 1. Are no longer available, or
 2. Are so cost prohibitive their use in reconstruction of the sign is infeasible.

6.08 Illuminated and Digital Signs

- A. **Applicability.** This section applies to any illuminated sign. Types of illumination include: digital, backlight, external illumination, and halo lit.
- B. **Brightness.**

1. The intensity of the light source for an illuminated sign must not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.
 2. Illuminated signs must not operate at brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot candle (Lux) meter, measured at the property line.
- C. **Digital Signs.** Digital signs must comply with the following standards:
1. Where Permitted. See Sections 6.04, 6.05 and 6.06.
 2. Hold Time. Each message on the sign must be displayed for at least 4 seconds duration.
 3. Message Transition. Digital signs must contain static messages changed only through dissolve or fade transitions, and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. A static message must not include any flashing or the varying of light intensity, and the message shall not scroll. The change of message using dissolve or fade transition shall not exceed 1 second of time between each message displayed on the sign.
 4. Light Sensing Device. Each digital sign must have a light sensing device that will adjust the brightness as ambient light conditions change.
 5. Automatic Shutoff. A digital sign must:
 - a. Have automatic dimmer software or solar sensors to control brightness for nighttime viewing and variations in daytime ambient light.
 - b. Include systems and monitoring to either turn the display off, show "full black" on the display, or include a default mechanism that freezes the sign in one position if a malfunction occurs;
 - c. Be designed so that a catastrophic power surge will cause the sign to go dark or to deploy the maximum brightness limitations; and
 - d. Automatically adjust the intensity of its display according to natural ambient light conditions.
 6. Owner Responsibilities. The sign owner must provide the Zoning Administrator the phone number and email address of the property owner and a person who is available to be contacted at any time and who is able to turn off the electronic sign promptly after a malfunction occurs.
 7. Maintenance. The light modules on digital signs must be repaired or replaced within 30 days after they become broken, burned-out, or substantially dimmed.

6.09 Sign Permits and Administration

A. Sign Permits.

1. Applicability. If section 6.04, 6.05, or 6.06 requires a sign permit, the sign must not be erected without obtaining a sign permit from the Zoning Administrator.
2. The Zoning Administrator will not issue a sign permit unless a fee, if required, and as set by the Board of Supervisors, is paid and the proposed sign conforms to the requirements of this Chapter.

B. Removal of Signs.

1. If a sign becomes structurally unsafe or endangers the safety of a structure or premise or the public, or is erected or maintained in violation of this ordinance, the Zoning Administrator will order that sign to be made safe or comply with this Chapter, as the case may be, or be removed.
2. The Zoning Administrator will send the order by registered mail, return receipt requested, to the owner of the land on which the sign is located and the violator who is responsible for the sign.

3. Within 5 working days of the receipt or refusal of the order, the owner or violator must correct the sign based on the Zoning Administrator's order.
4. The Zoning Administrator may grant 1 extension, not to exceed 10 working days, based on written justification for the need of an extension.
5. Failure to comply with the order is grounds for the Zoning Administrator to issue a civil summons pursuant to Section 6-504 and to take other appropriate actions to have the sign removed.

C. Sign Development Plan (SIDP).

1. Applicability. An applicant may request a Sign Development Plan for:
 - a. Signs that have an unusual design or artistic features that require an alternative to the dimensional or design regulations of this Chapter, or
 - b. Revisions to Comprehensive Sign Packages approved as a condition of rezoning.
2. Process. Alternative sign regulations for permitted signs may be requested with the submission of a Sign Development Plan. Requests for approval of Sign Development Plans or revisions to approved Sign Development Plans (or Comprehensive Sign Packages) must be made in accordance with the procedures for a Special Exception application as set forth in Section 7.09, except that the Issues for Consideration are as set forth in Section 5-1202(E)(1).
3. Submittal. An application for a Sign Development Plan must include the following materials:
 - a. A statement of justification, addressing whether and how each sign proposed by the Sign Development Plan would comply with subsection 4 below.
 - b. A comparison chart of the proposed sign regulations in relation to the ordinance regulations, using the table format specified under the applicable sign requirements.
 - c. Each of the various sign types proposed, including the design, materials, colors, and illumination, to be used to achieve a complementary system of signs and graphics;
 - d. A sign map, depicting the location of each of the various proposed sign types; and
 - e. The boundaries of any zoning districts and property lines on and adjacent to the subject property.
4. Standards. A Sign Development Plan shall demonstrate compliance with each of the following standards:
 - a. The plan must be consistent with the Comprehensive Plan;
 - b. The plan must avoid traffic safety hazards, by minimizing unnecessary distractions for motorists, bicyclists and/or pedestrians;
 - c. The plan must demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign;
 - d. The plan must address impacts to the night sky;
 - e. The signs subject to the plan must incorporate energy efficient measures, where possible; and
 - f. The signs must avoid creating competing demands for visual attention.
5. Minor Revisions. An applicant with an approved Sign Development Plan may request minor revisions to approved Sign Development Plans (or Comprehensive Sign Packages) as follows:
 - a. Applicability: A minor revision is limited to:
 1. The addition of a sign category not addressed in the approved Sign Development Plan, or
 2. Revision to a sign category that was addressed in the approved Sign Development Plan.
 - b. Such minor revisions are reviewed for consistency with the approved Sign Development Plan.
 - c. Requests for approval of minor revisions must be made in accordance with the procedures for a Minor Special Exception application as set forth in Section 7.08, except that the Issues for Consideration are as set forth in subsection 4 above.

[1203, 1202(E)]

6.10 Sign Measurements

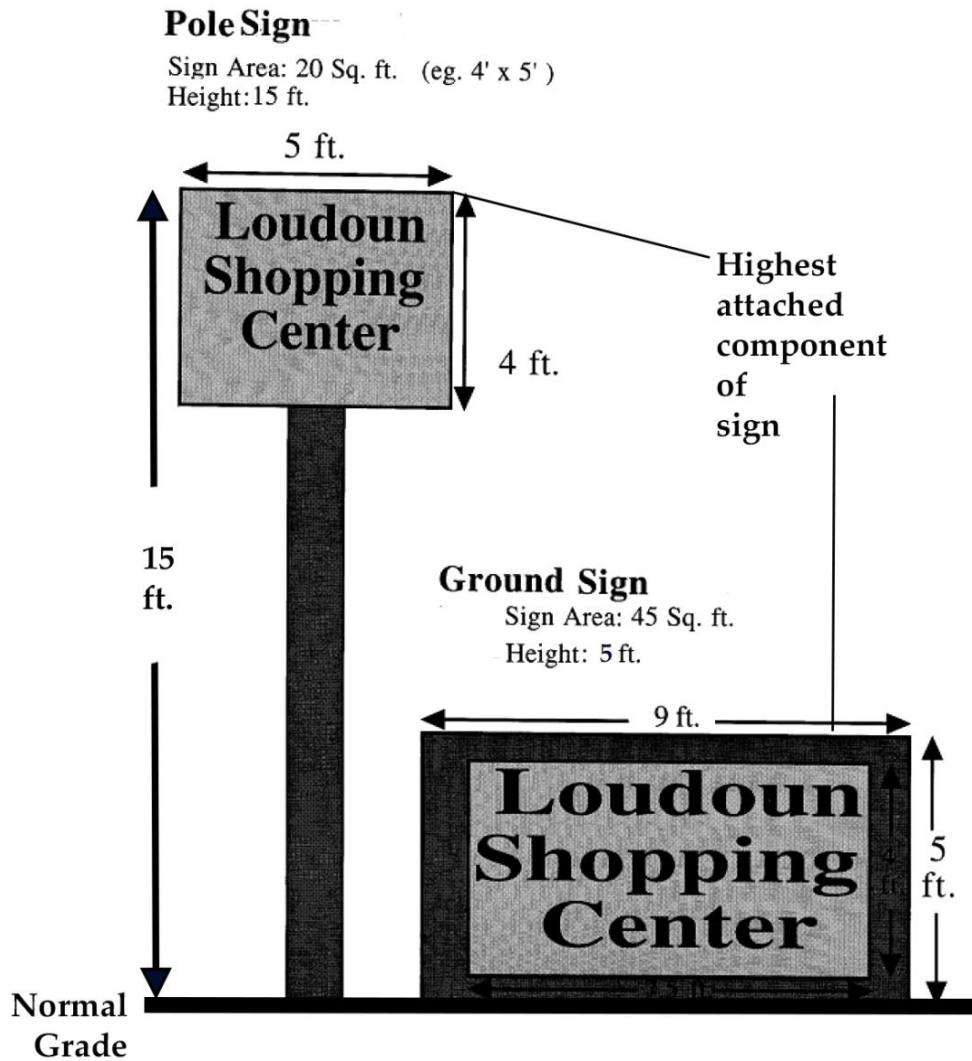
A. Generally.

1. The area within a continuous perimeter enclosing the limits of a sign.
2. The sign area includes any frame or other material or color that forms an integral part of the display or is used to differentiate the sign from the background against which it is placed, but excluding the structural supports or uprights on which the sign is placed.

B. Freestanding Signs.

1. *Area.* The area of a freestanding sign is determined by:
 - a. A rectangle enclosing the sign face, including background elements but not including any poles supporting the sign, for a pole sign.
 - b. A rectangle enclosing the area of the sign face and structure for a ground sign, and
 - c. The sign area includes both the sign face and the background structure.
 - d. Where lettering appears back to back (i.e., on opposite sides of a sign), only one display face is counted in the sign area.
2. *Height.* The height of a sign must be computed as the linear measurement from the base of the sign at normal grade to the top of the highest attached component of the sign. If the land is uneven at the base of the sign, the elevation at the halfway point (middle) of the sign at the base shall be used. Normal grade shall be construed to be the lower of (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating for the purpose of locating the sign.

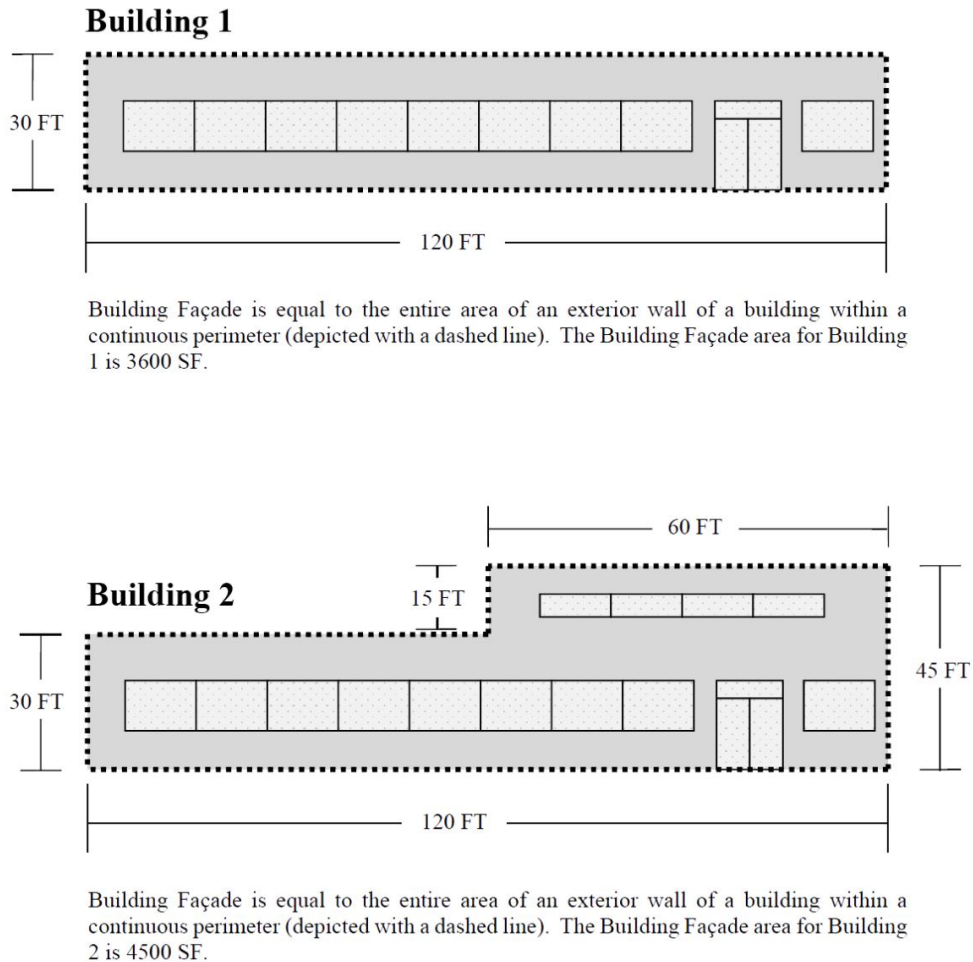
Figure 6.10-1 Freestanding Sign Measurements



C. Attached Signs.

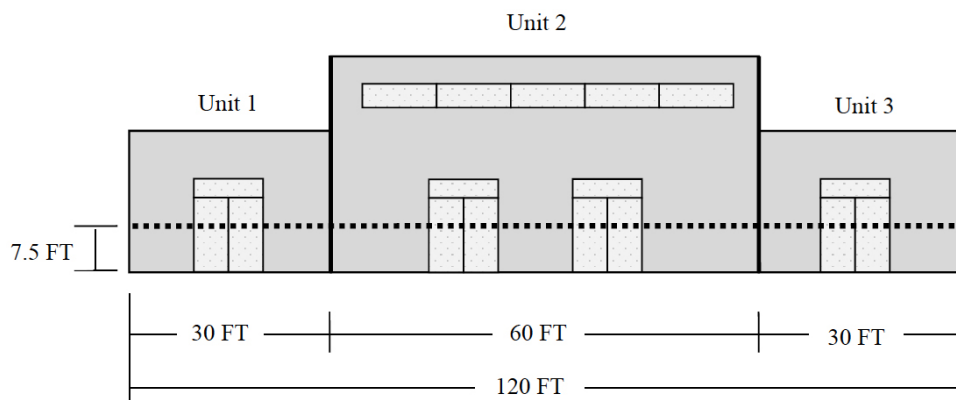
1. The building façade area is equal to the entire area of an exterior wall of a building within a continuous perimeter (depicted with a dashed line).

Figure 6.10-2 Building Façade Measurements



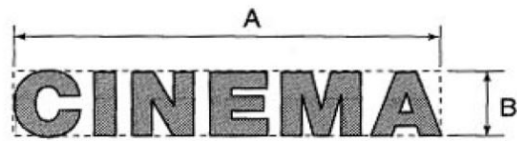
2. Linear Foot (LF) is equal to the length of a wall of a building that physically encloses usable interior space. LF is measured at a height not greater than ten feet above grade. In this example, the Linear Foot (LF) of Units 1 and 3 is 30 feet, the Linear Foot (LF) of Unit 2 is 60 feet, and all lengths have been measured at 7.5 feet above grade (depicted with a dashed line).

Figure 6.10-3 Linear Foot Measurements



- D. **Irregular Shaped Signs.** The area of an irregular shaped sign is determined by the "rule of 8." Meaning the area of the sign is determined by the area of the shape created by outlining the sign with a maximum of 8 connecting lines. The area is the area of two rectangles formed by 8 connecting lines.

Figure 6.10-4 Irregular Shaped Sign Measurements



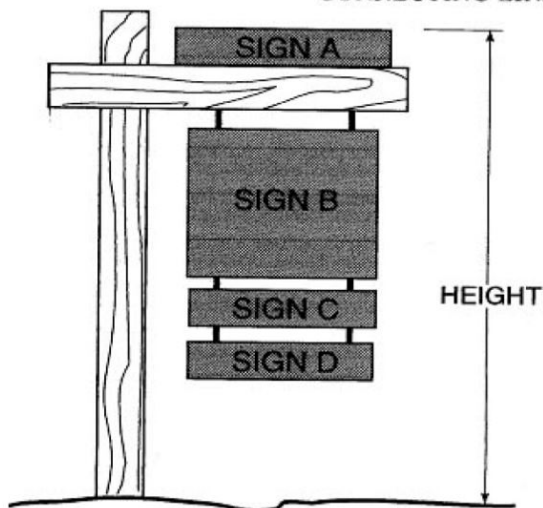
SIGN OF INDIVIDUAL LETTERS

AREA = A X B



IRREGULAR SHAPED SIGN

AREA DETERMINED BY "THE RULE OF 8,"
MEANING THE AREA OF THE SIGN IS DETERMINED
BY THE AREA OF THE SHAPE CREATED BY OUTLINING
THE SIGN WITH A MAXIMUM OF *8 CONNECTING LINES.
AREA = AREA OF TWO RECTANGLES FORMED BY 8
CONNECTING LINES



**REAL ESTATE
FOR SALE SIGN**

AREA = AREA OF SIGN A +
AREA OF SIGN B +
AREA OF SIGN C +
AREA OF SIGN D

[1204, Figures 1-6]

6: SIGNS

Contents:

- 6.01 Application of Sign Regulations
- 6.02 General Sign Requirements
- 6.03 Prohibited Signs
- 6.04 Freestanding Signs
- 6.05 Attached Signs
- 6.06 Incidental Signs
- 6.07 Historic Signs
- 6.08 Illuminated and Digital Signs
- 6.09 Sign Permits and Administration
- 6.10 Sign Measurements

6.01 Application of Sign Regulations

[5-1201]

Purpose: The visual environment has an effect on, and is an important element of, safeguarding life, health, and property, and preserving the natural beauty, historic and cultural attributes, unique character, and attractiveness of communities. Careful control of signs can protect the general welfare, safety of individuals, and property values, support economic vitality and viability, and enhance Loudoun's communities overall. ~~The intent of this section, therefore, is to establish well-designed signage that contributes in positive ways to Loudoun County's visual environment while expressing local character and helping to develop a distinctive image of the County. The primary purposes of sign regulations are this Chapter are:~~

- ~~This Section to~~ establishes standards for the physical type, number, physical dimensions, location, design, construction, installation, display, and safety of signs to accomplish the purposes listed below, and:
- ~~More specifically, while not to protect the right to restricting freedom of expression under federal and Virginia law, and regulations are hereby established to:~~
- to ensure the compatibility of signs with land uses, and
- to promote orderly, attractive, and effective signage, and
- ~~(3) Establish the type, number, physical dimensions, design, and location of signs, (4)~~ to treat similar types of signs consistently, and
- to minimize competing demands for visual attention to graphic messages or displays by preventing and reducing visual clutter to help people find a location without difficulty or confusion, and
- to allow for clearly identification of addresses, places of business and communities to promote public safety and identification by public safety and emergency personnel, residents, employees, consumers, and visitors to the County, and
- to ensure that signs shall be considered accessory components of an overall composition of architectural elements, and do not become dominant architectural elements by themselves. These standards ensure that signs shall be subordinate to the Structures and land use functions that they reference on the site.

- to determine placement consistent with traffic safety by reducing traffic hazards caused by distractions to motorists and impairment of sight lines, and
- to protect property values by facilitating the harmony between residential and commercial uses, and
- to incorporate new technologies for sign design and display where consistent with their context and the County's long-range planning policies, and
- to complement the character of the comprehensive plan policy areas and zoning districts,
- to preserve the residential character of residential neighborhoods, and
- to reduce administrative burdens, and
- to avoid the creation of nonconformities,
- to facilitate the implementation of the City's Comprehensive Plan planning areas and place types, and
- to preserve, protect and promote the public health, safety and general welfare.

Findings: The County finds that the type, dimensions, setbacks, and physical design of signs permitted by this Chapter protects its interests in traffic safety, community character, and design, while allowing for adequate visibility, legibility, and pedestrian or motorist recognition and comprehension. The County finds and determines that the standards set out in this Chapter were developed after a public process in which the design and dimensional standards were tested against industry criteria, past experience in administering sign standards, and community input as to the appropriate characteristics of signs in the County's various neighborhoods and business areas.

- Title.** This Chapter is known and may be cited as the "Loudoun County Sign Regulations" or "Sign Regulations."
- Applicability.** This Chapter regulates the type, dimensions, design and other characteristics of signs throughout the County. This Chapter applies to any sign within the County's zoning jurisdiction (see Section 1.03).
- Content Neutral.** This Chapter regulates only the sign Structure and physical parameters, and not the sign's content. Despite any other provision of this Chapter, no sign is subject to any limitation based on the content of its message. Any sign authorized in this Chapter may contain any non-commercial copy in lieu of any other copy.
- Allocation Standards.** This Chapter allocates signs by number and area to lots and structures. This system provides flexibility for persons and businesses/entities who display signs, avoids sign distinctions that depend on a sign's message, and minimizes potential traffic hazards and clutter. Because this Chapter does not regulate sign content, applicants and property owners may allocate signs by message type (for example, onsite advertising, directional, and opinion messages) in any manner within the sign quantity and area limits established in this Chapter.
 - Sections 6.04 through 6.06 establish standards and overall allowances for signs by number and area for three (3) major sign categories:
 - Freestanding signs (Section 6.04),
 - Attached signs (Section 6.05), and
 - Incidental signs (Section 6.06).
 - Sections 6.04 through 6.06 include tables that establish the standards for individual sign types, including:
 - Whether the sign type is permitted in the designated zoning districts (see subsection E, below).
 - Whether a sign permit is required.
 - The maximum permitted number of signs of the designated category on the property, which may be based on factors such as:
 - Number per street frontage, or

2. Number per occupant (such as a business, or institution or other entity occupying a multi-tenant building) which has its own ground floor entryway or storefront, or
 3. Number entry (for example, per single-tenant building or multi-tenant building with a single entry), or
 4. The total number of that sign type on a single lot or parcel.
 - d. Maximum sign dimensions, which may include:
 1. Sign area,
 2. Height,
 3. Location,
 4. Property line setback, or
 5. Spacing in relation to other signs.
 - e. Design characteristics, including whether the following design features are allowed or required:
 1. Digital,
 2. Illumination, internal,
 3. Illumination, external,
 4. Illumination, halo lit,
 5. Channel letters,
 6. Changeable copy, or
 7. Animation.
- E. **Categories.** Sections 6.04 through 6.06 regulate sign characteristics by common zoning districts. The County regulates use, setbacks, building dimensions, and site and building design by zoning districts, which implement the policy areas and place types established by the Comprehensive Plan. The zoning districts have common characteristics, and are collapsed into common categories for purposes of applying this Chapter's sign regulations. These zoning districts are categorized for purposes of this Chapter as follows:
1. **Urban / Mixed Use:** Urban Transit Center (UT), Urban Mixed Use (UM), Suburban Mixed Use (SM), Transition Community Center (TCC), and Planned Development-Rural Village (PD-RV).
 2. **Neighborhood :** Suburban Neighborhood (SN), Suburban Compact Neighborhood (SCN), Transition Large Lot Neighborhood (TLN-1), Transition Large Lot Neighborhood (TLN-3), Transition Large Lot Neighborhood (TLN-10), Transition Small Lot Neighborhood (TSN), Transition Compact Neighborhood (TCN), Village Residential (VR), Village Agricultural/Residential (VAR), Joint Land Management Area Neighborhood (JLMA-1), Joint Land Management Area Neighborhood (JLMA-2), Joint Land Management Area Neighborhood (JLMA-3), Joint Land Management Area-Leesburg Residential Neighborhood (JLMA-LN), Joint Land Management Area-20 (JLMA-20), Single-Family Residential (R-1), Single-Family Residential (R-2), Single-Family Residential (R-3), Transitional Residential-2 (TR-2), and Agricultural/Residential-3 (A-3).
 3. **Commercial:** Suburban Commercial (SC), Rural Commercial (RC), and Village Commercial (VC).
 4. **Employment / Industrial:** Urban Employment (UE), Suburban Employment (SE), Suburban Industrial (SI), Suburban Mineral Extraction (SME), Transition Light Industrial (TLI), Transition Industrial (TI), Transition Mineral Extraction (TME), Joint Land Management Area – Leesburg Employment (JLMA-LE), Joint Land Management Area – Leesburg Industrial/Mineral Extraction (JLMA-LME).
 5. **Rural:** Agricultural Rural North (ARN), Agricultural Rural South (ARS), and Agricultural-10 (A-10).

6.02 General Sign Requirements

- A. **Signs Permitted.** Only signs as listed ~~underin “Sign Category” or otherwise provided for in Sections 5-1204(D), Signs Requirements Matrix, shall be~~ Sections 6.04, 6.05, 6.06 and 6.07 are permitted, ~~and such signs shall be~~ Those signs are subject to ~~such any~~ regulations ~~as are~~ specifically set forth for each category and to all other regulations in this ~~ordinance~~ Chapter. No other signs ~~shall be~~ permitted.
- B. **Sign Requirements Matrix Contents.** Signs ~~shall be~~ permitted in accordance with ~~the Sign Requirements Matrix set forth in Section 5-1204(D)~~ Sections 6.04, 6.05, 6.06 and 6.07. ~~which governs~~ Those sections ~~regulate~~ the following: 1) total aggregate sign area; 2) maximum number of signs; 3) maximum area of any one sign (with special provisions for ground mounted signs and ground mounted background structures); 4) illumination permitted; 5) minimum setback from road right-of-way; 6) maximum height; 7) sign type permitted; and 8) other additional requirements. ~~Sign Requirements Matrix. See table 5-1204(D) below.~~
- C. **Signs in PD Districts.** Signs in a Planned Development District (PD) are subject to the approved PD Master Plan, or any applicable amendments.
- D. **Safety.** Signs must be properly secured and not impede visibility at intersections pursuant to ~~Section 5-3005.11.~~
- E. **Nonconforming Signs and Removal.** Any sign lawfully in existence at the time of the effective date of this ordinance may be maintained although it does not conform with the provisions of this ordinance, except that any such nonconforming sign, which was required to be removed under the prior ordinance, ~~shall~~ **must** be removed. ~~See chapter 9 for additional requirements and allowances for nonconformities.~~

[1204(A)-D(D); 1202(B), (C)]

6.03 Prohibited Signs

Signs with any of the following characteristics are prohibited:

- A. **Signs Not Enumerated.** Any sign not specifically permitted by this Chapter.
- B. **Off-Premise Signs.** Other than on property or structure to which it directs attention. Is located anywhere other than on the property or structure to which it directs attention or to which it is appurtenant, except (a) any sign erected or maintained by or under the supervision of county or other governmental authority or the Virginia Department of Transportation, and (b) any other off-site sign which is specifically provided for in this Section 5-1200.
- C. **Neon / Lighted Outlines.** Outlines any building or sign with exposed neon illumination or other permanent lights. Outlines any building, sign, or part thereof with exposed neon illumination or other permanent lights, except as specifically permitted with the approval of a Sign Development Plan.
- D. **Snipe Signs.** Signs ~~is~~ fastened, placed, painted, pasted or attached in any way to, in or upon any tree, fence, public utility pole, rock, curbstone, sidewalk, lamp post, hydrant, bridge, highway marker, **publicly owned art within the public right-of-way**, or another sign, except as ~~otherwise permitted in Section 5-1204(D), Sign Requirements Matrix, or except as may be (a)~~ required by law, ~~(b) so placed by a duly authorized governmental agency, (c) so placed not as an advertisement, but as a warning against hunting, fishing or trespassing, (d) a farm sign, and (e) a residential name sign.~~
- E. **Glare.** Illuminated signs which reflect or cast glare, directly or indirectly, on any public roadway or adjacent property.
- F. **Attention-Getting Devices.** Balloons, banners, pennants, or inflated devices, unless otherwise permitted ~~in Section 5-1204(D), Sign Requirements Matrix~~ by this Chapter.
- G. **Electronic message signs,** ~~except as specifically permitted with the approval of a Sign Development Plan.~~
- H. **Traffic Hazards.** No sign ~~shall will?~~ **may** be located or illuminated, ~~or mimic traffic control signs, in such a manner as, in the opinion of~~ the Zoning Administrator, ~~to finds~~ that the location, ~~or~~ lighting or design would cause a traffic hazard.

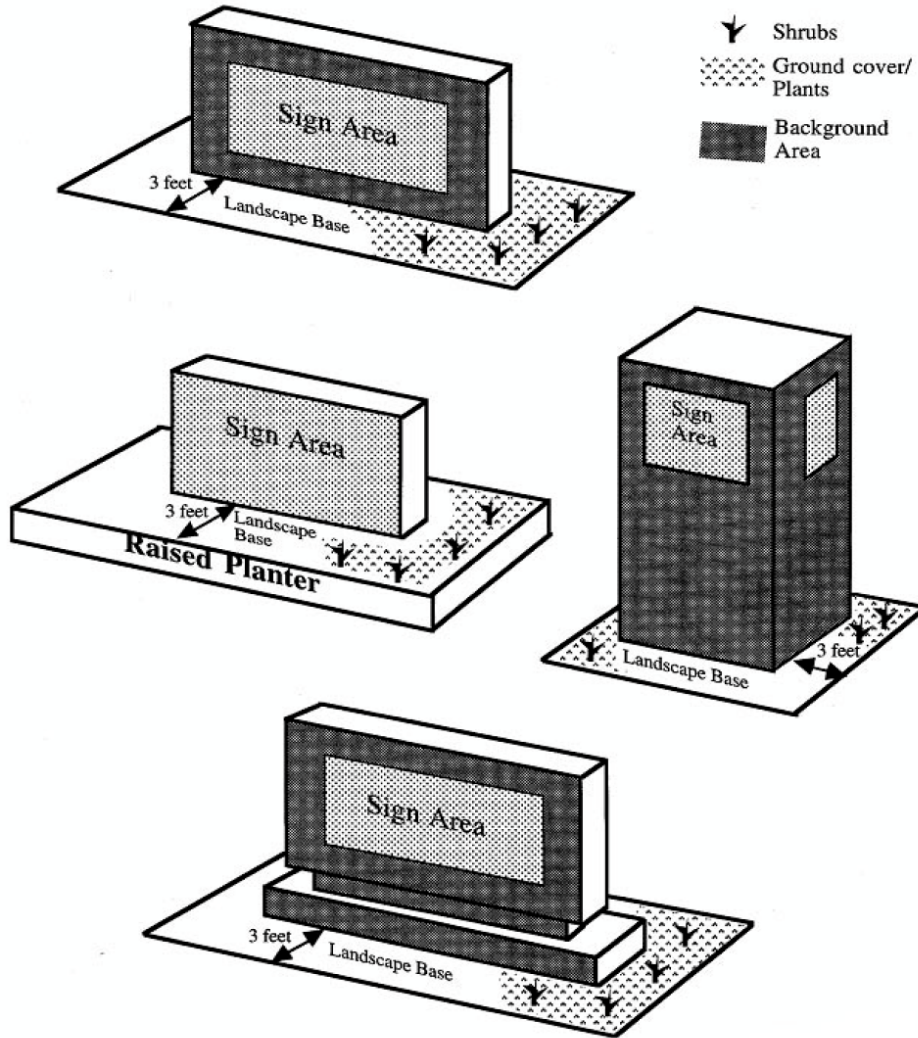
6.04 Freestanding Signs

- A. **Applicability.** This section applies to freestanding signs, which include the following sign types:
1. Ground signs. Pylon signs are subject to the same standards as ground signs.
 2. Pole signs.
 3. Sidewalk signs.
- B. **Ground Signs.**
1. Ground signs shall must comply with Table 6.04-1 below.
 2. ~~Whenever a bonus multiplier is used for g~~Ground ~~mounted~~ signs, must include a landscaped base with a minimum depth of 3 feet on all sides ~~must be maintained~~ (see Figure 1). The applicant shall must maintain the landscaped base.

Table 6.04-1 Ground Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	NR	Y	Y	Y
2	Permit required?	Y	Y	Y	Y	Y
3	Number allowed (<i>all ground and pole signs</i>)	Lot < 5 acres: 1 Lot > 5 acres: 2	2	4	3	2
Dimensions						
4	Cumulative area (<i>max-all ground and pole signs</i>)	Lot > 5 acres: 60 sf	20 sf	120 sf	100 sf	120 sf
5	Individual sign area (<i>max</i>)	Lot < 5 acres: 30 sf Lot > 5 acres: 45 sf	15 sf	45 sf	60 sf	45 sf
6	Height (<i>ft, max</i>)	5'	8'	15'	8'	15'
Location						
7	ROW Setback (<i>ft, min</i>)					
8	Spacing from other signs (<i>ft, min</i>)					
Design						
9	Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	N	N	40%	40%	40%
10	Backlight	Y	Y	Y	Y	Y
11	Illumination, External	Y	Y	Y	Y	Y
12	Illumination, Halo Lit	N	N	N	N	N
13	Channel Letters	Y	Y	Y	Y	Y
14	Animated	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.

Figure 6.04-1



C. **Pole Signs.** Pole signs shall must comply with Table 6.04-2 below.

Table 6.04-2 Pole Signs						
Standard / Requirement	Zoning District Categories					
	Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use	
1 Allowed?	Y	NR	Y	Y	Y	
2 Permit required?	Y	Y	Y	Y	Y	
3 Number allowed (<i>all ground and pole signs</i>)	Lot < 5 acres: 1 Lot > 5 acres: 2	2	4	3	2	
Dimensions						
4 Cumulative area (<i>max-all ground and pole signs</i>)	Lot > 5 acres: 60 sf	20 sf	120 sf	100 sf	120 sf	

Table 6.04-2 Pole Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
5	Individual sign area (<i>max</i>)	Lot < 5 acres: 30 sf Lot > 5 acres: 45 sf	10 sf	20 sf	30 sf	20 sf
6	Height (<i>ft, max</i>)	5'	5'	15'	8'	15'
Location						
7	ROW Setback (<i>ft, min</i>)					
8	Spacing from other signs (<i>ft, min</i>)					
Design						
9	Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	N	N	N	N	
10	Backlight	Y	Y	Y	Y	Y
11	Illumination, External	Y	Y	Y	Y	Y
12	Illumination, Halo Lit	N	N	N	N	N
13	Channel Letters	Y	Y	Y	Y	Y
14	Animated	N	N	N	N	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; “—” the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.						

- E. **Sidewalk Signs.** Sidewalk signs shall must comply with Table 6.04-3. In addition, sidewalk signs shall must be located on the sidewalk in front of and within 20 linear feet of a building entrance for the tenant space. The sidewalk sign's placement shall must leave at least a 4-foot wide unobstructed space for pedestrians on the sidewalk in front of the tenant space.

Table 6.04-3 Sidewalk Signs						
Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	N	N	Y	Y	Y
2	Permit required?	--	--	Y	Y	Y
3	Number allowed	--	--	1 per building entry	1 per building entry	1 per building entry
Dimensions						
4	Cumulative area (<i>max-all ground signs</i>)	--	--	--	--	--
5	Individual sign area (<i>max</i>)	--	--	6 sf	6 sf	6 sf
6	Height (<i>ft, max</i>)	--	--	3'	3'	3'
Location						
7	ROW Setback (<i>ft, min</i>)					
8	Spacing from other signs (<i>ft, min</i>)					
Design						
7	Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	--	--	N	N	N

Table 6.04-3 Sidewalk Signs

Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
8	Backlight	--	--	N	N	N
9	Illumination, External	--	--	N	N	N
10	Illumination, Halo Lit	--	--	N	N	N
11	Channel Letters	--	--	N	N	N
12	Animated	--	--	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "--" = the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.05 Attached Signs

- A. **Applicability.** This section applies to attached signs, which include the following sign types:
- Wall signs.
 - Window signs.
- B. **Wall Signs.** Wall signs shall must comply with Table 6.05-1 below.

Table 6.05-1 Wall Signs

Standard / Requirement		Zoning District Categories					
		Rural	Residential		Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	Y	NR	Y	Y	Y
2	Permit required?	Y	N	Y	Y	Y	Y
3	Number allowed	Per building: Lot < 5 acres: 1 Lot > 5 acres: 3	2 per building	2 per building	4 per building + 1 per building entry	4 per building	4 + 1 per building entry
Dimensions							
4	Cumulative area (all building signs, per building)	Lot > 5 acres: 60 sf	4 sf	20 sf	20% per building facade	20% per building facade	20% per building facade
5	Individual sign area (max)	Lot < 5 acres: 10 sf Lot > 5 acres: 20 sf	4 sf	10 sf	1% of building facade, up to 200 sf	0.5% of building facade, up to 100 sf	1% of building facade, up to 200 sf
6	Height (ft, max)	No part of a building sign shall may? will? must? extend above or beyond the perimeter of the wall to which it is attached.					
Location							
7	ROW Setback (ft, min)						
8	Spacing from other signs (ft, min)						
Design							
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	N	40%	40%	40%
8	Backlight	N	N	Y	Y	Y	Y
9	Illumination, External	Y	N	Y	Y	Y	Y

Table 6.05-1 Wall Signs

Standard / Requirement	Zoning District Categories					
	Rural	Residential		Commercial	Employment / Industrial	Urban / Mixed Use
10 Illumination, Halo Lit	Y	N	N	Y	Y	Y
11 Channel Letters	N	Y	Y	Y	Y	Y
12 Animated	N	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = s square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.

C. Window Signs. Window signs shall must comply with Table 6.05-3.

Table 6.05-3 Window Signs

Standard / Requirement	Zoning District Categories					
	Rural	Residential		Commercial	Employment / Industrial	Urban / Mixed Use
1 Allowed?	Y	Y	Y	Y	Y	Y
2 Permit required?	N-	N	N	Y	Y	Y
3 Number allowed	3	3	4 per building facade or tenant space*	4 per building facade or tenant space*	4 per building facade or tenant space*	4 per building facade or tenant space*
Dimensions						
4 Cumulative area (<i>max-all ground signs</i>)	--	--	Lesser of 25% of the total square footage of window area or 10 sf			
5 Individual sign area (<i>max</i>)	1.5 sf	1.5	--	--	--	--
6 Height (<i>ft, max</i>)	--	--	--	--	--	--
Location						
7 ROW Setback (<i>ft, min</i>)						
8 Spacing from other signs (<i>ft, min</i>)						
Design						
7 Digital (<i>max. percent of sign area or 30 sf, whichever is greater</i>)	N	N	N	N	N	40%
8 Backlight	N	N	Y	N	N	Y
9 Illumination, External	N	N	Y	N	N	Y
10 Illumination, Halo Lit	N	N	Y	N	N	Y
11 Channel Letters	N	N	Y	Y	Y	Y
12 Animated	N	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "—" the standard does not apply; sf = s square feet; ' = feet. For zoning district categories, see Section 6.01. "Tenant space" means a building space occupied by a tenant or owner, and that has a ground floor public entrance abutting a sidewalk.

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.06 Incidental Signs

A. Applicability. This section applies to incidental signs, which include the following sign types:

1. Banners.
 2. De Minimus Signs.
 3. Temporary signs.
 4. Incidental signs, generally.
- B. **Banners.** Banners shall comply with Table 6.06-1 below. ~~Such banners shall not contain specific tenant names, user names, or advertising, but may include the development name and/or logo.~~

Table 6.06-1 Banners	
Standard / Requirement	Commercial, Employment / Industrial, and Urban / Mixed Use Zoning District Categories
1 Allowed?	Y
2 Permit required?	Y
3 Number allowed	1 per lamp post
Dimensions	
4 Cumulative area (max-all banner signs on property)	--
5 Individual sign area (max)	8 sf
6 Height (ft, max)	Ornamental/Seasonal banners on lamp posts shall not be placedNo point of the banner shall extendgreaterhigher than 15 feet above grade.
Location	
7 ROW Setback (ft, min)	
8 Spacing from other signs (ft, min)	
Design	
9 Backlight	N
10 Illumination, External	N
Key to Table 6.04-1: Yes = the sign type or characteristic is permitted; No = the sign type or characteristic is not permitted; R = the sign type or characteristic is required; NR = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf = square feet; ' = feet. For zoning district categories, see Section 6.01.	

- C. **De Minimus Signs.** De minimus signs shall comply with Table 6.06-2 below.

Table 6.06-2 De Minimus Signs	
Standard / Requirement	Any Zoning District Categories
1 Allowed?	Y
2 Permit required?	N
3 Number allowed	--
Dimensions	
4 Cumulative area (max-all de minimus signs on property)	2 sf
5 Individual sign area (max)	1 sf
6 Height (ft, max)	--
Location	
7 ROW Setback (ft, min)	--
8 Spacing from other signs (ft, min)	--
Design	
7 Digital (max. percent of sign area or 30 sf, whichever is greater)	Y
8 Backlight	Y
9 Illumination, External	Y
10 Illumination, Halo Lit	Y

Table 6.06-2 De Minimus Signs

Standard / Requirement		Any Zoning District Categories
11	Channel Letters	Y
12	Animated	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; “—” the standard does not apply; sf =s square feet; ' = feet. For zoning district categories, see Section 6.01.

- D. **Temporary Signs.** Temporary signs shall comply with Table 6.06-3 below. Sign permits for temporary signs are limited to 120 days within a twelve (12) month period. The sign permit will include the dates of sign display, which do not have to be consecutive, ~~included with zoning permit~~. Signs shall be removed prior to permit expiration. ~~Signs must be properly secured and not impede visibility at intersections pursuant to Section 5-3005.11.~~

Table 6.06-3 Temporary Signs

Standard / Requirement		Any Zoning District Categories
1	Allowed?	Y
2	Permit required?	Y
3	Number allowed	--
Dimensions		
4	Cumulative area (max-all temporary signs)	--
5	Individual sign area (max)	32 sf
6	Height (ft, max)	8 sf
Location		
7	ROW Setback (ft, min)	5 feet
8	Spacing from other signs (ft, min)	20 feet
Design		
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N
8	Backlight	N
9	Illumination, External	N
10	Illumination, Halo Lit	N
11	Channel Letters	N
12	Animated	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; “—” the standard does not apply; sf =s square feet; ' = feet. For zoning district categories, see Section 6.01.

- E. **Incidental Signs, Generally.** Incidental signs shall comply with Table 6.06-4 below. This subsection applies to incidental signs generally. The number and area of incidental signs described below is net of any temporary signs on the property. *For example, if a residential lot has 4 temporary signs that are 2 square feet each (8 square feet cumulative), then 2 additional incidental signs are allowed up to ____ square feet cumulative.* Incidental signs may be freestanding or attached, subject to any restrictions established by Table 6.04-4.

Table 6.06-4 Incidental Signs

Standard / Requirement		Zoning District Categories				
		Rural	Residential	Commercial	Employment / Industrial	Urban / Mixed Use
1	Allowed?	Y	N	Y	Y	Y
2	Permit required?	N	--	Y	Y	Y
3	Number allowed	6 (2 ≤ attached)	--	1 per building entry	1 per building entry	1 per building entry
Dimensions						
4	Cumulative area (max-all ground signs)	32 sf	32 sf	32 sf	32 sf	32 sf
5	Individual sign area (max - attached only)	2 sf	2 sf	2 sf	2 sf	2 sf
6	Height (ft, max - freestanding only)	5'	5'	6'	6'	6'
Location						
7	ROW Setback (ft, min)					
8	Spacing from other signs (ft, min)					
Design						
7	Digital (max. percent of sign area or 30 sf, whichever is greater)	N	N	40%	N	40%
8	Backlight	N	N	Y	N	Y
9	Illumination, External	N	N	Y	N	Y
10	Illumination, Halo Lit	N	N	N	N	N
11	Channel Letters	Y	Y	Y	Y	Y
12	Animated	N	N	N	N	N

Key to Table 6.04-1: **Yes** = the sign type or characteristic is permitted; **No** = the sign type or characteristic is not permitted; **R** = the sign type or characteristic is required; **NR** = the sign type is permitted for non-residential uses only; "--" the standard does not apply; sf=s square feet; ' = feet. For zoning district categories, see Section 6.01. "Building entry" means a building space that has a ground floor public entrance abutting a sidewalk.

[1204, Table 5-1204(D)(Sign Requirements Matrix)]

6.07 Historic Signs

- A. **Applicability.** A property owner may apply to designate a sign as an Historic Landmark in the National Register of Historic Places, the Virginia Landmark Register, the County Heritage Register.
- B. **Designation.** Landmark designation for any sign shall occur as provided in Section 4.07.
- C. **Effect of Designation.** A sign designated as a landmark:
 1. Shall comply with all applicable requirements of Section 4.07 and any criteria adopted by the designating agency, and
 2. May exceed the area or height established by this Chapter, may include any design features otherwise prohibited by this Chapter and consistent with the landmark designation, and is considered a conforming sign.
- D. **Alteration or Destruction.** If the sign is altered or destroyed, it loses its historic designation. However, the sign may be rebuilt at the same location and up to the area and height of the original sign, and must replicate the design characteristics of the original sign in terms of color, materials, mounting, and similar features. Subject to

the prior approval of the designating agency, alternate comparable materials may be substituted in the reconstruction of the sign if the original materials:

1. are no longer available, or
2. are so cost prohibitive their use in reconstruction of the sign is infeasible.

6.08 Illuminated and Digital Signs

- A. **Applicability.** This section applies to any illuminated sign. Types of illumination include: digital, backlight, external illumination, and halo lit.
1. 4.
- B. **Brightness.**
1. The intensity of the light source for an illuminated sign shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare.
 2. Illuminated signs must not operate at brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot candle (Lux) meter, measured at the property line.
- C. **Digital Signs.** Digital signs shall comply with the following standards:
1. **Where Permitted.** See Sections 6.04, 6.05 and 6.06.
 2. **Hold Time.** Each message on the sign must be displayed for at least four seconds duration. ~~Message changes shall be completed instantaneously and shall be imperceptible. Transition effects are prohibited.~~
 3. ~~Digital Copy~~ **Message Transition.** Digital signs must contain static messages ~~only~~ changed only through dissolve or fade transitions, and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. A static message must not include any flashing or the varying of light intensity, and the message shall not scroll. The change of message using dissolve or fade transition shall not exceed one (1) second of time between each message displayed on the sign.
 4. **Light Sensing Device.** Each digital sign must have a light sensing device that will adjust the brightness as ambient light conditions change.
 5. **Automatic Shutoff.** A digital sign must:
 - a. Have automatic dimmer software or solar sensors to control brightness for nighttime viewing and variations in daytime ambient light.
 - b. Include systems and monitoring to either turn the display off, show "full black" on the display, or include a default mechanism that freezes the sign in one position if a malfunction occurs, and
 - c. Be designed so that a catastrophic power surge will cause the sign to go dark or to deploy the maximum brightness limitations, and
 - d. Automatically adjust the intensity of its display according to natural ambient light conditions.
 6. **Owner Responsibilities.** The sign owner shall provide the Zoning Administrator the phone number and email address of the property owner and a person who is available to be contacted at any time and who is able to turn off the electronic sign promptly after a malfunction occurs.
 7. **Maintenance.** The light modules on digital signs shall be repaired or replaced within 30 days after they become broken, burned-out or substantially dimmed.

6.09 Sign Permits and Administration

A. Sign Permits.

1. Applicability. ~~Self~~ section 6.04, 6.05 or 6.06 requires a sign permit, the sign, ~~with the exception of "Government Signs/Official Notices", "Historical Markers", "Danger, Aviation, Railroad, Bridge, Ferry Transportation, Red Cross, and Other Similar Signs", "No Hunting, No Fishing, or No Trespassing Signs", "Residential Name Signs", "Window or Display (Non-Business) Signs", and "De Minimis Signs", shall~~ must not be erected without ~~first~~ obtaining a sign permit from the Zoning Administrator.
2. The Zoning Administration ~~No such permit shall be~~ will not issued a sign permit unless a fee, if required, and as set by the Board of Supervisors, is paid and ~~unless~~ and the proposed sign conforms to the requirements of this ~~ordinance~~ Chapter.

B. Removal of Signs.

1. ~~Whenever~~ If a sign becomes structurally unsafe or endangers the safety of a structure or premise or the public, or is erected or maintained in violation of this ordinance, the Zoning Administrator shall order ~~such that~~ sign to be made safe or comply with ~~the ordinance this Chapter~~, as the case may be, or be removed.
2. ~~Only one such order shall be~~ The Zoning Administrator will send the order by registered mail, return receipt requested, to the owner of the land on which the sign is located and the violator who is responsible for the sign.
3. Within five working days of the receipt or refusal of the order, the owner or violator must correct the sign based on the Zoning Administrator's order.
4. The Zoning Administrator may grant one extension, not to exceed ten (10) working days, based on written justification for the need of an extension.
5. Failure to comply ~~shall with the order constitute~~ is grounds for the Zoning Administrator to issue a civil summons pursuant to **Section 6-504** and to take other appropriate actions to have the sign removed.

C. ~~Alternative Sign Regulations~~ Sign Development Plan (SIDP).

1. Applicability. An applicant may request a Sign Development Plan for:
 - a. signs that have an unusual design or artistic features that require an alternative to the dimensional or design regulations of this Chapter, or
 - b. revisions to ~~approved Sign Development Plans (or Comprehensive Sign Packages)~~ approved as a condition of rezoning.
2. Process. Alternative sign regulations for permitted signs may be requested with the submission of a Sign Development Plan. Requests for approval of Sign Development Plans or revisions to approved Sign Development Plans (or Comprehensive Sign Packages) shall be made in accordance with the procedures for a Special Exception application as set forth in Section ~~6-13007.09~~, except that the Issues for Consideration shall be as set forth in Section 5-1202(E)(1).
3. Submittal. ~~In addition,~~ Any application for a Sign Development Plan ~~shall~~ must include the following materials:
 - a. A statement of justification, addressing whether and how each sign proposed by the Sign Development Plan would ~~comply with subsection 4 below~~:
 1. ~~Assist/Avoid traffic safety hazards, by avoiding unnecessary distractions for motorists, bicyclists and/or pedestrians in finding a location without difficulty or confusion;~~
 2. ~~Clearly identify places of business or communities, while avoiding unnecessary redundancy;~~
 3. ~~Demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign;~~
 4. ~~Address impacts to the night sky;~~

5. ~~Incorporate energy efficient measures, where possible; and~~
6. ~~Provide a sufficient number of graphic messages or displays without creating competing demands for visual attention.~~
- b. A comparison chart of the proposed sign regulations in relation to the ordinance regulations; ~~using the table format specified under the applicable sign requirements.~~
- c. Each of the various sign types proposed, including ~~directional and informational signs, if any, to include~~ the design, materials, colors, and illumination, to be used to achieve a complementary system of signs and graphics; ~~and~~
- d. A sign map, depicting the location of each of the various proposed sign types; ~~and~~
- e. ~~The boundaries of any zoning districts and property lines on and adjacent to the subject property.~~
4. ~~Standards. In considering~~ A Sign Development Plan, ~~each of the above listed following factors, a through f,~~ shall ~~be given reasonable consideration~~ demonstrate compliance with each of the following standards:-
 - a. The plan must be consistent with the Comprehensive Plan;
 - b. The plan must avoid traffic safety hazards, by minimizing unnecessary distractions for motorists, bicyclists and/or pedestrians;
 - c. The plan must demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign;
 - d. b.
 - e. The plan must address impacts to the night sky;
 - f. The signs subject to the plan must incorporate energy efficient measures, where possible; and
 - g. The signs must avoid creating competing demands for visual attention.
5. ~~Minor Revisions. An applicant with an Approval~~ approved Sign Development Plan ~~for~~ may request minor revisions to approved Sign Development Plans (or Comprehensive Sign Packages) ~~may be requested and shall be limited to as follows:~~
 - a. ~~Applicability: A minor revision is limited to:~~
 1. the addition of a sign category ~~and/or individual use/user~~ not addressed in the approved Sign Development Plan, or
 2. revision to a sign category that was addressed in the approved Sign Development Plan.
 - b. Such minor revisions ~~shall be~~ reviewed for consistency with the approved Sign Development Plan.
 - c. Requests for approval of minor revisions shall be made in accordance with the procedures for a Minor Special Exception application as set forth in Section ~~6-13007.08~~, except that the Issues for Consideration shall be as set forth in ~~Section 5-1202(E)(1)~~ subsection 4 above.

[1203, 1202(E)]

6.10 Sign Measurements

A. Generally.

1. The area within a continuous perimeter enclosing the limits of a sign, ~~as defined herein and illustrated in Figure 4, Section 5-1200,~~ and
2. The sign area includes ~~any~~ any frame or other material or color that forms an integral part of the display or is used to differentiate the sign from the background against which it is placed, but excluding the structural supports or uprights on which the sign is placed.

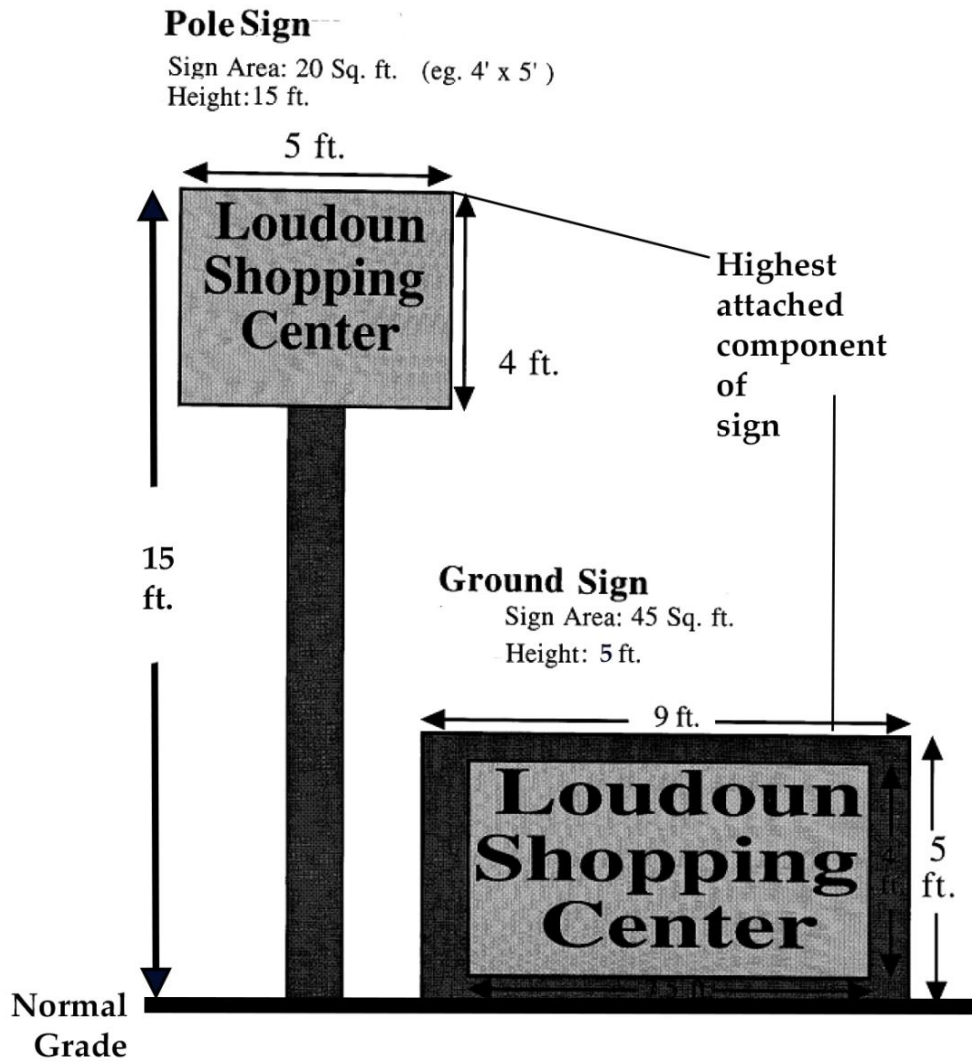
B. Freestanding Signs.

1. **Area.** The area of a freestanding sign is determined by:

- a. The area of a freestanding sign is determined by:
 1. A rectangle enclosing the area of the sign face and structure for a ground sign, and
 2. A rectangle enclosing the sign face, including background elements but not including any poles supporting the sign, for a pole sign.
 - b. ~~In the case of a ground mounted sign utilizing the bonus multiplier for the background structure, the permitted increase in~~The sign area includes both the sign face and ~~of the background structure is not counted as the area of the sign.~~
 - c. ~~In the case of a sign w~~Where lettering appears back to back, ~~that is,~~ (i.e., on opposite sides of a sign), only one display face ~~shall be~~ counted in the sign area ~~of the sign.~~
2. *Height.* The height of a sign shall be computed as the linear measurement from the base of the sign at normal grade to the top of the highest attached component of the sign. If the land is uneven at the base of the sign, the elevation at the halfway point (middle) of the sign at the base shall be used. Normal grade shall be construed to be the lower of (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating for the purpose of locating the sign.

Draft 12/08/21

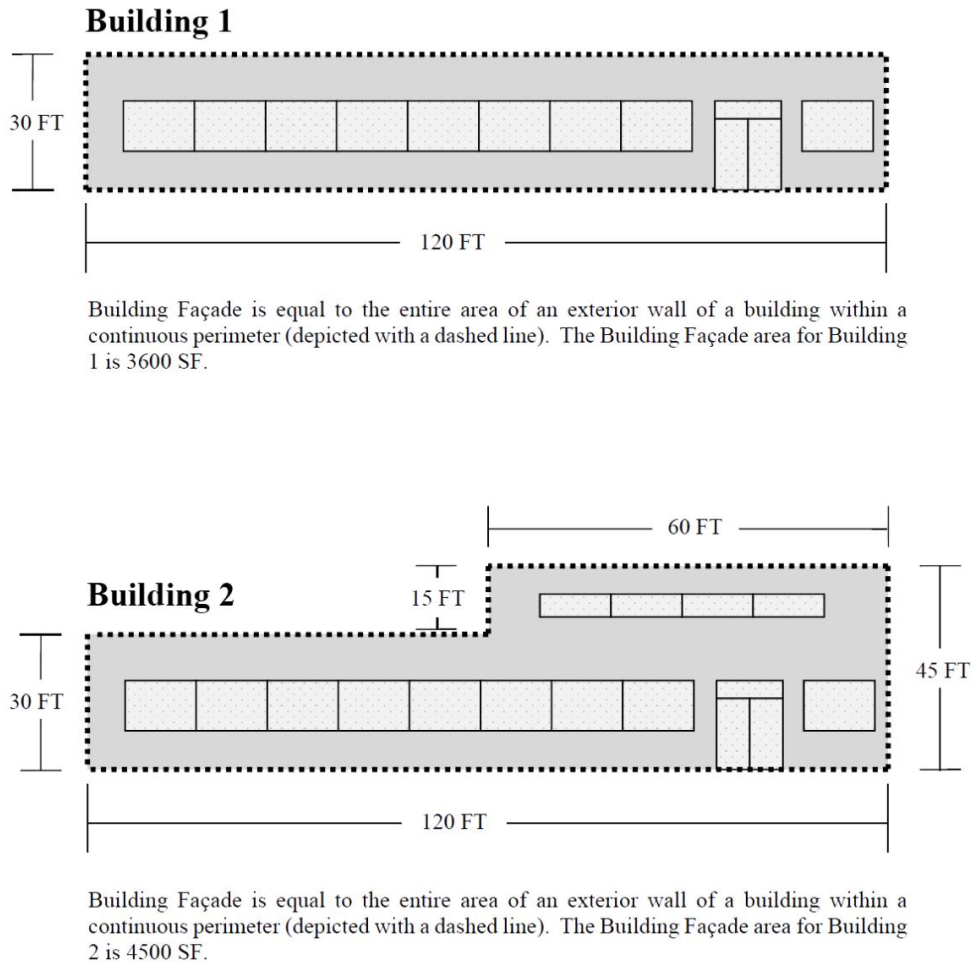
Figure 6.10-1 Freestanding Sign Measurements



C. **Attached Signs.**

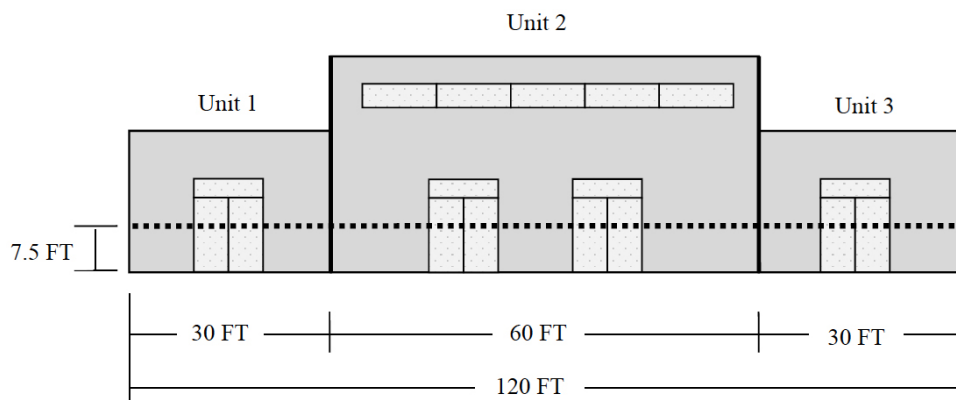
1. The building façade area is equal to the entire area of an exterior wall of a building within a continuous perimeter (depicted with a dashed line).

Figure 6.10-2 Building Façade Measurements



- Linear Foot (LF) is equal to the length of a wall of a building that physically encloses usable interior space. ~~Said frontage LF shall be~~ measured at a height not greater than ten feet above grade. In this example, the Linear Foot (LF) of Units 1 and 3 is 30 feet, the Linear Foot (LF) of Unit 2 is 60 feet, and all lengths have been measured at 7.5 feet above grade (depicted with a dashed line).

Figure 6.10-3 Linear Foot Measurements



- D. **Irregular Shaped Signs.** The area of an irregular shaped sign is determined by the "rule of 8." Meaning the area of the sign is determined by the area of the shape created by outlining the sign with a maximum of 8 connecting lines. The area is the area of two rectangles formed by 8 connecting lines.

Figure 6.10-4 Irregular Shaped Sign Measurements



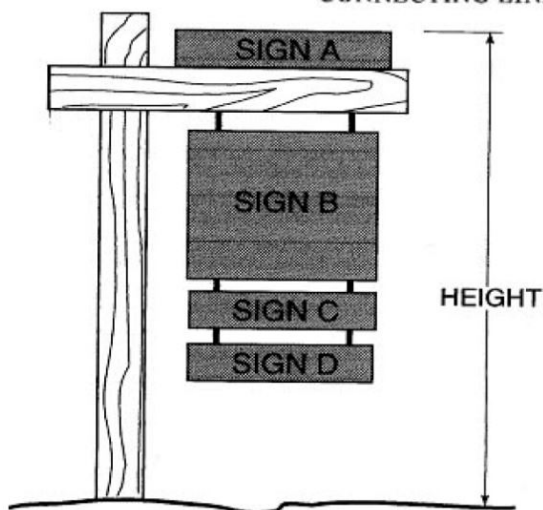
SIGN OF INDIVIDUAL LETTERS

AREA = A X B



IRREGULAR SHAPED SIGN

AREA DETERMINED BY "THE RULE OF 8,"
MEANING THE AREA OF THE SIGN IS DETERMINED
BY THE AREA OF THE SHAPE CREATED BY OUTLINING
THE SIGN WITH A MAXIMUM OF *8 CONNECTING LINES.
AREA = AREA OF TWO RECTANGLES FORMED BY 8
CONNECTING LINES



**REAL ESTATE
FOR SALE SIGN**

AREA = AREA OF SIGN A +
AREA OF SIGN B +
AREA OF SIGN C +
AREA OF SIGN D

[1204, Figures 1-6]