



## Legislation Text

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**File #:** 20-1895, **Version:** 1

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### **Subject:**

Request to consider proposed amendments to Chapter 18 - Zoning, Article 19 - Nameplates and Signs relating to Temporary Sign Regulations

### **EXPLANATION AND 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.

The Local Government Attorney's Association of Virginia has prepared a model sign ordinance, which staff has utilized to draft proposed amendments to the temporary sign regulations.

The Planning Commission discussed and revised the draft amendments at two work sessions, on August 12 and August 26, 2020. They held a public hearing on September 9, 2020. The Town Council held a public hearing on the proposed amendments on September 14, 2020. Following public comment, the hearing was closed and consideration of the matter deferred to the October 5, 2020 meeting.

It is proposed that the temporary sign regulations in the Town's Code be updated immediately based upon provisions from the model sign ordinance. The model sign ordinance also will be considered as part of the more comprehensive zoning update process.

**Strategic Plan Initiative:** *Vienna is an influential and well-governed community*

**Departmental Recommendation :** The proposed amendments are necessary to ensure that the Town's temporary sign regulations are compliant with recent Supreme Court decisions. Town staff recommends approval of the amendments as proposed.

**Finance Recommendation :** N/A

**Purchasing Recommendation :** N/A

**Town Attorney Recommendation :** The Town Attorney recommends adopting content-neutral temporary sign regulations consistent with the model sign ordinance.

**Town Manager's Recommendation** : I recommend the Town Council approve as presented the proposed amendments to Article 19 of Chapter 18 of the Town Code relating to temporary signs regulations, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

**PROPOSED/SUGGESTED MOTION**

"I move to approve as presented the proposed amendments to Article 19 of Chapter 18 of the Town Code relating to temporary signs regulations and I further move to direct the Town Clerk to advertise a Notice of Intent to Adopt at the October 26, 2020 Council Meeting."

Or

Other action deemed necessary by Council.