

Introduction to Sign Regulations

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Development

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PLANNING & DEVELOPMENT



Agenda

- 1 Overview of Zoning Regulations
- 2 Zoning Ordinance Enforcement and Signs in the Right-of-Way
- 3 Upcoming Zoning Ordinance Amendment



Zoning Ordinance Regulations

Article 7: Signs

<https://online.encodeplus.com/regs/fairfaxcounty-va/>

Zoning Ordinance

- Table of Contents
- Fairfax County Zoning Ordinance
 - Cover Page
 - Article 1 - General Provisions
 - Article 2 - Zoning Districts
 - Article 3 - Overlay and Commercial R
 - Article 4 - Use Regulations
 - Article 5 - Development Standards
 - Article 6 - Parking and Loading
 - Article 7 - Signs
 - 7100. General Provisions**
 - 7100.1 Purpose
 - 7100.2 Applicability
 - 7100.3 Administrative Provisions
 - 7100.4 Minor Signs
 - 7100.5 Prohibited Signs
 - 7100.6 Nonconforming Signs
 - 7100.7 Sign Measurement
 - 7101. Sign Regulations by Use and Dis
 - 7102. Administration of Sign Approva
 - Article 8 - Administration, Procedure
 - Article 9 - Definitions and Ordinance
 - Appendix 1 - Index of Amendments an
 - Amendment History Table

ZONING ORDINANCE

Fairfax County Zoning Ordinance > Article 7 - Signs

ARTICLE 7 - SIGNS

Contents:

- 7100. General Provisions
- 7101. Sign Regulations by Use and District
- 7102. Administration of Sign Approvals

7100. General Provisions

1. Purpose

The purpose of this Article is to regulate all signs placed for viewing by the public to:

- A. Improve, promote, and protect the public health, safety, convenience, and general welfare;
- B. Protect against danger in travel and transportation by reducing distractions and hazards to pedestrian and automobile traffic;
- C. Ensure that the First Amendment right to free speech is protected;
- D. Protect property values;
- E. Facilitate travel by identifying locations;
- F. Protect and enhance the aesthetic character of the various communities in the County; and
- G. Further the stated purpose and intent of this Ordinance.

2. Applicability

- A. This Article applies to all signs located in Fairfax County and are in addition to any applicable provisions of Chapter 61 of the County Code (Buildings), and Title 33.2, Chapter 7, of the Code of Virginia. These regulations do not apply to property owned by, or those signs required or sponsored by the United States or the State. Furthermore, subsection 7100.4, Minor Signs, does not apply to property owned by Fairfax County, the Fairfax County Park Authority, or Fairfax County Public Schools.

Permit requirements

Unless exempted, **all signs must obtain a permit**. Sign permits are not required for certain signs, including:

Minor signs - Any sign that is designed to be easily moved, typically not permanently attached to a structure or the ground and is not illuminated. Includes:

- A-frame signs
- Banners
- Posters
- Window signs
- Yard Signs
- Other moveable signs



Minor signs - nonresidential property

Building-mounted and freestanding minor signs permitted if:

- Located on a major thoroughfare* - 32 SF
- All other lots* - 24 SF
- Max of two freestanding signs at 4 feet tall

Visit the following link to view the Roadways by Functional Classification listing to determine whether the road is a major thoroughfare: <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/policy/transportation.pdf>



Off-premise commercial signs

Off-premise commercial signs, such as those advertising an event or a business, that are located off-site (on another private property) may only be displayed from 12 PM Friday - 12 PM Monday.*

** Sizes are limited to those listed on the previous slide for minor signs*



Minor signs - nonresidential property

Window signs - 30% maximum coverage of window in which the signs are located



Minor signs - nonresidential property

A-frame signs:

- One sign 16 SF and 4 feet tall
- Must be located within 25 feet of building or site entrance
- Cannot impede pedestrian or vehicular traffic



Electronic display signs

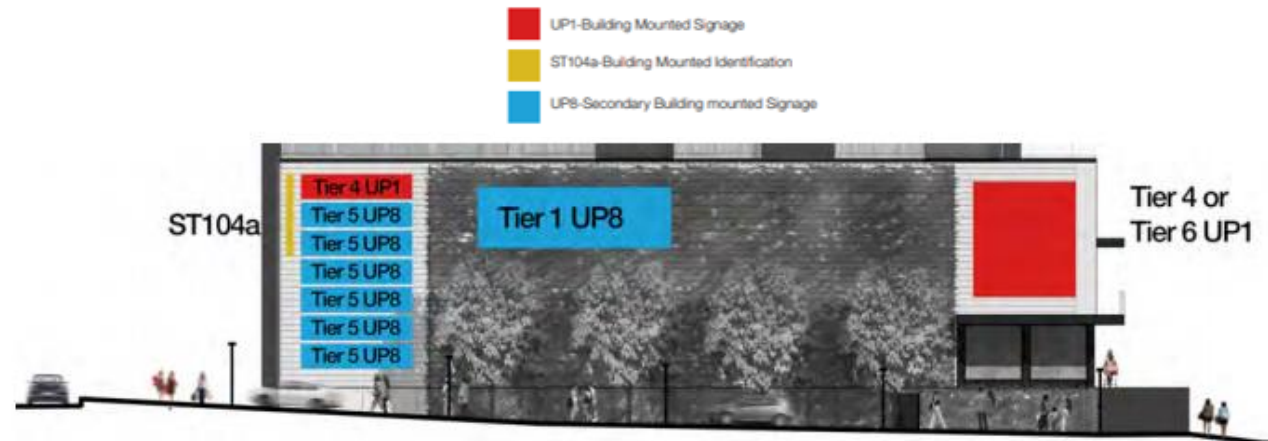
Allowed as part of a freestanding sign:

- **One** per lot; display limited to **50%** of the maximum allowable freestanding sign area
- Cannot move/change more than once every **eight seconds**. Must be instantaneous (no rolling, fading, flashing, etc.)
- Background cannot be white, off-white, gray, or yellow
- Photocell required to control brightness and automatically dim at sunset to **40 - 100 nits**



Special approvals

- **Administrative Comprehensive Sign Plan:** reallocate sign area for specific tenants within a shopping center or mixed use development
- **Special Permit:** public hearing with BZA for shopping centers, including malls
- **Special Exception:** public hearing with BOS for additional sign area and height
- **Comprehensive Sign Plan:** public hearing with PC for Planned Districts



Prohibited signs - moving or windblown signs



**Additional prohibited signs listed in subsection 7100.5*

Other notable sign regulations



Subsection 7100.6 - Nonconforming Signs

Subsection 7100.7 - Sign Measurement

Section 7101 discusses sign regulations by district:

- Subsection 7101.2 - Signs in Residential Districts
- Subsection 7101.3 - Signs in Commercial and Industrial Districts

Helpful links

Sign Ordinance:

<https://www.fairfaxcounty.gov/planning-development/zoning/sign-ordinance>

Sign Permits:

<https://www.fairfaxcounty.gov/planning-development/zoning/sign-permits>

Sign FAQs:

<https://www.fairfaxcounty.gov/planning-development/zoning/sign-permits/faqs>





Zoning Ordinance Enforcement


Department of Code Compliance (DCC)

- Complaint-driven* multi-code enforcement agency formed in 2010
- Approximately 35 investigators and supervisors who respond to and investigate complaints
- Codes enforced include:
 - Zoning Ordinance
 - Uniform Statewide Building Code: construction (Part I), maintenance (Part 2)
 - Fire Code
 - Noise
 - Grass

**For signs in the VDOT Right of Way (ROW), enforcement is not complaint-driven*

Complaints

DCC responded to approximately **7,500 complaints** in 2020

 703-324-1300

 www.fairfaxcounty.gov/code/



Code Compliance

CONTACT INFORMATION:

Code Compliance is open 8AM - 4PM Mon-Thurs and 9:15AM - 4PM Fridays.

- 703-324-1300 | TTY 711
- DCCCodeComplianceE-mail@fairfaxcounty.gov
- 12055 Government Center Parkway, Suite 1016
Fairfax, VA 22035
- @fairfaxcounty
- Jack W. Weyant, P.E., Director

WHAT WE DO

The mission of the Department of Code Compliance is to provide services to protect the lives, property and environment of our community by providing a resource of trained professionals that promote and protect the integrity of our neighborhoods. The Department of Code Compliance responds to over 9,000 complaints each year related to outdoor storage, multiple occupancy, property maintenance, unpermitted construction and other zoning and building code violations. In bringing these violations into compliance, DCC achieves the mission of the agency, which is to promote, protect, and maintain a healthy and desirable living environment in Fairfax County.



[Learn More →](#)

Enforcement of signs on private property

How does DCC enforce?

- DCC Investigator conducts **site visit**, tries to contact responsible party
- Identifies **type** of sign, dimensions, location, and height
- Determines **if sign permit is required** and, if required, confirms it was issued and conforms
- Verifies **prohibited** sign types, sizes, and locations
- If violation found, issues **Notice of Violation (NOV)** with timeframe to comply
- If no progress towards abating violation, case may be referred for **legal action** to achieve compliance



Signs in the Right-of-Way

Enforcement through Illegal Sign Removal Program

Illegal sign removal program - history

In 2013, County authorized by Commissioner of Highways to enforce in accordance with **VA Code Ann. § 33.2-1224** (Signs or advertising on rocks, poles, etc., within limits of highway; civil penalty) on specific roads.

2016: Program expanded to 99 major roads
(www.fairfaxcounty.gov/topics/illegal-sign-removal-program)

***Not a complaint-based program**



Illegal sign removal program

How does DCC enforce?

- Signs documented by DCC staff
- **Tuesday - Thursday** DCC staff drives the roadways in the program, photographing and documenting illegal signage
- Sheriff's Community Labor Force (CLF) collects signs weekly on **Tuesdays - Thursdays**
- Informational letter issued by DCC to responsible party
- After one informational letter, fines of **\$110 per sign** are assessed if violation is repeated





Signs Part II

Zoning Ordinance Amendment

ZOA Part II - potential considerations



Comprehensive Sign Plans

Expand ability to request a CSP to commercial areas
Include review standards and submission requirements



Clarify sign calculations for mixed-use developments and multifamily buildings



Other revisions to regulations from Part I Amendment



What other topics should be considered?

- Are the current regulations working?
- Is there a topic that should be re-visited?



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Questions?

Zoning: Casey.Judge@fairfaxcounty.gov or 703-324-1314

DCC: DCCCodeComplianceE-mail@fairfaxcounty.gov or
703-324-1300