



## Legislation Text

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**File #:** 21-2047, **Version:** 1

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### **Subject:**

Work session on proposed amendments to temporary sign regulations

### **BACKGROUND SUMMARY:**

In 2015, the U.S. Supreme Court decided *Reed v. Town of Gilbert*, ruling that the regulation of temporary non-commercial signs must be content neutral and that content-based regulation is unconstitutional. Currently, the Town of Vienna's zoning code regulations of temporary signs is content based, providing different requirements for temporary real estate signs, temporary public and semi-public signs, temporary election signs, and temporary construction signs. In February 2019, the Zoning Administrator made a determination that the Town would enforce the least restrictive standards for all temporary signs, allowing not more than 50 square feet total for temporary signs.

### **OVERVIEW:**

At its July 6, 2020 meeting, Town Council set a public hearing for September 14, 2020, on amendments to the temporary sign regulations of Chapter 18 - Zoning, Article 19, and referred the matter to the Planning Commission for consideration, utilizing the Local Government Attorney's Association of Virginia model sign ordinance.

The Planning Commission discussed and revised the draft amendments prepared by Staff, which were based on the model sign ordinance, at two work sessions on August 12 and August 26, 2020. The Planning Commission then held a public hearing on those proposed amendments on September 9, 2020. After closing the hearing, the Planning Commission voted unanimously to recommend the proposed amendments to Town Council.

Town Council held a public hearing on the proposed amendments on September 14, 2020. After closing the hearing, Council deferred the matter to the October 5, 2020 meeting. At that meeting, Council discussed the desire to look at temporary sign regulations adopted by neighboring jurisdictions in response to the *Reed* case as a basis for the Town's temporary sign regulations, especially as they relate to the total sign area allowed for yard signs and the duration permitted.

Town Council set a work session on October 28, 2020 to further discuss the matter and referred the results to the Planning Commission for further action following the Council work session. A redline of the Council's recommendations from the October 28 work session are included with this agenda item.