

PRESENTED: January 10, 2017

ORDINANCE NO: 2017-O001

ADOPTED: January 10, 2017

AN ORDINANCE: AMENDING ARTICLE 15 SIGNS.

The Town Council of Leesburg, Virginia, ordains:

SECTION I. That the following sections of the Zoning Ordinance of the Town of Leesburg, Virginia, 2003, as amended, be and the same are hereby amended to read as follows:

Sec. 15.1 General

15.1.1 Purpose and Intent

- A. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and vehicular traffic, while providing convenience to citizens and encouraging economic development. This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this Article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this Article which can be given effect without the invalid provision.
- B. Signs not expressly permitted as being allowed under this Article, by specific requirements in another portion of this section, or otherwise expressly allowed by the Town Council are forbidden.
- C. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this Article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
- D. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- E. These regulations distinguish between portions of the Town designed for primarily vehicular access and portions of the Town designed for primarily pedestrian access.

- F. These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- G. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

15.1.2 Applicability

These sign regulations shall apply to all signs erected within the Town of Leesburg.

15.1.3 "Sign" Defined

Any device (writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, symbol or trademark, flat, banner or pennant or any other device, figure or character) visible to and designed to communicate information to persons in a public area. The term "sign" also does not include the display of merchandise for sale on the site of the display, which is otherwise regulated by Chapter 30 of the Town Code.

Sec. 15.2 Sign Permit Required

15.2.1 In general. A sign permit is required prior to the display, installation use, alteration, relocation, replacement and/or reconstruction of any sign except as provided in Sec. 15.4 of this Article.

15.2.2 Application for permit.

- A. An application for a sign permit shall be filed with the Town on forms furnished by the Department of Planning and Zoning. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the Zoning Ordinance and other applicable laws, regulations, and ordinances.
- B. The Town's Zoning Administrator or designee shall promptly process the sign permit application and approve the application, disapprove the application, or notify the applicant of deficiencies in the application within 10 business days after receipt. Any application that complies with all provisions of this Zoning Ordinance and other applicable laws, regulations, and ordinances shall be approved.
- C. An application shall be disapproved for non-compliance with the terms of the Zoning Ordinance or other applicable law, regulation or ordinance. If the application is disapproved, the Town shall provide a verbal or written explanation for the disapproval.

15.2.3 Permit fee. A nonrefundable fee as set forth in the Review and Inspection Fee Schedule shall accompany all sign permit applications.

15.2.4 Duration and revocation of permit. If a sign is not installed within six (6) months following the issuance of a sign permit the permit shall be void. The Town may revoke a sign permit under any of the following circumstances:

- A. The Town determines that information in the application was materially false or misleading;
- B. The sign, as installed, does not conform to the sign permit application; or
- C. The sign violates the Zoning Ordinance, or other applicable law, regulation, or ordinance.

- 15.2.5 Temporary Sign Permits.** An application for a temporary sign shall state the dates intended for the installation and removal of the sign. If a sign is not installed within thirty (30) days following the issuance of a temporary sign permit, the permit shall be void. The permit for a temporary sign shall state its duration, as provided in the Zoning Ordinance.
- 15.2.6 Overlay district regulations.** All signs in the H-1 (Old and Historic District Overlay District) and the H-2 (Historic Corridor Architectural Control Overlay District) require approval by the Preservation Planner or the Board of Architectural Review (BAR) in addition to a sign permit except where a sign permit is not required as provided in Sec. 15.4 Exemptions.
- 15.2.7 Comprehensive Sign Plans.** All signs (excluding temporary signs) are subject to the approval requirements of any applicable comprehensive sign plan in accordance with Sec. 15.11 Signs in the H-1 Overlay District and permit procedures of this section.

Sec. 15.3 Definitions

The definitions of this section shall be used solely for the purpose of interpreting and administering the sign regulations of this article. If the definitions of this section conflict with other definitions of this Zoning Ordinance, the definitions of this section shall control. Standards for particular sign types can be found in Section 15.8 Sign Regulations by Use and District.

Advertising

Any words, symbol, color or design used to call attention to a commercial product, service or activity.

Animated Sign

A sign or part of sign that is designed to rotate, move or appear to rotate or move, by any means, including fluttering, rotating or otherwise moving, or set in motion, by movement of the atmosphere. Such a sign is sometimes referred to as a "moving sign."

A-frame/Sandwich Board Sign

A two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape, and not secured or attached to the ground or surface upon which it is located. It is also referred to as a "sandwich board" sign, and included in the term "portable sign".

Awning/Canopy Sign

A sign placed directly on or attached to the surface of an awning or canopy.

Banner

A temporary sign made of flexible material with no enclosing framework designed to be affixed to a framework or flat surface.

Bench Sign

A sign painted, located on, or attached to any part of the surface of a bench, seat or chair placed on or adjacent to a public place or roadway.

Bulletin Board Sign

A sign containing a surface upon which is displayed the name of a religious institution, school, library, community center or similar institutional or community service use, and the announcement of its services or activities.

Business Sign

A sign that directs attention to a product, service or commercial activity available on the premises.

Chalk-board sign

A single-faced, framed slate or chalk-board that can be written on with chalk or similar markers.

Changeable Copy Sign

A sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

Comprehensive Sign Plan

A plan for the signage of a property or properties that include multiple tenants or owners with shared parking or other facilities.

Flag

A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.

Flashing Sign

A sign that includes lights that flash, blink, or turn on and off intermittently.

Freestanding Sign

Any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.

Ground Sign

A sign that is supported by structures or supports in or upon the ground with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.

Height

The maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. 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 primarily for the purpose of mounting or elevating the sign.

Illuminated Sign

A sign that is backlit, internally illuminated, or indirectly illuminated, but does not include a neon sign.

Inflatable Sign

Any display capable of being expanded by air or other gas and used on a temporary or permanent basis to advertise a product or event.

Marquee

A permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.

Marquee Sign

A sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.

Minor Sign

A secondary or ancillary wall or freestanding sign not exceeding two (2) square feet in area, not exceeding four (4) feet in height, and not illuminated for the purposes of facilitating safe passage and efficient circulation including, but not limited to: security, ingress/egress, open/close, hours of operation, and wayfinding.

Monument Sign

A sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.

Neon Sign

A sign made of continuous luminous tubes containing neon or other inert gases that glow brightly when high voltage is applied.

Nonconforming Sign

Any sign which was lawfully erected in compliance with applicable regulations of the Town and maintained prior to the effective date of this Article of the Zoning Ordinance and which fails to conform to current standards and restrictions of the Zoning Ordinance.

Off-premises Sign

A sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.

Pole Sign

A sign that is mounted on one or more freestanding poles with clearance from the bottom of the sign to the ground below that exceeds thirty (30) inches.

Portable Sign

Any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.

Projecting Sign

Any sign, other than a wall, awning or marquee sign, affixed to a building at a 90 degree angle from the wall and supported only by the wall on which it is mounted.

Roof Sign

A sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched, gambrel, gable, hip or mansard roof.

Sign Area

The width multiplied by the height of a rectangle encompassing the entire face of a sign, including the advertising surface and any framing, trim or molding, but not including the supporting structure, i.e.,

Sign Face

The portion of a sign structure bearing the message.

Temporary Sign

Any sign intended to be displayed for a limited period.

Vehicle or Trailer Sign

Any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, produce, service or activity.

Wall Sign

A sign attached to a wall, or painted on or against a flat vertical surface of a structure.

Window Sign

Any sign on or inside of a window within three (3) feet of the glass surface that is visible from a public street or parking lot.

Sec. 15.4 Exemptions

A sign permit is not required for:

- A. Signs erected by a governmental body for the public benefit including, but not limited to traffic, utility, parking, and regulatory signs; commemorative and historical markers; special events; or as required by law;
- B. Flags up to 16 square feet in size not containing any commercial advertising; provided, that no freestanding pole shall be erected in the public right-of-way nor shall it be within five (5) feet of a service drive, travel lane or adjoining street. Freestanding flag poles shall not exceed the maximum building height of the zoning district where located. Roof-mounted flag poles shall not exceed six (6) feet above the roof surface or parapet wall;
- C. The changing messages on approved marquees, directories, and bulletin boards;
- D. The repair of an existing permitted sign, except that such repair of a nonconforming sign must comply with Sec. 15.7, Non-Conforming Signs;
- E. Temporary signs as follows:
 - 1. On any property for sale or rent, no single sign shall exceed thirty-two (32) square feet and a maximum height of six (6) feet. Such signs shall be removed within ten (10) days of sale or leasing of the property.
 - 2. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or direct duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.
 - 3. On any property, non-commercial freestanding or wall signs not exceeding thirty-two (32) square feet and which are removed within ninety (90) days after being erected. Any such sign shall not be erected more than once in any twelve (12) month period.
- F. Minor signs;
- G. Outside of the H-1, Old and Historic Overlay District, not more than one (1) A-frame/sandwich board sign subject to the following: no larger than twenty-four (24) inches in width and thirty-six (36) inches in height; no farther than five (5) feet from the front door of the business to which the sign pertains; and a four (4) foot unobstructed space must be maintained on the sidewalk in front of the business to meet A.D.A. requirements.
- H. Temporary window sign, provided that the aggregate area of all window signs on each window or door does not exceed 50% of the total area of the window or door and not exceeding 32 square feet in area. Any such sign shall not be illuminated and shall not remain in place for more than four (4) weeks.
- I. Vehicle or trailer signs, subject to the following:
 - 1. Vehicle in Operating Condition and Daily Use. Vehicles in operating condition currently registered and licensed to operate on public streets with a valid inspection sticker and are actively used in the daily conduct of the business or entity to which the signs relate.
 - 2. Proximity Limitation. Vehicle signs must be parked no closer than forty (40) feet from a public right of way line or in a location that is more than fifteen (15) feet from

the curb line of the paved parking lot perimeter in a designated and approved striped parking space, whichever is farther.

Sec. 15.5 Prohibited Signs

In addition to signs prohibited elsewhere in this Article or by applicable state or federal law, the following signs are prohibited:

15.5.1 General prohibitions.

- A. Signs that violate any law of the Commonwealth relating to outdoor advertising.
- B. Signs attached to natural vegetation.
- C. Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority.
- D. Freestanding signs more than 25 feet in height.
- E. Animated signs.
- F. Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this Article.
- G. Pole signs.
- H. Portable signs, except A-frame/sandwich board signs where otherwise permitted.
- I. Inflatable signs
- J. Any sign displayed without complying with all applicable regulations of this chapter.

15.5.2 Prohibitions based on materials.

- A. Signs painted directly on a building.
- B. Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, roof lines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three months per year. This prohibition shall not apply to strings of lights installed:
 - a. In the H-1, Old and Historic Overlay District to illuminate the cornice line of buildings, accentuate landscaping and decorate alleyways;
 - b. In any district as holiday decorations, which may be illuminated only during the holiday season to which the display of such lights is customarily associated; and
 - c. In any district as general outdoor seating area decorations at food establishments. Exempt strings of lights illuminating the cornice line of buildings, alleyways or outdoor seating areas must be comprised of clear bulbs that are 0.4 watts, have a separation distance of 5.25 inches between bulbs and which provide continuous light.
- C. Signs that emit smoke, flame, scent, mist, aerosol, liquid or gas.
- D. Signs that emit sound.

- E. Any electronic sign that is generated by a series of moving images, such as an LED, digital display, or other video technology, whether displayed on a building (including windows), vehicle, or mobile unit.
- F. Strings of flags

15.5.3 Prohibitions based on location.

- A. Off-premises signs.
- B. Signs erected on public land other than those approved by an authorized Town official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E.
- C. Signs on the roof surface or sloped surface of awnings or signs extending above the roof line of a building or its parapet wall or the valence of a canopy/awning.
- D. Neon signs, except in windows, limited to two (2) square feet of neon illumination if continuously lit and reading "OPEN" as a minor sign in accordance with Sec. 15.4.5, Exemptions. Neon signs are prohibited in the H-1 Old and Historic Overlay District, unless a determination has been made by the BAR that such signs are historic in nature.
- E. A sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle, and/or pedestrian traffic at road and/or driveway intersections.

Sec. 15.6 Regulations Applicable to All Signs

All new signs and all existing signs which are replaced, reconstructed, extended or changed structurally shall comply with the following development standards unless the building size, location or orientation may result in a circumstance which is not adequately addressed in this article, and may necessitate a modification to the standards provided herein. Any such modification must demonstrate to the satisfaction of the Zoning Administrator that compliance with the stated purpose and intent of these sign regulations will not be compromised.

15.6.1 Measurements of Sign Area and Height

- A. Supports, uprights, or structures on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structures are designed in such a way as to form an integral background of the display when a sign is placed on a fence, wall, planter or other similar structure. In such cases, the sign area shall be computed in accordance with the following provisions.
- B. Sign area.
 - 1. Sign area is calculated under the following principles:
 - a. The length multiplied by the width of the smallest rectangle encompassing the entire area of sign copy on a single sign face shall determine the area of a sign.
 - b. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area.

- i. Sign faces separated by an interior angle of forty five (45) degrees or greater, both sign faces shall be included;
 - ii. Sign faces separated by an interior angle of less than forty five (45) degrees, one sign face shall be included, provided, however, the area of the largest sign face shall be used when two faces are unequal in area.
- C. For projecting signs with a thickness of four inches or more, the sign area shall include the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.
- D. No sign shall have more than two (2) sign faces unless permitted as a kiosk sign.
- E. The area of a kiosk sign shall be computed inclusive of all sides or faces of the kiosk.
- F. The surface area of the largest face of the structure will determine the total square footage of the monument sign. This calculation will exclude the first eighteen (18") inches of the base, provided it does not include any sign copy. In addition, a planter structure which does not exceed one foot (1) in height or include sign copy will also be excluded from the area calculation.
- G. Maximum Height. The height of a sign shall be determined as the difference in height measured from grade to the uppermost extremity of the sign.

15.6.2 Maintenance and Removal

- A. All signs shall be constructed and installed in compliance with the Virginia Uniform Statewide Building Code.
- B. All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.
- C. The Zoning Administrator may cause to have removed, or repaired immediately without written notice, any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapter 8 Buildings and Building Regulations of the Leesburg Town Code.
- D. The owner of any sign located on commercial property where the use or business has ceased operating shall, within six (6) days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.
- E. Sign condition, safety hazard, nuisance abatement and abandonment:
 - 1. Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.
 - 2. Any sign which constitutes a nuisance may be abated by the Town under the requirements of Virginia Code § 15.2-900; 15.2-906; 15.2-1115. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign. Any sign, declared a nuisance, may be subject to immediate removal and disposal by any authorized official, without notice to the owner of the sign.

15.6.3 General Requirements

- A. Placement.** Except as otherwise permitted, all freestanding signs shall be set back at least five (5) feet from any street right-of-way unless further restricted by the Zoning Administrator in order to eliminate a traffic safety hazard.
- B. Illumination.** All permitted signs may be backlit, internally illuminated or indirectly illuminated unless such lighting is specifically prohibited in this Article.
 - 1. In the case of indirect lighting, the source of illumination shall be shielded so that it only illuminates the face of the sign. If illuminated, shingle signs shall only be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this Article. Indirect lighting shall conform with all applicable provisions of Section 12.11 Outdoor Lighting.

15.6.4 Unusual Site Constraints

When unusual building site conditions prohibit the ability to obtain effective signage, the Zoning Administrator may issue sign permits which comply with the intent of this article upon authorization by the Town Council.

15.6.5 Non-Commercial Signs

Substitution. Whenever this Article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height, and construction.

Sec. 15.7 Non-Conforming Signs

15.7.1 Signs lawfully existing on the effective date of this Article, which do not conform to the provisions of this Article, and signs which are accessory to a lawful nonconforming use, shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the property owner.

- 1. No nonconforming sign shall be enlarged, nor shall any feature of a nonconforming sign, such as illumination, be increased.
- 2. Nothing in this section shall be deemed to prevent keeping a nonconforming sign in good repair. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner. The face of a nonconforming sign may be changed so long as the new face is equal to or reduced in height and/or sign area.
- 3. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this Article.
- 4. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50% of its area may be restored within two (2) years after such destruction or damage, but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding 50%, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this Article.
- 5. A nonconforming sign which is changed to become conforming, or is replaced by a conforming sign, shall no longer be deemed nonconforming, and thereafter such sign shall be considered to be legally conforming with the provisions of this Article.
- 6. A nonconforming sign structure shall be subject to the removal provisions of Section 15.6.2, Maintenance and Removal. In addition, a nonconforming sign structure shall

be removed by the owner or lessee of the property if the use to which it is accessory has ceased operations for a period of two (2) years or more.. If the owner or lessee fails to remove the sign structure within the prescribed amount of time, the Zoning Administrator, or designee, shall give the owner 15 days' written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator, or designee, may enter the property upon which the sign is located and remove said sign or may initiate such action as may be necessary to gain compliance with this Section. The cost of such removal shall be chargeable to the owner of the property.

Sec. 15.8 Sign Regulations by Use and District

15.8.1 Residential District Signs

- A. Single-Family and Duplex Dwellings.** None except for those signs exempt from permit requirements and temporary signs authorized in Sec. 15.4 Exemptions.
- B. Residential Developments.** Permanent subdivision or development identification signs indicating only the name and/or address of the premises. The identification signs shall be designed as monument signs or as part of an entrance feature (wall), with the maximum sign area as follows:
 - 1. Developments of 20 Units or Less. One monument sign, not to exceed twenty (20) square feet in area or six (6) feet in height.
 - 2. Developments of 21 Units or More. One monument sign at each major entrance, not to exceed thirty (30) square feet in area or six (6) feet in height. An alternative to construction of a monument sign is providing an architectural entrance feature on both sides of the main entrances not to exceed six (6) feet in height with up to twenty (20) square feet of sign area for each feature.
 - 3. General Farming Activities. Two (2) ground-mounted farm signs per property up to eight (8) feet in height, with a combined area not to exceed twenty (20) square feet.
- C. Signs for Residential Accessory Uses**
 - 1. Accessory Management or Rental Offices. One wall or projecting sign up to six (6) square feet in area.
 - 2. Bulletin Boards. Two (2) bulletin boards per subdivision; must be constructed as monument signs not exceeding forty (40) square feet in area each. The changeable copy area may not exceed twenty-four (24) square feet of the total sign area. The Community bulletin boards shall not exceed six (6) feet in height.
 - 3. Other Accessory Uses. One (1) wall or projecting sign up to six (6) square feet in area.
- D. Signs for Institutional Uses**
 - 1. Bulletin Boards. One monument style sign per use, not to exceed forty (40) square feet in area and, if a ground-mounted sign, six (6) feet in height. Any changeable copy area or electronic message board sign display cannot exceed twenty four (24) square feet of the total sign area. Institutional bulletin boards may be illuminated by white light only. Electronic Message Board displays shall be permitted to change message content twice (2) per hour.
 - 2. Wall Signs. In addition each institutional use may be permitted one (1) wall sign identifying the name and address of the premises not to exceed forty (40) square feet in area. These signs may not be

- illuminated when abutting a residential use.
3. **Separation Distance.** bulletin boards shall not be located closer than one hundred (100) feet from any other bulletin board.

15.8.2 Signs in Business/Employment Districts; General Regulations

- A. **Development and Construction Standards.** All signs requiring a permit shall comply with the requirements of Sec. Error! Reference source not found. Construction and Maintenance Standards and Sec. Error! Reference source not found.. Development Standards for Permitted Sign Types.
- B. **Minimum Setback of Freestanding Signs.** Five (5) feet from any public rights-of-way, service drive or entrance unless further restricted by the Zoning Administrator to eliminate a traffic safety hazard.

15.8.3 Signs for Individual Businesses

- A. **Maximum Number of Signs Per Business.** Two (2).
- B. **Types of Signs Permitted.** Wall, window, monument, projecting, awning, canopy, marquee, A-frame/sandwich board, neon (with restrictions), freestanding projecting, ground signs and Incidental Signs (for Vehicle Service Garage Bays).
- C. **Maximum Size of Signs.**
 1. **Wall or Marquee Sign.** One (1) square foot per linear foot of building frontage on which the sign or signs are to be attached, up to a maximum aggregate of one hundred (100) square feet.
 2. **Monument Sign.** One (1) square foot per five linear feet of lot frontage on which the sign is to be located, up to a maximum size of forty (40) square feet and a maximum height of ten (10) feet.
 3. **Awning or Canopy Sign.** One (1) square foot per linear foot of the awning or canopy, up to twenty (20) square feet.
 4. **Projecting Sign.** One (1) square foot per linear foot of building frontage on which the sign is to be attached, up to twelve (12) square feet.
 5. **A-frame/Sandwich board Sign.** Twenty-four (24) inches in width and thirty-four (34) inches in height.
 6. **Neon Signs.** The square footage of any single neon sign shall not exceed (4) square feet.
 7. **Electronic Message Board.** Displays for institutional uses may be a maximum of twenty-four (24) square feet and may only change message content twice per hour.
 8. **Freestanding Projecting Sign.** Eight (8) square feet.
 9. **Incidental Signs (for Vehicle Service Garage Bays):** Six (6) square feet maximum for each vehicle service garage bay.
 10. **Ground Sign.** One (1) square foot per five (5) linear feet of street frontage, up to a maximum size of forty (40) square feet. There shall be no more than 30 inches clearance from the bottom of the sign to the ground below.
 11. **Window Sign.** Permanent window signs shall be limited to twenty-five percent (25%) of the total square footage of window area, inclusive of all windows on the façade facing the public street or the front of the building

where no street frontage exists, or sixteen (16) square feet, whichever is less. Window signs located above the ground floor shall not be illuminated.

15.8.4 Signs for Multiple Businesses

Multiple businesses located on a single lot may erect signs as follows:

- A. Maximum Number of Signs Per Business.** Two (2).
- B. Types of Signs Permitted.** Wall, window, monument, projecting, awning, canopy, marquee or A-frame/sandwich board, and kiosk. See Sec. 15.7.2 Development Standards for Permitted Sign Types for individual sign type requirements.
- C. Maximum Size of Signs.** Same as for individual businesses.
- D. Directory Sign.** One (1) wall mounted sign per building placed near the principal entrance, up to fifteen (15) square feet in area. Identification of a business on the directory sign will not be included with the number of signs permitted in subsection B above.
- E. Wall Signs.** One (1) per establishment having an individual outside entrance; harmonious with other wall signs as to color and lettering. The size shall be limited to one (1) square foot per linear foot of building frontage for the establishment, up to a maximum of one hundred (100) square feet.

15.8.5 Signs for Commercial, Office and Industrial Centers

Commercial, office or industrial centers or parks at least two (2) acres in size and including five or more establishments planned as an integrated development shall be authorized to erect additional signs based on the following:

- A. Signs for Individual Establishments Within Center.** Same as for individual or multiple businesses, as applicable, provided that no monument signs shall be permitted for individual businesses located on the same lot in a shopping center. One monument sign may be erected for each detached principal building within an office or industrial center. No such sign shall exceed twenty (20) square feet in area or eight (8) feet in height.
- B. Shopping Center Identification Sign and Courtesy Signs.** One monument sign with an area of one (1) square foot per five (5) linear feet of lot frontage on which the sign is to be erected, up to a maximum of forty (40) square feet and a maximum height of ten (10) feet. Only the name and address of the center and the names of establishments shall be displayed. In addition shopping center courtesy signs are permitted, one (1) sign at each entrance/exit only, located at least five (5) feet from the public right-of-way. Each sign is restricted to no more than three (3) square feet in area and three (3) feet in height. No advertisements or phone numbers are permitted on courtesy signs.
- C. Office or Industrial Signs.** One (1) monument sign at each major entrance of an office or industrial center identifying the name of the center only. No such sign shall exceed forty (40) square feet in area or ten (10) feet in height.
- D. Kiosk Signs.**
 - 1. Maximum Height. Ten (10) feet.
 - 2. Maximum Size. Forty (40) square feet inclusive of all sign faces of the kiosk.

3. **Illumination.** Kiosk signs may only be externally illuminated.
4. **Minimum Separation.** Kiosk signs must contain a three hundred (300) foot separation from other kiosk signs.
5. **Location.** Kiosk signs may only be utilized in developments with twenty (20) or more businesses are located in the development.

15.8.6 Signs for Service Stations

Automobile service stations may erect signs as follows:

- A. Maximum Number of Signs.** Three (3) not including state required emissions and inspections signs.
- B. Types of Signs Permitted.** Wall, Window, Monument, awning, canopy, A-frame/Sandwich Board, neon (with restrictions), freestanding projecting ground signs and Incidental Signs (for Vehicle Service Garage Bays).
- C. Maximum Size of Signs**
 1. **Wall and A-frame/Sandwich Board.** Same as individual businesses listed in Sec. 15.9.2 Signs for Individual Businesses. Wall signs may not exceed six (6) square feet in area for each sign identifying the special functions of various service bays in the building façade.
 2. **Signs.** Same as for individual businesses, but may include within the allowable square footage a provision for changeable fuel price sign totaling up to twenty-four (24) square feet in area when integrated into a permitted monument sign. The location of the monument sign must be demonstrated as not interfering with sight distances.
 3. **Canopy or Awning.** One (1) square foot per linear foot of the canopy or awning, with signage comprised of a single reference to the name of the service station and/or identification logo, up to a maximum fifty (50) square feet per sign.
 4. **Gas Pump Signs.** Signs on pump islands relating to self-service or full-service locations, prices, promotions, displays, fuel availability, provided no such sign shall be located on or above any canopy that extends over the pump islands. Signage for each gas pump shall not exceed eight (8) square feet.
 5. **Inspection Sign.** One (1) state inspection sign and one emission inspection sign on each frontage, provided no single sign exceeds six (10) square feet in area.
 6. **Incidental Sign (for Vehicle Service Garage Bay):** Six (6) square feet maximum for each vehicle service garage bay.

15.8.7 Signs for Vehicle Sales Dealerships

Vehicle sales dealerships may erect signs as follows:

- A. Maximum Number of Signs:** Two (2) not including individual vehicle division signs or incidental signs for service garage bays.
- B. Types of Signs Permitted:** Wall, Window, Monument, Awning or Canopy, Vehicle Division, and Incidental Signs (for Vehicle Service Garage Bays)
- C. Maximum Size of Signs:**
 1. **Wall Sign:** One (1) square foot per linear foot of building frontage on which the sign is attached up to a maximum of one hundred (100) square feet for

any one sign. The aggregate total for all wall signs, including Vehicle Division Signs, shall not exceed one (1) square foot for every one (1) linear foot of building frontage upon which the signs are attached.

2. Window Sign: Permanent window signs shall be limited to twenty-five percent (25%) of the total square footage of window area, inclusive of all windows on the façade facing the public street or the front of the building where no street frontage exists, or sixteen (16) square feet, whichever is less. Window signs located above the ground floor shall not be illuminated.
3. Monument Sign: One (1) square foot per five linear feet of lot frontage on which the sign is to be located, up to a maximum size of forty (40) square feet and a maximum height of ten (10) feet.
4. Awning or Canopy Sign: One (1) square foot per linear foot of the awning or canopy, up to twenty (20) square feet.
5. Vehicle Division Sign: Thirty (30) square feet maximum for each corporate vehicle division sold at the Vehicle Sales dealership.
6. Incidental Sign (for Vehicle Service Garage Bay): Six (6) square feet maximum for each vehicle service garage bay.

15.8.8 Signs for Theaters

Theaters are authorized to erect one of the permitted wall or marquee signs with a changeable copy board displaying the name(s) and time(s) of the current motion picture or theatrical production. Theatres may install two (2) changeable copy movie poster signs per one (1) screen at the facility. Movie posters shall not exceed eight (8) square feet in size. Additionally, movie posters shall be located no higher on the wall than eight (8) feet off the ground to the top of the poster.

15.8.9 Unusual Site Constraints

When unusual building site conditions prohibit the ability to obtain effective signage, the Zoning Administrator may issue sign permits which comply with the intent of this article upon authorization by the Town Council.

Sec. 15.9 Signs in the H-1 Overlay District

15.9.1 Certificate of Appropriateness Required

New signs or changes in text, color or composition to an existing permanent sign within the H-1 Old and Historic Overlay District require the approval of a Certificate of Appropriateness by either the Preservation Planner in accordance with Sec. 7.5.6 Administrative Approval of Certificate of Appropriateness or the Board of Architectural Review in accordance with Sec. 7.5.5 Certificate of Appropriateness and the issuance of a sign permit by the Zoning Administrator.

15.9.2 Exemptions

See Sec. 15.4 Exemptions for items that do not require review by either the Board of Architectural Review or the Preservation Planner.

15.9.3 Sign Modifications

When one (1) or more proposed signs in the H-1 Old and Historic Overlay District do not conform to the requirements of Article 15, the application will include justification that the requested modification serves the purpose and intent as established in Sec. 15.1.1 Purpose and Intent. Any such modifications may be based upon documented historical

evidence from Leesburg provided by the applicant. In accordance with Section 7.5.5 Certificate of Appropriateness the Board of Architectural Review may authorize a sign modification that does not strictly adhere to the area, number, height and location criteria within the H-1 Overlay District if it is determined that the proposed sign is more consistent with the architectural and historic character of the building to which it relates and the historic character of the H-1 Old and Historic Overlay District Sign Guidelines overall.

15.9.4 Additional Review Criteria

Any sign erected within the H-1 Overlay District shall also satisfy all applicable criteria established in Sec. 7.5, H-1 Old and Historic Overlay District, as well as the Old and Historic District Sign Guidelines.

15.9.5 Administrative Review Authority

The Preservation Planner shall have authority to issue a Certificate of Appropriateness for applications that request approval for signs that conform to the criteria as established in the Old and Historic District Sign Guidelines in the section titled "Administrative Approval Criteria for Signs in the Old and Historic District. " In the event the Preservation Planner determines that the sign does not conform to said guidelines the application shall be forwarded to the Board of Architectural Review for consideration, at the applicant's request, at the next regularly scheduled BAR meeting for which all public hearing notice requirements can be met. An appeal of any BAR decision shall be in accordance with the provisions of Sec. 3.10.14 Appeals.

Sec. 15.10 Signs in the H-2 Overlay District

15.10.1 Certificate of Appropriateness Required

New signs or changes in text, color or composition to an existing permanent sign within the H-2 Overlay District require the approval of a Certificate of Appropriateness by either the Preservation Planner in accordance with Sec. 3.11.14 Administrative Approval of Certificates or the Board of Architectural Review in accordance with Sec. 7.6.4 Certificates of Approval, and the issuance of a sign permit by the Zoning Administrator.

15.10.2 Exemptions

See Sec. 15.4 Exemptions for items that do not require review by either the Board of Architectural Review or the Preservation Planner.

15.10.3 Additional Review Criteria

Any sign erected within the H-2 Overlay District shall also satisfy all applicable criteria established in Sec. 7.6.7 Design Guidelines as well as the H-2 Corridor Sign Guidelines.

15.10.4 Administrative Review Authority

The Preservation Planner shall have authority to issue a Certificate of Appropriateness for applications that request approval for signs that conform to the criteria as established in the H-2 Corridor Sign Guidelines and the H-2 Corridor Overlay District Design Guidelines. All signs in the H-2 Overlay District shall be subject to administrative review and action by the Preservation Planner in accordance with Section 3.11.14 Administrative Approval of Certificates. In the event the Preservation Planner determines that the sign does not conform to said guidelines the application shall be forwarded to the Board of Architectural Review for consideration, at the

applicant's request, at the next regularly scheduled BAR meeting for which all public hearing notice requirements can be met. An appeal of any BAR decision shall be in accordance with the provisions of Sec. 3.10.14 Appeals.

Sec. 15.11 Comprehensive Sign Plans

15.11.1 Signs, Generally

In order to encourage unified signage compatible with the architectural character of any existing or proposed multiple tenant development, the property owner of any such development may submit a comprehensive sign plan which indicates the following:

- A. **Type**. All comprehensive sign plans shall indicate what types of signs permitted for commercial use in accordance with Article 15 are proposed for the subject development.
- B. **Number**. All comprehensive sign plans shall detail, as applicable, the number of freestanding, monument, wall, and window signs permitted for all leasable tenant spaces.
- C. **Size**. All comprehensive sign plans shall provide information on the dimensions and maximum size of all proposed signs.
- D. **Location**. All comprehensive sign plans shall illustrate on accurately dimensioned elevations the locations of all proposed signs.
- E. **Color**. All comprehensive sign plans shall provide details, including color chips, for all colors that are pre-determined in the comprehensive sign plan.
- F. **Materials**. All comprehensive sign plans shall include samples of the materials proposed for all signs in the comprehensive sign plan.
- G. **Illumination**. All comprehensive sign plans shall include information on the type of illumination for all signs in the comprehensive sign plan.

15.11.2 Modifications

When any proposed comprehensive sign plan includes one (1) or more signs that do not conform to the requirements of Article 15, the sign plan shall include justification that the requested modification serves the purpose and intent established in Sec.

15.1.1 Purpose and Intent.

15.11.3 Review Authority

All comprehensive sign plans shall be reviewed by an administrative panel composed of the Zoning Administrator, Deputy Zoning Administrator, and Preservation Planner as designated by the Director of Planning & Zoning.

- A. **Within the H-1 Overlay District**. All comprehensive sign plans subject to administrative review within the H-1 Overlay District shall, upon evaluation, be forwarded to the Board of Architectural Review with a recommendation from the panel. BAR review of the comprehensive sign plan shall be completed in accordance with the provisions of Section 3.10 Certificate of Appropriateness: H-1 of this Zoning Ordinance. An appeal of any BAR decision shall be in accordance with Sec. 3.10.14 Appeals.
- B. **Within the H-2 Overlay District**. All comprehensive sign plans subject to administrative review within the H-2 Overlay District shall, upon evaluation, be

approved or approved with conditions by the administrative panel. In the event that the administrative panel determines that the comprehensive sign plan does not meet the standards for appropriateness, the application shall, at the applicant's request, be forwarded to the Board of Architectural Review for consideration at the next regularly scheduled BAR meeting for which all public hearing notice requirements can be met. An appeal of any BAR decision shall be in accordance with the provisions of Sec. 3.11.15 Appeals.

- C. **Outside the H-1 and H-2 Overlay Districts.** All comprehensive sign plans subject to administrative review outside of the (H) Overlay Districts shall, upon evaluation, be approved, approved with conditions, or denied by the administrative panel. An appeal of any administrative decision shall be forwarded to the Town Council for consideration and action.

15.11.4 Required Contents of Applications

In order to encourage unified signage compatible with the architectural character of any existing or proposed multiple tenant development, the property owner of any such development may submit a comprehensive sign plan. All applications for comprehensive sign plans shall include the following:

- A. **Comprehensive Sign Plan Application Form (4 copies)**
- B. **Review Fee**
- C. **Narrative (4 copies).** The narrative shall include the purpose and intent of the proposed comprehensive sign plan, a general overview of the signs requested, and justification for any modifications requested in accordance with Section 15.6 Regulations Applicable to All Signs or Section 15.6.4 Unusual Site Constraints above.
- D. **Site plan (4 copies).** The site plan shall show the footprints of all buildings subject to the comprehensive sign plan, the location of all parking spaces, all existing or proposed landscaping, all paved areas, including vehicular and pedestrian travel ways, the location of any monument sign(s) proposed in the comprehensive sign plan.
- E. **Elevations (4 copies).** The elevations shall detail the façade(s) and any other elevations subject to the installation of signs in accordance with the comprehensive sign plan. The elevations will illustrate the typical sign to be installed as well as all signs subject to any requested modifications.
- F. **Sign Details (4 copies).** The sign details shall include all the information outlined in Section 15.11.1. Signs, Generally above.
- G. **Material Samples (1 copy).** The material samples shall include those for any monument, wall, and window signs as well as color chips.

15.11.5 Standard for Review

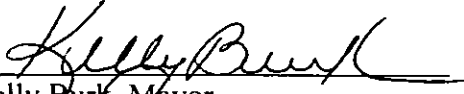
In evaluating the appropriateness of any comprehensive sign plan application, the administrative panel shall use the applicable set of sign guidelines for the H-1 or H-2 Overlay District as well as the following standards:

- A. **Consistency/Variety.** The degree of consistency or variety among the signs proposed for installation in a comprehensive sign plan should be related to the degree of consistency or variety among or within the building(s) to which the signs relate.
- B. **Compatibility with the buildings.** The design (including, but not limited to, size, materials, colors, and illumination) of the proposed signs in a comprehensive sign plan should be compatible with the design features of the building(s) to which the signs relate.
- C. **Compatibility with other signs.** All signs for a multi-tenant building or development should be compatible but not necessarily identical to one another.
- D. **Location.** The signs should be located in areas that are generally appropriate for installation of signs, including sign bands over storefronts, or hanging from a porch or walkway canopy.
- E. **Number.** The number of signs requested for any tenant in a multi-tenant building or development should be reasonably related to the area available for such signs as well as the degree of visibility of the tenant from within the development as well as from the public right-of-way.

15.11.6 Amendments to Existing Comprehensive Sign Plans

Any comprehensive sign plan approved prior to the adoption of this Ordinance is considered grandfathered. Changes to any existing, approved comprehensive sign plans shall be made in accordance with the provisions of Sec. 15.10 Comprehensive Sign Plans.

PASSED this 10th day of January, 2017.


Kelly Burk, Mayor
Town of Leesburg

ATTEST:


Clerk of Council Pro Tem