

ARTICLE IX. - SIGNS, MARQUEES AND AWNINGS

Sec. 9-100 - General provisions.

9-101 - Purpose of article.

- (A) Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and other public places and adjacent private places open to the public. The unregulated construction, placement and display of signs constitute a public nuisance detrimental to the health, safety, convenience and welfare of the residents of the city.
- (B) The purpose of this Article IX is to establish reasonable and impartial regulations for all exterior signs and those interior signs designed to attract the attention of persons located outdoors in order to: reduce the traffic hazards caused by such unregulated signs which may distract and confuse, and impair the visibility of, motorists and pedestrians; ensure the effectiveness of public traffic signs and signals; protect property values by insuring the compatibility of property with that surrounding it; provide an attractive visual environment throughout the city; protect the character and appearance of the various neighborhoods in the city; attract tourists to the city; protect the public investment in streets, highways and other public improvements; and protect and improve the public health, safety, and general welfare.
- (C) The regulations contained in this Article IX advance these significant governmental interests and are the minimum amount of regulation necessary to achieve them.

9-102 - Definitions.

For purposes of this Article IX, the following words and phrases shall have the meanings ascribed to them below, unless the context otherwise indicates:

- (A) *Animated sign.* Any sign, the character or appearance of any element or part of which changes by any device, mechanical, electrical or otherwise.
- (B) *Apartment hotel sign.* Any sign advertising or identifying an apartment hotel.
- (C) *Awning.* A covering attached to a building or structure, erected in or over a window or door, and usually supported by gravity and a metal frame.
- (D) *Ballpark sign.* Any sign located on the inside of fencing in an enclosed ballfield in a public park.
- (E) *Banner.* Any sign appended on or from a staff, pole, wire, frame or similar support, extending across the entire width of any street, road, highway or alley.
- (F) *Billboard.* Any sign, in excess of 150 square feet, advertising a person, place, event, product, business or other matter which is remote from the site or property upon which the sign is erected or displayed.
- (G) *Business sign.* Any sign advertising a business conducted within the building or structure, or upon the real property, on which the sign is erected or displayed.
- (H) *Church sign.* Any bulletin board type of sign erected or displayed on the real property of a church, chapel, temple, synagogue or other place of worship for the display of messages.
- (I) *Contractor or subcontractor sign.* Any sign containing the name and type of work performed by a contractor or subcontractor and erected or displayed on the property upon which building operations are being conducted.
- (J)

Convenience sign. Any sign indicating the location of or direction to a place or object of public convenience, such as a restroom, telephone, bus stop or public parking area.

- (K) *Curb sign.* Any sign composed of one or more numerals painted on a curb located within a public right-of-way which designates the premises upon which it is located.
- (L) *Directional sign.* Any sign indicating the location of or direction to a person, place, event, product, business or other matter which is remote from the site or property upon which the sign is erected or displayed.
- (M) *Double-face sign.* Any sign having two parallel planes or surfaces upon which advertising is displayed.
- (N) *Flag.* A piece of material, usually rectangular in shape, on which is imprinted, or into which is woven, a distinctive design which is or denotes the official symbol of a national, state or local government. Except for purposes of section 9-300, a flag shall not be considered a sign. However, a piece of material on which is imprinted, or into which is woven, a design, business trademark or other pattern or symbol that does not constitute or denote an official government symbol shall be considered a sign.
- (O) *Flashing sign.* Any sign consisting of, or illuminated by, flashing or intermittent lights or other lights of changing degrees of intensity, brightness or color, except a sign showing the date, time and/or temperature.
- (P) *Freestanding sign.* Any sign permanently affixed into the ground, erected on its own foundation or placed on a pole which is independent of but on the same lot or parcel as the building or structure in which the person, place, event, product, business or other matter noted on the sign is located.
- (Q) *Home occupation sign.* Any sign erected or displayed on the exterior wall of a private dwelling which states only the name of a person occupying the dwelling and the name of a product or service offered in or from the dwelling by that person.
- (R) *Identification sign.* Any sign stating the use and name given to the use of a building, structure or area, when such use is permitted in the zone in which the sign is located.
- (S) *Marquee.* A fixed covering erected over a sidewalk as a protection to an entrance of a building or structure.
- (T) *Mobile sign.* Any sign mounted on wheels or built with axles to which wheels may be attached. A sign attached to a motor vehicle shall not be considered a mobile sign. A parking permit sticker, inspection sticker, regulatory permit or bumper sticker attached to a motor vehicle shall not be considered a sign.
- (U) *Motor vehicle sign.* Any sign on or attached to a motor vehicle which is being used primarily for the purpose of displaying advertising and is not being utilized in the normal business or work of the vehicle owner.
- (V) *Moving or windblown sign.* Any sign, any element or part of which (such as a pennant, streamer, moored blimp or propeller) moves by means of a mechanized, electrical or other device or is set in motion by movement of the atmosphere.
- (W) *Multifamily dwelling sign.* Any sign identifying or advertising a multifamily dwelling.
- (X) *Off-street parking sign.* Any sign identifying an off-street parking area or lot.
- (Y) *Person.* Any natural person, firm, partnership, association, corporation, company, trust or other group or combination of persons operating as a unit.

- (Z) *Political sign.* Any sign addressing the candidacy of one or more persons for elective office.
- (AA) *Portable sign.* Any sign which is not permanently affixed into the ground or to a building or structure and which can easily be picked up and moved to another location.
- (BB) *Real estate sign.* Any sign advertising the sale, lease or further use of real estate which is placed upon the property so advertised.
- (CC) *Remote sign.* Any sign advertising or indicating the location of or direction to a person, place, event, product, business or other matter which is remote from the site or property upon which the sign is erected or displayed, other than the billboard, directional sign, real estate sign, ballpark sign or contractor or subcontractor sign.
- (DD) *Roof line.* The line composed of the highest points of the roof of a building or structure not to include mechanical penthouses or other structures attached to or erected on such roof.
- (EE) *Roof sign.* Any sign erected on or affixed to a building or structure which extends, in whole or in part, above the roof line.
- (FF) *School sign.* Any bulletin board type of sign erected or displayed on the real property of a school for the display of messages.
- (GG) *Sign.* Any letters, parts of letters, words, figures, numerals, emblems, devices, designs, trademarks, posters, handbills or any other objects (i) which make known or designate, or attract attention to, any person or any thing (such as a place, event, product or business), (ii) which are visible to persons located outdoors, and (iii) which are capable of attracting the attention of such persons. Any supporting standard for a sign shall not itself be considered a sign if no letters, parts of letters, words, figures, numerals, emblems, devices, designs, trademarks, posters, handbills or other objects are affixed thereon.
- (HH) *Special advertising.* Advertisement of a product or service which constitutes less than 50 percent of the gross business conducted by the person erecting or displaying the sign either in the building or structure or on the property to which the sign containing the advertisement is affixed.
- (HH.1) *Street median.* A defined area of the public right-of-way located between traffic lanes, usually elevated and narrow, which follows the course of the roadway to separate traffic moving in the same or opposite directions.
- (II) *Subdivision sign.* Any sign erected or displayed for the purpose of identifying or advertising a residential development or subdivision.
- (II.1) *Traffic channelization island.* A defined area of the public right-of-way located in a roadway to confine specific movements of traffic, usually turning movements at an intersection, to definite channels.
- (JJ) *Warning sign.* Any sign stating that solicitation, trespassing or parking is prohibited on the premises upon which the sign is erected or displayed, and any sign stating that dogs are present, that the building or structure to which it is affixed is protected by a security or alarm system, or other similar statements of caution.
- (KK) *Window sign.* Any sign affixed to, or visible from the outdoors through, any window in a building or structure; provided, however, that any object which is sold or available for purchase on the premises of the property upon which it is erected or displayed shall not be considered a window sign.
- (LL)

Yard sale sign. Any sign stating the date and time of a yard sale or garage sale to be conducted on the premises of the property upon which it is erected or displayed.

9-103 - Scope of article.

- (A) This Article IX governs the erection and display of all signs, marquees and awnings in the city, except those erected and displayed by the city, the Commonwealth of Virginia and the United States in furtherance of their governmental responsibilities and those required by law to be erected and displayed.
- (B) It shall be unlawful to erect or display, on any building, structure or real property, any sign, marquee or awning unless it is expressly authorized by, is in accordance with and, where applicable, a permit authorizing it has been obtained pursuant to the provisions of this Article IX.
- (C) All rights and privileges acquired under the provisions of this Article IX are mere licenses revocable at any time by the director upon a violation of any applicable provision of this Article IX.
- (D) The provisions contained in this Article IX shall be considered separate from, supplemental to and additional to the provisions contained elsewhere in this ordinance or other city ordinances. Nothing contained in this Article IX shall excuse any person from compliance with all other applicable provisions of this ordinance or the city code.
- (E) Wherever authority is to be exercised under this Article IX by the city manager or the director, the authority may also be exercised by his or her designee.

9-104 - Prohibited signs, marquees and awnings and exceptions.

The following signs, marquees and awnings are prohibited or are permitted only as specified below, regardless of their location in the city:

- (A) *Signs interfering with traffic.*
 - (1) No sign may be erected or displayed which simulates any traffic control or warning sign, light or device and which is visible from any street, road, highway, alley, parking area or other area utilized by motor vehicles.
 - (2) No sign may be erected or displayed which obstructs, obscures or impairs the free and clear vision of motorists on a public right-of-way or which interferes with, misleads, confuses, or endangers motorists or pedestrians.
 - (3) No sign may be erected or displayed which utilizes a spotlight or other device which projects a beam of light in the direction of any street, road, highway, alley or parking area so that it may be seen by the operator of a motor vehicle.
- (B) *Animated signs.* No such signs may be erected or displayed.
- (C) *Flashing signs.* No such signs may be erected or displayed.
- (D) *Moving or windblown signs.* No such signs may be erected or displayed.
- (E) *Signs, marquees and awnings encroaching upon a public right-of-way.* No sign, marquee or awning, or any part thereof, or any part of the foundation or support thereof, may be erected or displayed on, over or across any street, road, highway, alley, sidewalk or other public right-of-way, unless an ordinance authorizing such encroachment has been enacted by city council; provided, however, that any banners authorized pursuant to section 9-104(F), political signs authorized by section 9-201(A)(10), signs, marquees and awnings specifically authorized by city council in a commercial zone authorized by section 9-202(B)(4), 9-202(B)(8), and 9-202(F) and curb signs shall not be subject to this section 9-104(E).

- (F) *Banners.* No banner may be erected or displayed, except (1) across a street, road or highway in a commercial zone for up to ten days pursuant to special authorization provided by city council, and (2) across an alley pursuant to a permit issued by the city manager upon a finding that the banner poses no danger to the safety of the public.
- (G) *Billboards.* No such signs may be erected or displayed.
- (H) *Mobile and portable signs.* No such signs may be erected or displayed.
- (I) *Motor vehicle signs.* No such signs may be erected or displayed.
- (J) *Signs affixed to certain property.* No sign may be painted, marked, written, posted or displayed on, or otherwise affixed to, any street sign, bus stop sign or traffic sign, sidewalk, crosswalk, curb, curbstone, street, lamp post, hydrant, railroad trestle, electric light or power pole or telephone pole or wire appurtenance thereof, fixture of the fire alarm system, public bridge, drinking fountain, natural features such as trees, shrubs, rocks or tree stakes or guards; provided, however, that curb signs and signs posted for the purpose of identification of a structure or for safety may be erected and displayed; and provided further, that political signs authorized by section 9-201(A)(10) may, with the owner's permission, be affixed to street lamp posts, electric light or power poles and telephone poles.
- (K) *Signs violating city, state or federal law.* No sign may be erected or displayed which violates any provision of any law or regulation of the city, the Commonwealth of Virginia or the United States.
- (L) *Hazardous signs.* No sign may be erected or displayed which is hazardous to the public health or safety, as determined by the director.
- (M) *Remote signs.* No such sign may be erected or displayed.
- (N) *Home occupation signs.* No such sign may be erected or displayed.
- (O) *Roof signs.* No such sign may be erected or displayed.
- (P) *Illuminated signs.* No lighted sign may be erected or displayed in any location on a building which location is higher than 35 feet above grade unless the building is located within 2,000 feet of and the sign is facing U.S. Route 95 (the Capital Beltway) or unless a special use permit is approved after a finding that the sign meets the following criteria:
 - (1) Only one sign per building is permitted;
 - (2) The permitted sign is limited to the display of the name of a major office or commercial (not retail or residential) occupant of a building that is predominantly office or commercial use;
 - (3) The building may not be located within, or on the borders of, the Old and Historic Alexandria or Parker-Gray Historic Districts;
 - (4) The sign must meet any applicable design guidelines and follow any additional applicable process for approval.
 - (5) The sign must be appropriate in scale, design and color and compatible with the building;
 - (6) The sign may not be internally illuminated or lighted from neon gas;
 - (7) The sign shall be subject to such conditions as the SUP may impose to ensure that the sign functions without glare or disturbance with nearby uses, including those rules which may alter, modify or supersede the rule stated in section 9-105(C) with regard to the lighting not operating between 10:30 pm and 6:30 a.m.; and;
 - (8) No sign may face the George Washington Memorial Parkway, and only minimum facade lighting facing the Parkway is allowed. All National Park Service requirements must be met.

9-105 - Standards for permitted signs, marquees and awnings.

Any sign, marquee or awning otherwise permitted under this Article IX must comply with the following standards:

(A) *Content.*

- (1) Any sign permitted under this ordinance may contain noncommercial copy in lieu of any other copy.
- (2) No sign, except a real estate sign, contractor or subcontractor sign, directional sign and ballpark sign, may be erected or displayed on any building or structure, or placed on any real property, unless the sign identifies or advertises a bona fide business which is conducted, a bona fide product which is traded, a bona fide organization which is located or a bona fide activity which is undertaken in the building or structure or on the real property.
- (3) No special advertising may be placed on a sign unless the sign is permitted by this Article IX and the special advertising occupies less than one-third of the area of the sign.

(B) *Maintenance.* All signs, marquees and awnings shall be maintained at all times in a safe structural condition and in a neat and clean condition, and shall be kept free from defective or missing parts or peeling paint.

(C) *Illumination.* Lighted signs facing and in close proximity to land zoned for residential use shall not be illuminated between 10:30 p.m. and 6:30 a.m. Such signs shall be constructed so that the lighting elements are shielded from view of the residential zone by nontransparent or translucent material or other means designed to eliminate glare.

(D) *Reflection.* No sign shall contain any reflective device.

(E) *Removal.* Whenever the use of a building or structure or real property is discontinued, all signs pertaining to that use which were previously erected or displayed shall be removed within 30 days of the discontinuance of the use. Irrespective of any continued use or any discontinuance in use of a building or structure, a supporting standard or structure for a sign shall be removed if the standard or structure is not occupied by a sign permitted by this ordinance for a continuous period of one year. It shall be the responsibility of the owner of the building, structure, or real property to accomplish the removal. If, after written notice to the owner from the director, such signs or supporting standards or structures are not removed within ten days of the notice, the city manager shall cause the removal and charge the cost to the owner.

(F) *Coordinated sign program.* As an alternative to signs, marquees or awnings otherwise permitted under this Article IX, signs, marquees or awnings may be permitted in a CDD/Coordinated Development District, or in a unified development more than three acres in size, which contains more than one building, more than one parcel or private streets in accordance with a coordinated sign program approved by special use permit.

- (1) A proposed coordinated sign program shall include a statement of justification for such program, in addition to information which describes the number, location, size, height, color, material, type of illumination, if applicable, of all proposed signs within the program, as well as the information to be displayed on the signs.
- (2) A proposed coordinated sign program may be approved if council finds that it provides the same or greater benefits to the public as the sign regulations otherwise applicable.

9-106 - Computation of sign area.

The area of a sign is the sum of the areas within rectangular lines inscribed around each separate word, symbol or pictorial element on the face of a sign; provided that:

- (A) The area of a sign, or any portion thereof, having a distinctive or ornamental border shall include both the area enclosed by the border, and the area enclosed within the border.
- (B) The area of a sign, or any portion thereof, having a distinctive or ornamental background, which sets the background apart from a larger surface so that it forms an integral part or element of the sign, shall include the area of the background.
- (C) The area of a freestanding sign, or any portion thereof, having a background which extends beyond the words, symbols or pictorial elements thereof shall include the area of the background.
- (D) If any portion of the words, symbols or pictorial elements of a sign extends beyond a border or background, the area of that portion of the sign shall be the area of a rectangle inscribed around it.
- (E) The area of a marquee or awning, or any panel thereof, which provides a background for a sign shall be included in the area of the sign.
- (F) The area of any sign hung, placed, painted or displayed on a marquee or awning shall be included in determining the total area of signs erected or displayed.
- (G) The area of a double-face sign shall be considered to be the area of the face having the larger area.

9-107 - Nonconforming signs, marquees and awnings.

- (A) Any sign, marquee, or awning lawfully in existence prior to October 22, 1988, which does not comply with the provisions of this article shall be deemed a nonconforming use subject to the provisions of Article XII.
- (B) Notwithstanding section 9-107(A) or any provision in Article XII to the contrary, any nonconforming billboard shall be removed by October 22, 1990; provided, however, (1) that, on or before April 22, 1989, the owner of any nonconforming billboard may seek from city council an extension of the date by which it must be removed by filing with the director a petition which sets forth in detail the reasons why a fair and reasonable return on the investment in the billboard made by the petitioner prior to October 22, 1988, cannot be obtained prior to October 22, 1990; (2) that council shall conduct a public hearing on any such petition, prior to which the director shall provide notice in accordance with the provisions of this ordinance; and (3) that, following the hearing, council may extend the date by which the billboard is to be removed only if it finds that the application of the removal date will deny the petitioner the opportunity to realize a fair and reasonable return on the investment made in the billboard prior to October 22, 1988, in which case council shall extend the date to a time which it determines will provide such opportunity to the petitioner.
- (C) Nothing contained in this Article IX shall be construed to ratify or approve the erection, display or maintenance of any sign erected or displayed in violation of any prior provision of city, state or federal law.

9-108. - Political signs.

Political signs are permitted in the following locations, and for the following periods of time, subject to the following limitations:

- (A) *Private property.* Political signs may be posted on private property with the permission of the property owner or lawful occupant of the property. Such signs shall not exceed the size of the largest sign permitted on such property pursuant to section 9-200.

(B) *Public right-of-way*. Political signs may be posted within the public right-of-way subject to the following rules:

1. Such signs may be posted in the grass portion of the public right-of-way, adjacent to a street, road, highway, alley or sidewalk.
2. No such sign may be posted in any public garden or landscaped area.
3. No such sign may be placed within the public right-of-way of Washington Street, or the George Washington Memorial Parkway.
4. No such sign shall be placed within 15 feet of any point at which the curb or curb line of any two intersecting streets meet, within 15 feet of the end of any street median, or within any traffic channelization island.
5. Any political sign erected or displayed within the public right-of-way shall be free standing, shall have no part of the sign or support thereof extending more than 42 inches above ground level, and shall be supported by no more than two supports, each support having dimensions of no more than one inch by two inches.
6. Prior to the display of any political sign within the public right-of-way, a cash bond in the amount of \$100.00 shall be deposited with the city manager. The bond will be refunded unless there has been a violation of the provisions of this article, in which case the city shall retain the entire amount of the bond to defray the cost of enforcing the provisions of this article.
7. No political sign shall be erected or displayed within the public right-of-way more than 90 days prior to the nomination or election to which it pertains. Signs, including sign posts or stakes, shall be removed within 15 days after the announced results of the nomination, or primary, special or general election to which the sign pertains. Successful candidates in nominations or primary elections may continue to display their signs during the interval between the nomination or primary, and the ensuing special or general election, and without posting any additional bond, except where the interval exceeds 90 days.

(Ord. No. 3690, § 1, 12-11-93; Ord. No. 3697, § 5, 1-22-94; Ord. No. 3717, § 1, 4-16-94; Ord. No. 3955, § 1, 10-25-97; Ord. No. 4355, § 1, 6-12-04; Ord. No. 4688, § 1, 11-13-10; Ord. No. 4731, § 1, 6-28-11)

Sec. 9-200 - Signs, marquees and awnings permitted in various zones.

9-201 - Residence and mixed use zones.

(A) *Residence and mixed use zones in general*. The following signs, marquees and awnings only may be erected and displayed in any residence and mixed use zone so long as they comply with all other applicable requirements of this Article IX.

- (1) Church signs, not exceeding 40 square feet in area; provided, that only one such sign may be erected or displayed on any street frontage. Church signs shall be setback at least ten feet from the front lot line; provided, however, that where the required building setback line is less than ten feet from the front lot line, the sign may be erected or displayed in conformance with such required setback line.
- (2) Identification signs, not exceeding 24 square feet in area, showing the name and use of a convent, monastery, seminary, public building, public park or playground, community building, hospital, cemetery or fraternal organization, when such use is permitted in a residence zone and such sign is erected or displayed on the property so identified; provided, that only one such sign may be erected or displayed on each street frontage of any such

property unless a special use permit is approved for additional signs. Identification signs shall be set back at least ten feet from the front lot line; provided, however, that where the required building setback line is less than ten feet from the front lot line, the sign may be erected or displayed in conformance with such required building setback line.

- (3) Subdivision signs, not exceeding 24 square feet in area, when erected or displayed on the property being identified or advertised and set back ten feet from the front lot line; provided, that only one such sign may be erected or displayed facing any one street on the perimeter of the subdivision.
- (4) Contractor signs, not exceeding 24 square feet in area, and subcontractor signs, not exceeding eight square feet in area; provided, that only one such sign may be erected or displayed on any property for any contractor and any subcontractor, and that all such signs shall be removed upon completion of the work.
- (5) Real estate signs, not exceeding four square feet in area; provided, that only one such sign may be erected or displayed on any property.
- (6) Off-street parking signs, not exceeding four square feet in area, at any entrance or exit of an off-street parking facility required by sections 8-100 through 8-400 or a motor vehicle parking or storage use permitted by this ordinance, and not exceeding six square feet in area at any entrance or exit of a motor vehicle parking or storage use permitted by section 8-600; provided, that only one such sign may be erected or displayed at each entrance or exit.
- (7) Directional signs, not exceeding six square feet in area and erected or displayed within five feet of the front property line, except where a highway setback established in section 7-1006 requires a greater setback; provided, however, that no directional sign, except a sign indicating the location of or direction to a church or a public building, shall be erected within 150 feet of any other directional sign. No directional sign shall be erected or displayed unless, in addition to any permit required by the building code, a permit has been obtained from the director; provided, however, that no permit is required for directional signs erected and displayed for less than three days. The permit required by this section 9-201(A)(7) shall be issued if its requirements have been met and the written permission of the owner of the property on which the sign is to be erected or displayed has been submitted with the sign application.
- (8) School signs authorized by a special use permit; provided, that only one such sign may be erected or displayed on any street frontage.
- (9) Ballpark signs authorized by a special use permit; provided, that no such sign shall exceed eight feet in height above grade.
- (10) Reserved.
- (11) Convenience signs, not exceeding two square feet in area.
- (12) Warning signs, not exceeding one square foot in area; provided, that only two such signs may be erected or displayed on any street frontage on any property.
- (13) Yard sale signs, not exceeding two square feet in area, provided, that only one such sign may be erected or displayed on any street frontage on any private property and that such signs shall not be displayed for more than 72 consecutive hours.
- (14) Curb signs, not exceeding one-half square foot in area.
- (15)

Marquees and awnings, except any marquee or awning which serves as a sign background; provided, however, that no marquee or awning, unless otherwise provided in an encroachment ordinance enacted by city council, may be within one foot of or beyond the vertical plane of the curb line, and the bottom of any marquee or awning shall be at least seven feet above the sidewalk. When side arms are used on an awning, the bottom of any side arm at the building shall be at least six feet six inches above the sidewalk when the awning is in use. This section 9-201(A)(15) shall not be construed to supersede the requirement of section 9-104(E).

- (B) *RA and RB residence zones.* In the RA and RB residence zones, the following signs, marquees and awnings only may be erected and displayed so long as they comply with all other applicable requirements of this Article IX.
- (1) Any sign, marquee and awning permitted in residence zones under section 9-201(A).
 - (2) Identification signs, not exceeding two square feet in area, showing the name and use of a tourist home, nursery school, public garage for storage only or professional office, when such use is permitted in an RA or RB residence zone, and is erected or displayed on the property so identified in compliance with the required building setback line; provided, that only one such sign may be erected or displayed on any such property.
 - (3) Multifamily dwelling signs, not exceeding 40 square feet in area, when erected or displayed on the property being identified or advertised and in compliance with the required building setback line; provided, that only one such sign may be erected or displayed on any such property.
 - (4) Real estate signs, not exceeding 12 square feet in area; provided, that only one such sign may be erected or displayed on any property.
- (C) *RC, RCX, RD residence zones and mixed use zones.* In the RC, RCX and RD residence zones and in the mixed use zones, the following signs only may be erected and displayed so long as they comply with all other applicable requirements of this Article IX.
- (1) Any sign, marquee and awning permitted in the RA and RB residence zones under section 9-201(B).
 - (2) Apartment hotel signs, not exceeding 40 square feet in area, when erected or displayed on the property being identified or advertised and in compliance with its required building setback line; provided, that only one such sign shall be erected or displayed on any such property.
 - (3) Business signs, in connection with any commercial use permitted in the RC, RCX or RD residential zone or in the mixed use zones; provided, that such signs shall be kept within a height of 20 feet above the sidewalk; provided further, that the total area of such signs displayed on any building wall which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing the street, alley or parking area; provided further, that each commercial use located above the first floor shall be limited to one sign not exceeding one square foot at any entrance to the building.
 - (4) Any sign, marquee or awning permitted under section 9-202 for commercial uses shall be permitted on a tract of land in a mixed use zone developed solely for commercial use. If the tract of land is developed for both residential and commercial uses, then signs permitted under section 9-202 for commercial uses may be permitted with a special use permit.

9-202 - Commercial zones.

- (A) *Permitted signs.* In any commercial zone, the following signs, marquees and awnings only may be erected and displayed so long as they comply with all other applicable requirements of this Article IX.
- (1) Signs which are permitted in the RC, RCX and RD residence zones and mixed use zones under section 9-201(C) and which meet the requirements of section 9-202(B).
 - (2) Business signs which meet the requirements of section 9-202(B).
 - (3) Real estate, contractors and subcontractors, and directional signs which meet the requirements of section 9-202(C).
 - (4) Marquees and awnings which are permitted in the RC, RCX and RD residence zones and marquees and awnings which meet the requirements of section 9-202(D).
 - (5) Signs, marquees and awnings encroaching upon a public right-of-way for which an encroachment ordinance has been enacted or which city council has expressly authorized for up to ten days.
 - (6) Banners for which special permission has been obtained pursuant to section 9-104(F).
- (B) *Size and location limitations.* Signs permitted within a commercial zone under section 9-202(A) may be displayed on any building wall which faces a street, alley or parking area or may be freestanding signs, and shall comply with the following provisions as to size and location.
- (1) *One-story buildings.* The total area of all signs displayed on a building wall which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing the street, alley or parking area.
 - (2) *Multi-story buildings.*
 - (a) The total area of all signs displayed between the sidewalk and a height of 20 feet on any building wall which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing such street, alley or parking area.
 - (b) The total area of all signs displayed above the 20-foot height specified in section 9-202(B) (2)(a) above on any building wall which faces a street, alley or parking area shall not exceed one square foot for each foot of building width facing such street, alley or parking area.
 - (3) *Window signs.* The total area of window signs, including those advertising sales, in any one window shall not exceed 20 percent of the area of the window. The total area of window signs shall be included in determining the total area of signs erected or displayed.
 - (4) *Projection and height of signs.* A sign may be erected or displayed flat against a building wall or at an angle thereto, so long as the sign does not project more than four feet from the building wall or within one foot of an established curb line and the bottom of the sign is at least eight feet above a sidewalk or parking area and at least 14.5 feet above an alley.
 - (5) *Freestanding signs.* Freestanding signs may be erected or displayed on a lot with a width of at least 100 feet at the front lot line only where drive-in service or parking is provided, leaving a distance between the building and a side lot line of 25 feet or more, or where a building is set back 25 feet or more from the front lot line subject to the following limitations:
 - (a) A lot containing no more than two businesses may contain one freestanding sign with a maximum area of 50 square feet and a maximum height of 25 feet above grade to the top of the sign.
 - (b)

A lot containing three or more businesses may contain one freestanding sign with a maximum area of 100 square feet and a maximum height of 30 feet above grade to the top of the sign.

- (c) A lot with a width of more than 200 feet at the front lot line may contain two freestanding signs in compliance with either (a) or (b) above.
 - (d) When the street frontage of a lot is in excess of 300 feet, the number of signs and allowable sign area may be increased with a special use permit.
 - (e) A freestanding sign shall have no more than two faces and shall be double faced back to back only.
 - (f) No signs other than those indicated on the sign application shall be attached to a freestanding sign.
- (6) *Identification signs.* Identification signs for shopping centers consisting of five or more separate businesses and having a continuous street frontage of at least 200 feet are permitted and the area of such signs shall not be included in the total area of signs otherwise permitted by this section for the separate businesses. The total area of shopping center identification signs shall not exceed one square foot for each foot of street frontage, and the total area of such signs facing any street, alley or parking area shall not exceed 150 square feet; provided, that when the street frontage of a shopping center exceeds 300 feet, such sign areas may be increased with a special use permit.
- (7) *Signs, movies and theatre acts.* Signs advertising movies, plays and other features to be given in a theatre and displayed on permanent frames erected on theatre buildings shall comply with the provisions of this section 9-202(B) as to size and location; provided, that the bottom of the frame of any such sign erected flat against a wall shall be at least eight feet above the sidewalk, alley or parking area; provided further, that when the area of any such frame facing a street, alley or parking area is less than 24 square feet and the area of all such frames facing the same street, alley or parking area is less than 48 square feet, the area of the signs displayed within the frame shall not be included in determining the total area of signs erected or displayed.
- (8) *Valet parking.* Temporary freestanding valet parking signs shall be permitted in conjunction with and subject to the limitations of an approved special use permit that includes a valet parking management plan.
- (C) *Real estate, contractor and subcontractor, and directional signs.* Real estate, contractor and subcontractor, and directional signs permitted in a commercial zone under section 9-202(A) shall comply with the following provisions as to size and location.
- (1) *Real estate signs.* Any such sign shall comply with the provisions of section 9-202(B) as to size and location.
 - (2) *Contractor and subcontractor signs.* Any such sign shall comply with the provisions of section 9-202(B) as to size and location and shall be removed upon completion of work of the contractors or subcontractors.
 - (3) *Directional signs.* Any such sign may not exceed six square feet in area; provided, that the area of the sign may be increased with a special use permit.
- (D) *Marquees and awnings.* Marquees and awnings may be used as a sign background.
- (E)

Temporary signs. One "opening," "going out of business," or similar sign advertising the opening of a new place of business or the change in management or ownership, or the closing, of an established place of business may be displayed, provided:

- (1) The sign is displayed against a wall of the building in which the business is located;
 - (2) The sign does not exceed one half square foot of area for each linear foot of the building wall to which the sign is attached, such area not to exceed 100 square feet in any case and at least 20 square feet to be allowed in all cases; and
 - (3) The sign is not displayed for a period longer than 30 days.
- (F) *A-frame signs.* Notwithstanding any provision to the contrary in this ordinance, A-frame signs may be permitted on King Street for businesses within the Central Business District, as defined by Section 8-300, provided they comply with the following provisions:
- (a) *Application and approval process.* An application for an A-frame sign permit shall be submitted and shall include a plan reasonably depicting the location, size, text, appearance and method of installation of the proposed sign to be located in the public right of way, and such additional information as the director may reasonably require. The director may approve the application after determining that the proposed sign plan will be reasonable, attractive and promote pedestrian and retail vitality in the Central Business District, and that there is adequate space remaining within the public right of way to facilitate safe circulation of pedestrian traffic. No material change to the approved plan shall be made without prior written approval by the director.
 - (b) *King Street locations.* A maximum of four signs may be located on any one intersection of King Street and each intersecting street, one on each corner.
 - (c) *Eligible businesses.* For each sign, eligible businesses include restaurants, retail uses, and retail oriented businesses, which include restaurants and retail and personal services uses, as those terms are defined by this ordinance, located on adjacent blockface on a street within the Central Business District, which street intersects with or is parallel to King Street. Eligible businesses shall not include banks, savings and loans, credit unions and contractor or other offices.
 - (d) *Number of signs.* A maximum of one A-frame sign is permitted for all eligible businesses on any eligible blockface.
 - (e) *Size of sign.* Signs may not exceed 42 inches in height and 24 inches in width.
 - (f) *Illumination.* Illuminated signs are prohibited.
 - (g) *Pedestrian safety.* Pedestrian safety shall be preserved through the placement and securing of signs so as to permit safe and adequate pedestrian throughway along the sidewalk, crossing of streets, entry and alighting from cars and buses, and access to curb ramps.
 - (h) *Temporary signs.* All signs, including installation materials, placed in the right of way shall be temporary and shall be readily removable without any damage to the surface of the right of way.
 - (i) *Compliance with law.* All signs shall comply with all applicable city, state and federal laws and regulations.
 - (j) *Director requirements.* Signs shall comply with such additional reasonable terms and conditions as the director may require and include in the permit.

9-203 - Industrial and utility zones.

In the I and UT zones, any sign, marquee and awning permitted in a commercial zone under section 9-202 may be erected or displayed so long as it complies with all other applicable requirements of this Article IX; provided, that the total area of any signs in an industrial or utility zone which face real property in a commercial, industrial or utility zone may exceed the area allowed in section 9-202(B) by up to 50 percent.

(Ord. No. 3677, § 1, 10-26-93; Ord. No. 3697, § 6, 1-22-94; Ord. No. 3864, § 3, 5-18-96; Ord. No. 3955, § 2, 10-25-97; Ord. No. 4355, § 2, 6-12-04; Ord. No. 4731, § 2, 6-28-11)

Sec. 9-300 - Signs, marquees and awnings within Old and Historic Alexandria and Parker-Gray Districts and on 100-year old buildings.

9-301 - Review required.

- (A) *Certificate of appropriateness.* A certificate of appropriateness from the appropriate board of architectural review is required for the following signs when subject to view from a public street or place and affixed to a building or structure located in or otherwise displayed within the Old and Historic Alexandria District or the Parker-Gray District or when affixed to or displayed on a 100-year-old building designated by city council under section 11-300:
 - (1) Any sign, marquee or awning permanently affixed or displayed, subject to the exemptions in section 9-301(B); or
 - (2) Any sign, marquee or awning otherwise affixed or displayed which exceeds four square feet in area.
- (B) *Exemptions.* The following signs shall not be subject to the requirement of section 9-301(A):
 - (1) One sign, including a window sign, that is less than one square foot in area per building;
 - (2) Any unlighted real estate sign less than four square feet in area;
 - (3) Any unlighted contractor's sign less than 32 square feet in area;
 - (4) Any unlighted subcontractor's sign less than eight square feet in area;
 - (5) Any window sign between one square foot and four feet in area, specially permitted for a temporary period, pursuant to section 9-302, by the city manager;
 - (6) Signs for which administrative approval is available pursuant to sections 10-113 and 10-213;
 - (7) A-frame signs authorized and approved pursuant to section 9-202(F).
- (C) *Compliance required.* Any sign, marquee or awning required to obtain a certificate of appropriateness under section 9-301(A) and any sign identified in section 9-301(B) may be erected or displayed only if authorized by and in compliance with all other applicable requirements of this Article IX.
- (D) *Grandfathered signs.* Any sign, marquee or awning legally erected or displayed within the Old and Historic Alexandria District on or before January 12, 1976, or within the Parker-Gray District on or before November 16, 1985, or on a lot or building listed under section 10-300 on or before the date of such listing may continue to be displayed and may be repainted with the same text, colors and design or repaired without a certificate of appropriateness; provided, that a certificate of appropriateness shall be required before any such sign, marquee or awning is altered, rebuilt or moved to a new location.
- (E) *Freestanding signs.* One freestanding sign may be permitted on any property zoned commercial if the area of the sign is no greater than six square feet and if the sign is approved by the board of architectural review.
- (F)

Prohibited signs. Notwithstanding the provisions of section 9-301(E), no sign advertising a business, which sign is within 200 feet of and visible from Washington Street, shall be permitted unless it is attached to a building in which the business being advertised is conducted, or unless it is the minimum signage necessary to comply with section 9-7-20 of the city code.

9-302 - Temporary window signs.

- (A) No window sign one square foot or more in area may be displayed in the Old and Historic District or the Parker-Gray District or in a 100-year old building designated by city council under Article X without a certificate of appropriateness, except on a temporary basis, for up to 30 consecutive days, pursuant to special permission from the city manager or her designee under section 9-302(B); provided, that the manager may not, on any single occasion, permit any person to display on a temporary basis more than one window sign for any window located within the building or structure, or portion thereof, which the person occupies; and provided further, that the manager or her designee may not authorize any person to display any window signs on a temporary basis on more than three occasions in any 12-month period.
- (B) In order to obtain permission for the display of one or more window signs on a temporary basis, the person seeking the permission must submit the following information to the city manager or her designee on a form prescribed by the city, together with a processing fee of \$5.00: (i) the name of the applicant; (ii) the period of time, not to exceed 30 consecutive days, during which the applicant seeks permission to display the sign or signs; (iii) the address of the building in which the sign or signs will be displayed; (iv) the size of the sign or signs; and (v) the number of occasions within the 12 months preceding the application on which applicant has obtained special permission pursuant to this section 9-302 to display one or more window signs on a temporary basis in the same building described in the application.
- (C) Upon receipt of the applicant's processing fee and upon review of the applicant's information, the city manager shall permit the display of the applicant's window sign or signs, for up to 30 consecutive days, if he or she finds that: (i) each sign is less than four square feet in area; (ii) within the prior 12 months, the applicant has not displayed window signs on a temporary basis in the same building on more than two occasions; and (iii) the applicant is not, and has not over the prior 12 months been, in violation of any provision of this Article IX.

(Ord. No. 3741, § 3, 6-18-94; Ord. No. 3841, § 3, 1-20-96; Ord. No. 4641, § 1, 12-12-09; Ord. No. 4731, § 3, 6-28-11)

Sec. 9-400 - Administration and enforcement.

9-401 - Compliance with building code.

- (A) No sign, marquee or awning may be erected, displayed, constructed, reconstructed or altered unless it complies with the Uniform Statewide Building Code. Compliance may require that, in addition to the permits required by any other section of this ordinance, a permit be obtained from the building code official.
- (B) Application for a permit under this section 9-400 shall be made on forms furnished by the building code official.
- (C) The permit number shall be indicated on each sign.

9-402 - Liability insurance coverage.

- (A) *Coverage required.* No person may erect, display, construct, reconstruct or alter any sign, marquee or awning for which a permit is required under section 9-401 and which lies on, over or across any street, road, highway, alley, sidewalk or other public right-of-way unless and until a

liability insurance policy meeting the requirements of this section 9-402 has been obtained and approved by the city attorney. Said policy shall name the city as an "additional insured" and shall protect and hold harmless the city and its agents and employees from and against any suit, action, claim, cause of action, damages, losses, liability and expenses (including court costs and attorneys' fees) resulting from, arising out of or incident to the construction, reconstruction, alteration, maintenance, repair, removal, presence, falling or collapse of the sign, marquee or awning. In addition, the minimum bodily injury protection of said policy shall be \$100,000.00 per person and \$300,000.00 per occurrence, and the minimum property damage protection of the policy shall be \$50,000.00 per occurrence. The city may require additional insurance or other security if the sign, marquee or awning relates to a public right-of-way which supports a high level of vehicle or pedestrian traffic.

- (B) *Notice of cancellation.* The insurance policy required by section 9-402(A) shall remain in force and effect during the life of the sign, marquee or awning. The owner of the sign, marquee or awning shall notify the building official of any change in the insurance policy, including any change in amount, carrier or of coverage conditions. Failure to maintain the policy in full force and effect shall be due cause for the city manager to order the removal of the sign, marquee or awning.

9-403 - Removal of illegal signs.

The director shall remove any sign, marquee or awning erected or displayed on, over or across any street, road, highway, alley or other public right-of-way in violation of this Article IX, shall impound the sign and within 24 hours of the removal, shall notify in writing, by first-class mail, the owner of the sign, if ownership is readily determinable, of the location at which the sign is being stored and of the owner's right to retrieve the sign upon payment of an impound fee of \$50.00, plus a storage fee of \$10.00 for each day of storage; provided, however, that no such notice is required when an illegal sign is of *de minimis* value and is less than 12 square feet in area. Signs not retrieved within a period of 30 days after the mailing of such notice may be destroyed by the city.