



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

Christopher M. Price, AICP
Director of Planning

February 21, 2014

STAFF REPORT

Zoning Text Amendment #PLN 2014-00243, HCOD Changeable Copy Signs
(Countywide)

Planning Commission Public Hearing Date: March 5, 2014

Staff Recommendation: Adoption

I. Background is as follows:

- A. Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.
- B. Purpose of Amendment – The proposed amendment addresses the inconsistency in the Zoning Ordinance which permits changeable copy signage at locations in the Highway Corridor Overlay District (HCOD) created after 1996, but prohibits changeable copy signage in HCOD locations created prior to 1996.
- C. Proposed Remedy – To amend Section 32-250.21, 32-250.22 and 32-250.24 Schedule A and Schedule B of the PWC Zoning Ordinance to allow changeable copy signs through a special use permit within a Highway Corridor Overlay District (HCOD) created prior to February 20, 1996.

II. Current Situation is as follows:

- A. Application of Current Language – This zoning text amendment is in response to a request from Supervisor Caddigan (DIR 13-132), requesting that staff contact the Veterans of Foreign Wars (VFW) to work with them in seeking approval for the installation of a digital sign at the front of their property.
- B. Zoning Text Amendment Initiated – On January 21, 2014, the Board of County Supervisors initiated a Zoning Text Amendment to work with the Veterans of Foreign Wars (VFW) to install signage on their property, as well as address the conflict in the Highway Corridor Overlay District where changeable copy signage was permitted for some locations in the HCOD, and not in others. See Attachment B – BOCS Initiating Resolution.

- C. Zoning and Development Review Advisory Committee – The committee will review the proposed text amendment on February 21, 2014.
- D. Planning Office Recommendation – The Planning Office recommends approval of Zoning Text Amendment #PLN2014-00243, HCOD Changeable Copy Signs, as proposed in Attachment A.
- E. Planning Commission Public Hearing – A public hearing before the Planning Commission has been advertised for March 5, 2014.

III. Issues in order of importance are:

- A. Policy – Does the amendment further the purposes of the Zoning Ordinance?
- B. Community Input – Have members of the community raised any issues?
- C. Legal – Are there any legal implications associated with this zoning text amendment?
- D. Timing – What are the timing considerations of the zoning text amendment?

IV. Alternatives beginning with the staff recommendation are as follows:

- A. Recommend Adoption of Zoning Text Amendment #PLN2014-00243, HCOD Changeable Copy Signs to the Prince William County Zoning Ordinance.
 - 1. Policy – The proposed text will allow changeable copy signage in Highway Corridor Overlay Districts that were created prior to February 20, 1996. Changeable copy signage is already permitted in districts created after 1996. Since changeable copy signage is already permitted in newer areas of the HCOD, there does not appear to be any justifiable reason why the County would want to prohibit changeable copy signage in older HCOD areas.
 - 2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report.
 - 3. Legal – The adoption of the zoning text amendment will relax restrictions and requirements in the Zoning Ordinance, which is enforceable by the County. Legal issues resulting from Planning Commission action would be appropriately addressed by the County Attorney's Office.
 - 4. Timing – The Planning Commission has until June 3, 2014, 90 days from the first public hearing, to take action on this proposal. A recommendation to adopt the zoning text amendment would meet the 90-day requirement.

B. Do Not Recommend Adoption of Zoning Text Amendment #PLN2014-00243, HCOD Changeable Copy Signs, to the Prince William County Zoning Ordinance.

1. Policy – Denial of the proposed amendment will result in properties located in Highway Corridor Overlay Districts created prior to 1996 from being able to utilize changeable copy text on their signage, while properties located in more recently established HCOD areas will continue to exercise this right.
2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report.
3. Legal – Legal issues resulting from Planning Commission action would be appropriately addressed by the County Attorney’s Office.
4. Timing – The Planning Commission has until June 3, 2014, 90 days from the first public hearing, to take action on this proposal. A recommendation to not adopt the zoning text amendment would meet the 90-day requirement.

V. Recommendation is that the Planning Commission concurs with Alternative A and recommends adoption of Zoning Text Amendment #PLN2014-00243, HCOD Changeable Copy Signs.

Staff: Brian Wilson, AICP 703-792-7359

Attachments:

- A. Proposed Text Amendment
- B. BOCS Initiating Resolution

Attachment A – Proposed Text Amendment

Sec. 32-250.21. Types of Signs

1.(b) Changeable copy sign: A type of business, institutional, mall or shopping center sign which allows for the changing of letters, words, logos, and figures, either electronically or manually, within an area not to exceed fifty (50%) percent of the sign face. An electronic message board sign requires a Special Use Permit in accordance with Sec. 32-250.22

Sec. 32-250.22. General Regulations for Signs

5. An electronic message board sign is a form of changeable copy sign and may be permitted within applicable zoning districts for commercial, industrial, and institutional uses with a Special Permit. Electronic message board signs shall be limited to text only and display a fixed message which may be changed up to three (3) times a day, unless modified as part of the SUP. Text shall not scroll or crawl across the screen, and there shall be no flashing, revolving, animation effects, lights of changing degree and intensity or lights or lighting effects that cause glare.

Section 32-250.24

SCHEDULE A, Sign Regulations

Type of Sign	Districts Where Permitted	Number Permitted Per Lot	Maximum Size Per Face	Maximum Height for Freestanding Signs	Minimum Setback for Freestanding Signs
Changeable copy (Including malls and shopping centers)	<ul style="list-style-type: none"> •All districts for non-residential uses only •Homeowner/property owner association event advertising signs (may be offsite from event but within association boundaries) 	<p>Permitted as a portion of other permitted business/institutional signage on the property.</p> <p>One per lot; maximum three per association's jurisdictional boundary.</p>	Maximum of 50 percent of sign face.		

Attachment A – Proposed Text Amendment

Section 32-250.24

SCHEDULE B, Sign Regulations for Highway Corridor Overlay Districts (HCOs)

Type of Sign	Number Permitted Per Lot	Maximum Size Per Face	Maximum Height	Minimum Setback
Business/ Institutional (not including mall, shopping center, and home business signs) Freestanding signs – Prior to February 20, 1996	One freestanding sign along each street frontage	0.5 square foot per linear foot of frontage along public ROW; maximum 80 square feet	10 feet	10 feet
Freestanding signs - After February 20, 1996 ²⁰	One	Rural Parkway: 60 square feet Suburban Parkway: 40 square feet Urban Parkway: 40 square feet Rural Arterial: 60 square feet Suburban Arterial: 40 square feet Urban Arterial: 40	10 feet	10 feet
Changeable Copy Prior to February 20, 1996	Prohibited			
Changeable Copy <u>(including malls and shopping centers)</u> – After February 20, 1996	Permitted as a portion of other permitted business/ institutional signage on the property.	Maximum of 50 percent of sign face.		

Attachment B – BOCS Initiating Resolution

MOTION: CADDIGAN

January 21, 2014

SECOND: JENKINS

Regular Meeting

Res. No. 14-69

**RE: INITIATE A ZONING TEXT AMENDMENT TO PERMIT
CHANGEABLE COPY SIGNAGE WITHIN THE HIGHWAY
CORRIDOR OVERLAY DISTRICTS – COUNTYWIDE**

ACTION: APPROVED

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, changeable copy signage is not permitted in Highway Corridor Overlay Districts created prior to February 20, 1996, but are permitted in Highway Corridor Overlay Districts created after February 20, 1996; and

WHEREAS, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann; and

WHEREAS, on November 19, 2013, Supervisor Caddigan (DIR 13-132) requested that staff contact the Veterans of Foreign Wars (VFW) to work with them in seeking approval for the installation of a electronic changeable copy sign in the front of their property; and

WHEREAS, staff was informed by the VFW that a changeable copy sign would be the preferred type of signage on the property; and

WHEREAS, the Prince William Board of County Supervisors believes that public general welfare as well as good planning practices are served by the initiation of this Zoning Text Amendment;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby initiate a Zoning Text Amendment to the Prince William County Zoning Ordinance to permit research and analysis of changeable copy signage within the Highway Corridor Overlay Districts created prior to February 20, 1996.

Attachment B – BOCS Initiating Resolution

**January 21, 2014
Regular Meeting
Res. No. 14-69
Page Two**

Votes:

Ayes: Caddigan, Candland, Covington, Jenkins, May, Nohe, Principi, Stewart

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____


Clerk to the Board