

MEMORANDUM

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To: Loudoun County Planning Commission
From: Judi Birkitt, Deputy Director, Planning and Zoning
Daniel Galindo, Director, Planning and Zoning
Date: February 18, 2023
Re: February 25, 2023, Planning Commission Work
Session **ZOAM-2020-0001, Zoning Ordinance
Rewrite – Chapter 8: Signs**

2011 Election District(s): Countywide

2022 Election District(s): Countywide

PURPOSE: Staff seeks the Planning Commission's (Commission) endorsement of draft text for the remaining portions of Chapter 8: Signs, specifically signs within Rural Policy Area zoning districts and Rural Villages (Attachment 1).

BACKGROUND: A primary goal of the Zoning Ordinance Rewrite (ZO Rewrite) is to implement the [Loudoun County 2019 General Plan](#) (2019 GP). Along with the updated zoning districts, the draft sign regulations implement the 2019 GP, streamline the development process by minimizing the need for sign development plans (SIDPs), and ensure that the sign regulations are "content neutral" (i.e., that they do not regulate signs based on the message they communicate).

An overview of Chapter 8 was provided at the [October 13, 2022, Commission Work Session](#), with additional discussion occurring at the [December 8, 2022, Commission Work Session](#). The Key Change Matrix, which is attached to the Cover Memo for Item 1, lists the primary differences between the [Revised 1993 Loudoun County Zoning Ordinance](#) and the attached draft text and describes in greater detail the new regulations and the rationale for key revisions.

This memorandum identifies additional staff recommended revisions for Chapter 8, based on Commission input at the December 8, 2022, Work Session. Additionally, this memorandum responds to the Commission's comments and questions during the December 8 Work Session.

At the December 8, 2022, Work Session, the Commission endorsed the following modifications to the sign regulations. These changes have been made to draft Chapter 8 and are reflected in Attachment 1.

1. *Digital Signs Hold Times*: Increased hold times for digital signs from four to six seconds. (8.08.C.2.)
2. *Digital Signs Size Allowances*: Increased maximum sign allowances for digital signs as provided in Table 1.

Table 1. Digital Sign Allocations – Comparison Between October 2022 and December 2022 Drafts		
Zoning District Category: Sign Type	Maximum % of Sign Area That May Be Digitized	
	October 2022 Draft	December 2022 Draft
Commercial: Ground Signs (Table 8.04-1) Wall Signs (Table 8.05-1) Incidental Signs (Table 8.06-4)	40%	70%
Employment/Industrial: Ground Signs (Table 8.04-1) Wall Signs (Table 8.05-1)	40%	50%
Urban/Mixed Use: Ground Signs (Table 8.04-1) Wall Signs (Table 8.05-1) Window Signs (Table 8.05-2) Incidental Signs (Table 8.06-4)	40%	70%
Entry Signs (Table 8.04-4)	40%	70%
De Minimus Signs (Table 8.06-2)	100%	100%

3. *Digital Signs Hours of Operation*: Added hours of operation for illuminated and digital signs that coincide with the business’ hours of operation: To avoid discriminating between speakers and to ensure that the provision is effective (because persons affected by lighting do not care whether lighting intensity is from a commercial establishment or not), the draft applies this to the hours of operation for the “establishment,” and defines “establishment” as “a place of business or nonprofit entity that owns or operates the digital or illuminated sign....” In addition, because some establishments (such as schools) have events that require lighting (such as outdoor sporting events), this section adds “..., and "hours of operation" include any licensed or permitted event associated with the establishment.” (Section 8.08.B.2).

4. *Entry Signs*: Established a sign category and associated standards for Entry Signs, signs located at the entrance of a residential subdivision or multitenant commercial building (Section 8.04).
5. *Murals*: Added provisions for murals increasing the size limitations for as outlined in Table 8.05-3 and calculating the maximum allowed number and size of murals separately from other wall signs (Section 8.05.D).
6. *Original Art Displays*: Added provisions for original art displays that:
 - a. Incorporate the same review process as murals.
 - b. Count Original Art Display separately from overall sign limitations.
 - c. Increase the size limitations for Original Art Display as outlined in Table 8.04-1.
 - d. Measure size limitations for Original Art Display by volume.
7. *Sign Development Plans (SIDPs)*: Clarified that SIDPs that are part of a legislative approval (such as a zoning map amendment or planned unit development) are processed as part of that approval. As drafted, stand-alone SIDPs are considered only by the Board of Zoning Appeals (BZA) (Section 11.11.03).

DISCUSSION: At the December 8, 2022, Work Session, the Commission left topics open regarding sign regulations in the rural areas for further discussion. The Commission directed staff to establish separate sign categories for residential and nonresidential rural signs. The Commission expressed concern about the regulation of signs on residential property. The need for those regulations was questioned, and it was pointed out that many of those signs add to the Rural Policy Area’s character. The Commission also directed staff to explore ways to base the number of nonresidential signs (including farms) on the linear frontage of a property. Further, the Commission directed staff to develop provisions specific to signs in rural villages. The consultant and staff have developed some additional recommendations for the Commission’s consideration. These topics are discussed below. The Commission’s direction appears in bold followed by staff’s response.

Draw a distinction between residential and nonresidential signs in the rural zoning districts. Allow rural residential signs with the name of the resident or property.

Staff Response: The draft text presented at the October 13, 2022, Commission Work Session eliminated residential and nonresidential categories in the Rural Policy Area. That approach would have allowed, for example, any parcel over 5 acres in the rural zoning districts to have two ground signs on up to 45 square feet apiece with a cumulative maximum area of 60 square feet for all ground and pole signs.

In response to Commission direction, revisions have been made to distinguish between "Residential" and "Nonresidential" (to include farms/agricultural uses with dwelling units) signs for Rural Policy Area zoning districts. As revised, Section 8.01.E.5 defines "Residential" as a lot where the principal use is a dwelling unit and defines "Nonresidential" as any lot that is not designated as "Residential," including any farm/agricultural use that includes a dwelling unit. The reason for this is farms traditionally include both residential and nonresidential uses.

Columns for Residential and Nonresidential sign categories have been added to the sign tables in Sections 8.04 Freestanding Signs, 8.05 Attached Signs, and 8.06 Incidental Signs. As these tables are too large to include in this memo, please refer to Attachment 1 for the draft text.

Rural Residential Signs: As part of the December 8 discussion, a question was raised about why the County needs to regulate residential signs that identify the property owner or property name in the Rural Policy Area. It was stated that many of these signs are part of the character of the County's rural residences, and that many of the signs are found on unimproved gravel roads with no central water, and that many of these residences are distant from other residences (which means that the signs are not typically seen by the general public and are not a distraction). The comments suggested that, when roads are paved, sign regulations would be warranted.

The Revised 1993 Zoning Ordinance allows "residential name signs" (defined as "sign upon property displaying the name and/or address of the owner, lessee, or occupant of the premises") of up to 2 square feet, with one per vehicular access and 2 per dwelling unit or property, and up to 4 feet tall if freestanding and 8 feet tall if mounted on a building. This category was eliminated to avoid regulating the sign's message.

Comprehensive data is not available for the size of existing rural residential signs, as no permits are required for these types of signs. However, based on staff observations and a quick view of signs on unpaved or 2-lane roads, Google Street View suggests that most range from 2-4 to 12-15 square feet. The current sign regulations allow signs in these ranges for other uses, such as 10 square feet for country inns/guest farm or ranches/rural retreats/rural resorts/rural agricultural corporate retreats and 15 square feet for church bulletin boards.

An allowance of 15 square feet would permit a sign that is 3.5 feet x 3.5 feet, which matches what is currently permitted for some nonresidential uses. Many of the signs along unpaved rural roads are on farm property anyway and would qualify for the nonresidential allowances.

Staff recommends addressing rural residential signs as incidental signs (Table 8.06-4). The revised draft text (Attachment 1) allows incidental signs, including freestanding signs, wall signs, and temporary signs, on residential properties within the rural districts. As shown in Table 2, the draft would permit up to six general incidental signs on a residential property in a rural zoning district. Individual signs could be up to 25 square feet and 50 square feet cumulative.

Table 2. Incidental Signs, Generally Rural Residential (from Table 8.06-4)		
1	Allowed?	Y
2	Permit required?	N
3	Number allowed	6 (≤ 2 attached)
4	Cumulative sign area (<i>max-all freestanding signs</i>)	50 sf
5	Individual sign area (<i>max-attached only</i>)	25 sf
6	Height (<i>ft, max</i>)	12'
7	Digital	N
8	Backlight	N
9	Illumination, External	N
10	Illumination, Halo Lit	N
11	Channel Letters	Y
12	Animated	N

Staff considered exempting signs on unpaved local roads in the rural zoning districts. However, that approach would allow an unlimited number of signs of any size, including digital signs. While it is possible that few property owners would take advantage of this due to their location and the fact that they are residential, a large number of signs, excessively large signs, or digital signs is inconsistent with the purposes of the sign regulations and the character of the Rural Policy Area.

Draft Motion – Nonresidential and Residential Signs:

I move that the Planning Commission endorse the nonresidential and residential sign categories for signs in Rural Policy Area zoning districts as presented in the February 25, 2023, Work Session Memo OR with the following revisions:

- a. _____; and
- b. _____.

Explore a different way of allocating the number of *nonresidential* signs to parcels based on road frontage or some other type of metric rather than on acreage.

Staff Response: In the December draft, the number of permitted signs was based on the acreage of the parcel. Specifically, one sign was permitted on parcels 5 acres or less, and two signs were permitted on parcels greater than 5 acres. The size of those signs was based upon the road categories in the Countywide Transportation Plan, which in turn have speed categories.

As requested by the Commission, staff have revised the method of determining the number of permitted nonresidential signs on parcels located in rural zoning districts. Rather than basing the number of permitted signs on acreage, the number would be based on a property’s linear road frontage. This is similar to the method of determining the size allowance for signs in eastern Loudoun based on the linear building frontage.

As drafted, a nonresidential property would be allowed to have one sign per 500 linear feet of road frontage, with a minimum of 500 linear feet of separation between signs. This approach attempts to balance the need for a nonresidential use to communicate a message with the need to control clutter, protect the character of the Rural Policy Area, and to protect traffic safety.

Staff made no revisions to the permitted size of the signs. The maximum permitted size (square feet) of each sign would remain as written in the October and December drafts and would be based on the road categories in the Countywide Transportation Plan (arterial, collector, or local), which in turn have speed categories. The allowed sign size increases based on the road speed.

Draft Motion:

I move that the Planning Commission endorse allocating the number of signs in the Rural Policy Area zoning districts based on the property’s road frontage as presented in the February 25, 2023, Work Session Memo and in Attachment 1 OR with the following revisions:

- a. _____; and
- b. _____.

Call out separate regulations for signs in rural villages.

Staff Response: Village is defined in Section 8.01.E.5 as any lot zoned Planned Development-Rural Village (PD-RV). A column for or reference to Village has been added to the sign tables in 8.04 Freestanding Signs, 8.05 Attached Signs, and 8.06 Incidental Signs, to allow certain sign types such as sidewalk signs, original art display, murals, lamp post banners, and incidental signs in rural

villages, as the Commission found such sign types are in keeping with the character of rural villages. As these tables are too large to include in this memo, please refer to Attachment 1 for the draft text.

Draft Motion – Rural Village Signs:

I move that the Planning Commission endorse the sign regulations for rural villages as presented in Attachment 1 to the February 25, 2023, Work Session Memo OR with the following revisions:

- a. _____; and
- b. _____.

ATTACHMENT

1. Draft Chapter 8: Signs (February 16, 2023)