

# **Planning Commission**

## **Work Session Agenda**

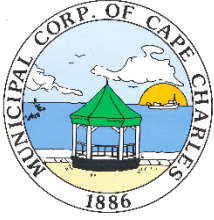
**Cape Charles Civic Center – 500 Tazewell Avenue**

**February 21, 2024**

**6:00 P.M.**

1. Call to Order
  - a. Roll call and establish a quorum
2. Consent Agenda
  - a. Approval of agenda format
3. Order of Business

Continue with the review of the proposed sign ordinance starting on Harbor District Signs.
4. Adjourn



## **PLANNING COMMISSION STAFF REPORT**

Meeting Date: February 21, 2024

Prepared by: Katie H. Nunez, Planning & Zoning Administrator

Date: February 15, 2024

**WORK SESSION DRAFT SIGN ORDINANCE REVIEW**

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Enclosed are two documents:

First, we have updated red-lined draft sign ordinance with all changes incorporated from our last meeting on February 6, 2024, including adding in the charts created by Paul Grossman and reviewed/edited by the Planning Commission over the last two meetings.

Second, I have also provided you a mostly clean copy of the draft sign ordinance that has accepted all of the changes (additions, deletions, etc.). There are still a few items highlighted in yellow that may require clarification by the Planning Commission since the staff notes did not show what decision had been reached, especially on a few of the chart measurement items.

I would request that we start our work with reviewing the chart in Section 13 for Heavy and Light Industrial Zoning.

Once we have completed that, then I would suggest that we go through the whole document section by section.

# Attachment 1

Sign Ordinance

All Changes Incorporated/Redlined  
thru 2/6/2024 and with new charts included

## ARTICLE \_\_. - SIGNS

### DIVISION I. - GENERAL PROVISIONS

#### Sec. 1. ~~Findings~~, purpose and intent; interpretation.

- (a) ~~Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.~~ The purpose of this article 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 convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article 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.
- (b) Signs not expressly permitted as being ~~allowed~~ by right or by ~~special-use conditional sign~~ permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the ~~[governing body]~~ Town Council or Board of Zoning Appeals are forbidden.
- (c) 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. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.
- (d) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, 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.
- (e) These regulations distinguish between portions of the ~~City/County~~ Town designed for primarily vehicular access and portions of the ~~City/County~~ Town designed for primarily pedestrian access.
- (f) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the ~~City/County~~ Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- (g) 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.

(h) Due to the difficulty of addressing all situations and sizes of signs, under extenuating circumstances, the Zoning Administrator may allow for signage that meets the intent of the individual zoning districts. Any exceptions grants will be presented at the next Planning Commission meeting.

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**Sec. 2. - Definitions. – Certain definitions are being moved to reside in the district sign charts (Sections 11 thru 14) and will not be duplicated here.**

~~A Frame sign means a two faced sign with supports that are connected at the top and separated at the base, forming an “A” shape not more than four feet high. These are also referred to as “sandwich board” signs. They are included in the term “portable sign.”~~

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*Advertising* means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

*Animated sign* means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a “moving sign.”

~~Awning sign means a sign placed directly on the surface of an awning.~~

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~~Banner means a sign of flexible material affixed to a framework or flat surface.~~

*Building frontage* means the length of the main wall of a building which physically encloses usable interior space and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten (10) feet above grade.

*Business sign* means a sign which directs attention to a product, service or commercial activity available on the premises.

~~Canopy sign means a sign attached to a canopy.~~

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~~Chalk board sign means a single faced, framed slate or chalk board that can be written on with chalk or similar markers.~~

*Changeable copy sign* means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

*Comprehensive sign plan* means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities.

~~Directory sign (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities.~~

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*Feather sign.* A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.

*Flag* means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.

*Flashing sign* means a sign that includes lights that flash, blink, or turn on and off intermittently.

~~*Freestanding sign* means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.~~

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*Ground mounted sign* means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.

*Height*, means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- (1) Existing grade prior to construction; or
- (2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

*Illegal sign* means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

*Illuminated sign* means a sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

~~*Marquee* means a permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.~~

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*Marquee sign* means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.

*Minor sign* means a wall or ~~freestanding window~~ sign not exceeding ~~one three (1)(3)~~ square foot in area, not exceeding four feet in height, and not illuminated.

*Monument sign* means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; ~~not a pole sign.~~

*Moving Sign:* see definition for Animated Sign.

~~*Multi-Tenant Sign:* see definition for Directory Sign.~~

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*Neon sign* means a sign containing exposed tubes filled with light-emitting gas.

*Nonconforming sign.* Any sign which was lawfully erected in compliance with applicable regulations of the City/County/Town and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.

*Off-premises sign* means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected. This does not include Temporary Signs for Special Events approved by the Town.

~~*Pole sign* means a sign that is mounted on one (1) or more freestanding poles.~~

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~~*Portable sign* means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.~~

~~*Projecting sign* means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.~~

*Public area* means any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.

*Roof sign* means a sign erected or constructed, 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 any building with a pitched roof.

*Sign.* Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term does not include public art, holiday displays, architectural elements incorporated into the style or function of a building, or flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term “sign” also does not include the display of merchandise for sale on the site of the display.

*Sign face* means the portion of a sign structure bearing the message.

*Sign structure* means any structure bearing a sign face.

*Temporary sign* means any sign intended to be displayed for a limited period.

*Vehicle or trailer sign* means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

~~*Wall Sign* means any sign attached to a wall or painted on or against a flat vertical surface of a structure.~~

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*Window sign* means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.

### **Sec. 3. ~~Permit required.~~**

- (a) *In general.* A sign permit is required prior to the display and erection of any sign except as provided in section 4 ~~(Prohibited Signs) of this Article. as well as in Sections 11 through 14 (Sign Regulations by Use and Zoning District).~~

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(b) *Application for permit.*

- (1) An application for a sign permit shall be filed with the Planning & Zoning Department on forms furnished by that department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. ~~An application for a temporary sign shall state the dates intended for the erection and removal of the sign.~~
- (2) The Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within 5 business days after receipt. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.
- (3) If the application is rejected, the Town Zoning Administrator shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, building code, or other applicable law, regulation, or ordinance.

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(c) *Permit fee.* A nonrefundable fee as set forth in the uncodified fee schedule adopted by the Town Council shall accompany all sign permit applications.

(d) *Duration and revocation of permit.* If a sign is not installed within six months following the issuance of a sign permit ~~(or within 30 days in the case of a temporary sign permit)~~, the permit shall be void. ~~The permit for a temporary sign shall state its duration, not to exceed 30 days unless another time is provided in the zoning ordinance.~~ The Town may revoke a sign permit under any of the following circumstances:

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- (1) The Town determines that information in the application was materially false or misleading;
- (2) The sign as installed does not conform to the sign permit application; or
- (3) The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.

(e) *Overlay district regulations.* All sign ~~reviews as required pursuant to Article VIII (Historic District Overlay ordinance) in the Historic Overlay District (HOD)~~ require approval of the Historic District Review Board (HDRB) except when a sign permit is not required as provided in § 4.

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(f) *Special exceptions.* Comprehensive sign plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the Zoning Ordinance.



#### Sec. 4. - Permit not required.

~~A sign permit is not required for: Signs that do not require a permit are depicted in Section 11 through 14 (Sign Regulations by Use and Zoning District). In addition, a sign permit is not required for:~~

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- (1) Signs erected by a governmental body or required by law.
- ~~(2) Flags up to 16-24 (4x6) square feet in size not containing any commercial advertising; provided, that no freestanding pole shall be erected in the public right-of-way nor be within five (5) feet of a service drive, travel lane or adjoining street.~~
- ~~(3) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 9(e).~~
- ~~(4) Temporary signs as follows:~~
  - ~~a. One (1) sign Allowance on a sign of each general contractor and subcontractors, no more with each not being more than twelve (12) square feet in area, located on property where a building permit is active and a structure is under construction~~
  - ~~b. On any property for sale or rent, not more than one sign with a total area of up to twelve (12) square feet and a maximum height of six (6) feet.~~

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#### (3) Temporary Signs:

- ~~a.e.~~ Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.
- ~~d. On residential property Zoning District, one or more temporary signs with a total area of no more than twelve (12) square feet, and which are removed allowed within 90 and not to exceed 30-90 days out of any 365 day period per property per location after being erected. Examples: including but not limited to: yard sales, estate sales; Exceptions can be granted for non-residential property in Residential Districts.~~
- ~~e. On In the residential property Zoning District, window signs, provided that the total extent of window signs do not obstruct more than 25% of the total area of all windows on each building façade.~~
- ~~b. f.~~ Town Seasonal Events: The Town or through its designated agents are allowed to place temporary signage promoting Town sponsored seasonal events, festivals, or other marketing campaigns or Town permitted events for the Town up to 30 days prior to the event and must be removed 7 days after the conclusion of the event.
- ~~(6) Not more than two minor signs per parcel. Additional minor signs are permitted in certain districts with a permit. Sign Example: name of your house.~~
- ~~(7) A frame signs more than fifty (50) feet from the nearest public right-of-way not to impede pedestrians or vehicular traffic.~~

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~~(4) (8) Pavement markings. Any sign applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface.~~

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~~(9) A permanent window sign, provided that the aggregate area of all window signs on each window or door does not exceed twenty five percent (25%) of the total area of the window or door. [Cross reference with Section 12.](#)~~

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## Sec. 5. – Prohibited signs

In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

### (a) General prohibitions.

- (1) Signs that violate any law of the Commonwealth relating to outdoor advertising.
- (2) Signs attached to natural vegetation on public lands
- (3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized city official as a nuisance.
- (4) Vehicle or trailer signs.

~~(5) Freestanding signs more than [25-10](#) feet in height.~~

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~~(7) [65](#) Any sign displayed without complying with all applicable regulations of this chapter.~~

### (b) Prohibitions based on materials.

(1) Signs painted directly [on any building that is a contributing structure in the Historic District Overlay](#), except where expressly permitted by this chapter.

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(2) Animated signs [revisit in Definition. This subsection does not apply to flags expressly permitted under this article or the changing of the message content no more often than once every seven seconds.](#)

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(3) Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this article.

(4) Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three months per year.

(5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.

(6) Signs that emit sound.

(7) Any electronic sign that is generated by a series of moving images, such as an LED, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit unless permitted within this article.

(8) Strings of flags visible from, and within 50 feet of, any public right-of-way.

(9) ~~Pole signs less than 6 feet in height.~~ Move to Section 5 (a) Item#7.

(c) Prohibitions based on location.

~~(1) Off premises signs, unless specifically permitted by this chapter.~~

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~~(1)(2)~~ Signs erected on public land other than those approved by an authorized Town official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.

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(3) Signs on the roof surface or extending above the roofline of a building or its parapet wall.

(4) Neon signs, except in windows unless permitted in this article.

(5) Any sign located in the vision triangle formed by any two (2) intersecting streets, as regulated by the provisions of section \_\_\_\_\_.

(6) ~~Window signs whose aggregate area on a window or door exceed twenty five percent (25%) of the total area of the window or door.~~

#### Sec. 6. - Measurements of sign area ~~and height.~~

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(a) Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the ~~preceding~~ succeeding provisions in section (c) below.

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(b) In instances where there are multiple tenants or users on a property or in a building, allowable sign area for all parties shall not exceed the maximum sign area computed as if there were a single tenant or user.

(c) *Sign area.*

(1) Sign area is calculated under the following principles:

- a. With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or overlapping rectangles that enclose the sign face.

- b. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.

- c. ~~For projecting signs with a thickness of four inches or more, the sign area also includes the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.~~

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- (2) ~~The supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure area are designed in such a manner as to form an integral background of the display.~~

- ~~(d) Maximum height. The maximum height for any sign shall be 25\_10 feet unless otherwise specified within this chapter.~~

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#### Sec. 7. - Maintenance and removal.

- (a) All signs, for which a building permit is required, shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code, Appendix #H of the Construction Code ~~Building Code deals with signs~~.

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- (b) All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.

- ~~(c) The Code official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapter 8, Article III of this Code, Town Code. . Move this whole paragraph to Section 7 new Item #2~~

- (d) The owner of any advertising sign, other than a permitted off-premises sign, located on commercial property where the use or business has ceased operating shall, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.

- (e) ~~Sign condition, safety hazard, and nuisance abatement, and abandonment.~~

- (1) Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.

- (2) Any sign which constitutes a nuisance may be abated by the City/County/Town under the requirements of Virginia Code §§ 15.2-900, 15.2-906, and/or 15.2-1115.

- ~~(3) The Code official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If~~

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such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapter 8, Article III of this Code, Town Code. - Move this whole paragraph to Section 7 new Item #3

#### Sec. 8. – General requirements.

~~(a) Placement. Except as otherwise permitted, all freestanding signs shall be set back from any street right of way at least half the height of the sign.~~

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~~(a) (b) Illumination. All permitted signs may be backlit, internally lighted, or indirectly lighted, unless such lighting is specifically prohibited in this article.~~

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(1) In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. However, ~~shingle~~ signs shall be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. 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.

(2) Internal illumination shall be limited to the illumination standards for parking lot lighting in \_\_\_\_\_. No sign shall 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 a residential dwelling unit. **In no event shall the illumination of any sign resulting from any internal or external artificial light source exceed 100 lumens. All lighting fixtures used to illuminate a sign shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky.**

~~(e) Landscaping. All non temporary permanent ground mounted or monument signs shall be installed with a minimum surround of three (3) feet of regularly maintained floral and shrubbery landscaping in every direction.~~

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#### Sec. 9. - Nonconforming signs.

(a) Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. ~~Upon~~ If notice from the zoning administrator is issued, a property owner shall submit verification that sign(s)

were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.

- (b) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- (c) 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, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- (d) 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 article.
- (e) 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 article.
- (f) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.
- (g) A nonconforming sign structure shall be subject to the removal provisions of section \_\_\_\_\_. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such structure sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days' written 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.

**Sec. 10. Non-commercial signs.**

- ~~(a) Substitution. Wherever this Article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height and construction.~~

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## DIVISION II. - SIGN REGULATIONS BY USE AND DISTRICT

### Section 11. – Residential district signs.

- (a) Except as otherwise prohibited in this Article, the following signs are permitted as accessory to residential uses in residential districts. Moving signs and electronic message signs are prohibited on residential properties in all residential districts.

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| TYPE              | Flags                                                                                                                                                           | Temporary on Building Permit Site         | Temporary Other(1)                                                                                                                                     | Permanent Non-commercial (2) (5) (6) (7)                                                                                                                                         |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Permit Required   | No                                                                                                                                                              | No                                        | No                                                                                                                                                     | No                                                                                                                                                                               |
| Size (each/total) | 24 sf/ three (Only one flagpole)                                                                                                                                | 12 sf/ max one each per contractor or sub | <ul style="list-style-type: none"> <li>12 sf/ max one</li> <li>16 sf/ max one for multi-development site (Subdivision Plat – lots for sale)</li> </ul> | Max 2 minor signs (< 3 sf) each per parcel-building unit<br>Historic markers exempted.<br>Freestanding for identifying multi-family sites (apartment buildings) < 32 sf/ max one |
| Illumination      | U.S. Flag Code (see 4) For other flags (see Section 8.B)                                                                                                        | None                                      | None                                                                                                                                                   | None                                                                                                                                                                             |
| Setback           | Not in public right-of-way nor 5 ft from service drive, travel lane or adj street                                                                               | None                                      | None                                                                                                                                                   | None                                                                                                                                                                             |
| Maximum Height    | 25 ft (flagpole)                                                                                                                                                | 4 ft                                      | 6 ft                                                                                                                                                   | 4 ft for freestanding                                                                                                                                                            |
| Location          | Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets | Freestanding, portable, wall or window    | Freestanding, portable, wall or window                                                                                                                 | Wall or window sign                                                                                                                                                              |
| Duration          | Unlimited                                                                                                                                                       | Duration of project                       | < 90 days per 365-day calendar year period (3)                                                                                                         | Unlimited                                                                                                                                                                        |

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(1) Includes signs on property for sale. Vacation rental signs are prohibited. (Katie: if PC agrees, then this language should also be added to to the definition of "Temporary Sign" in the Sign ordinance text itself)

- (2) Exceptions can be granted by Zoning Administrator for non-residential property in Residential districts (e.g., churches, funeral parlors, distributors, schools, bed & breakfasts, multi-tenant directory, multi-family establishments)
- (3) For sale of property, 90 days may be exceeded. Sign to be removed within 2 weeks after closing.
- (4) Flag Code, U.S. Code Title 36, Chapter 10, Section 174
- (5) Home occupations are not permitted commercial signs.
- (6) Minor sign means a wall or window sign not exceeding three (3) square foot in area and not exceeding four feet in height if freestanding, and not illuminated.
- (7) Art is not considered a sign.

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## Section 12. – Commercial district signs.

- (a) Generally, Except as provided otherwise in this Article, the following signs are permitted as accessory uses in commercial districts. ~~In addition, up to one minor sign per business is permitted as a wall sign.~~

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| <u>TYPE</u>        | <u>Flags</u>                                                                                                                                                                                                                                                                                | <u>Freestanding (including monument)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>Wall and Window and Door Signs</u>                                                                                                                                                                                                                                                    | <u>Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <u>Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Definitions</u> | <p><u>Flag means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</u></p> <p><u>Pole sign means a sign that is mounted on one (1) or more freestanding poles.</u></p> | <p><u>Freestanding sign means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</u></p> <p><u>Monument sign means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</u></p> <p><u>Off-premises sign means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</u></p> | <p><u>Wall Sign means any sign attached to a wall or painted on or against a flat vertical surface of a structure</u></p> <p><u>Window sign means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</u></p> | <p><u>A-Frame sign means a two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."</u></p> <p><u>Banner means a sign of flexible material affixed to a framework or flat surface.</u></p> <p><u>Chalk-board sign means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</u></p> <p><u>Feather sign. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</u></p> | <p><u>Awning sign means a sign placed directly on the surface of an awning.</u></p> <p><u>Canopy sign means a sign attached to a canopy.</u></p> <p><u>Directory sign (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities.</u></p> <p><u>Entrance canopy means a fixed or</u></p> |

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| <u>TYPE</u>                     | <u>Flags</u>                            | <u>Freestanding<br/>(including<br/>monument)</u>                                                                                                                   | <u>Wall and<br/>Window<br/>and Door<br/>Signs</u>                                              | <u>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</u>                                                                                                                                                                                                                                             | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 |                                         | <i>Ground mounted sign means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall</i> |                                                                                                | <i>Off-premises sign means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</i><br><br><i>Portable sign means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.</i> | <i>stationary canopy or hood constructed to provide protection at the entrance of a building, either supported entirely from a building, or supported partly from a building or from posts.</i><br><br><i>Hanging sign means a freestanding sign supported by the extended are of a single post or from a commercial establishment (parallel to the building façade).</i><br><br><i>Marquee sign means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</i><br><br><i>Projecting sign means a sign that is wholly or partly dependent on the building for support and that projects more than twelve (12) inches from such building.</i> |
| <u>Permit Required</u>          | <u>Yes – flagpole only</u>              | <u>Yes</u>                                                                                                                                                         | <u>Yes – Wall No - Window</u>                                                                  | <u>No</u>                                                                                                                                                                                                                                                                                                                                                       | <u>Yes</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Size/Number (each/total)</u> | <u>24 sf/ max 3 (Only one flagpole)</u> | <u>Permanent On-site: 24 sf/ one. Permanent Off-site for Commercial use: Up to 3 signs, each</u>                                                                   | <u>&lt; x sf / 5 lineal ft of building frontage</u><br><br><u>&lt; * 8 sf / 5 lineal ft of</u> | <u>&lt; 16 sf/ max 3</u>                                                                                                                                                                                                                                                                                                                                        | <u>Directory – Limited to one sign per ingress/egress onto a primary road access.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <u>TYPE</u>               | <u>Flags</u>                                                                                                                  | <u>Freestanding<br/>(including<br/>monument)</u>                                                                                                                                                                           | <u>Wall and<br/>Window<br/>and Door<br/>Signs</u>             | <u>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</u>                                                     | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</u>                                                                                                                          |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           |                                                                                                                               | not to exceed<br>6 sf and 7 ft<br>in height<br>located on<br>commercial<br>property with<br>owner<br>permission.<br>No more than<br>one permitted<br>sign<br>displayed per<br>lot.                                         | building<br>side wall<br><br>Window<br>signs are<br>permitted |                                                                                                                                                                         | Projecting<br>signs<br>perpendicular<br>to bldg.<br>frontage < 10<br>sf<br><br>Projecting<br>sign parallel<br>to bldg.<br>frontage < 5<br>sf/ 5 lineal ft<br><br>Awning signs<br>< 12 sf<br><br>Entrance<br>canopy sign<br>by ZA |
| <u>Illumination</u>       | <u>U.S. Flag<br/>Code (1)</u>                                                                                                 | <u>If<br/>illuminated,<br/>see Section 8<br/>req'ts</u>                                                                                                                                                                    | <u>If<br/>illuminated,<br/>see Section<br/>8 req'ts</u>       | <u>Not to be<br/>illuminated</u>                                                                                                                                        | <u>If illuminated,<br/>see Section 8<br/>req'ts</u>                                                                                                                                                                              |
| <u>Setback</u>            | <u>Not in<br/>public<br/>right-of-<br/>way nor<br/>5 ft from<br/>service<br/>drive,<br/>travel lane<br/>or adj<br/>street</u> | <u>All<br/>freestanding<br/>signs shall be<br/>set back from<br/>any street<br/>right-of-way<br/>at least half<br/>the height of<br/>the sign and 5<br/>ft from<br/>service drive,<br/>travel lane or<br/>adj street .</u> | <u>NA</u>                                                     | <u>Not in public<br/>right-of-way nor<br/>5 ft from service<br/>drive, travel lane<br/>or adj street. Not<br/>to impede<br/>pedestrian traffic<br/>on the sidewalk.</u> | <u>NA</u>                                                                                                                                                                                                                        |
| <u>Maximum<br/>Height</u> | <u>25 ft</u>                                                                                                                  | <u>10 ft</u>                                                                                                                                                                                                               | <u>NA</u>                                                     | <u>10 ft</u>                                                                                                                                                            | <u>NA</u>                                                                                                                                                                                                                        |

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| <u>TYPE</u>     | <u>Flags</u>                                                                                                                                                                                                                               | <u>Freestanding<br/>(including<br/>monument)</u>                                                  | <u>Wall and<br/>Window<br/>and Door<br/>Signs</u>                                                                                                                                                                                                                        | <u>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</u>                                                                                               | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</u> |
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| <u>Location</u> | <u>Allowed<br/>within the<br/>front, rear<br/>and side<br/>setbacks<br/>provided<br/>that such<br/>structure<br/>shall not<br/>create a<br/>visual<br/>obstruction<br/>or<br/>hindrance<br/>to traffic<br/>on<br/>abutting<br/>streets</u> | <u>All<br/>permanent<br/>ground-<br/>mounted or<br/>monument<br/>signs shall be<br/>installed</u> | <u>Bldg wall,<br/>window<br/>and door.<br/><br/>Window<br/>signs are<br/>permitted<br/>only on<br/>the first<br/>floor of a<br/>building<br/>unless the<br/>business<br/>advertised<br/>is only on<br/>the floor<br/>where the<br/>window<br/>sign is<br/>displayed.</u> | <u>If located on<br/>another property,<br/>property owner<br/>concurrence<br/>needed. No more<br/>than one sign shall<br/>be displayed per<br/>lot.<br/><br/>Signs cannot<br/>impede public<br/>right-of-way.</u> | <u>Signs cannot<br/>impede public<br/>right-of-way.</u>                                                 |
| <u>Duration</u> | <u>Unlimited</u>                                                                                                                                                                                                                           | <u>Unlimited</u>                                                                                  | <u>Unlimited</u>                                                                                                                                                                                                                                                         | <u>Unlimited</u>                                                                                                                                                                                                  | <u>Unlimited</u>                                                                                        |

(1) U.S. Code Title 36, Chapter 10, Section 174

**Section 123. – Heavy and Light Industrial District signs. THIS STILL NEEDS TO BE REVIEWED BY PLANNING COMMISSION**

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in industrial districts.

| <u>TYPE</u> | <u>Flags</u>                                                                                                                                                                                                                                                                                | <u>Freestanding (including monument)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>Wall, Window and Door Signs</u>                                                                                                                                                                                                                                                       | <u>Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>Other (e.g., Canopy, Projecting, Awning, Marquee, Directory)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|             | <p><u>Flag</u> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p><u>Pole sign</u> means a sign that is mounted on one (1) or more freestanding poles.</p> | <p><u>Freestanding sign</u> means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p><u>Monument sign</u> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p><u>Off-premises sign</u> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><u>Ground mounted sign</u> means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> | <p><u>Wall Sign</u> means any sign attached to a wall or painted on or against a flat vertical surface of a structure</p> <p><u>Window sign</u> means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</p> | <p><u>A-Frame sign</u> means a two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."</p> <p><u>Banner</u> means a sign of flexible material affixed to a framework or flat surface.</p> <p><u>Chalk-board sign</u> means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</p> <p><u>Feather sign</u>. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</p> <p><u>Off-premises sign</u> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><u>Portable sign</u> means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner</p> | <p><u>Projecting sign</u> means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.</p> <p><u>Canopy sign</u> means a sign attached to a canopy.</p> <p><u>Awning sign</u> means a sign placed directly on the surface of an awning.</p> <p><u>Marquee sign</u> means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</p> <p><u>Directory sign</u> (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertise. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or</p> |

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| <u>TYPE</u>                         | <u>Flags</u>                                            | <u>Freestanding<br/>(including<br/>monument)</u>                                                                                                                                                                                                                                                                                    | <u>Wall,<br/>Window<br/>and Door<br/>Signs</u>                                                                                                                                                                                                                        | <u>Temporary<br/>Signs<br/>(e.g. A-Frame, Banner,<br/>Chalk-board, Feather,<br/>Off-Premise, Portable)</u> | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory)</u>                                                                                                                                                                                                                                     |
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|                                     |                                                         |                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                       |                                                                                                            | <i>business<br/>activities.</i><br><br><i>Entrance canopy<br/>means a fixed or<br/>stationary canopy<br/>or hood<br/>constructed to<br/>provide<br/>protection at the<br/>entrance of a<br/>building, either<br/>supported<br/>entirely from a<br/>building, or<br/>supported partly<br/>from a building<br/>or from posts.</i> |
| <u>Permit<br/>Required</u>          | <u>No</u>                                               | <u>Yes</u>                                                                                                                                                                                                                                                                                                                          | <u>Yes</u>                                                                                                                                                                                                                                                            | <u>No</u>                                                                                                  | <u>Yes</u>                                                                                                                                                                                                                                                                                                                      |
| <u>Size/Number<br/>(each/total)</u> | <u>24 sf/<br/>max 3<br/>(Only<br/>one<br/>flagpole)</u> | <u>Permanent<br/>On-site: 40<br/>sf/ one.<br/>Permanent<br/>Off-site for<br/>Commercial<br/>use: Up to 3<br/>signs, each<br/>not to exceed<br/>6 sf and 7 ft<br/>in height<br/>located on<br/>commercial<br/>property<br/>with owner<br/>permission.<br/>No more<br/>than one<br/>permitted<br/>sign<br/>displayed per<br/>lot.</u> | <u>&lt; x sf per<br/>5 lineal ft<br/>of<br/>building<br/>frontage</u><br><br><u>Window<br/>signs are<br/>permitted<br/>up to 25%<br/>of the area<br/>of a<br/>window<br/>and count<br/>NEEDED<br/>toward the<br/>maximum<br/>square<br/>footage of<br/>wall signs</u> | <u>16 sf/ max 3</u><br><br><u>IS THIS COLUMN<br/>NEEDED?</u>                                               | <u>Directory –<br/>Limited to<br/>one sign<br/>per<br/>ingress/egress<br/>onto a<br/>primary<br/>road access.</u><br><br><u>Projecting<br/>signs<br/>perpendicular to bldg.<br/>frontage &lt;<br/>x sf</u><br><br><u>Projecting<br/>sign<br/>parallel to<br/>bldg.<br/>frontage &lt;<br/>x sf/ 5<br/>lineal ft</u>              |

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| <u>TYPE</u>           | <u>Flags</u>                                                                                                   | <u>Freestanding (including monument)</u>                                                                                                                                   | <u>Wall, Window and Door Signs</u>                                                                                           | <u>Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)</u>                                                                                                   | <u>Other (e.g., Canopy, Projecting, Awning, Marquee, Directory)</u>    |
|-----------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|                       |                                                                                                                |                                                                                                                                                                            |                                                                                                                              |                                                                                                                                                                                              | <u>Awning signs &lt; 8 sf</u><br><br><u>Entrance canopy sign by ZA</u> |
| <u>Illumination</u>   | <u>U.S. Flag Code (1)</u>                                                                                      | <u>If illuminated, see Section 8 req'ts</u>                                                                                                                                | <u>If illuminated, see Section 8 req'ts</u>                                                                                  | <u>Not to be illuminated</u>                                                                                                                                                                 | <u>If illuminated, see Section 8 req'ts</u>                            |
| <u>Setback</u>        | <u>Not in public right-of-way nor 5 ft from service drive, travel lane or adj street</u>                       | <u>All freestanding signs shall be set back from any street right-of-way at least half the height of the sign, and 5 ft from service drive, travel lane or adj street.</u> | <u>NA</u>                                                                                                                    | <u>Not in public right-of-way nor 5 ft from service drive, travel lane or adj street</u>                                                                                                     | <u>NA</u>                                                              |
| <u>Maximum Height</u> | <u>25 ft</u>                                                                                                   | <u>10 ft</u>                                                                                                                                                               | <u>NA</u>                                                                                                                    | <u>10 ft</u>                                                                                                                                                                                 | <u>NA</u>                                                              |
| <u>Location</u>       | <u>Allowed within the front, rear and side setbacks provided that such structure shall not create a visual</u> | <u>All permanent ground-mounted or monument signs shall be installed with a minimum surround of three (3) feet of regularly</u>                                            | <u>Bldg wall, window and door.</u><br><br><u>Window signs are permitted only on the first floor of a building unless the</u> | <u>If located on another property, property owner concurrence needed. No more than one permitted sign shall be displayed per lot.</u><br><br><u>Signs cannot impede public right-of-way.</u> | <u>Signs cannot impede public right-of-way.</u>                        |

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| <u>TYPE</u>     | <u>Flags</u>                                                                             | <u>Freestanding<br/>(including<br/>monument)</u>                                                       | <u>Wall,<br/>Window<br/>and Door<br/>Signs</u>                                                                  | <u>Temporary<br/>Signs<br/>(e.g. A-Frame, Banner,<br/>Chalk-board, Feather,<br/>Off-Premise, Portable)</u> | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory)</u> |
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|                 | <u>obstructi<br/>on or<br/>hindranc<br/>e to<br/>traffic on<br/>abutting<br/>streets</u> | <u>maintained<br/>floral and<br/>shrubbery<br/>landscaping<br/>in every<br/>direction.<br/>NEEDED?</u> | <u>business<br/>advertised<br/>is only on<br/>the floor<br/>where the<br/>window<br/>sign is<br/>displayed.</u> |                                                                                                            |                                                                                             |
| <u>Duration</u> | <u>Unlimite<br/>d</u>                                                                    | <u>Unlimited</u>                                                                                       | <u>Unlimited</u>                                                                                                | <u>Unlimited</u>                                                                                           | <u>Unlimited</u>                                                                            |

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## Section 14. – Harbor district signs.

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in the harbor district.

| <u>TYPE</u>        | <u>Flags</u>                                                                                                                                                                                                                                                                               | <u>Freestanding (including monument)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>Wall, Window and Door Signs</u>                                                                                                                                                                                                                                                       | <u>Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Definitions</u> | <p><u>Flag</u> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p><u>Pole sign</u> means a sign that is mounted on one (1) or more freestanding poles</p> | <p><u>Freestanding sign</u> means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p><u>Monument sign</u> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p><u>Off-premises sign</u> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><u>Ground mounted sign</u> means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> | <p><u>Wall Sign</u> means any sign attached to a wall or painted on or against a flat vertical surface of a structure</p> <p><u>Window sign</u> means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</p> | <p><u>A-Frame sign</u> means a two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."</p> <p><u>Banner</u> means a sign of flexible material affixed to a framework or flat surface.</p> <p><u>Chalk-board sign</u> means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</p> <p><u>Feather sign</u> A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</p> <p><u>Off-premises sign</u> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><u>Portable sign</u> means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner</p> | <p><u>Projecting sign</u> means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.</p> <p><u>Canopy sign</u> means a sign attached to a canopy.</p> <p><u>Awning sign</u> means a sign placed directly on the surface of an awning.</p> <p><u>Marquee sign</u> means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</p> <p><u>Directory sign (also identified as Multi-Tenant Sign):</u> A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities</p> |

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| <u>TYPE</u>                         | <u>Flags</u>                              | <u>Freestanding<br/>(including<br/>monument)</u>                                                                                                                                                                                                                                                     | <u>Wall,<br/>Window<br/>and Door<br/>Signs</u>                                                                                                                                                                                                                                         | <u>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</u> | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</u>                                                                                                                                                                                                                                         |
|-------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                     |                                           |                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |                                                                                                                     | <u>Entrance canopy</u><br>means a fixed or<br>stationary canopy or<br>hood constructed to<br>provide protection at<br>the entrance of a<br>building, either<br>supported entirely<br>from a building, or<br>supported partly<br>from a building or<br>for posts.                                                                                |
| <u>Permit<br/>Required</u>          | <u>Yes</u>                                | <u>Yes</u>                                                                                                                                                                                                                                                                                           | <u>Yes</u>                                                                                                                                                                                                                                                                             | <u>No</u>                                                                                                           | <u>Yes</u>                                                                                                                                                                                                                                                                                                                                      |
| <u>Size/Number<br/>(each/total)</u> | 24 sf/ max<br>3<br>(Only one<br>flagpole) | Permanent<br>On-site: 24<br>sf/ one.<br>Permanent<br>Off-site for<br>Commercial<br>use: Up to 3<br>signs, each<br>not to exceed<br>6 sf and 7 ft<br>in height<br>located on<br>commercial<br>property with<br>owner<br>permission.<br>No more than<br>one permitted<br>sign<br>displayed per<br>lot. | x sf / 5<br>lineal ft of<br>building<br>frontage<br><br>X sf / 5<br>lineal ft of<br>building<br>side wall<br><br>Window<br>signs are<br>permitted<br>up to 25%<br>of the area<br>of a<br>window<br>and count<br>NEEDED?<br>toward the<br>maximum<br>square<br>footage of<br>wall signs | 16 sf/ max 3                                                                                                        | Directory –<br>Limited to<br>one sign per<br>ingress/egress<br>onto a<br>primary road<br>access.<br><br>Project signs<br>perpendicular<br>to bldg..<br>frontage < x<br>sf/ 5 lineal ft<br><br>Projecting<br>sign parallel<br>to bldg..<br>frontage < x<br>sf/ 5 lineal ft<br><br>Awning signs<br>< x sf<br><br>Entrance<br>canopy sign<br>by ZA |

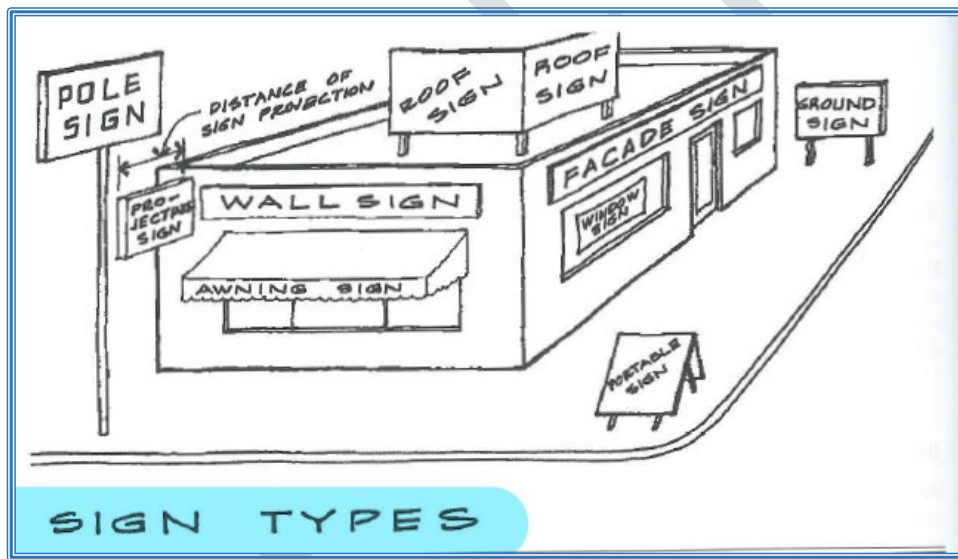
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| <u>TYPE</u>           | <u>Flags</u>                                                                                                                                                           | <u>Freestanding (including monument)</u>                                                                                                                                  | <u>Wall, Window and Door Signs</u>                                                                                                                                              | <u>Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)</u>                                                                                                   | <u>Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)</u>                                        |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <u>Illumination</u>   | <u>U.S. Flag Code (1)</u>                                                                                                                                              | <u>If illuminated, see Section 8 req'ts</u>                                                                                                                               | <u>If illuminated, see Section 8 req'ts</u>                                                                                                                                     | <u>Not to be illuminated</u>                                                                                                                                                                 | <u>If illuminated, see Section 8 req'ts</u>                                                                        |
| <u>Setback</u>        | <u>Not in public right-of-way nor 5 ft from service drive, travel lane or adj street</u>                                                                               | <u>All freestanding signs shall be set back from any street right-of-way at least half the height of the sign and 5 ft from service drive, travel lane or adj street.</u> | <u>NA</u>                                                                                                                                                                       | <u>Not in public right-of-way nor 5 ft from service drive, travel lane or adj street</u>                                                                                                     | <u>NA</u>                                                                                                          |
| <u>Maximum Height</u> | <u>25 ft</u>                                                                                                                                                           | <u>10 ft</u>                                                                                                                                                              | <u>NA</u>                                                                                                                                                                       | <u>10 ft</u>                                                                                                                                                                                 | <u>NA</u>                                                                                                          |
| <u>Location</u>       | <u>Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets</u> |                                                                                                                                                                           | <u>Bldg wall, window and door.</u><br><br><u>Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the</u> | <u>If located on another property, property owner concurrence needed. No more than one permitted sign shall be displayed per lot.</u><br><br><u>Signs cannot impede public right-of-way.</u> | <u>Directory or Multi-Tenant Sign: Limited to one monument sign per ingress/egress onto a primary road access.</u> |

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| <u>TYPE</u>     | <u>Flags</u>     | <u>Freestanding<br/>(including<br/>monument)</u> | <u>Wall,<br/>Window<br/>and Door<br/>Signs</u> | <u>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</u> | <u>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</u> |
|-----------------|------------------|--------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|                 |                  |                                                  | <u>window<br/>sign is<br/>displayed.</u>       |                                                                                                                     |                                                                                                         |
| <u>Duration</u> | <u>Unlimited</u> | <u>Unlimited</u>                                 | <u>Unlimited</u>                               | <u>Unlimited</u>                                                                                                    | <u>Unlimited</u>                                                                                        |

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# Attachment 2

Sign Ordinance

All Changes Accepted 02/14/2024

## **ARTICLE \_\_\_\_ - SIGNS**

### **DIVISION I. - GENERAL PROVISIONS**

#### **Sec. 1 purpose and intent; interpretation.**

- (a) The purpose of this article 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 convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article 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.
- (b) Signs not expressly permitted as being by right or by conditional sign permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the Town Council or Board of Zoning Appeals are forbidden.
- (c) 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. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.
- (d) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, 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.
- (e) These regulations distinguish between portions of the Town designed for primarily vehicular access and portions of the Town designed for primarily pedestrian access.
- (f) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- (g) 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.
- (h) Due to the difficulty of addressing all situations and sizes of signs, under extenuating circumstances, the Zoning Administrator may allow for signage that meets the intent of the

individual zoning districts. Any exceptions grants will be presented at the next Planning Commission meeting.

## **Sec. 2. - Definitions.**

*Advertising* means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

*Animated sign* means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a “moving sign.”

*Building frontage* means the length of the main wall of a building which physically encloses usable interior space and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten (10) feet above grade.

*Business sign* means a sign which directs attention to a product, service or commercial activity available on the premises.

*Changeable copy sign* means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

*Comprehensive sign plan* means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities.

*Flashing sign* means a sign that includes lights that flash, blink, or turn on and off intermittently.

*Height*, means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- (1) Existing grade prior to construction; or
- (2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

*Illegal sign* means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

*Illuminated sign* means a sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

*Moving Sign:* see definition for *Animated Sign*.

*Neon sign* means a sign containing exposed tubes filled with light-emitting gas.

*Nonconforming sign.* Any sign which was lawfully erected in compliance with applicable regulations of the City/County/Town and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.

*Off-premises sign* means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected. This does not include Temporary Signs for Special Events approved by the Town.

*Public area* means any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.

*Roof sign* means a sign erected or constructed, 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 any building with a pitched roof.

*Sign.* Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term does not include public art, holiday displays, architectural elements incorporated into the style or function of a building, or flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term “sign” also does not include the display of merchandise for sale on the site of the display.

*Sign face* means the portion of a sign structure bearing the message.

*Sign structure* means any structure bearing a sign face.

*Temporary sign* means any sign intended to be displayed for a limited period.

*Vehicle or trailer sign* means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

*Window sign* means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.

### **Sec. 3. – Permit required.**

(a) *In general.* A sign permit is required prior to the display and erection of any sign except as provided in section 4 (Prohibited Signs) as well as in Sections 11 through 14 (Sign Regulations by Use and Zoning District).

(b) *Application for permit.*

- (1) An application for a sign permit shall be filed with the Planning & Zoning Department on forms furnished by that department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances.

- (2) The Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within 5 business days after receipt. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.
- (3) If the application is rejected, the Town Zoning Administrator shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- (c) *Permit fee.* A nonrefundable fee as set forth in the uncodified fee schedule adopted by the Town Council shall accompany all sign permit applications.
- (d) *Duration and revocation of permit.* If a sign is not installed within six months following the issuance of a sign, the permit shall be void. The Town may revoke a sign permit under any of the following circumstances:
  - (1) The Town determines that information in the application was materially false or misleading;
  - (2) The sign as installed does not conform to the sign permit application; or
  - (3) The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- (e) *Overlay district regulations.* All sign reviews as required pursuant to Article VIII (Historic District Overlay ordinance) require approval of the Historic District Review Board (HDRB) except when a sign permit is not required as provided in §4.
- (f) *Special exceptions.* Comprehensive sign plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the Zoning Ordinance.

#### **Sec. 4. - Permit not required.**

Signs that do not require a permit are depicted in Section 11 through 14 (Sign Regulations by Use and Zoning District). In addition, a sign permit is not required for:

- (1) Signs erected by a governmental body or required by law.
- (2) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 9(e).
- (3) Temporary Signs:



- a. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.
  - b. Town Seasonal Events: The Town or through its designated agents are allowed to place temporary signage promoting Town sponsored seasonal events, festivals, or other marketing campaigns or Town permitted events for the Town up to 30 days prior to the event and must be removed 7 days after the conclusion of the event.
- (4) Pavement markings. Any sign applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface.

## **Sec. 5. – Prohibited signs**

In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

- (a) General prohibitions.
  - (1) Signs that violate any law of the Commonwealth relating to outdoor advertising.
  - (2) Signs attached to natural vegetation on public lands
  - (3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized city official as a nuisance.
  - (4) Vehicle or trailer signs.
  - (5) Any sign displayed without complying with all applicable regulations of this chapter.
- (b) Prohibitions based on materials.
  - (1) Signs painted directly on any building that is a contributing structure in the Historic District Overlay, except where expressly permitted by this chapter.
  - (2) Animated signs
  - (3) Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this article.
  - (4) Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three months per year.
  - (5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
  - (6) Signs that emit sound.

- (7) Any electronic sign that is generated by a series of moving images, such as an LED, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit unless permitted within this article.
- (8) Strings of flags visible from, and within 50 feet of, any public right-of-way.
- (c) Prohibitions based on location.
  - (1) Signs erected on public land other than those approved by an authorized Town official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.
  - (2) Signs on the roof surface or extending above the roofline of a building or its parapet wall.
  - (3) Neon signs, except in windows unless permitted in this article.
  - (4) Any sign located in the vision triangle formed by any two (2) intersecting streets, as regulated by the provisions of section \_\_\_\_\_.

## **Sec. 6. - Measurements of sign area**

- (a) Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the provisions in section (c) below
- (b) In instances where there are multiple tenants or users on a property or in a building, allowable sign area for all parties shall not exceed the maximum sign area computed as if there were a single tenant or user.
- (c) *Sign area.*
  - (1) Sign area is calculated under the following principles:
    - a. With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or overlapping rectangles that enclose the sign face.
    - b. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.

## **Sec. 7. - Maintenance and removal.**

- (a) All signs, for which a building permit is required, shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code, Appendix #H of the Construction Code.
- (b) All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.
- (d) The owner of any advertising sign, other than a permitted off-premises sign, located on commercial property where the use or business has ceased operating shall, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.
- (e) *Sign condition, safety hazard and nuisance abatement*
  - (1) Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.
  - (2) Any sign which constitutes a nuisance may be abated by the Town under the requirements of Virginia Code § 15.2-900, 15.2-906, and/or 15.2-1115.
  - (3) The Code official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapter 8, Article III of the Town Code.

## **Sec. 8. – General requirements.**

- (a) *Illumination.* All permitted signs may be backlit, internally lighted, or indirectly lighted, unless such lighting is specifically prohibited in this article.
  - (1) In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. However, signs shall be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. 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.
  - (2) Internal illumination shall be limited to the illumination standards for parking lot lighting in \_\_\_\_\_. No sign shall 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 a residential dwelling unit. In no event shall the illumination of any sign resulting from any internal or external artificial light source exceed 100 lumens. All lighting fixtures used to illuminate a sign shall be full-cutoff, as defined by the

Illuminating Engineering Society of North America (IESNA), and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward-

**Sec. 9. - Nonconforming signs.**

- (a) Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. If notice from the zoning administrator is issued, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- (b) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- (c) 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, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- (d) 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 article.
- (e) 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 article.
- (f) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.
- (g) A nonconforming sign structure shall be subject to the removal provisions of section \_\_\_\_\_. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such structure sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days' written 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.

## DIVISION II. - SIGN REGULATIONS BY USE AND DISTRICT

### Section 11. – Residential district signs.

- (a) Except as otherwise prohibited in this Article, the following signs are permitted as accessory to residential uses in residential districts. Moving signs and electronic message signs are prohibited on residential properties in all residential districts.

| TYPE              | Flags                                                                                                                                                           | Temporary on Building Permit Site         | Temporary Other(1)                                                                                                                                     | Permanent Non-commercial (2) (5) (6) (7)                                                                                                                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Permit Required   | No                                                                                                                                                              | No                                        | No                                                                                                                                                     | No                                                                                                                                                                                                             |
| Size (each/total) | 24 sf/ three (Only one flagpole)                                                                                                                                | 12 sf/ max one each per contractor or sub | <ul style="list-style-type: none"> <li>12 sf/ max one</li> <li>16 sf/ max one for multi-development site (Subdivision Plat – lots for sale)</li> </ul> | Max 2 minor signs ( $\leq 3$ sf) each per <del>parcel</del> building unit<br><br>Historic markers exempted.<br><br>Freestanding for identifying multi-family sites (apartment buildings) $\leq 32$ sf/ max one |
| Illumination      | U.S. Flag Code (see 4)<br>For other flags (see Section 8.B)                                                                                                     | None                                      | None                                                                                                                                                   | None                                                                                                                                                                                                           |
| Setback           | Not in public right-of-way nor 5 ft from service drive, travel lane or adj street                                                                               | None                                      | None                                                                                                                                                   | None                                                                                                                                                                                                           |
| Maximum Height    | 25 ft (flagpole)                                                                                                                                                | 4 ft                                      | 6 ft                                                                                                                                                   | 4 ft for freestanding                                                                                                                                                                                          |
| Location          | Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets | Freestanding, portable, wall or window    | Freestanding, portable, wall or window                                                                                                                 | Wall or window sign                                                                                                                                                                                            |
| Duration          | Unlimited                                                                                                                                                       | Duration of project                       | $\leq 90$ days per 365-day calendar year period (3)                                                                                                    | Unlimited                                                                                                                                                                                                      |

(1) Includes signs on property for sale. Vacation rental signs are prohibited. [Katie: if PC agrees, then this language should also be added to to the definition of “Temporary Sign” in the Sign ordinance text itself]

- (2) Exceptions can be granted *by Zoning Administrator* for non-residential property in Residential districts (e.g., churches, funeral parlors, distributors, schools, bed & breakfasts, multi-tenant directory, multi-family establishments)
- (3) For sale of property, 90 days may be exceeded. Sign to be removed within 2 weeks after closing.
- (4) Flag Code, U.S. Code Title 36, Chapter 10, Section 174
- (5) Home occupations are not permitted commercial signs.
- (6) Minor sign means a wall or window sign not exceeding three (3) square foot in area and not exceeding four feet in height if freestanding, and not illuminated.
- (7) Art is not considered a sign.

## Section 12. – Commercial district signs.

- (a) *Generally.* Except as provided otherwise in this Article, the following signs are permitted as accessory uses in commercial districts. ~~In addition, up to one minor sign per business is permitted as a wall sign.~~

| TYPE               | Flags                                                                                                                                                                                                                                                                                       | Freestanding (including monument)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Wall and Window Signs                                                                                                                                                                                                                                                                    | Temporary Signs (e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Definitions</i> | <p><b>Flag</b> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p><b>Pole sign</b> means a sign that is mounted on one (1) or more freestanding poles.</p> | <p><b>Freestanding sign</b> means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p><b>Monument sign</b> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p><b>Off-premises sign</b> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> | <p><b>Wall Sign</b> means any sign attached to a wall or painted on or against a flat vertical surface of a structure</p> <p><b>Window sign</b> means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</p> | <p><b>A-Frame sign</b> means a two-faced sign with supports that are connected at the top and separated at the base, forming an “A” shape not more than four feet high. These are also referred to as “sandwich board” signs. They are included in the term “portable sign.”</p> <p><b>Banner</b> means a sign of flexible material affixed to a framework or flat surface.</p> <p><b>Chalk-board sign</b> means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</p> <p><b>Feather sign.</b> A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</p> | <p><b>Awning sign</b> means a sign placed directly on the surface of an awning.</p> <p><b>Canopy sign</b> means a sign attached to a canopy.</p> <p><b>Directory sign</b> (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities.</p> <p><b>Entrance canopy</b> means a fixed or</p> |

| TYPE                     | Flags                               | Freestanding<br>(including monument)                                                                                                                               | Wall and Window Signs                                                                                              | Temporary Signs<br>(e.g. A-Frame, Banner, Chalk-board, Feather, Off-Premise, Portable)                                                                                                                                                                                                                                                                                | Other<br>(e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          |                                     | <i>Ground mounted sign means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall</i> |                                                                                                                    | <p><i>Off-premises sign means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</i></p> <p><i>Portable sign means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner</i></p> | <p><i>stationary canopy or hood constructed to provide protection at the entrance of a building, either supported entirely from a building, or supported partly from a building or from posts.</i></p> <p><i>Hanging sign means a freestanding sign supported by the extended arc of a single post or from a commercial establishment (parallel to the building façade).</i></p> <p><i>Marquee sign means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</i></p> <p><i>Projecting sign means a sign that is wholly or partly dependent on the building for support and that projects more than twelve (12) inches from such building.</i></p> |
| Permit Required          | Yes – flagpole only                 | Yes                                                                                                                                                                | Yes – Wall<br>No - Window                                                                                          | No                                                                                                                                                                                                                                                                                                                                                                    | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Size/Number (each/total) | 24 sf/ max 3<br>(Only one flagpole) | Permanent On-site: 24 sf/ one.<br>Permanent Off-site for Commercial use: Up to 3 signs, each                                                                       | $\leq x \text{ sf} / 5 \text{ lineal ft of building frontage}$<br><br>$\leq 8 \text{ sf} / 5 \text{ lineal ft of}$ | $\leq 16 \text{ sf/ max 3}$                                                                                                                                                                                                                                                                                                                                           | Directory – Limited to one sign per ingress/egress onto a primary road access.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| TYPE              | Flags                                                                                                         | Freestanding<br>(including<br>monument)                                                                                                                                                                 | Wall and<br>Window<br>Signs                                   | Temporary<br>Signs<br>(e.g. A-Frame,<br>Banner, Chalk-<br>board, Feather,<br>Off-Premise,<br>Portable)                                                    | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory,<br>Canopy)                                                                                                                                                                |
|-------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   |                                                                                                               | not to exceed<br>6 sf and 7 ft<br>in height<br>located on<br>commercial<br>property with<br>owner<br>permission.<br>No more than<br>one permitted<br>sign<br>displayed per<br>lot.                      | building<br>side wall<br><br>Window<br>signs are<br>permitted |                                                                                                                                                           | Projecting<br>signs<br>perpendicular<br>to bldg.<br>frontage $\leq$ 10<br>sf<br><br>Projecting<br>sign parallel<br>to bldg.<br>frontage $\leq$ 5<br>sf/ 5 lineal ft<br><br>Awning signs<br>$\leq$ 12 sf<br><br><i>Entrance<br/>canopy sign<br/>by ZA</i> |
| Illumination      | U.S. Flag<br>Code (1)                                                                                         | If<br>illuminated,<br>see Section 8<br>req'ts                                                                                                                                                           | If<br>illuminated,<br>see Section<br>8 req'ts                 | Not to be<br>illuminated                                                                                                                                  | If illuminated,<br>see Section 8<br>req'ts                                                                                                                                                                                                               |
| Setback           | Not in<br>public<br>right-of-<br>way nor<br>5 ft from<br>service<br>drive,<br>travel lane<br>or adj<br>street | All<br>freestanding<br>signs shall be<br>set back from<br>any street<br>right-of-way<br>at least half<br>the height of<br>the sign and 5<br>ft from<br>service drive,<br>travel lane or<br>adj street . | NA                                                            | Not in public<br>right-of-way nor<br>5 ft from service<br>drive, travel lane<br>or adj street. Not<br>to impede<br>pedestrian traffic<br>on the sidewalk. | NA                                                                                                                                                                                                                                                       |
| Maximum<br>Height | 25 ft                                                                                                         | 10 ft                                                                                                                                                                                                   | NA                                                            | 10 ft                                                                                                                                                     | NA                                                                                                                                                                                                                                                       |



| <b>TYPE</b> | <b>Flags</b>                                                                                                                                                    | <b>Freestanding<br/>(including<br/>monument)</b>                  | <b>Wall and<br/>Window<br/>Signs</b>                                                                                                                                                        | <b>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</b>                                                  | <b>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</b> |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Location    | Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets | All permanent ground-mounted or monument signs shall be installed | Bldg wall, window and door.<br><br>Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the window sign is displayed. | If located on another property, property owner concurrence needed. No more than one sign shall be displayed per lot.<br><br>Signs cannot impede public right-of-way. | Signs cannot impede public right-of-way.                                                                |
| Duration    | Unlimited                                                                                                                                                       | Unlimited                                                         | Unlimited                                                                                                                                                                                   | Unlimited                                                                                                                                                            | Unlimited                                                                                               |

(1) U.S. Code Title 36, Chapter 10, Section 174

**Section 13. – Heavy and Light Industrial District signs. THIS STILL NEEDS TO BE REVIEWED BY PLANNING COMMISSION**

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in industrial districts.

| TYPE | Flags                                                                                                                                                                                                                                                                                       | Freestanding<br>(including monument)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Wall,<br>Window<br>and Door<br>Signs                                                                                                                                                                                                                                                     | Temporary<br>Signs<br>(e.g. A-Frame, Banner,<br>Chalk-board, Feather,<br>Off-Premise, Portable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      | <p><b>Flag</b> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p><b>Pole sign</b> means a sign that is mounted on one (1) or more freestanding poles.</p> | <p><b>Freestanding sign</b> means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p><b>Monument sign</b> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p><b>Off-premises sign</b> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><b>Ground mounted sign</b> means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> | <p><b>Wall Sign</b> means any sign attached to a wall or painted on or against a flat vertical surface of a structure</p> <p><b>Window sign</b> means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</p> | <p><b>A-Frame sign</b> means a two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."</p> <p><b>Banner</b> means a sign of flexible material affixed to a framework or flat surface.</p> <p><b>Chalk-board sign</b> means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</p> <p><b>Feather sign.</b> A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</p> <p><b>Off-premises sign</b> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><b>Portable sign</b> means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner</p> | <p><b>Projecting sign</b> means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.</p> <p><b>Canopy sign</b> means a sign attached to a canopy.</p> <p><b>Awning sign</b> means a sign placed directly on the surface of an awning.</p> <p><b>Marquee sign</b> means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</p> <p><b>Directory sign</b> (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertise. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or</p> |

| TYPE                        | Flags                                     | Freestanding<br>(including monument)                                                                                                                                                                                                        | Wall,<br>Window<br>and Door<br>Signs                                                                                                                                                         | Temporary<br>Signs<br>(e.g. A-Frame, Banner,<br>Chalk-board, Feather,<br>Off-Premise, Portable) | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory)                                                                                                                                                                                      |
|-----------------------------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |                                           |                                                                                                                                                                                                                                             |                                                                                                                                                                                              |                                                                                                 | <i>business activities.</i><br><br><i>Entrance canopy means a fixed or stationary canopy or hood constructed to provide protection at the entrance of a building, either supported entirely from a building, or supported partly from a building or from posts.</i> |
| Permit Required             | No                                        | Yes                                                                                                                                                                                                                                         | Yes                                                                                                                                                                                          | No                                                                                              | Yes                                                                                                                                                                                                                                                                 |
| Size/Number<br>(each/total) | 24 sf/<br>max 3<br>(Only one<br>flagpole) | Permanent On-site: 40 sf/ one.<br>Permanent Off-site for Commercial use: Up to 3 signs, each not to exceed 6 sf and 7 ft in height located on commercial property with owner permission. No more than one permitted sign displayed per lot. | $\leq x$ sf per 5 lineal ft of building frontage<br><br>Window signs are permitted up to 25% of the area of a window and count <b>NEEDED</b> toward the maximum square footage of wall signs | 16 sf/ max 3                                                                                    | Directory – Limited to one sign per ingress/egress onto a primary road access.<br><br>Projecting signs perpendicular to bldg. frontage $\leq x$ sf<br><br>Projecting sign parallel to bldg. frontage $\leq x$ sf/ 5 lineal ft                                       |
|                             |                                           |                                                                                                                                                                                                                                             |                                                                                                                                                                                              | IS THIS COLUMN NEEDED?                                                                          |                                                                                                                                                                                                                                                                     |
|                             |                                           |                                                                                                                                                                                                                                             |                                                                                                                                                                                              |                                                                                                 |                                                                                                                                                                                                                                                                     |

| TYPE              | Flags                                                                                                                                    | Freestanding<br>(including monument)                                                                                                                                                                         | Wall,<br>Window<br>and Door<br>Signs                                                                                                      | Temporary<br>Signs<br>(e.g. A-Frame, Banner,<br>Chalk-board, Feather,<br>Off-Premise, Portable)                                                                                                  | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory) |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
|                   |                                                                                                                                          |                                                                                                                                                                                                              |                                                                                                                                           |                                                                                                                                                                                                  | Awning<br>signs ≤ x sf<br><br>Entrance<br>canopy sign<br>by ZA                 |
| Illumination      | U.S. Flag<br>Code (1)                                                                                                                    | If<br>illuminated,<br>see Section 8<br>req'ts                                                                                                                                                                | If<br>illuminated, see<br>Section 8<br>req'ts                                                                                             | Not to be illuminated                                                                                                                                                                            | If<br>illuminated,<br>see Section<br>8 req'ts                                  |
| Setback           | Not in<br>public<br>right-of-<br>way nor<br>5 ft from<br>service<br>drive,<br>travel<br>lane or<br>adj street                            | All<br>freestanding<br>signs shall be<br>set back<br>from any<br>street right-<br>of-way at<br>least half the<br>height of the<br>sign, and 5 ft<br>from service<br>drive, travel<br>lane or adj<br>street . | NA                                                                                                                                        | Not in public right-of-<br>way nor<br>5 ft from service drive,<br>travel lane or adj street                                                                                                      | NA                                                                             |
| Maximum<br>Height | 25 ft                                                                                                                                    | 10 ft                                                                                                                                                                                                        | NA                                                                                                                                        | 10 ft                                                                                                                                                                                            | NA                                                                             |
| Location          | Allowed<br>within<br>the front,<br>rear and<br>side<br>setbacks<br>provided<br>that such<br>structure<br>shall not<br>create a<br>visual | All<br>permanent<br>ground-<br>mounted or<br>monument<br>signs shall be<br>installed<br>with a<br>minimum<br>surround of<br>three (3) feet<br>of regularly                                                   | Bldg wall,<br>window<br>and door.<br><br>Window<br>signs are<br>permitted<br>only on<br>the first<br>floor of a<br>building<br>unless the | If located on another<br>property, property owner<br>concurrence needed. No<br>more than one permitted<br>sign shall be displayed<br>per lot.<br><br>Signs cannot impede<br>public right-of-way. | Signs<br>cannot<br>impede<br>public<br>right-of-<br>way.                       |

| TYPE     | Flags                                                   | Freestanding<br>(including monument)                                              | Wall,<br>Window<br>and Door<br>Signs                                         | Temporary<br>Signs<br>(e.g. A-Frame, Banner,<br>Chalk-board, Feather,<br>Off-Premise, Portable) | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory) |
|----------|---------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
|          | obstruction or hindrance to traffic on abutting streets | maintained floral and shrubbery landscaping in every direction.<br><b>NEEDED?</b> | business advertised is only on the floor where the window sign is displayed. |                                                                                                 |                                                                                |
| Duration | Unlimited                                               | Unlimited                                                                         | Unlimited                                                                    | Unlimited                                                                                       | Unlimited                                                                      |

## Section 14. – Harbor district signs.

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in the harbor district.

| TYPE               | Flags                                                                                                                                                                                                                                                                                      | Freestanding<br>(including<br>monument)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Wall,<br>Window<br>and Door<br>Signs                                                                                                                                                                                                                                                     | Temporary<br>Signs<br>(e.g. A-Frame,<br>Banner, Chalk-<br>board, Feather,<br>Off-Premise,<br>Portable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory,<br>Canopy)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <i>Definitions</i> | <p><b>Flag</b> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p><b>Pole sign</b> means a sign that is mounted on one (1) or more freestanding poles</p> | <p><b>Freestanding sign</b> means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p><b>Monument sign</b> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p><b>Off-premises sign</b> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><b>Ground mounted sign</b> means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> | <p><b>Wall Sign</b> means any sign attached to a wall or painted on or against a flat vertical surface of a structure</p> <p><b>Window sign</b> means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.</p> | <p><b>A-Frame sign</b> means a two-faced sign with supports that are connected at the top and separated at the base, forming an “A” shape not more than four feet high. These are also referred to as “sandwich board” signs. They are included in the term “portable sign.”</p> <p><b>Banner</b> means a sign of flexible material affixed to a framework or flat surface.</p> <p><b>Chalk-board sign</b> means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers</p> <p><b>Feather sign.</b> A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.</p> <p><b>Off-premises sign</b> means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.</p> <p><b>Portable sign</b> means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner</p> | <p><b>Projecting sign</b> means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.</p> <p><b>Canopy sign</b> means a sign attached to a canopy.</p> <p><b>Awning sign</b> means a sign placed directly on the surface of an awning.</p> <p><b>Marquee sign</b> means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</p> <p><b>Directory sign</b> (also identified as Multi-Tenant Sign): A freestanding sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities</p> |

| TYPE                        | Flags                                     | Freestanding<br>(including monument)                                                                                                                                                                                                                                                                 | Wall,<br>Window<br>and Door<br>Signs                                                                                                                                                                                                                                                   | Temporary<br>Signs<br>(e.g. A-Frame,<br>Banner, Chalk-<br>board, Feather,<br>Off-Premise,<br>Portable) | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory,<br>Canopy)                                                                                                                                                                                                                                                                      |
|-----------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |                                           |                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                        |                                                                                                        | <i>Entrance canopy means a fixed or stationary canopy or hood constructed to provide protection at the entrance of a building, either supported entirely from a building, or supported partly from a building or for posts.</i>                                                                                                                                |
| Permit Required             | Yes                                       | Yes                                                                                                                                                                                                                                                                                                  | Yes                                                                                                                                                                                                                                                                                    | No                                                                                                     | Yes                                                                                                                                                                                                                                                                                                                                                            |
| Size/Number<br>(each/total) | 24 sf/ max<br>3<br>(Only one<br>flagpole) | Permanent<br>On-site: 24<br>sf/ one.<br>Permanent<br>Off-site for<br>Commercial<br>use: Up to 3<br>signs, each<br>not to exceed<br>6 sf and 7 ft<br>in height<br>located on<br>commercial<br>property with<br>owner<br>permission.<br>No more than<br>one permitted<br>sign<br>displayed per<br>lot. | x sf / 5<br>lineal ft of<br>building<br>frontage<br><br>X sf / 5<br>lineal ft of<br>building<br>side wall<br><br>Window<br>signs are<br>permitted<br>up to 25%<br>of the area<br>of a<br>window<br>and count<br>NEEDED?<br>toward the<br>maximum<br>square<br>footage of<br>wall signs | 16 sf/ max 3                                                                                           | Directory –<br>Limited to<br>one sign per<br>ingress/egress<br>onto a<br>primary road<br>access.<br><br>Project signs<br>perpendicular<br>to bldg..<br>frontage $\leq$ x<br>sf/ 5 lineal ft<br><br>Projecting<br>sign parallel<br>to bldg..<br>frontage $\leq$ x<br>sf/ 5 lineal ft<br><br>Awning signs<br>$\leq$ x sf<br><br>Entrance<br>canopy sign<br>by ZA |

| <b>TYPE</b>       | <b>Flags</b>                                                                                                                                                                                                       | <b>Freestanding<br/>(including<br/>monument)</b>                                                                                                                                                       | <b>Wall,<br/>Window<br/>and Door<br/>Signs</b>                                                                                                                                                              | <b>Temporary<br/>Signs<br/>(e.g. A-Frame,<br/>Banner, Chalk-<br/>board, Feather,<br/>Off-Premise,<br/>Portable)</b>                                                                                       | <b>Other<br/>(e.g.,<br/>Canopy,<br/>Projecting,<br/>Awning,<br/>Marquee,<br/>Directory,<br/>Canopy)</b>                                |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Illumination      | U.S. Flag<br>Code (1)                                                                                                                                                                                              | If<br>illuminated,<br>see Section 8<br>req'ts                                                                                                                                                          | If<br>illuminated,<br>see Section<br>8 req'ts                                                                                                                                                               | Not to be<br>illuminated                                                                                                                                                                                  | If illuminated,<br>see Section 8<br>req'ts                                                                                             |
| Setback           | Not in<br>public<br>right-of-<br>way nor<br>5 ft from<br>service<br>drive,<br>travel lane<br>or adj<br>street                                                                                                      | All<br>freestanding<br>signs shall be<br>set back from<br>any street<br>right-of-way<br>at least half<br>the height of<br>the sign and 5<br>ft from<br>service drive,<br>travel lane or<br>adj street. | NA                                                                                                                                                                                                          | Not in public<br>right-of-way nor<br>5 ft from service<br>drive, travel lane<br>or adj street                                                                                                             | NA                                                                                                                                     |
| Maximum<br>Height | 25 ft                                                                                                                                                                                                              | 10 ft                                                                                                                                                                                                  | NA                                                                                                                                                                                                          | 10 ft                                                                                                                                                                                                     | NA                                                                                                                                     |
| Location          | Allowed<br>within the<br>front, rear<br>and side<br>setbacks<br>provided<br>that such<br>structure<br>shall not<br>create a<br>visual<br>obstruction<br>or<br>hindrance<br>to traffic<br>on<br>abutting<br>streets |                                                                                                                                                                                                        | Bldg wall,<br>window<br>and door.<br><br>Window<br>signs are<br>permitted<br>only on<br>the first<br>floor of a<br>building<br>unless the<br>business<br>advertised<br>is only on<br>the floor<br>where the | If located on<br>another property,<br>property owner<br>concurrence<br>needed. No more<br>than one permitted<br>sign shall be<br>displayed per lot.<br><br>Signs cannot<br>impede public<br>right-of-way. | Directory or<br>Multi-Tenant<br>Sign: Limited<br>to one<br>monument<br>sign per<br>ingress/egress<br>onto a<br>primary road<br>access. |



| TYPE     | Flags     | Freestanding<br>(including<br>monument) | Wall,<br>Window<br>and Door<br>Signs | Temporary<br>Signs<br>(e.g. A-Frame,<br>Banner, Chalk-<br>board, Feather,<br>Off-Premise,<br>Portable) | Other<br>(e.g.,<br>Canopy,<br>Projecting,<br>Awning,<br>Marquee,<br>Directory,<br>Canopy) |
|----------|-----------|-----------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
|          |           |                                         | window<br>sign is<br>displayed.      |                                                                                                        |                                                                                           |
| Duration | Unlimited | Unlimited                               | Unlimited                            | Unlimited                                                                                              | Unlimited                                                                                 |

