

ARTICLE F. Signs

SECTION 10-3-76. General Provisions

- A. **Purpose.** This Article regulates the size, illumination, movement, materials, location, height, and condition of signs placed on private property for exterior observation. Its purposes are to:
1. Promote the safety and welfare of pedestrians, bicyclists, and motorists;
 2. Create a convenient, attractive, and harmonious community; and
 3. Allow adequate communication through signs, support economic development, and encourage aesthetic quality in the design, location, and size of signs.
- B. **Interpretation.** This Article must be interpreted consistently with the First Amendment to the United States Constitution.
- C. **Message Substitution.** A noncommercial message may be displayed on any sign allowed by this Article, in place of or in addition to any other message. Changing a sign's message to a noncommercial message does not require a zoning permit and does not change whether the sign is conforming or nonconforming.

SECTION 10-3-77. Definitions

In addition to the definitions in Article L, the following terms have the following meanings for the purposes of this Article:

Alter: Any change to a sign or its supporting structure, including a change in size, height, or location. Alter does not include a change of message on a sign designed for periodic message changes, such as a changeable copy sign.

Animated Sign: A sign or part of a sign designed to rotate, move, flutter, spin, or scroll, or to appear to do so.

Awning Sign: A sign placed directly on the surface of an awning. An awning sign is a wall sign.

Banner: A sign of flexible material affixed to a framework or flat surface.

Canopy Sign: A sign attached to a canopy. A canopy sign is a wall sign.

Changeable Copy Sign: A sign or part of a sign designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

Double-Faced Sign: A sign with 2 faces, supported by the same structure, that diverge from a common edge at an internal angle of no more than 45 degrees. Faces that diverge at an angle of more than 45 degrees are separate signs.

Electronic Message Center: A sign capable of displaying words, symbols, figures, or images that can be changed electronically by remote or automatic means. An electronic message center is not a changeable copy sign.

Entry/Exit Sign: A wall or freestanding sign within 5 feet of a driveway and within 15 feet of a street.

Feather Sign: A lightweight sign mounted along 1 edge on a single, vertical pole, which may resemble a feather, sail, bow, or teardrop. A feather sign is an animated sign.

Flag: A piece of cloth or similar material, typically oblong or square, attached by 1 edge to a pole or rope.

Flashing Sign: A sign with lights that flash, blink, or turn on and off at intervals of less than 5 seconds.

Freestanding Sign: A non-portable sign that is not attached to a building and is supported by a fence, a wall, or upright structural members or braces on or in the ground.

Illuminated Sign: A sign that is backlit, internally lighted, or indirectly lighted.

Marquee: A permanent structure that projects beyond a building wall, at an entrance or along the wall, and is designed and constructed to provide protection against the weather.

Marquee Sign: A sign attached to or made part of a marquee or a similar projection from a building. A marquee sign is a wall sign.

Monument Sign: A sign affixed to a structure built on grade, in which the sign and the structure are an integral part of one another. A monument sign is a freestanding sign.

Multiple Establishment Building: A building, group of buildings attached by common walls, or group of buildings connected by walkways and accessways, that contains 2 or more establishments, shares common parking, and presents the appearance of a continuous commercial area. A multiple establishment building may be located on 1 lot or 2 or more lots under common ownership or management.

Neighborhood Sign: A freestanding sign located at the entrance of a neighborhood or subdivision.

Nonconforming Sign: Any sign that was lawfully erected in compliance with applicable City regulations and maintained before the effective date of this Article, and that does not conform to the current standards of this Article.

Off-Premises Sign: A sign that directs attention to an object, person, product, institution, organization, business, service, event, or location conducted, sold, or offered somewhere other than the lot on which the sign is located.

On-Premises Sign: A sign that directs attention to an object, person, product, institution, organization, business, service, event, or location conducted, sold, or offered on the lot upon which the sign is located.

Projecting Sign: A sign, other than a wall sign, affixed perpendicular to a building and supported only by the wall on which it is mounted.

Public Area: A public place, a public right-of-way, or a parking lot or other right-of-way open to use by the general public.

Roof Sign: A sign that extends above the ridgeline of a pitched roof, above the highest point of a flat roof, or above the top of a parapet wall.

Sidewalk Sign: A sign not affixed to a building, structure, vehicle, or the ground, including A-frame signs, otherwise known as sandwich boards and chalkboard signs. Sidewalk signs do not include a flag or banner.

Sign: A device, such as writing, lettering, a numeral, a pictorial presentation, an illustration, a decoration, an emblem, a symbol, a trademark, a figure, or a character, that is visible to and designed to communicate information to persons in a public area. A sign does not include a device designed specifically for drive-through patrons.

Sign Area: The area that encloses the extreme limits of the intended communicated information.

Sign Face: The area or surface that displays the intended communicated information.

Sign Height: The vertical distance from the ground at the sign's foundation to the highest point of the sign.

Street Frontage: The width of a lot measured along the line parallel to the street on which the lot is addressed. On a corner lot with a curve connecting the intersecting streets, frontage is measured along the extended tangent to the point of intersection of the 2 streets.

Traffic Control Device: A sign, signal, marking, or other device used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or, for a private road open to public travel, by authority of the private owner or private official having jurisdiction.

Wall Sign: A sign that is attached to, painted on, and erected parallel to the face of the outside wall of a building and supported by that wall or building. Awning, canopy, and marquee signs are wall signs. A sign mounted to a pitched roof that does not extend above the ridgeline is a wall sign.

SECTION 10-3-78. Zoning Permit Required and Application Process

- A. **Generally.** No sign may be displayed until a zoning permit has been issued for it, except for signs listed in Section 10-3-79.
- B. **Application.**
 - 1. **Contents.** An application must include plans or specifications sufficient to establish the scope and intent of the work.
 - 2. **Review.** Within 20 business days after receiving an application, the Zoning Administrator must approve or deny it. The Zoning Administrator must approve the application if the sign complies with this Ordinance. If the Zoning Administrator denies the application, the Zoning Administrator must state in writing each requirement of this Ordinance that the application does not meet.

SECTION 10-3-79. Zoning Permit Not Required

- A. **Message Changes and Repairs.** A zoning permit is not required to change the message on a marquee or changeable copy sign, change a faceplate, or repair an existing permitted sign.
- B. **Exempt Signs.** The following signs do not require a zoning permit and do not count against the sign allotment for the lot:
 - 1. Signs required by law or erected by a government entity;
 - 2. Flags that do not contain commercial advertising;
 - 3. Nonilluminated signs with a total area up to 32 square feet and a height of up to 8 feet, on a lot with an active building permit or land disturbance activity;
 - 4. Nonilluminated signs of up to 3 square feet and 9 feet in height, located within or within 5 feet of a parking lot or driveway, and more than 15 feet from any street;

5. Nonilluminated wall signs of up to 16 square feet, limited to 1 per building entrance, located within 10 feet of the entrance, and no more than 8 feet above the ground;
6. On a lot for sale or rent:
 - a. In a Residential District, 1 nonilluminated sign with a total area of up to 12 square feet and a height of up to 6 feet; or
 - b. In a Mixed Use, Commercial, Industrial, or Institutional District, 1 nonilluminated sign with a total area of up to 32 square feet and a height of up to 8 feet;
7. On a residential lot where improvements are being made, 1 or more nonilluminated temporary signs with a combined total area up to 12 square feet and a height of up to 4 feet, which must be removed when the work is complete;
8. On a residential lot, 1 or more temporary signs with a total area of up to 16 square feet and a height of up to 4 feet;
9. Signs applied directly to and flush with an asphalt, concrete, or similar paved surface horizontal to the ground;
10. Signs on a vehicle or trailer while it is in use in the normal course of business, except a vehicle or trailer parked primarily to display a message;
11. On any residential lot, 1 permanent sign with a total area of up to 3 square feet and a height of up to 4 feet; and
12. Signs recognized as a significant facet of a historical structure that is included in, or eligible for inclusion on, a register of historic places.

SECTION 10-3-80. Prohibited Signs

A. **Generally.** The signs listed in this Section may not be erected or displayed. These prohibitions are in addition to any other applicable city, state, or federal law.

B. General Prohibitions.

1. Signs displayed without a required zoning permit;
2. Signs that violate any law of the Commonwealth relating to outdoor advertising;
3. Signs attached to natural vegetation, public utility poles, public light poles, traffic control devices or other traffic signs, or unapproved supporting structures;

4. Signs that simulate, or are likely to be confused with, a traffic control device or any other device displayed by a public authority;
5. Signs displayed on a vehicle or trailer that is parked in the same location frequently or for extended periods so as to be visible from the public right-of-way, where the primary purpose is to display a message;
6. Signs built on an earthen mound created to increase the height of the sign;
7. Any sign that does not comply with this Article; and
8. Strings of flags or pennants.

C. Prohibitions Based on Materials.

1. Animated signs, except flags allowed by this Article and feather signs displayed as grand opening signs;
2. Flashing signs and other signs displaying flashing, scrolling, or intermittent lights or lights of changing degrees of intensity, except electronic message centers on which message changes at intervals of 5 seconds or longer;
3. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas; and
4. Signs that emit sound.

D. Prohibitions Based on Location.

1. Off-premises signs, unless specifically allowed by this Article;
2. Roof signs;
3. Signs that obstruct sight distance or otherwise create a safety hazard for vehicular, bicycle, or pedestrian traffic because of their location; and
4. Illuminated wall signs on side or rear walls within 100 feet of a Residential District.

SECTION 10-3-81. Illumination

- A. **Generally.** A sign may be backlit, internally lighted, or indirectly lighted, unless this Article specifically prohibits that lighting.
- B. **Indirect Lighting.** The beam width of indirect lighting may not exceed the width needed to light the sign. Indirect lighting must be aimed to minimize glare and light trespass.

SECTION 10-3-82. Sign Allotment and Measurement of Sign Area

- A. **Lots with 1 Establishment.** On a lot with 1 establishment, the sign allotment is the total sign area for all types of signs on the lot. The sign allotment is the greater of:
1. 1 square foot of sign area for every linear foot of street frontage; and
 2. 10 percent of the area of all street-facing building facades along any adjacent public street.
- B. **Lots with 2 or More Establishments.** On a lot with 2 or more establishments, the sign area is calculated separately for freestanding and wall signs:
1. **Freestanding Signs.** The freestanding sign allotment is 1 square foot for every 1 linear foot of street frontage parallel to the principal street.
 2. **Wall Signs.** The wall sign allotment for each use is 1 square foot for every 1 linear foot of the front and side exterior walls the use occupies. Projecting signs count against the wall sign allotment.
- C. **Supports and Structures.** Supports, uprights, or structures on which a sign is supported are not included in determining sign area, unless the supports, uprights, or structures are designed to form an integral feature of the display.
- D. **Cylindrical and Spherical Signs.** The sign area of a cylindrical or spherical sign is one-half of its circumference multiplied by the height of its sign face.
- E. **Double-Faced and Multi-Faced Signs.** Only 1 face of a double-faced sign counts toward sign area. If 1 face is larger than the other, the larger face is used. For any other sign with more than 1 face, the area of each face counts toward sign area.

SECTION 10-3-83. Signs Allowed by Zoning District

- A. **Signs Allowed.** The table below establishes the sign types allowed in each zoning district and the maximum height and area for each type. Where the table states a maximum area and the sign allotment for the lot is smaller, the sign allotment controls.

District	Freestanding	Wall	Projecting	Entry/Exit Sign
Mixed Use Districts	Maximum height: 30 feet Maximum area: 100 square feet	Maximum area: the sign allotment	Maximum area: 32 square feet	Maximum height: 4 feet Maximum area: 4 square feet Number: 2 per driveway

Commercial and Industrial Districts	Maximum height: 35 feet Maximum area: 240 square feet	Maximum area: the sign allotment	Maximum area: the sign allotment	Maximum height: 4 feet Maximum area: 4 square feet Number: 2 per driveway
Residential Districts (nonresidential uses and neighborhood signs only)	Maximum height: 8 feet Maximum area: 32 square feet	Maximum area: 32 square feet	Not allowed	Maximum height: 4 feet Maximum area: 4 square feet Number: 2 per driveway
Institutional Master Plan District	Maximum height: 8 feet Maximum area: 32 square feet	Maximum area: 32 square feet	Not allowed	Maximum height: 4 feet Maximum area: 4 square feet Number: 2 per driveway

B. General Standards. The following general standards apply to signs in all districts.

1. **Freestanding Signs.** A lot may have 1 freestanding sign for each public street frontage, except as allowed by a comprehensive sign plan. A freestanding sign may occupy a required building setback if it does not obstruct sight distance.
2. **Wall Signs.** Awning, canopy, and marquee signs may be located only on the second floor of a building or below.
3. **Projecting Signs.** Where allowed, a projecting sign may extend no closer than 2 feet from the vertical face of curbing along a public street. A projecting sign must maintain a clearance of at least 8 feet above any area for pedestrian use and at least 14 feet above any area for vehicular use.
4. **Wall and Projecting Sign Location.** An establishment's wall and projecting signs must be located on the exterior walls the establishment occupies, except as allowed by a comprehensive sign plan or for an exempt sign.

C. Temporary Signs. In all districts, the following apply to a temporary sign that requires a zoning permit:

1. **Application.** An application for a zoning permit for a temporary sign must list the dates the sign will be displayed. The total may not exceed 30 days.

2. **Installation.** A temporary sign must be installed within 30 days after the permit is approved or the permit is void.
 3. **Frequency.** A zoning permit for a temporary sign may be issued to a use no more than 2 times per calendar year.
 4. **Number.** A lot may have only 1 temporary sign at a time, even if there are multiple uses on the lot.
 5. **Size.** A temporary sign may not exceed 8 feet in height or 16 square feet in area.
 6. **Location.** A temporary sign may be located within the minimum building setback.
 7. **Sign Allotment.** A temporary sign does not count against the sign allotment or the number of freestanding signs allowed on the lot.
- D. **Grand Opening Signs.** A grand opening sign is a temporary sign, except that the size and number limits for other temporary signs do not apply to it.
1. **Eligibility.** A permit for grand opening signs may be issued when:
 - a. A new establishment begins its initial operation;
 - b. An establishment changes its name;
 - c. A change in business or activity occurs; or
 - d. The site is redeveloped.
 2. **Duration.** The permit is active for 30 days, beginning on the opening date of the business.
 3. **Number and Type.** Up to 6 grand opening signs may be displayed during the permit period, in any combination of feather signs, wall signs, and freestanding signs.
 4. **Size.** A grand opening sign may not exceed 32 square feet in sign area or 8 feet in height.

SECTION 10-3-84. Comprehensive Sign Plan

- A. **Generally.** A comprehensive sign plan coordinates the signs for a multiple establishment building or for lots with an approved institutional master plan. As provided in this Section, a comprehensive sign plan may:

1. Allow off-premises wall, projecting, or freestanding signs that this Article otherwise prohibits, for establishments within the comprehensive sign plan;
2. Reallocate wall and projecting sign area among the establishments covered by the comprehensive sign plan; and
3. In the Institutional Master Plan District, allocate sign area among sign types and allow more than 1 freestanding sign per street frontage.

B. Applicability. A comprehensive sign plan may be approved only for:

1. A multiple establishment building in a Mixed Use, Commercial, or Industrial District that is managed by a single entity as a unified development; or
2. A lot or group of lots within the same approved master plan in the Institutional Master Plan District.

C. Application. An application must include a written explanation of the request and a scaled graphic showing:

1. The boundaries of the area involved and the ownership of the lots within it;
2. All existing public streets and alleys within and adjacent to the site; and
3. The location, dimensions, and general description of all proposed signs.

D. Review. Within 20 business days after receiving an application, the Zoning Administrator must approve or deny the comprehensive sign plan. The Zoning Administrator must approve the plan if it complies with this Ordinance, as modified by this Section. If the Zoning Administrator denies the plan, the Zoning Administrator must state in writing each requirement of this Ordinance that the plan does not meet.

E. Effect of Approval.

1. **Single Lot.** For purposes of this Article, all lots within an approved comprehensive sign plan are treated as 1 lot, including for calculating the sign allotment and, for a plan in a Mixed Use, Commercial, or Industrial District, the number of freestanding signs allowed.
2. **Signs Governed by Plan.** A sign that requires a zoning permit, other than a temporary sign, may be placed on a lot within an approved comprehensive sign plan only as shown on the plan. A lot may be included in only 1 comprehensive sign plan.

F. **Mixed Use, Commercial, and Industrial Districts.** In a Mixed Use, Commercial, or Industrial District, the following apply to a comprehensive sign plan:

1. **Freestanding Signs.**

- a. **Number.** Only 1 freestanding sign is allowed per street frontage per lot.
- b. **Maximum Size.** No freestanding sign may exceed 30 feet in height or 100 square feet in area in a Mixed Use District, or 35 feet in height or 240 square feet in area in a Commercial or Industrial District.

2. **Wall and Projecting Signs.** A comprehensive sign plan may reallocate wall and projecting sign area among the establishments in a building, and may place an establishment's signs on exterior walls of the building that the establishment does not occupy. The combined area of all wall and projecting signs on a building may not exceed the sum of the wall sign allotments of the establishments in that building.

G. **Institutional Master Plan District.** In the Institutional Master Plan District, the following apply to a comprehensive sign plan:

- 1. **Combined Sign Area.** The combined sign area of all signs in the plan may not exceed 0.5 square feet for every linear foot of the combined street frontage of all lots in the plan.
- 2. **Allocation.** The plan may divide the combined sign area among wall and freestanding signs in any proportion. The maximum areas for each sign type do not apply.
- 3. **Number.** The plan may include more than 1 freestanding sign per street frontage.

SECTION 10-3-85. Lots Without Street Frontage

- A. **Sign Allotment.** The sign allotment for a lot without street frontage is calculated as if the lot had street frontage along the lot line most parallel with the street on which the lot is addressed.
- B. **Off-Site Freestanding Sign.** A lot in a Commercial or Industrial District that has no street frontage may locate 1 freestanding sign on a separate lot that has frontage along a street, with the permission of the owner of that lot, subject to the following:

1. All establishments located on the lot without street frontage are limited to a single, shared freestanding sign, which is the only freestanding sign allowed for that lot;
2. The sign area may not exceed the lesser of the sign allotment that would have been allowed on the lot without street frontage and the sign allotment of the lot on which the sign is located; and
3. The sign area of the freestanding sign counts against the allotment for the lot with no street frontage and does not count against the lot on which the sign is located.

SECTION 10-3-86. Interstate 81 Overlay Sign District

- A. **Applicability.** The Interstate 81 Overlay Sign District consists of all land in the C-AU and I-G Districts located within 800 feet of the center of the intersection of an Interstate 81 exit ramp and the closest boundary of the intersecting street.
- B. **Maximum Height of Freestanding Signs.** Within the Interstate 81 Overlay Sign District, a freestanding sign may not exceed the greater of 35 feet above average grade or the following height above mean sea level for the nearest Interstate 81 exit:
 1. Exit 243 (Pleasant Valley Road): 1,349.6 feet;
 2. Exit 245 (Port Republic Road): 1,341.8 feet; and
 3. Exit 247 (East Market Street): 1,452.6 feet.
- C. **Elevation Certification.** A licensed surveyor must determine the elevation of a freestanding sign from a Global Positioning System (GPS) point. The surveyor's certification of the elevation must be submitted with the zoning permit application.
- D. **Sign Area and Location.** The following standards apply within the Interstate 81 Overlay Sign District.
 1. A sign may not project over any lot line.
 2. A single freestanding sign may not exceed 300 square feet or the sign allotment, whichever is less.
 3. Where 2 or more establishments are located on a single lot, a single support structure may contain a combined area of up to 500 square feet or the sign allotment, whichever is less, provided that no single sign exceeds 300 square feet.

SECTION 10-3-87. Nonconforming Signs

- A. **Applicability.** A sign that was lawfully erected before [EFFECTIVE DATE] or under a prior ordinance, and that does not conform to this Article, is a nonconforming sign and may remain except as provided in this Section. The owner of the property has the burden of establishing that a sign is nonconforming.
- B. **Maintenance and Alteration.** A nonconforming sign may be maintained and repaired. Repair that restores a sign to its existing condition is not an alteration. A nonconforming sign may not be extended, enlarged, structurally reconstructed, or otherwise altered, except that its sign face may be replaced with a sign face that does not exceed the height or sign area of the existing sign face.
- C. **Damage or Destruction.** The following standards apply to a nonconforming sign that is damaged or destroyed. Replacement cost is the combined value of sign materials, sign installation, and labor.
1. A nonconforming sign damaged or destroyed to an extent not exceeding 50 percent of its replacement cost may be restored within 2 years after the damage or destruction. Neither the sign area nor the height of the sign may be enlarged.
 2. A nonconforming sign damaged or destroyed to an extent exceeding 50 percent of its replacement cost may not be reconstructed, but may be replaced with a sign that complies with this Article.
- D. **Abandonment and Removal.**
1. **Abandonment.** A nonconforming sign is abandoned if the establishment for which it was erected has not been in operation for 2 years or more.
 2. **Notice.** After making a reasonable attempt to notify the owner of the property in writing, the Zoning Administrator may order the owner to remove an abandoned nonconforming sign within 30 days.
 3. **Removal by the City.** If the owner does not remove the sign within 30 days after the notice or attempted notice, the City, through its agents or employees, may enter the property and remove the sign, or may apply to a court of competent jurisdiction for an order requiring its removal. The cost of removal is chargeable to the owner of the property.
- E. **Relocation.** A nonconforming sign may not be moved, whether on the same lot or to another lot, unless the sign conforms to this Article at its new location.

SECTION 10-3-88. Maintenance and Removal

- A. **Discontinued Use.** Within 60 days after an establishment ceases to operate, the owner of the property must remove each sign erected for that establishment or replace its sign face with a blank face. Where a sign displays more than 1 establishment, this requirement applies only to the portion of the sign face for the establishment that ceased operating. This Subsection does not apply to a lawful off-premises sign.
- B. **Condition and Safety.** Signs must be kept in a good state of repair. Any sign that becomes a safety hazard or is not kept in a good state of repair violates this Ordinance.
- C. **Nuisance Abatement.** The City may abate any sign that constitutes a nuisance under Code of Virginia §§ 15.2-900, 15.2-906, or 15.2-1115.