

ORDINANCE 18-1700-1022

MOTION Councilmember Carrera SECOND Councilmember Cendejas

Date of Meeting: July 17, 2018

ZOTA #18-01

AN ORDINANCE TO AMEND ARTICLE VI, SUPPLEMENTARY REGULATIONS, OF CHAPTER 31, ZONING, TAXATION, OF THE CODE OF THE CITY OF MANASSAS PARK, VIRGINIA, TO REPLACE SECTION 31-29, GENERAL SIGN REGULATIONS, TO ENSURE COMPLIANCE WITH THE FIRST AMENDMENT OF THE U.S. CONSTITUTION, AND TO AMEND SECTION 31-33.2, WAIVERS AND MODIFICATIONS, TO ALLOW FOR CERTAIN SIGNS TO BE APPROVED BY A WAIVER

BE IT ORDAINED by the Governing Body of the City of Manassas Park that:

1. Section 31-29, General sign regulations, of Article VI, Supplementary Regulations, of Chapter 31, Zoning, of the Code of the City of Manassas Park, Virginia, is hereby deleted in its entirety and replaced by a new Section 31-29 to read as follows:

“Sec. 31-29. - General sign regulations.

(a) Purpose and intent.

- (1) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section 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 wheeled traffic, while providing adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This section shall be interpreted in a manner consistent with the First Amendment of the U.S. Constitution. If any provision of this section 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.
- (2) Signs not expressly permitted as being allowed by right or by specific requirements in another portion of this chapter are forbidden.
- (3) 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.
- (4) This section establishes limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and adequate for their intended purpose, while balancing the individual and community interests identified in paragraph (1). These regulations herein are intended to promote signs that are compatible with the use of both the property to which they are appurtenant and the 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.
- (5) These regulations distinguish between portions of the city designed for primarily vehicular access and portions of the city designed for primarily pedestrian access.
- (6) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the city. Rather, they are intended to regulate those forms and instances that most likely meaningfully affect one or more of the purposes set forth above.

- (7) 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.
 - (8) These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the federal government or the government of the Commonwealth of Virginia or of the City. The inclusion of “government” in describing some signs is not intended to subject the government to regulation, but to instead help illuminate the types of signs that fall within the immunities of the government from regulation.
- (b) Substitution clause. Signs containing non-commercial speech are permitted anywhere that signs containing commercial speech are permitted and shall comply with all requirements of this section.
- (c) Definitions. The words, terms and phrases, when used in this section, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:
- (1) Affix – to stick, attach or fasten an object to something else.
 - (2) A-frame sign – a portable two-faced sign with supports that are connected at the top and separated at the base, forming an “A” shape. These are also referred to as “sandwich board signs” is ordinarily in the shape of an “A” or some variation thereof,
 - (3) Address sign– a sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service.
 - (4) Alter –to change in the size or shape of an existing sign or to replace a sign face.
 - (5) Air-activated sign – a sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion. See also balloon sign.
 - (6) Awning sign – a sign painted on, printed on or attached flat against the surface of an awning that is a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid material on a supporting framework.
 - (7) Balloon sign – a sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached or held in place by a cord, rope, cable or similar method. See also air-activated sign.
 - (8) Banner sign – canvas, plastic fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable or a similar method. If such sign is supported by stakes in the ground, it shall be considered a yard sign.
 - (9) Billboard – a sign that describes or calls attention to products, activities or services that are not customarily engaged in, produced or sold on the premises upon which the sign is located, which is either freestanding or displayed on a motor vehicle or trailer, as defined in Section 46.2-100 of the Code of Virginia.
 - (10) Building frontage – The linear footage of a building façade that faces a street.
 - (11) Building sign – a sign mounted directly on a building, or attached to the façade, parapet or other element of a building. Such signs shall include awning signs, canopy signs, wall signs and projecting signs.

- (12) Canopy sign – a sign attached to the soffit or fascia of a canopy of a covered entrance or walkway, which is a permanent structure made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure but typically is supported by features other than the building façade, such as structural legs or building extensions.
- (13) Directional sign – a small permanent sign located near driveway access points and/or at the intersection of internal access drives.
- (14) Display – make a prominent exhibition of some object in a place where it can easily be seen.
- (15) Drive-up sign – any signage located along a drive-up lane that is oriented toward the customer or user in the drive-up lane.
- (16) Durable – able to withstand wear, pressure or damage; hard-wearing and not easily worn over a long duration.
- (17) Electronic message center – a variable message sign that utilizes computer-generated messages or some other electronic means of changing copy more than once in a twelve (12) hour period and requires approval of a waiver. These signs include displays using incandescent lamps, light emitting diodes (LEDs), liquid-crystal display (LCDs) or a flipper matrix.
- (18) Erect – to construct or install a building, wall or other structure.
- (19) Flag – a sign made of non-rigid material such as canvas or vinyl and having no enclosing or supporting framework. A flag is usually rectangular or triangular and is attached at one end to a pole. Often intended for temporary use, a flag can be woven, screen-printed or painted.
- (20) Freestanding sign – any sign supported upon the ground by a monument, pedestal, pole bracing or other permanent measure and not attached to any building.
- (21) Master sign plan – a comprehensive plan of signage for a multi-tenant shopping centers, office complex, industrial park or the nonresidential portions of a property zoned MUD or PUD that is subject to approval of a waiver and allows for the modifications to the sign regulations resulting in a superior design that compliments the layout, architecture and distinctive elements of a development.
- (22) Mixed use – refers to a parcel or lot of record, or a structure constructed thereon, zoned to the MU-D, downtown mixed-use zoning district.
- (23) Monument sign – a ground mounted sign where the sign face is set on a base or platform and has no visible support structure.
- (24) Double-faced sign – a sign having two (2) display faces, where the sign faces are not mounted back to back and where the faces are such that the interior angle of the faces is greater than ninety (90) degrees and not being a three-way dimensional sign.
- (25) Multifamily - refers to a parcel or lot of record, or a structure constructed thereon that accommodates more than one dwelling unit.
- (26) Nonconforming sign – any sign lawfully installed that due to the adoption or amendment of this Code does not meet the current regulations.
- (27) Nonresidential – refers to a parcel or lot of record, or a structure constructed thereon primarily for agricultural, commercial, industrial, public or institutional purposes.
- (28) Off-premises sign – A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

- (29) On-premises sign – a sign that directs attention to a business, commodity service or entertainment conducted, sold or offered on the same lot, parcel, site or property where the sign is located.
- (30) Pennant – a triangular or irregular piece of fabric or other material, whether or not containing a message of any kind, commonly attached by strings, strands or supported on small poles, intended to flap in the wind.
- (31) Permanent sign – a sign permitted by this ordinance to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.
- (32) Portable sign – a sign that is capable of being transported because it is lighter and smaller in size. See A-Frame and T-Frame signs.
- (33) Projecting sign – a sign that is affixed to a building or wall and extends more than eighteen (18) inches beyond the face of such building or wall. A projecting sign shall also include a sign hung under an arcade.
- (34) Reader board – a sign or portion of a sign where it is possible to change the copy on a frequent basis but where such sign change must be manually made and is not made electronically.
- (35) Roof Sign – a sign located 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 a building with a pitched roof.
- (36) Sign – any object, device, display or structure or part thereof situated outdoors or adjacent to the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images. A sign not visible from any adjacent right-of-way is not considered a sign for purposes of this ordinance.
- (37) Single family – a parcel or lot of record, or a structure constructed thereon that accommodates a single dwelling unit, whether it is a single family attached or detached dwelling unit.
- (38) Subdivision sign – a sign placed at the entrance of a subdivision from the public right-of-way.
- (39) Temporary sign – any sign which is movable, not permanently attached to the ground, a structure or other sign, designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes, intended for a limited period of display or constructed out of cloth, canvas, plastic sheet, cardboard or other like materials.
- (40) T-frame sign – a portable sign that is ordinarily in the shape of an upside down “T” or some variation thereof, which is readily moveable and is not permanently attached to the ground or any structure.
- (41) Wall sign – a sign attached directly to an exterior wall of a building and which does not extend above the roof line more than eighteen (18) inches from or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall. Murals and other painted signs are considered wall signs pursuant to this section.
- (42) Window sign – any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior including, but not limited to, window paintings and signs located inside a building but visible primarily from the outside of the building. This does not include merchandise and other displays located in a window or print intend to be viewable from the interior of a building.

(43) Wind sail sign – a temporary sign that is constructed of cloth, canvas, plastic fabric or similar lightweight, non-rigid material that is supported by a single vertical pole mounted into the ground or on a portable structure.

(44) Yard sign – any temporary sign placed on the ground or attached to a supporting structure, posts or poles, that is not attached to any building

(d) Administration.

(1) Except for those signs listed in subsection (h) below, no sign shall be erected, posted, painted, altered, or relocated until a permit for such sign has been issued by the zoning administrator.

(2) Each sign permit shall be accompanied by two (2) copies of the following information for each sign: rendering of sign design and support structure, dimensions of sign area and any support structure; a site plan showing proposed location(s); method of illumination, if any; method of fastening such sign; contact information of property owner, sign owner and sign company; and, if applicable, approval of the waiver for a master sign plan or electronic message center.

(3) An application for a sign permit shall include payment of the review fee in the amount established by the fee schedule.

(4) A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months after the date of the issuance of the permit.

(5) Any sign for which a sign permit has been granted shall be subject to inspection by the zoning administrator. If the sign fails to pass inspection, the sign shall be in violation of this chapter.

(6) All signs shall meet the structural requirements set forth in the Virginia Uniform Statewide Building Code.

(e) Revocation of sign permit. The zoning administrator may revoke a sign permit under any of the following circumstances:

(1) Information provided in the application was materially false or misleading;

(2) The sign as installed does not conform to the approved sign permit application;

(3) The sign violates the zoning ordinance, building code or other law, regulation or ordinance.

(f) Sign measurement and calculations.

(1) Sign height shall be measured from the average grade at the base of the sign to the highest point of the sign structure. Property grade may not be modified immediately adjacent to a sign unless the modified grade is shown on an approved site plan.

(2) If the proposed sign location is below the grade of the adjacent roadway, the sign height shall be measured from the adjacent road elevation closest to the base of the sign.

(3) Sign area is the area within a circle, triangle, parallelogram, or trapezoid enclosing the extreme limits of any message including writing, representation, pictorial elements, emblems or figures of similar character, together with all material, color or lighting that either forms an integral part of a display or differentiates the message from the background against which it is placed.

(4) For double-faced signs, only one (1) display face shall be measured in computing total sign area provided the faces are either parallel or have an internal angle

between its two faces of no more than 45 degrees. If one side is larger than the other the larger of the two shall be used to calculate sign area.

- (g) Sign illumination. Lighting shall be the minimum necessary to be visible at nighttime and shall not create a distraction or other hazard, such as pinpoint glare, to vehicular traffic.
- (1) In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the sign to minimize glare, sky glow and light trespass. The beam width shall not be wider than that needed to light the sign. The light source shall have a neutral hue and be consistent for all fixtures illuminating a single sign.
 - (2) Internal illumination and halo illumination shall not be permitted to have an illumination spread of more than .05 foot candle at the lot line, shine into on-coming traffic, affect highway safety, or shine directly into or upon a residential dwelling unit. The background of internally illuminated signs shall be designed so that the illumination only penetrates the letters, logos, symbols, or other message copy.
 - (3) Internally illuminated wall signs shall not be placed on any building elevation that faces an adjacent residential property.
- (h) Signs not requiring a permit. The following signs are exempt from the permit process but shall still comply with all applicable safety, lighting, height and area location standards established in this section.
- (1) Address signs.
 - (2) Flags.
 - (3) Holiday decorations.
 - (4) Home occupation signs.
 - (5) Light pole banners, provided they are located on-site in commercial and mixed use developments, there are no more than two (2), double-faced banners per light standard, are limited to six (6) square feet in size per banner, have a minimum clearance of ten (10) feet above grade, and are placed no higher than the maximum height of the light pole.
 - (6) Signs associated with approved temporary uses.
 - (7) Signs installed by City governmental agencies on City-owned property.
 - (8) Signs or notices issued by any court, officer or other person or organization in performance of a public duty or required by law to be posted.
 - (9) Signs not visible from the public right-of-way that do not exceed thirty-two (32) square feet in sign area.
 - (10) Signs posted on accessory structures that are customarily found and incidental to any permitted nonresidential use, provided such sign is no greater than two (2) square feet in size.
 - (11) Temporary signs, as regulated by subsection (k) below.
 - (12) Traffic control devices (TCDs) as identified in the latest version of the Manual on Uniform Traffic Control Devices (MUTCD) and other State and City design standards related to traffic control or management that are installed by Manassas Park Department of Public Works or the Commonwealth of Virginia.

- (13) Window signs, provided coverage does not exceed fifty (50) percent of the window area.
- (i) Prohibited signs.
 - (1) Any sign that violates any provision of any law of the state or federal government relative to outdoor advertising.
 - (2) Any sign that violates any provisions of the Uniform Statewide Building Code.
 - (3) Any sign that obscures a sign or signal displayed by a governmental authority.
 - (4) Any sign, except an off-premises sign that complies with subsection (l) below, that advertises an activity, business, product, or service no longer conducted on the premises upon which the sign is located.
 - (5) Any sign that is a copy or imitation of or which for any reason is likely to be confused with any traffic-control sign or signal used or displayed by a public authority.
 - (6) Any sign within the triangular area at the street corner of a corner lot described in section 31-31 of this chapter.
 - (7) Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to produce light, air, ingress, or egress for any building, as required by law.
 - (8) Balloon signs.
 - (9) Air-activated signs.
 - (10) Pennants and spinners.
 - (11) Any sign, except an official notice from the city or a public utility company, that is nailed, tacked, posted, or in any other manner attached to any utility pole or structure for supporting wire, cable, or pipe, or to any tree on any street or sidewalk or to public property of any description.
 - (12) Any sign or illumination that causes any direct glare into or upon any building or property other than the building or property to which the sign may be related, or which the direct or reflected light from primary light sources creates a traffic hazard to operators of motor vehicles on public roads.
 - (13) Any sign displaying flashing or intermittent lights, or other lights of changing degrees of intensity, brightness or color, unless approved as a waiver for an electronic message center.
 - (14) Roof signs.
 - (15) Billboards.
- (j) Signs allowed by zoning district. Signs shall be permitted by district in accordance with the following table.

	A-1, R-1, R-2			B-1, B-2, B-3	I-1, I-2	PUD, MU-D			PF
	Residential		Non-Residential			Residential		Non-Residential or Mixed Use	
	SF	MF				SF	MF		
Permanent Freestanding Signs									
Directional	X	P	P	P	P	X	P	P	P
Drive-Up	X	X	X	P	X	X	X	P	X
Residential Development/ Subdivision	P	P	X	X	X	P	P	X	X
Other monument signs	X	P	P	P	P	X	X	P	P
Permanent Building Signs									
Awing or Canopy	X	P	P	P	P	X	P	P	P
Projecting	X	P	P	P	P	X	P	P	P
Wall	X	P	P	P	P	X	P	P	P
Reader Boards and Electronic Message Centers									
Reader Boards	P	P	P	P	P	P	P	P	P
Electronic Message Centers	W	W	W	W	W	W	W	W	W
Portable Signs									
A-Frame or T-Frame	X	X	X	X	X	X	X	P	P
Temporary Signs									
Yard	P	P	P	P	P	P	P	P	P
Banner	P	P	P	P	P	P	P	P	P
Wall	P	P	P	P	P	P	P	P	P
Wind Sail	X	P	X	P	P	X	P	P	P
Off-Premises Signs									
Freestanding	X	X	X	P	P	X	X	P ¹	X

SF = Single Family; MF = Multifamily; P = Permitted; X = Not Permitted; W= Requires a waiver; P¹ = Permitted only in commercial areas of PUD; not permitted in MU-D

- (k) Temporary signs.
- (1) General Provisions.
- a. Temporary signs do not require approval of a sign permit.

b. Temporary signs shall be on-premises signs.

c. Temporary signs shall be constructed and maintained according to the standards, specifications and regulations of this section.

d. Temporary signs shall not be mounted, attached, affixed, installed or otherwise secured in a manner that will make the sign a permanent sign.

- e. No on-premises temporary signs shall be mounted, attached, affixed, installed or otherwise secured to or above the roof or roofline of any structure.
 - f. No on-premises temporary signs shall be internally or externally illuminated.
 - g. Temporary signs shall be properly secured to their framing and the ground or structure to which they are attached.
 - h. Temporary signs shall not be attached to any permitted sign or its associated support structure.
 - i. With the exception of A-Frame and T-Frame signs, no temporary sign shall be placed in the right-of-way.
 - j. The posting of temporary signs requires permission of the property owner.
- (2) Temporary signs on properties for sale or lease.
- a. One temporary sign may be placed on a lot for sale or lease.
 - b. Signs shall be removed no later than fourteen (14) days following the date on which a sale or lease contract was executed.
 - c. Signs shall be located no closer than ten (10) feet from any property line.
 - d. Sign type is limited to yard or banner sign.
 - e. Sign size and height limitations are as follows:

Temporary Signs on Lots for Sale or Lease			
Lot Size	Maximum Sign Area	Maximum Yard Sign Height	Maximum Banner Sign Height
Less than one (1) acre	Six (6) square feet	Six (6) Feet	No higher than roof line
One (1) acre to five (5) acres	Fifteen (15) square feet	Eight (8) feet	No higher than roof line
Over five (5) acres	Thirty-two (32) square feet	Twelve (12) feet	No higher than roof line

- (3) Temporary signs during elections
- a. One temporary sign per candidate and per issue on a ballot may be placed on a lot for a period of seventy-five (75) days prior to any federal, state or local election.
 - b. Each sign shall not exceed six (6) square feet in size.
 - c. Signs shall be removed no later than three (3) days after the date of the election.
 - d. Notwithstanding paragraph (a) above, any sign no greater than six (6) square feet may be placed at a polling station, provided it is located no closer than forty (40) feet from any polling station entrance and is erected no earlier than 12:00 p.m. the day before the election and removed no later than 9:00 a.m. the day after the election.
- (4) Temporary signs on single family property
- a. A maximum of twenty (20) square feet of temporary signage is permitted.
 - b. Banner signs may be attached to a building, fence or other similar structure. No banner shall be mounted higher than the roofline.

- c. A banner sign attached to posts and mounted in a yard or landscape area shall be regulated as a temporary yard sign.
 - d. Temporary yard signs shall not exceed six (6) feet in height.
 - e. Signs having an area of sixteen (16) square feet or greater shall only be permitted for a maximum of ninety (90) days in a consecutive three hundred sixty-five (365) day period.
- (5) Temporary signs on nonresidential property and multifamily property
- a. Any nonresidential use located in the City Center Redevelopment District may have one (1) T-Frame or A-Frame sign. Such sign may be displayed on the sidewalk, provided it is removed daily and does not interfere with pedestrian traffic.
 - b. Up to two (2) of the following signs, or any combination thereof, may be displayed on nonresidential property, multifamily property or mixed use property for a maximum of one hundred and twenty (120) days within a consecutive three hundred sixty-five (365) day period:
 - 1. Banner or building signs.
 - i. Banner signs may be attached to a building, fence or other similar structure. A banner sign attached to posts and mounted in a yard or landscape shall be regulated as a temporary yard sign.
 - ii. The maximum sign area of any single banner or building sign shall be twenty (20) square feet.
 - iii. A banner or building sign shall not be mounted higher than the roofline.
 - 2. Wind sail signs.
 - i. The maximum dimensions of a wind sail sign shall be fifteen (15) feet in height and three (3) feet in width.
 - ii. Every wind sail sign shall be set back from any property line a distance equal to its height.
 - 3. Yard signs.
 - i. Each sign face that can be seen from the public right-of-way shall count as a sign.
 - ii. The temporary yard sign shall not exceed eight (8) feet in height or thirty-two (32) square feet in area.
- (l) Off-premises signs.
- a. Off-premises signs shall require permission from the property owner or his designated agent as part of the sign permit application.
 - b. Off-premises signs shall only be located on property that is zoned B-1, B-2, B-3, I-1, I-2, and commercial areas of a PUD.
 - c. An off-premises sign shall be a freestanding sign.
 - d. Off-premises signs shall be constructed of materials that are durable enough to safely, securely and effectively meet the proposed duration of such sign.
 - e. Off-premises signs shall have a maximum height of eight (8) feet and a maximum sign area of thirty-two (32) square feet.
 - f. There shall be a maximum of two (2) off-premises signs per property.

- g. An off-premises sign permit is only valid for six (6) months, but may be renewed for another six (6) months up to two (2) times.

(m) Permanent freestanding signs.

(1) Directional signs.

- a. Where permitted, there shall be no more than one sign per driveway intersection with any street;
- b. The maximum sign area shall be five (5) square feet; and
- c. The maximum sign height shall be three (3) feet.

(2) Drive-up signs.

- a. Drive-up signs shall be located on nonresidential property having a drive-up lane.
- b. One (1) drive-up sign is permitted for each drive-up lane with a maximum sign area of thirty-six (36) square feet each.
- c. The provisions of subparagraph b above shall not apply to any drive-up sign located in the rear of the building not visible from a public right-of-way or screened with a wall or landscaping or other screening method that fully blocks the view of the drive-up sign as seen from the right-of-way.

(3) Monument Signs.

- a. Monument signs for single family residential developments.
 - i. A maximum of two (2) monument signs are permitted at the entrance of any single family residential development.
 - ii. Such signs shall be a minimum of five (5) feet from any property line.
 - iii. The sign area shall be a maximum of thirty-six (36) square feet per sign.
 - iv. The maximum height of such signs shall be twelve (12) feet.
- b. Monument signs for public facilities and commercial, industrial, multifamily and mixed use properties. Except as qualified below, any lot containing a public facility, mixed use development, commercial, industrial or multifamily use is permitted one (1) monument sign per street frontage with each sign having a maximum height of twelve (12) feet and a maximum sign area of (50) square feet.
 - i. When located in the Four Corners Redevelopment District, monuments signs are limited to one per lot with a maximum height of ten (10) feet and fifty (50) square feet of sign area, which may be increased to eighty (80) square feet when located in a shopping center. Any monument sign in the Four Corners Redevelopment District shall have perimeter landscaping at the base consisting of flowers or shrubs that are regularly maintained.
 - ii. When located in a shopping center outside the Four Corners Redevelopment District, monument signs are permitted a maximum sign area of sixty (60) square feet and a maximum height of twelve (12) feet.
 - iii. When located in an industrial park, monument signs are permitted a maximum sign area of one hundred (100) square feet and a maximum height of twelve (12) feet.

(n) Permanent building signs.

- (1) Building signs include canopy, awning, wall and projecting signs and are limited based on a total maximum sign area. Roof sign are prohibited.
 - (2) Building signs for multifamily uses and nonresidential uses in agricultural or residential districts shall be limited to a maximum sign area of twenty-four (24) square feet per building frontage.
 - (3) Building signs for commercial and industrial uses, mixed use developments and public facilities shall not exceed two (2) square feet per linear foot of building or tenant frontage. The maximum sign area per tenant shall not exceed two hundred (200) square feet.
 - (4) Where building frontage is on more than one (1) street, the sign area computed for each frontage shall only be used along the street that the building fronts.
 - (5) No building sign shall project more than five (5) feet from the building front, nor closer than two (2) feet from any curb line.
 - (6) All building signs shall have a minimum clearance of ten (10) feet above a walkway and fifteen (15) feet above a driveway, alley or parking space.
 - (7) Awning signs may be located on or above the vertical fascia or drop leaf.
 - (8) Projecting signs shall be no closer than five (5) feet to a property line.
- (o) Reader boards. Reader boards are permitted as part of any canopy or monument sign provided the reader board does not exceed fifty (50) percent of the sign area.
- (p) Signs requiring a waiver
- (1) To promote flexibility in design and enhance the compatibility of signage with the architectural and site design features within a development, electronic message centers and master sign plans may be submitted for review and approval as a waiver, as provided in Sec. 31-33.2.
 - (2) In addition to the submission requirements in Sec. 31-33.2, a waiver application for signage shall include four (4) sets of the following:
 - a. A map showing the location of each sign;
 - b. A site plan that shows property lines, location of buildings, length of building frontage and street frontage, location of tenant spaces, frontage improvements, parking and landscaped areas;
 - c. Building elevations showing location for all proposed sign options, showing maximum letter and logo height and width and the dimensions between signs and the edges of the façade and roofline;
 - d. Renderings of proposed signage and any support structure that identifying the length, width, height of each sign and its associated support structure;
 - e. Area of each sign;
 - f. Identification of sign materials and type of support structures to include color and texture;
 - g. Proposed illumination; and
 - h. Message change time, transition method, all text and image movements including but not limited to scrolling, flashing, or spinning and all other animated effects, if requesting a reader board or electronic message center.
 - (3) Limitations for electronic message centers.

- a. Electronic message centers shall be limited to seventy-five (75) percent of the sign area.
 - b. Where permitted, there shall be only one (1) electronic message center per lot with no more than two (2) sign faces.
 - c. Electronic message centers must be designed and equipped to freeze a display in one (1) position if a malfunction occurs.
 - d. Electronic message centers shall be equipped with an automatic dimming photocell that automatically adjusts the display's brightness based on ambient light conditions.
 - e. The brightness level shall not exceed 0.3 foot candles over ambient levels as measured at a distance of one hundred and fifty (150) feet.
- (4) Limitations for master sign plans.
- a. A master sign plan is only permitted for multi-tenant shopping centers, office complexes, industrial parks or the nonresidential portions of a property zoned MUD or PUD.
 - b. A master sign plan may include signage that exceeds the requirements of this section in terms of number, type, size and height.
- (5) In addition to the standards provided in Sec. 31-33.2(d), the Planning Commission and Governing Body will evaluate the following factors when considering a signage waiver:
- a. The proposed signage is appropriate for the architectural and urban design elements of the site; and
 - b. The proposed signage is complementary to the scale and harmony of the development; and
 - c. The proposed signage is compatible with adjacent properties; and
 - d. The proposed signage is architecturally and aesthetically durable.

(q) Nonconforming signs

- (1) Signs which do not conform to the regulations prescribed herein that were erected in accordance with all applicable regulations in effect at the time of their erection may remain except as qualified below.
- (2) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination be increased or added.
- (3) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, unless the nonconforming sign is reduced in area or height. Sign face replacement is permitted provided the new sign face is equal to or smaller than the existing nonconforming sign face.
- (4) If damaged to an extent greater than fifty (50) percent of its replacement value, it shall not be rebuilt.
- (5) 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 section.
- (6) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent 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 fifty (50) percent, it shall not be

reconstructed but may be replaced with a sign that is in full accordance with the provisions of this section.

- (7) A nonconforming sign that has become or is replaced with a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this section.
- (8) A nonconforming sign shall be removed if 1) it does not meet the requirements of the Virginia Uniform Statewide Building Code or 2) the use to which it is accessory has not been in operation for a period of two (2) years or more. Such sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign, the zoning administrator or designee shall give the owner thirty (30) days' 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 any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

(r) Sign maintenance and removal

- (1) All signs shall be maintained in good working condition so as to present a neat and orderly appearance. The zoning administrator may cause to be removed any sign which shows gross neglect, is dilapidated, has ground area around it that is not well maintained, or is in danger of falling or is otherwise unsafe.
- (2) A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business that it advertises or identifies is no longer on the premises. Failure to remove the sign shall constitute a violation of this chapter.
- (3) The zoning administrator may order the removal of any sign erected or maintained in violation of this chapter. The zoning administrator shall give thirty (30) days' notice in writing to the owner of such sign or of the building, structure, or premises on which such sign is located to remove the sign or to bring into compliance. Failure to comply shall constitute grounds for the zoning administrator to have the sign removed at cost to the owner."

2. Section 31-33.2, Waivers and modifications, of Article VI, Supplementary Regulations, of Chapter 31, Zoning, of the Code of the City of Manassas Park, Virginia, is hereby amended by adding a new development standard to subsection (b), as follows:

"(b) For the purposes of this section, the term "development standards" means one (1) of the following:

- Lot coverage.
- Setbacks for non-residential zoning districts.
- Height of buildings.
- Parking.
- Buffers.
- Landscaping.
- Approval of master sign plans and electronic message centers."

3. All sections of the Code of the City of Manassas Park, Virginia that are inconsistent with and/or in conflict with this Ordinance are hereby repealed.

4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

5. This Ordinance shall be effective upon its adoption.

Approved July 17, 2018

Jeanette Rishell, Mayor

Lana A. Conner, City Clerk

Ayes: Carrera, Cendejas, Banks, Machado, Shuemaker, Rishell

Nays: None

Absent: Naddoni

Abstain: None