



## ZOAM-2020-0001-Zoning Ordinance Rewrite -- SIGN REGULATIONS Draft Text

### INTRODUCTORY COMMENTS:

	<p>CONSULTANT'S REPORT, p. 4 states 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)." However, 1993 ZO Section 5-1200 clearly shows for</p> <ul style="list-style-type: none"> <li>-- Residential/agricultural: HOA activity signs, Farm signs, and wayside stand (incl. Christmas Tree, Vineyard/wineries) in this category are a combination of residential and commercial uses.</li> <li>-- Business signs: Bed &amp; Breakfast Inn and Homestay, Country Inn, Guest Farm or Ranch, Rural Retreat, Rural Resort, and Rural Agricultural Corporate Retreat, with no reference to many other business types.</li> </ul> <p>1. The current ZO 1993 acknowledges business/commercial signs in the rural area; why does the ZOR draft not include the same categorization?</p> <p>2. The current ZO 1993 identified vineyard/winery sign requirements by example for residential/agricultural. Why does ZOR draft for those and other specific uses that are clearly non-residential business operations required to be on a "farm" not make an equivalent/consistent categorization?</p>
	<p>CONSULTANT'S REPORT, p. 5, footnote 1 states, "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)."</p> <p>How does this "discussion definition" adequately address all the residential "uses" and locations in other districts, specifically ARN, ARS, A-10, JLMA?</p>
	<p>CONSULTANT'S REPORT, pp. 10 and 23. <b>DARK SKY ORDINANCES.</b></p> <p>The report references to the night sky and other "Dark Sky Ordinance" impacts are important. Where and when will we see the regulations for ZOR/ZOC review and comment?</p>
<p>*LCPCC Patricipating Organizations: Aldie Heritage Association, Bike Loudoun, Bluemont Citizens Association, Blue Ridge Mountain Civic Association, Catocin Coalition, Farm Bureau of Loudoun, Friends of the Blue Ridge Mountains, Goose Creek Association, Goose Creek Scenic River Advisory Committee, LCPCC Executive Committee, LCPCC Finance Cte, Leesburg Garden Club, Loudoun Climate Project, Loudoun County Equine Alliance, Loudoun Historic Village Alliance, Loudoun Preservation Society, Loudoun Rural Landfills, Loudoun Soil &amp; Water, Loudoun Walking Club, Loudoun Wildlife Conservancy, Piedmont Environmental Council, Potomac Heritage Trail Association, Save Rural Loudoun, Sterling Foundation, Transition Area Alliance, Unison Preservation Society, Virginia Native Plant Society (Piedmont Chapter), and Virginia Piedmont Heritage Area Association</p>	

Section	COMMENTS TO DRAFT TEXT -- USE SPECIFIC STANDARDS
	<b>DECEMBER 15, 2021 ZOC AGENDA DISCUSSION TOPICS</b>

	<p>CONSULTANT'S REPORT, p. 7 Farm Signs --          The report defines "Farm signs" as " 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."          We are back again to the question, "What is the definition of a FARM?"</p> <p>IF any type of business operation is required by Code of Virginia (e.g., Sec. 4.1-206.1) to          -- be located on a farm in the Commonwealth on land zoned agricultural and owned or leased, and          -- agricultural products, including barley, other grains, hops, or fruit, used by such brewery in the manufacture of its beer are grown on the farm"          But does NOT produce the requirements outlined in Code of VA, then          -- does it qualify as a "farm"? and          -- if not, should the business operation be reclassified as a commercial business instead of a "farm" for the purposes of sign regulations?</p>
	<p>CONSULTANT'S REPORT, p. 15. Consultants confirm that, "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 ZOR draft does provide different sign regulation categories at a lower level than zoning district for TPA, SPA and UPA (i.e., the categories of commercial vs. employment/industrial vs. urban/mixed use. Therefore, why were similar sub-categorizations not applied to Rural?</p>
	<p>CONSULTANT'S REPORT, p. 20          Just to see if you're reading comments, my favorite sentence for this topic -- Pedestrian and Transit Users: ". . . pedestrians tend to move at much slower speeds than motorists . . ." I sure hope so, unless you've been watching too many superhero movies?!?</p>

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	<p>6.01 APPLICATION OF SIGN REGULATIONS</p> <p>As indicated in the comments to the Consultant's report, there may be a <b>significant inconsistency/conflict or fatal flaw in the proposed ZOR Sign Ordinance</b>. The "Purpose" section includes</p> <ul style="list-style-type: none"> <li>-- "Ensure the compatibility of signs with land uses,"</li> <li>-- "Protect property values by facilitating the harmony between residential and commercial uses"</li> <li>-- "Complement the character of the comprehensive plan policy areas" and</li> <li>-- "Preserve the residential character of residential neighborhoods."</li> </ul> <p><b>However, it has applied only one sign category to over 200,000 acres covering ARN, ARS, and A-10, all lumped as "rural."</b></p> <p>This lump "rural" categorization is conflicting and inconsistent with <b>other policy areas/districts that identify sign regulations in the matrices differently for "residential" versus "commercial."</b></p> <p>This is where "residential" as a "use" creates a major problem, because applying only one set of regulations for all "rural" completely ignores/negates the fact that there are both residential and rural economy/business/commercial uses outside of the Suburban Commercial (SC), Rural Commercial (RC), and Village Commercial (VC) districts.</p> <p>Can Rural as a category be further broken down with two columns for all matrices?</p> <p>RURAL</p> <p>Rural Res Rural Econ/Comm/Bus</p>
6.03 (F)	<p>6.03 PROHIBITED SIGNS, F. Attention-Getting Devices. How is a "feather flag" classified? Should Feather flags be included in the list of prohibited signs as they have been increasing used all over the County and are a distraction to drivers and cause clutter?</p>
	<p>6.04 FREESTANDING SIGNS. Can and will matrices for Ground Signs, Pole Signs and Sidewalk Signs differentiate the lump category of "Rural" and "Rural Res" and Rural Econ/comm/biz"?</p>
6.04-1 Ground Signs Commercial	<p>6.04-1 FREESTANDING SIGNS. Ground Signs, Commercial</p> <p>Commercial signs total more square footage than currently allowed especially for some commercial entities.</p> <p>Constituent Comment: "It seems that because we now need everyone in one "pot" so to speak, we are changing the ordinance to allow for the biggest sign allowed now to be allowed for everyone. The entire character of the County would change from one where without knowing why, we feel more comfortable in Loudoun than in nearby Fairfax where signs assault the eye in Commercial areas. We breath a sign of relief when we get to Loudoun. Don't change that."</p>

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6.04-1 Ground Signs Rural	<p>6.04-1 FREESTANDING SIGNS. Ground Signs, Rural</p> <p>Rural sign allowances are a huge increase over what is allowed now. For example, home occupations are allowed 2 sf and B&amp;Bs, 4 sf in the current ordinance and would be allowed up to 45 sf in this proposal. Signs of 4 sf are easily seen on rural roads; there is no other human clutter to interfere with the view. One might think that signs of almost 7 ft by 7 ft would be appropriate for farms of 100 acres or more. However, these proposals would allow these large signs anywhere in the Rural areas.</p> <p>Categorizing all of ARN, ARS and A-10 as "rural" in the Rural areas is a misnomer. Although many areas are still generally rural, there are more and more smaller lots (many grandfathered A-3 and newer cluster lots) and many more coming. These are "suburban-like" type developments within the Rural districts.</p> <p>Would 45 sf signs be appropriate in these development areas? Would housing developments in the other Neighborhood/Residential/Suburban areas (UPA/SPA/TPA) want signs this big in neighbors yards? (No, they would not.) Many of these suburban incursions in the rural areas look like developments in Suburban districts, houses all along the roads and acreage out back. In addition, lighting of these signs would be allowed just as it will be in heavy use areas such as Commercial.</p> <p>If a residence on 25 acres, with neighbors on 3-5 acre lots closer to the road put up a 45 sf sign, would it impinge on the "rural" nature? Yes. In a similar manner, would such a sign for a rural business on 25 acres with neighbors on 3-5 acre lots also impinge on the rural character as described in the Purpose section? Also, yes.</p> <p>Are large signs needed or should they be allowed with the increased use of GPS and internet "tour maps" to locate Loudoun's great farm markets, wineries, breweries and such rather than the possibility of large signs? This points to the need for additional sign regulation review and categorization for "rural." Large signs in rural "residential" areas would add to the woes of many narrow dirt roads.</p> <p>Constituent comment: "Let's not throw out the baby with the bath water and clutter our rural areas so much that they become unattractive. That will hurt businesses as well as homeowners."</p>
6.04-2 Rural Pole Signs	<p>6.04-1 FREESTANDING SIGNS. Pole Signs, Rural</p> <p>The section permits 45 sf (almost 7 sq feet) for all uses (with over 5 acres); the same as allowed in Commercial areas of the County. This drives up the rural clutter and interferes with the rural nature for the many, and rising, number of homeowners. Our rural areas would be greatly changed by these large signs. Lighting of these signs would be allowed just as it will be in heavy use areas such as Commercial.</p>
6.0.4 Commercial, Employment/Industrial and Urban/Mixed Use	<p>6.04- FREESTANDING SIGNS. Commercial, Employment/Industrial and Urban/Mixed Use</p> <p>By lumping all in one category, this draft allows for the large signs now allowed in our biggest heavy use district to be used in all of them.</p> <p>Constituent comment: "We hope these will be restricted to viewing within the complex and not viewable from any road. Digital signs are very distracting for drivers, especially those with changing messages. We note the fact that our eyes are torn from the road unwillingly to the ever-changing digital signs at schools. Such signs are frequently followed by stoplights, or, school children walking where they should not be."</p>

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	6.05 ATTACHED SIGNS. Can and will matrices for Wall and Window signs differentiate the lump category of "Rural" and "Rural Res" and Rural Econ/comm/biz"?
6.05-1 Wall Signs	6.05 ATTACHED SIGNS, Wall Signs. Greatly appreciate having no animated signs which really distract drivers attention from the road. Larger signs are allowed in rural areas than in other residential areas. Residential areas in the rural areas are not protected. Will this inconsistency be reviewed and rectified by before the 90-day referral?
	6.06 INCIDENTAL SIGNS. Can and will matrices for Banner Incidental Signs, Generally (E.) differentiate the lump category of "Rural" and "Rural Res" and Rural Econ/comm/biz"?
6.06-Incidental signs: Banners	6.06-INCIDENTAL SIGNS. Banners. The Consultant reports indicates that, "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))." Why then, are banners now being allowed without similar type and location restrictions?
6.06-2 De Minimis Signs	6.06-2 INCIDENTAL SIGNS. De Minimis Signs. -- The cumulative area for sf is 2 sf, with individual sign area max is 1sf, but the number allowed is blank. Shouldn't the number allowed by 2 to help folks understand the limit? -- Although the cumulative area is listed under Dimensions is 2 sf (line 4) under Design (line 7), digital signs are allowed "max percent of sign area or 30sf, whichever is greater" Surely this is either in error and digital signs are /should not be allowed as De Minimis Signs, or this inconsistency needs to be clarified?
6.06-3 Temporary Signs	6.06-3 INCIDENTAL SIGNS. Temporary Signs. How does this category make sense? The section allows for 32 sf signs anywhere in the County including town houses and other residential districts; these would be larger than some of those allowed in Commercial/Industrial areas. There is no limit to the number of signs and no cumulative area. Although the description at the top describes a limit of 120 days a year, what would prevent a second sign to be put up for 120 days, and the third, etc., meaning that multiple signs could be up all year? Temporary signs should not be allowed; signs should follow the other sections only. This is a remnant of the Board's problems with those who wanted to express their opinions in signs in an unlimited manner.  The Consultant's Report (p. 14) states, "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." Additional review, clarification and regulations should be applied to "temporary" signs. Will this be done before the 90-day ZOR public review?

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6.06-4 Incidental Signs	<p>6.06-4 INCIDENTAL SIGNS. Residential (a.k.a. "neighborhood") areas are not allowed to use Incidental signs, while Rural areas, with many residences, are allowed up to 6. Although 6 are allowed at 2 sf each, the cumulative area is 32 sf which could be construed to mean 16 signs. Is this an error?</p> <p>Line #6 has no title.</p> <p>Constituent Comment: "Yards with many signs could detract from their neighbor's property values. Who would buy a home next to a neighbor using multiple signs?"</p> <p>How do Incidental signs differ from De Minimus signs? Can a homeowner or business use both? This would allow 6 Incidental signs plus 2 De Minimus signs plus unlimited temporary signs (for 120 days each).</p>
6.08 Illuminated and Digital Signs	<p>6.08 ILLUMINATED AND DIGITAL SIGNS. Digital signs should not be allowed to change messages continuously; this is a dangerous type of sign because of their distractive nature. Many jurisdictions do prohibit them.</p> <p>Constituent Comment: "I recently saw a truck at the intersection of King and Market Streets with the whole side of the truck (mid-sized) a digital screen. Try not looking at it!"</p>
	<p>6.09 SIGN PERMITS AND ADMINISTRATION. C. Sign Development Plan (SIDP)</p> <p>What is an example for 4.c. "The plan must demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign"?</p>
6.10 Sign Measurements	<p>6.10 SIGN MEASUREMENTS. Currently the County allows additional material attached to the sign making it appear, sometimes, twice as big as that allowed. Because the County does not count it as part of the sign, we are seeing extra-large signs appear around the County. How will the regulations stop signs from adding additional material and "pretending" that it is not part of the sign?</p>