

## ARTICLE XIV. SIGNS

### Section 194: Purpose and Intent

The purpose of this article is to regulate the size, location, height and construction of all signs; to protect the public health, safety, convenience and general welfare; to facilitate the creation of a convenient, attractive, and harmonious community; to protect property values, and to further the goals, objectives and policies of the Comprehensive Plan.

This article is intended to promote signs that are:

- (a) Compatible with the landscape/streetscape and architecture of surrounding buildings, including historic sites and structures;
- (b) Legible and appropriate to the activity to which they pertain;
- (c) Not distracting to motorists; and,
- (d) Constructed and maintained in a structurally sound and attractive condition.

### Section 195: Definitions

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section all have the meaning indicated when used in this ordinance.

- (a) *Sign.* Any device that is sufficiently visible to persons not located on the lot where such device is located and which is designed to attract the attention of such persons or communicate information to them.
- (b) *Freestanding Sign.* A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than support of a sign.
- (c) *Off-Premises Sign.* A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a locations other than the premises where the sign is located. A sign that draws attention to a cause or advocates or proclaims a political, religious, or other noncommercial message shall also be an off-premises sign unless it is excluded from regulations under subsection 198(j) or is subject to regulation under subsection 199(a)(6).

- (d) *On-Premises Sign.* A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.
- (e) *Temporary Sign.* A sign that (i) is used in conjunction with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (ii) is intended to remain on the location where it is erected or placed only until the occurrence of some event. If a sign display area is permanent but the message displayed is subject to periodic changes, such a sign shall not be regarded as temporary.

### **Section 196. Sign Compliance**

- (a) No sign shall be constructed, erected, moved, enlarged, illuminated, or substantially altered unless in accordance with the provisions of this ordinance, except as provided in Section 198 (Signs Excluded from Regulations), or Section 199 (Temporary Signs), or as provided in subsection (b) below.
- (b) Wherever the building size, location or orientation results in a circumstance which is not adequately addressed in this article, a modification to the standards provided herein may be permitted in accordance with the provisions of this subsection. The applicant for any such modification must demonstrate to the satisfaction of the town council that compliance with the purpose and intent of the sign regulations provided in Section 194 will not be compromised.

### **Section 197. Permit Required for Signs**

- (a) If plans submitted for a zoning permit or special use permit include sign plans in sufficient detail that the administrator can determine whether the proposed sign or signs comply with the provisions of this chapter, then the administrator shall issue a sign permit, unless approval by the historic district review committee is required.
- (b) Except for signs exempted from regulation, every sign shall be constructed, erected, moved, enlarged, illuminated or substantially altered only in accordance with a sign permit issued by the administrator.
- (c) Sign permit applications and sign permits shall be governed by the same provisions of this ordinance applicable to zoning permits.

### **Section 198. Signs Excluded from Regulation**

The following signs are excluded from regulation under this chapter, except for those regulations contained in Section 200(a)-(i) and Section 206. (Amended 12/9/99)

- (a) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- (b) Danger, aviation, railroad, bridge, Red Cross, and other signs as set forth in Title 33.1-355 (5), (6), (7), (8), (15) and (17), Code of Virginia, 1950 (as amended).
- (c) Church bulletin boards, church identification signs or church directional signs that do not exceed, in the aggregate, one per abutting street and 16 square feet in area per sign, and are not internally illuminated.
- (d) Official signs of a noncommercial nature erected by public utilities.
- (e) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- (f) Decorative flags which do not contain a commercial promotion or advertise a specific business or use, subject to approval by the historic district review committee where applicable. Each business shall be limited to one such decorative flag not exceeding a total of 15 square feet in area.
- (g) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
- (h) Signs directing and guiding traffic on private property that do not exceed four square feet each, bear no advertising, and are not visible from any public street.
- (i) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- (j) Signs proclaiming religious, political, or other noncommercial messages, including signs erected in connection with elections or political campaigns. No such sign shall be internally lit or exceed four square feet in surface area. The total area of all signs permitted by this subsection shall not exceed 25 square feet. (Amended 12/9/99)
- (k) Portable blackboards, provided that there are no more than two, with an aggregate of 12 square feet or less, and further provided that they do not remain outside the main building after business hours.

**Section 199. Temporary Signs**

- (a) The following temporary signs are permitted with a temporary sign permit. The administrator shall require a deposit for a temporary sign permit to ensure the sign's removal. Such signs shall conform to the requirements set forth below as well as other applicable requirements of this ordinance except those contained in Section 201 (Total Sign Area) and (Number of Freestanding Signs).
- (1) Signs offering for sale, lease or rent the real estate (including buildings) on which the sign is placed. Such signs shall not exceed four square feet in area and shall be removed immediately after sale, lease or rental. A single sign for each street frontage may be erected for any lot of less than five acres. For a lot of five acres or more in area and having street frontage in excess of 400 feet, two such signs shall be permitted.
  - (2) Construction site identification signs. Such signs may identify the project, the owner or developer, contractor, subcontractors, architect, landscape architect, engineer, funding sources and may contain related information including but not limited to sale or leasing information. Not more than one sign shall be erected per site, and it shall not exceed an area of 15 square feet, shall not be illuminated, and shall be set back at least 10 feet from the public right-of-way. Such signs shall not be erected prior to issuance of a zoning permit, and shall be removed within 30 days after issuance of an occupancy permit.
  - (3) Signs attached temporarily to the interior of a building window or glass door. Such signs, individually or collectively, shall not cover more than 30 percent of the surface area of the transparent portion of the window or door to which they are attached. Such signs shall not be posted more than 30 days.
  - (4) Temporary signs advertising a business, office or other permitted use while the permanent sign is under review by the HDRC and/or town council. Such signs shall be on-premises signs and shall meet the following restrictions:
    - (i) Not more than one such sign shall be located on any lot.
    - (ii) No such sign shall exceed four square feet in surface area.
    - (iii) Such sign shall not be displayed for longer than 45 days.
  - (5) Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten days following the holiday.

- (6) (Reserved). (Deleted 12/9/99)
- (7) Signs indicating that a special event such as a grand opening, fair, carnival, festival or similar event is to take place on the lot where the sign is located. Such signs may be erected no sooner than two weeks before the event and shall be removed within three days after the event.
- (8) The town council may approve one residential development approach sign no larger than eight square feet and additional directional signs no larger than two square feet for purposes of directing the public to a residential development site. The sign may be located off-premises subject to the following criteria:
  - (i) Signage shall be limited to the project name with a directional arrow. Logos are not permitted.
  - (ii) All signs shall be located on private property and must be demonstrated as not interfering with any vehicular sight visibility.
  - (iii) The temporary sign permit may be renewed annually within 90 days of the expiration date. Temporary signs will be removed when Certificates of Occupancy have been issued for 90 percent of the development.
- (9) Temporary signs not covered in the foregoing categories, provided such signs meet the following restrictions:
  - (i) Not more than one such sign shall be located on any lot.
  - (ii) No such sign shall exceed four square feet in surface area.
  - (iii) Such sign shall not be displayed for longer than three consecutive days or more than 10 days per year.
- (b) Other temporary signs not listed in subsection (a) shall be regarded and treated in all respects as permanent signs, except that temporary signs shall not be included in calculating the total amount of permitted sign area.

### **Section 200. Signs Prohibited**

Notwithstanding any other provision of this article, including Section 198, the following signs are prohibited:

- (a) Off-premises signs including billboards, but excluding temporary residential approach signs.

- (b) Flashing, rotating, or revolving signs.
- (c) Roof signs.
- (d) Illuminated signs which outline any building or part thereof with neon or other lights, or which reflect or cast glare, directly or indirectly on any adjacent property or public roadway.
- (e) Any sign erected on a tree or utility pole, or painted or drawn on a rock or other natural feature.
- (f) Any sign suspended between poles which is either a pennant which blows in the wind or a spinner which spins in the wind.
- (g) Any sign which contains, includes or is illuminated by any flashing, intermittent, or moving light including those giving public service information such as time, date, temperature, weather or similar information.
- (h) Portable signs that are not permanently affixed to a building, structure or the ground, including signs displayed on a stationary vehicle. This prohibition shall not apply to authorized temporary signs or to portable blackboards authorized by Section 198(11).
- (i) Internally illuminated signs.

### **Section 201. Signs Permitted**

Signs described or otherwise provided for below shall be permitted and shall be subject to all regulations set forth in each case as well as all other regulations in this ordinance. No other signs shall be permitted, except as provided in Sections 198 and 199.

- (a) Home occupation signs which display the name and/or address of the occupant of the premises and the nature of the home occupation. One sign shall be allowed for each parcel of property. The sign shall not exceed four square feet in surface area, shall not be illuminated, and shall be set back a minimum of five feet from any public right-of-way.
- (b) Bed and Breakfast signs stating accommodations are available on the premises. One sign shall be allowed for each Bed and Breakfast. The sign shall not exceed six square feet in surface area, shall be set back a minimum of five feet from any public right-of-way, and shall only be illuminated by using white lights.

- (c) Signs advertising a business, office or other permitted commercial use. Such signs shall be on-premises signs and shall consist of the following sign types:
  - (1) Freestanding Sign
  - (2) Wall Sign
  - (3) Projecting Sign
  - (4) Awning, Canopy or Marquee Signs
  - (5) Window Sign, not covering more than 30 percent of the surface area of the window.
- (d) The total area of all signs displayed by any first floor sign occupancy shall not exceed one square foot in area for each two lineal feet of building street frontage. In the case of a corner lot, the total frontage on both streets may be used in calculating the total allowable size. No one sign shall exceed 20 square feet in area, and the total of all signs shall not exceed 30 square feet, excluding any allowable second floor sign occupancies.
- (e) Sign occupancies on the second floor of a commercial building are permitted, provided they meet all the provisions of this article. Second floor sign occupancies shall be entitled to 25 percent of the square footage which would be allotted to identical sign occupancies on the first floor.
- (f) Freestanding signs shall not exceed a height of seven feet from the ground level to the top of the sign and shall not exceed a height of nine feet to the top of the sign support. No more than one freestanding sign per building shall be allowed.
- (g) The bottom of a projecting sign shall be a minimum of seven feet, six inches and a maximum of 12 feet above the finished grade of the sidewalk or ground level. No more than one projecting sign per business shall be allowed.

## **Section 202. Removal of Unsafe Signs**

- (a) Whenever, in the opinion of the administrator, a sign becomes structurally unsafe or endangers the safety of a structure or the public, the administrator shall order such sign to be made safe or comply with ordinance, as the case may be, or be removed. The order shall be sent by registered mail and shall be complied with within five days from the date of mailing. Failure to comply with the order shall constitute grounds for the administrator to have the sign removed, and the cost of removal shall be added to any fine imposed for violation under this ordinance.

- (b) Whenever, in the opinion of the administrator, an unsafe sign poses an imminent threat of serious injury to person or property, and it is impracticable to give notice as required by subparagraph (a), the administrator may cause the sign immediately to be made safe or removed, and the cost thereof shall be charged to the owner as provided in subparagraph (a).

### **Section 203. Nonconforming Signs**

- (a) Any sign lawfully in existence on the date of enactment of this ordinance may be maintained even though it does not conform with the provisions of this ordinance.
- (b) No nonconforming sign may be enlarged or altered in such a manner as to expand the nonconformity, nor may illumination be added to any nonconforming sign.
- (c) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this article.
- (d) A nonconforming sign destroyed by any cause may not be repaired, reconstructed or replaced except in conformity with this article. For the purposes of this section, a nonconforming sign is destroyed if damaged to an extent that the cost of repairing the sign to its former condition or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged.
- (e) The message of a nonconforming sign may be changed so long as this does not create any new nonconformities.

### **Section 204. Sign Area Computation**

The surface area of any sign permitted under this ordinance is determined by measuring the entire face of the sign including any wall work incidental to its decoration, but excluding supports unless such supports are used to attract attention, except as noted below:

- (a) The surface area of any open sign made up of individual letters or figures shall include the space between such letters or figures.
- (b) Whenever one sign contains lettering or other advertising information on both sides, one side only shall be used in computing the surface area of the sign.
- (c) Paddle signs attached to a freestanding or projecting sign are permitted. The surface area of such signs is computed to be the total square footage of all the signs, including the area of open space between each sign.

**Section 205. Sign Modifications**

The Historic District Review Committee may recommend approval of an alternative sign plan that does not strictly adhere to the area, number, height and location criteria in the Historic District if it determines that the design is more consistent with the architectural character of the building to which it relates and to other surrounding properties.

**Section 206. Removal of Obsolete Signs**

Any sign which is obsolete, because of discontinuance of the advertised activity or any other reason which would cause the sign to be obsolete, shall be removed within seven (7) days. (Amended 12/9/99)

**Section 207: Reserved**