

# Revised Sign Ordinance

10/22/2013

Botetourt County Development Services/Planning & Zoning

Chapter 25

**ZONING\***

\* \* \*

**Article IV. Supplemental Regulations**

\* \* \*

DIVISION 2. SIGNS

\* \* \*

**Sec. 25-461. General Provisions.**

(a) *Statement of Intent.* It is the intent of this Division that the regulation of the location, size, placement and certain features of signs placed for exterior observance is necessary to enable the public to locate goods, services and facilities without difficulty or confusion, to prevent wasteful use of natural resources in competition among businesses for attention, to protect public safety by preventing hazards to life and property and to ensure the continued attractiveness of the county and protect the property values of its citizens. It is further determined that signs which may lawfully be erected and maintained under the provisions of this Division are consistent with customary usage and that signs which may not lawfully be erected or maintained under the provisions of this Division are not consistent with customary usage, and are an abuse thereof and are an unwarranted invasion of the rights of legitimate business interests and of the public. Signs are accessory uses to be associated with principal uses.

(b) *Permits Required; Exceptions to Permits.* All signs excepting those identified as not requiring a permit below shall be the subject of a permit issued by the zoning aAdministrator or designee in accord with Section 25-463.

(c) *Permit Not Required.* The following types of signs do not require a sign permit.

- (1) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal devices or warnings for railroad crossings.
- (2) Memorial tablets or signs, including historical markers.
- (3) Signs required to be maintained by law or governmental order, rule or regulation. ~~with a total surface area not exceeding ten (10) square feet on any lot or parcel.~~
- (4) Signs which are within a ballpark or other similar ~~private~~ recreational use facility and which cannot be seen from a public street or adjacent properties.

- a. Scoreboards within a ballpark or other similar recreational use facility utilized only for game or practice purposes and used for the specific lengths of time of the game or practice.
- (5) Flags or emblems of a civic, philanthropic, educational or religious organization, temporary in nature, and American or Virginia State flags.
- ~~(6) Political signs, provided they are temporary in nature.~~
- (6) ~~(7)~~ Small signs displayed for the direction or convenience of the public, including signs which identify restrooms, location of public telephones, freight entrances or the like, with an aggregate total surface area not exceeding six (6) square feet ~~per sign~~ on any lot or parcel.
- (7) ~~(8)~~ Signs placed by a public utility showing the location of underground facilities.
- (8) ~~(9)~~ Signs directing traffic on private property, but bearing no advertising matter. Such signs shall not exceed six (6) square feet in aggregate surface area and three (3) feet in height above the grade and not exceed four (4) signs per lot.
- (8) ~~(10)~~ Signs on private property advertising yard or garage sales, provided such signs are not displayed more than three (3) days prior to the event and removed immediately after the posted sale date. Such signs shall not exceed three (3) feet in height above the grade and shall not exceed four (4) signs per lot.
- (9) ~~(11)~~ Freestanding signs or signs attached to a structure ~~or tree~~, no more than one and one-half (1½ ) square feet in area, to warn the public against hunting, fishing, trespassing, dangerous animals, swimming, skating, the existence of danger, when placed on the periphery of the property or location where the warning is necessary.
- ~~(12) Legal devices or warnings at railroad crossings.~~
- (10) ~~(13)~~ The changing of messages on marquees, bulletin boards, directories and the repair of an existing permitted conforming sign, provided there is no increase in the total square feet of the sign area.
- (11) Neon, LED or other non-incandescent lighted signs reading "OPEN" attached to or directly applied onto the window of a business not exceeding three (3) square feet in area. One such sign per business shall be exempt from permitting.
- (12) ~~(14)~~ The following temporary signs:
- a. One (1) developer, owner, builder, financing institution or contractor's sign per street frontage to a job site, no more than twelve (12) square feet in area, located on the property on which the work is being done only for the duration of the work.

- b. One (1) real estate sign per street frontage lot, advertising the sale, rental or lease of the premises, or part of the premises on which the sign is displayed, no more than twelve (12) square feet in area.
- c. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs shall be removed no more than fifteen (15) days after their purpose has been accomplished.
- d. Political signs on any privately owned lot or parcel, provided they
  - (i) are erected or constructed in accordance with the structural and safety requirements of the building code, if applicable,
  - (ii) are not in the public right-of-way or within the sight distance triangle at a road intersection,
  - (iii) do not obstruct vehicular or pedestrian travel, and
  - (iv) do not obstruct the view of the number for a building assigned pursuant to the property numbering and street naming system from the public or private street or access area on which the property is located.

~~Political campaign signs, no more than twelve (12) square feet in area, on any privately owned lot or parcel. Each sign shall be erected no more than sixty (60) days prior to the nomination, election or referendum it purports to advertise and shall be removed no more than fifteen (15) days after the announced results of that nomination, election or referendum.~~

- e. Temporary signs, on any privately owned lot or parcel, no more than twelve (12) square feet, announcing a campaign drive or an event of a civic, philanthropic, educational or religious organization; ~~provided,~~ provided, they are displayed for no longer than thirty (30) days and removed on the 31st day. ~~that the sponsoring organization shall ensure proper and prompt removal of such sign within fifteen (15) days after drive or event.~~
- f. Temporary signs, on any privately owned lot or parcel, no more than twelve (12) square feet in area, featuring such announcements as "Coming Soon", "Grand Opening," "Under New Management" or "Going Out of Business"; provided, they are displayed for no longer than thirty (30) days and removed on the 31st day.
- g. Interior window signs advertising weekly specials or special services offered for a limited time by a business establishment and then promptly removed.
- h. Flags reading "Open" or "Open for Business" not exceeding fifteen (15) square feet and attached to a structure other than the ground. Flags displaying words or

emblems advertising goods or services shall not be exempt.

(d) *Prohibited Signs*. All signs not specifically permitted are prohibited, including, but not limited to, the following:

- (1) Flashing signs, including flashing signs inside a window which are visible from the outside of the building; but not including time and temperature signs.
- ~~(2) Any signs painted directly on the surface of any wall in any district.~~
- ~~(2)~~ (3) Portable signs.
- ~~(3)~~ (4) Any sign displayed on a stationary vehicle when said vehicle is used primarily for the purpose of and serving the function of a mobile or portable sign.
- ~~(4)~~ (5) Outdoor advertising (billboards) signs.
- ~~(5)~~ (6) Any moving (including animated) or sound producing sign ~~intended to attract attention~~ regardless of whether or not the sign has a written message content, of which all or any part of the sign moves by any means, including rotating, fluttering, or set in motion by movement of the atmosphere, but does not include the hands of a clock operating as such.
- ~~(6)~~ (7) Any sign that violates any provisions of any law of the Commonwealth of Virginia relating to outdoor advertising.
- ~~(7)~~ (8) Any sign or banner in or across public right-of-way, unless specifically approved by the Zoning Administrator and VDOT.
- ~~(8)~~ (9) Roof top signs.
- ~~(9)~~ (10) Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement to stop or cautions of the existence of danger or which is a copy of, imitation of or which for any reason is likely to be confused with any sign displayed or authorized by a public authority.
- ~~(10)~~ (11) Any nonshielded illumination of a sign within two hundred (200) feet of an A-1, AR, RR, FC, R-1, R-2, R-3, PUD or TND district.
- ~~(11)~~ (12) Illuminated tubing or strings of lights solely for the purpose of illumination, except when displayed as decorations during the months of November through January or decorative lighting for restaurants. This includes any lighting arrangement which outlines any portion or structure by exposed tubing or strings of light.
- ~~(12)~~ (13) Any sign that violates any provision of the Botetourt County Code, Buildings

and Structures or the Virginia Uniform Statewide Building Code.

- (13) (14) Any sign that is attached to a tree, except official notices or announcements as provided in Section 25-461.
- (14) (15) Any sign that is attached to a utility pole, rock, curbstone, sidewalk, lamppost, hydrant, bridge, highway marker or other signs, except official notices or announcements as provided in Section 25-463.
- (15) (16) Any sign that projects beyond a lot line.
- (16) (17) Any sign that overhangs and has a minimum clearance of less than ten (10) feet above a walkway or fifteen (15) feet above a driveway, alley or travel lane.
- (17) (18) Any sign erected to a height higher than the maximum building height allowed in the respective Zoning District.
- (18) (19) Any sign which projects more than four (4) feet from the building to which it is attached, or extends above the roof line.
- (19) (20) Searchlights or other lights independent of an exempt or permitted sign, the function of which is to attract attention, except as provided in Section 25-461(11).

(e) *Measurements of Sign Area, Allowable Sign Area.*

- (1) Measurements of sign area: The area of a sign shall be that contained within the outside measurement of the perimeter of the display area of the sign, the total area of which is in the smallest square or squares, rectangle or rectangles, triangle or triangles which will contain the entire sign including ~~lighting but~~ excluding supports or sign background whether lighted or not. The area of a sign with two (2) sign faces shall be computed according to the following:
  - a. If the sign faces are separated by an interior angle of forty-five (45) degrees or greater, all faces shall be included in computing the area of the sign. If the sign faces are separated by an interior angle that is less than forty-five (45) degrees, the area of one face shall be used when the two (2) faces are equal in area. The area of the larger face shall be used when the two (2) faces are unequal in area.
  - b. If the sign faces are parallel to one another, the area of one (1) face shall be used when the interior distance or space between the two (2) faces is eighteen (18) inches or less. The area of all faces shall be used when the interior distance or space between the two (2) faces is greater than eighteen (18)

inches.

c. Determination of Monument sign area. The surface area of the largest face of the structure will determine the total square footage of the monument sign. This calculation will exclude the first eighteen (18") inches of the base, provided it does not include any sign copy.

- (2) Measurement of allowable sign area: 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 provisions.

In instances where there are multiple two or more tenants or users on a property and/or within the Shopping Center (SC) Zoning District, each tenant is allotted a one (1) square foot to one (1) linear foot ratio of signage. For example, 50 (fifty) linear foot of building frontage equates to a 50 (fifty) square foot sign up to the maximum aggregate of one hundred (100) square feet. For a multiple tenant (two or more) building, the landlord or owner of the building must submit to the Zoning Administrator a signage plan for the exterior of the building. ~~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, plus ten (10) percent of that area per each additional tenant.~~

(f) *Measurement of Setback.* All required setbacks shall be measured as the distance in feet from the street right-of-way.

(g) *Measurement of Height— Calculation of freestanding sign height.*

- (1) Where the sign location lies below the road elevation nearest to it, the sign height shall be measured from the road grade of the nearest travel lane to the top of the highest attached component of the sign structure.
- (2) Where the sign location lies above the road elevation nearest to it, the sign height shall be measured from the normal finished grade of the site to the top of the highest attached component of the sign or structure. Artificially increasing the height of the sign by berming or mounding dirt or other material at the sign base shall be prohibited. In case where normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the premises, whichever is lower. If the land is uneven, an average

elevation will be used at the base of the sign. Signs on penthouses, cooling towers or other rooftop appendages are prohibited.

(h) *Maintenance and Removal.*

- (1) All signs shall be constructed in compliance with the Virginia Uniform Statewide Building Code.
- (2) All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.
- (3) The Zoning Administrator and/or Building Official may cause to have removed or repaired immediately without written notice any sign which, in the Zoning Administrator and/or Building Official's 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.
- (4) Any sign which is or has been erected illegally shall be removed by the owner, agent or person having the beneficial use of the building, structure or lot upon which such sign may be found. Such removal shall be accomplished within thirty (30) days of such cessation. Upon failure to comply within the time specified, the Zoning Administrator is hereby authorized to have such sign and/or sign structure removed. The owner shall reimburse the county for any expense incident to such removal.
- (5) Any sign and/or sign structure now or hereafter existing in any district, which sign no longer advertises a bona fide business conducted, product sold or activity or campaign being conducted, or is located on property which becomes vacant and is unoccupied, or is otherwise obsolete, shall be removed by the owner, agent or person having the beneficial use of the building, structure or lot upon which such sign may be found. Such removal shall be accomplished within sixty (60) days of such cessation, and if such removal is not completed within that time period, the Zoning Administrator shall give fifteen (15) days' written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator may initiate such action as may be necessary to gain compliance with this provision. The owner shall reimburse the county for any expense incurred for such removal.

(i) *Nonconforming Signs.*

- (1) No nonconforming sign shall be enlarged nor be worded so as to advertise or identify any use other than that in effect at the time it became a nonconforming sign.
- (2) 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. Such signs shall not be enlarged, 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. 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 notice from the Zoning Administrator, a property owner shall submit verification that sign(s) lawfully existed at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into conformance with current ordinance.

- (3) Nothing in this Section shall be deemed to prevent keeping in good repair a nonconforming sign; provided, however, that no nonconforming sign which has been declared by the building official to be unsafe because of its physical condition, as provided for in this chapter, shall be repaired, rebuilt or restored unless such repair or restoration will result in a sign which conforms to all applicable regulations.
- (4) 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 to the provisions of this article.
- (5) If a nonconforming sign is removed, the subsequent erection of a sign shall be in accordance with the provisions of this article.
- (6) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its appraised value may be restored within sixty (60) days 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 except for a sign which would be in accordance with the provisions of this article. It shall be incumbent upon the applicant to supply the zoning administrator with any necessary information needed in order to determine if the replacement value constitutes the sign being brought into conformity with existing regulations.
- (7) A nonconforming sign which is changed to or 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.
- (8) A nonconforming sign shall be subject to the removal provisions of Article V, Division 4. In addition, a nonconforming sign shall be removed if the structure to which it is accessory is demolished or destroyed to an extent exceeding fifty (50) percent of its appraised value.
- (9) The ownership of the sign or the property on which the sign is located shall not, in and of itself, affect the status of a non-conforming sign.

(j) *Conflicting Regulations.* The regulations of this division are not intended to interfere with, abrogate or annul any law of the state relating to outdoor advertising. Where any provision of this division imposes restrictions different from those imposed by the state, whichever provisions are more restrictive or impose higher standards shall control.  
(Res. of 1-1-02, § 4-201)

**Sec. 25-462. Sign Standards and Regulations by use and district.**

(a) *In General.* All new signs and all existing signs which are replaced, reconstructed, extended or structurally altered shall comply with the following use standards unless the building size, location or orientation may result in a circumstance which is not adequately addressed in this Section and may necessitate a modification to the Standards provided herein. Any such modification must demonstrate to the satisfaction of the Zoning Administrator that compliance with the stated purpose and intent of these sign regulations will not be compromised. ~~Except for business and general advertising signs or unless otherwise provided, these regulations shall be interpreted to permit one (1) sign for each permitted use on the lot or premises. For business and general advertising signs, these regulations shall be interpreted as the maximum aggregate area of such signs permitted on the lot or premises subject to the following requirements:~~

No more than one (1) permanent freestanding sign shall be erected on any one (1) lot or premises with the possible exception of shopping centers, and unless otherwise permitted in the ordinance.

Unless expressly permitted elsewhere in this Ordinance, in no instance shall the following square footage maximums be exceeded –

For properties within the A1, FC Districts: 50 square feet

For properties within the RR/AR, R-1, R-2, R-3 Districts: 30 square feet

For properties within the B-1, B-2, B-3 Districts: 120 square feet

For properties within the M-1, M-2 and M-3 Districts: 150 square feet

~~Where two (2) or more individual businesses share a common lot or premises it is the responsibility of the property owner to allocate sign sizes in conformance with the maximum aggregate area requirements provided herein.~~

Due to the unique nature of a SC, PUD, ~~or a TND~~, POP or PIP involving various configurations of mixed uses, the signs permitted in these Zoning Districts ~~a PUD or TND~~ shall be submitted as part of the overall development plan at the time of application for such use. The Planning Commission shall review the proposed regulations in regard to square footage, number of signs, architectural design, lighting, landscaping, height and setback, and other sign requirements.

The Planning Commission shall then make recommendation to the Board of Supervisors in regard to approval or denial of such sign regulations. The Botetourt County Board of

Supervisors shall review the Planning Commission's recommendation and shall approve, deny, or refer this matter back to the Planning Commission for further consideration.

Where more stringent sign requirements are approved as part of a special exception, acceptance of a proffer, or other ~~historic district~~ overlay approval, the more stringent requirement shall apply.

(b) *Lighting and Landscaping.* All lighting for signs shall conform with the requirements for outdoor lighting in Article IV, Division 5 of this Chapter.

(c) *Setback.* No sign shall be placed within a required side yard, common open space or within ten (10) feet of an adjacent property line or public right-of-way unless a different requirement is specified in other sections of this chapter. No sign shall be placed in a manner to create a visual barrier or hazard to traffic.

(d) *Sight Triangles.* No sign, except for authorized traffic signs, shall be erected at the intersection of any street in such a manner as to create a traffic hazard by obstructing vision between heights of two and one-half (2 1/2) and eight (8) feet; or at any location where it may interfere with, obstruct the view of or be confused with any authorized traffic sign.

~~(e) *Temporary signs.* Temporary signs shall not be used to advertise wholesale or retail specials, services or like information. Such signs shall be displayed no longer than the duration of the special event, plus two (2) weeks before it begins.~~

(e) ~~(f)~~ *Permitted Sign Standards s by districts.*

### **1. Bulletin Boards**

One (1) bulletin board, not exceeding twenty (20) square feet in area, is permitted when erected or displayed on the property of the permitted use. However, permitted uses with more than one (1) road frontage may erect or display one (1) additional bulletin board on each road frontage with a maximum area of forty (40) square feet permitted on the property. Height shall not to exceed ten (10) feet and a minimum setback of fifteen (15) feet.

### **2. Directional/Location**

~~Small signs displayed for the direction or convenience of the public, including signs which identify restrooms, location of public telephones, freight entrances or the like, with an aggregate total surface area not exceeding six (6) square feet per sign on any lot or parcel~~

### **2. Directory**

Signs identifying shopping centers with multiple tenants shall be limited to one (1) freestanding sign, either single or double faced, per street frontage, each not to exceed fifty (50) square feet. ~~Each establishment within the shopping center is~~

~~permitted one (1) wall mounted identification sign not to exceed twenty (20) square feet, which shall not be painted directly on any wall, and no sign shall exceed fifteen (15) feet in height.~~

### **3. Electronic Message Board/L.E.D.**

Electronic Message Board signs may be permitted for Institutional Uses, see Article VI for definition, by Special Exception Permit in any Botetourt County Zoning District subject to the procedural and substantive requirements of the Zoning Ordinance for a Special Exception. Electronic Message Board/L.E.D. signs may additionally be approved for mixed use developments as part of a rezoning process and approved by the Planning Commission and Board of Supervisors within the SC, PUD, TND, POP or PIP Zoning Districts. Existing mixed use developments, with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public and recreation, within these Zoning Districts may submit a request for Special Exception Permit approval if Electronic Message Board signage is desired. Signs identifying mixed use developments with multiple tenants in above mentioned Zoning Districts shall be limited to one (1) freestanding directory sign per development, which may utilize electronic message displays approved by either Special Exception Permit or Rezoning by the Board of Supervisors, either single or double faced.

The Planning Commission and Board of Supervisors shall consider the following in its determination of Electronic Message Board signs:

- a. An electronic message board must not have any appearance of motion, flashing, blinking, jeweled lighting effects, animation or shimmering.
- b. An electronic message board may consist only of alphabetic or numeric characters on a plain background and may not include any graphic, pictorial, or photographic images except for business logos that have copyright protection and the message may be changed no more than every eight (8) seconds.
- c. When the display of an electronic message board changes, it must change as rapidly as is technologically practicable with no phasing, rolling, fading, scrolling, flashing, blending or other transition.
- d. The primary message display area may have a maximum of three (3) lines of characters with a maximum of forty-five (45) characters per line including all letters, numbers and spaces.
- e. Electronic message display boards must be incorporated into a monument style sign architecturally designed to be compatible and complimentary to the building

or project it serves and the area occupied by the message on an electronic message board may comprise no more than fifty (50) percent of the surface area of the permitted signage but in no instance shall the display surface area exceed thirty two (32) square feet.

- f. The highest point of any electronic message board may not exceed a height of seven (7) feet.
- g. Only one (1) electronic message board with at most two (2) sides is permitted on lots with one hundred (100) feet or more of VDOT maintained road frontage.
- h. Such signs shall be equipped with a working dimmer control device capable of automatically reducing the illumination to the required sunset-to-sunrise level of five hundred (500) candelas.
- i. Should the electronic message boards be visible from any residential use property, the sign must be turned off between 10 p.m. and 6 a.m. daily.
- j. Electronic message boards must be maintained in full working condition and not allowed to be partially or fully inoperative.
- k. Video displays or audio speakers on or electronically connected to such signs shall not be permitted.
- l. All electrical connections to electronic message board signs must be underground.
- m. Electronic message board signs must maintain a 1,000 foot setback from any local or national historic landmark or district boundary and the Fincastle town boundary line unless otherwise approved by Special Exception Permit.
- n. Electronic message boards are subject to all other regulations of the Ordinance.

#### **4. Farm**

The maximum aggregate of all such signs shall be thirty (30) square feet and the maximum number of signs shall be three (3). Height of sign shall not exceed ten (10) feet and minimum setback shall be fifteen (15) feet.

#### **5. Freestanding Monument**

Signs shall not exceed ten (10) feet in height and a minimum setback of fifteen (15) feet. Maximum aggregate size of a freestanding monument sign shall be one (1)

square foot per five (5) linear feet of street frontage, up to a maximum size of sixty (60) square feet.

## **6. Freestanding Ground Sign**

Signs shall have a maximum height of seven (7) feet with a maximum aggregate of one (1) square foot per five (5) linear feet of street frontage, up to a maximum size of forty (40) square feet. There shall be no more than thirty (30) inches clearance from the bottom of the sign to the ground below. A Freestanding Monument sign and a Freestanding Ground Sign at the same location is not permitted.

## **7. Home Occupation**

A home occupation or home business shall be permitted one (1) sign not to exceed two (2) square feet. Height of sign shall not exceed six (6) feet and the minimum setback shall be five (5) feet.

~~Residential and Business Identification Signs. One (1) identification sign shall be permitted not to exceed thirty (30) square feet. Height of sign shall not exceed fifteen (15) feet and minimum setback shall be fifteen (15) feet.~~

~~For individual single-family dwellings, duplexes, and townhouses, one (1) sign not to exceed two (2) square feet. Height not to exceed five (5) feet and a minimum setback of ten (10) feet. For multifamily dwelling, and townhouse complexes, one (1) sign, not to exceed twenty (20) square feet, height not to exceed ten (10) feet and a minimum setback of fifteen (15) feet. For churches, schools, public parks, and semi-public uses, two (2) signs not to exceed a maximum aggregate of sixty (60) square feet.~~

## **8. Kiosk**

A Kiosk maximum height shall be ten (10) feet; maximum size sixty (60) square feet inclusive of all sign faces of the kiosk. Kiosk lighting may only be by external illumination. Kiosk signs must have a three hundred (300) foot separation from other kiosk signs and may only be utilized in developments when ten (10) or more businesses are located in the development.

## **9. Neon**

Continuously lit neon sign located within the window storefront not to exceed a maximum of one (1) in number and not to exceed a maximum aggregate of five (5) square feet.

## **10. Freestanding Pole/Pole Mounted**

Only one (1) freestanding sign shall be permitted per lot or parcel and the maximum aggregate square footage for such sign shall not exceed fifty (50) square feet. If a monument sign is used and landscaped, the fifty (50) square feet may be increased to sixty (60) square feet. Lots or parcels located within one-quarter mile of an exit or entrance ramp of Interstate 81, and visible from the center of the right-of-way at Interstate 81 shall be permitted one (1) freestanding pole sign with a maximum square footage of one hundred fifty (150) square feet and a height of thirty-five (35) feet, in addition to their maximum allowable sign area and number of signs, but no other freestanding signs shall be permitted.

## **11. Projecting Wall Mounted Sign**

One (1) square foot per linear foot of storefront on which the sign is to be attached, up to twelve (12) square feet. Maximum one (1) sign per every eighteen (18) feet of storefront. Buildings located on a corner shall be permitted one (1) per street frontage. Projecting Wall Mounted sign shall have a seven foot six inch (7'6") clearance from the bottom of the sign to the pavement below and the angle of projection must be ninety (90) degrees. Projection limited to four (4) feet or less from the building to which it is attached.

## **12. Subdivision**

One (1) subdivision sign not to exceed twenty-four (24) square feet, height not to exceed six (6) feet and minimum setback shall be ten (10) feet. One (1) such sign shall be permitted for each entrance on a state maintained road; however, the sign location must be on a lot or part of a lot that is part of the subdivision being identified.

## **13. Temporary**

- a. Banners: Any person wishing to display a banner must apply for a sign permit pursuant to this Chapter. Except for real estate and construction signs, banners shall comply with the following standards:
  1. Each business on a lot shall be allowed to display one (1) banner at any time during the calendar year. Each business wishing to display a banner must apply for a sign permit. Sign permits shall expire at the end of each calendar year.
  2. In commercial and industrial zoning districts, the total square footage of any banner shall not exceed a maximum of thirty (30) square feet. The square footage of banner shall be figured into the maximum aggregate square footage per business per zoning district. In all other zoning districts, the total square footage of any temporary sign shall not exceed sixteen (16) square feet. Only one (1) sign, including banners, may be freestanding at any given time on the lot with a setback of fifteen (15) feet

from the right –of –way. Banners may not be used in conjunction with Electronic Message Board signs.

- b. Construction: One (1) developer, owner, builder, financing institution or contractor's sign per street frontage to a job site, no more than twelve (12) square feet in area, located on the property on which the work is being done only for the duration of the work.
- c. Real Estate: The maximum aggregate of all real estate signs shall be twenty (20) square feet for lots of ten (10) acres or less, for lots greater than ten (10) acres, the Zoning Administrator may allow the overall aggregate to be increased to thirty-two (32) square feet and the maximum number of signs shall be two (2). Height of sign shall not exceed eight (8) feet and minimum setback shall be ten (10) feet.

#### **14. Wall/Marquee**

No wall sign shall cover, cross or otherwise hide columns, belt courses or other decorative architectural features of a building, including balconies. Wall signs are permitted for one (1) square foot per linear foot of building frontage on which the sign or signs are to be attached, up to a maximum aggregate of one hundred (100) square feet.

#### **15. Window**

Window signs, whether permanent or temporary, shall be limited to twenty-five percent (25%) of the total square footage of window area, inclusive of all windows on the storefront façade or sixteen (16) square feet, whichever is less.

#### **16. Non Conforming Uses**

For nonconforming commercial uses or child care centers, one (1) sign not to exceed six (6) square feet in area with no illumination may be permitted. Such signs shall be mounted flat against the wall of the principal building or more than twenty (20) feet from the front lot lines or more than ten (10) feet from the side or rear lot lines.

- (1) ~~Agricultural. Signs permitted in the agricultural district A-1 and forest conservation district FC.~~

- ~~• *Bulletin board:* One (1) bulletin board, not exceeding twenty (20) square feet in area, when erected or displayed on the property of the permitted use. However, permitted uses with more than one (1) road frontage may erect or display one (1) additional bulletin board on each road frontage with a maximum area of forty (40) square feet permitted on the property. Height not to exceed ten (10) feet and a minimum setback of fifteen (15) feet.~~

- ~~*Business signs and farm signs:*~~ The maximum aggregate of all such signs shall be thirty (30) square feet and the maximum number of signs shall be three (3). Height of sign shall not exceed ten (10) feet and minimum setback shall be fifteen (15) feet.
- ~~*Home occupation, home business, and rural home business signs:*~~ Shall be permitted one (1) sign not to exceed two (2) square feet. Height of sign shall not exceed six (6) feet and the minimum setback shall be five (5) feet.
- ~~*Identification sign:*~~ One (1) identification sign shall be permitted not to exceed thirty (30) square feet. Height of sign shall not exceed fifteen (15) feet and minimum setback shall be fifteen (15) feet.
- ~~*Real estate sign:*~~ The maximum aggregate of all real estate signs shall be twenty (20) square feet for lots of ten (10) acres or less, for lots greater than ten (10) acres, the zoning administrator may allow the overall aggregate to be increased to thirty two (32) square feet and the maximum number of signs shall be two (2). Height of sign shall not exceed eight (8) feet and minimum setback shall be ten (10) feet.
- ~~*Temporary sign:*~~ The maximum aggregate of all temporary signs shall be twenty (20) square feet and the maximum number of signs shall be two (2). Height of sign shall not exceed eight (8) feet and the minimum setback shall be fifteen (15) feet.
- ~~*Subdivision sign:*~~ One (1) subdivision sign not to exceed twenty four (24) square feet, height not to exceed six (6) feet and minimum setback shall be ten (10) feet. One (1) such sign shall be permitted for each entrance on a state maintained road; however, the sign location must be on a lot or part of a lot that is part of the subdivision being identified.

(2) Residential. Signs permitted in the residential district RR, R-1, residential district R-2, residential district R-3, PUD and TND districts.

- ~~*Bulletin board:*~~ One (1) bulletin board, not exceeding twenty (20) square feet in area, when erected or displayed on the property of the permitted use. Height not to exceed ten (10) feet and a minimum setback of fifteen (15) feet.
- ~~*Home occupation sign and home business sign:*~~ A home occupation or home business shall be permitted one (1) sign not to exceed two (2) square feet. Height of sign shall not exceed six (6) feet and the minimum setback shall be five (5) feet.
- ~~*Identification sign:*~~ For individual single-family dwellings, duplexes, and townhouses, one (1) sign not to exceed two (2) square feet. Height not to exceed five (5) feet and a minimum setback of ten (10) feet. For multifamily dwelling, and townhouse complexes, one (1) sign, not to exceed twenty (20) square feet, height not to exceed ten (10) feet and a minimum setback of fifteen (15) feet. For churches, schools, public parks, and semi-public uses, two (2) signs not to exceed a maximum aggregate of sixty (60) square feet.

- ~~Freestanding signs shall be of a monument design and shall not exceed ten (10) feet in height and a minimum setback of fifteen (15) feet.~~
- ~~Real estate sign: One (1) sign not exceeding six (6) square feet. Height shall not exceed five (5) feet and a minimum setback of five (5) feet.~~
- ~~Temporary sign: One (1) sign not exceeding ten (10) square feet. Height of the sign shall not exceed six (6) feet and a minimum setback shall be fifteen (15) feet.~~
- ~~Subdivision sign: One (1) subdivision sign not to exceed twenty-four (24) square feet, height not to exceed six (6) feet and minimum setback shall be ten (10) feet. One (1) such sign shall be permitted for each entrance on a state maintained road; however, the sign location must be on a lot or part of a lot that is part of the subdivision being identified.~~

(3) Commercial. Signs permitted in the business district B-1, business district B-2, business district B-3, shopping center SC and planned office park POP.

- ~~*Bulletin board:* One (1) bulletin board not exceeding twenty (20) square feet in area. Height shall not exceed ten (10) feet and minimum setback shall be ten (10) feet.~~
- ~~*Business sign:* The maximum aggregate of all business signs shall be one hundred twenty (120) square feet and the maximum number of signs shall be three (3). The height of the sign shall not exceed ten (10) feet in association with a one-story building or fifteen (15) feet for a two story or taller building; and the minimum setback shall be fifteen (15) feet.~~
- ~~Only one (1) freestanding sign shall be permitted per lot or parcel and the maximum aggregate square footage for such sign shall not exceed fifty (50) square feet. If a monument sign is used and landscaped, the fifty (50) square feet may be increased to sixty (60) square feet. Lots or parcels located within one-quarter mile of an exit or entrance ramp of Interstate 81, and visible from the center of the right-of-way at Interstate 81 shall be permitted one (1) freestanding sign with a maximum square footage of one hundred fifty (150) square feet and a height of thirty-five (35) feet, in addition to their maximum allowable sign area and number of signs, but no other freestanding signs.~~
- ~~*Temporary sign:* One (1) temporary sign not to exceed twenty (20) square feet may be placed on each parcel or lot. The height shall not exceed ten (10) feet and the setback shall be a minimum of fifteen (15) feet. Such sign may be maintained for a period not to exceed one (1) month during each twelve (12) months. After expiration of the one (1) month period, the temporary sign shall be removed from the premises or otherwise rendered not visible from a public vantage point.~~
- ~~*Real estate sign:* Two (2) signs not exceeding an aggregate of twenty (20) square feet. Height of sign shall not exceed ten (10) feet and minimum setback shall be ten (10) feet. Upon the sale of the property, the signs shall be removed within ten (10) days.~~
- ~~*Directory Sign:* Signs identifying shopping centers with multiple tenants shall be limited to one (1) freestanding sign, either single or double faced, per street frontage, each not to exceed fifty (50) square feet. Each establishment within the shopping center is permitted one (1) wall mounted identification sign not to exceed twenty (20) square feet, which shall not be painted directly on any wall, and no sign shall exceed fifteen (15) feet in height.~~

(4) Industrial. Signs permitted in the industrial M-1, M-2, M-3, and PIP districts.

- ~~*Business signs:* The maximum aggregate of all business signs shall be one hundred fifty (150) square feet and the maximum number of signs shall be three (3). The height of the sign shall not exceed ten (10) feet in association with a one-story building or fifteen (15) feet for a two-story or taller building; and the minimum setback shall be fifteen (15) feet.~~
- ~~*Identification signs:* The maximum square footage shall be fifty (50) square feet and the maximum number of freestanding signs shall be one (1). The height of the sign shall not exceed thirty (30) feet and the minimum setback shall be fifteen (15) feet.~~
- ~~*Real estate signs:* One sign not exceeding an aggregate of thirty-two (32) square feet. Height shall not exceed ten (10) feet and the minimum setback shall be ten (10) feet. Upon the sale of the property, the sign shall be removed within ten (10) days.~~
- ~~*Temporary signs:* Two (2) signs not exceeding a maximum aggregate of forty (40) square feet. The height shall not exceed ten (10) feet.~~
- ~~*Directory signs:* Signs identifying industrial sites with multiple tenants shall be limited to one (1) freestanding sign, either single or double faced, per street frontage, each not to exceed fifty (50) square feet. Each establishment within the site is permitted one (1) wall mounted identification sign not to exceed twenty (20) square feet, which shall not be painted directly on any wall, and no sign shall exceed fifteen (15) feet in height.~~

(Res. of 1-1-02, § 4-202; Res. No. 03-06-14, 6-17-03; Res. No. 03-06-14, 6-17-03)

### **Sec. 25-463. Administration.**

- (a) *Permit Requirements.* Except as otherwise provided herein, no sign shall be erected, altered, refaced or relocated unless a sign permit has been approved by the Zoning Administrator or designee.
- (b) *Application.* Applications for sign permits shall be made to the Department of Development Services Planning and Zoning Office, and upon approval of the sign permit the applicant shall affix a copy of the sign permit to an application for a building permit. The application shall contain the identification and address of the property on which the sign is to be erected; the name and address of the sign owner and of the sign erector; drawings showing the design, dimensions and location on the building/site of the sign; and such other pertinent information as the zoning administrator may require to ensure compliance with the provisions of this chapter and other applicable ordinances of the county. The Building Official will then review the building permit application and process same in accordance with the uniform statewide building code and the provisions of this division.
- (c) *Permit Expiration.* A sign permit shall expire and become null and void if the sign is

not erected within a period of twelve (12) months from the date of the permit. In the event the sign is not erected within the twelve (12) month period, an application for extension of an additional six (6) month period may be made to the Zoning AAdministrator. Such an extension may be granted if the proposed sign is in accordance with current applicable regulations. If the proposed sign is not in accordance, the application for an extension shall be denied.

~~(d) *Special permits.* The BZA may grant a special permit to allow an increase in the height of a sign where, in its opinion, the provisions of this article would cause a hardship by virtue of topography. The purpose of such a permit shall be to allow as much, but not more, visibility as the sign would have if located on level ground.~~

The BZA or the Board of Supervisors, as part of an approving action for a special exception permit, may impose stricter sign requirements as a condition of approval.

Unless otherwise specified, variances from the provisions of this division shall be determined by the BZA by statutory rule or by applications for variances to the provisions of this chapter; however, signs specifically prohibited under section 25-461 shall not be considered by that body for variances.

d) Variances. Requests for variances to these sign regulations shall follow the procedures outlined in Section 25-551 of the Zoning Ordinance. The Board of Zoning Appeals, in considering any variance request, shall follow the guidelines of this Section, and Section 15.2-2309 of the Code of Virginia, (1950), as amended. The power to grant variances does not extend to an economic hardship related to the cost, size or location of a new sign, or to the convenience of an applicant, nor should it be extended to the convenience of regional or national businesses which propose to use a standard sign when it does not conform to the provisions of this Section.

(e) *Issuance.* Sign permits shall be issued by the Zoning AAdministrator or designee.

(f) *Fee.* A fee, as established according to Article V, shall be paid prior to the issuance of a sign permit. Under no circumstances are permit fees refundable.

~~(g) *Permit number.* Any sign erected under permit shall indicate in the lower right hand corner of the sign the number of the permit. The permit number shall be so affixed that it is legible from the ground.~~

~~(g) (h) *Violation.* Any person who violates any of the provisions of this division shall be deemed guilty of a Class 4 misdemeanor.~~

~~(h) (i) *Definitions.* Definitions of the words, terms and phrases used in this Division shall have the meanings ascribed to them in Article VI of this chapter.~~

## **Article VI. Definitions**

*Candela:* The International System unit of luminous intensity; that is, power emitted by a light source in a particular direction, weighted by the luminosity function (a standardized model of the sensitivity of the human eye to different wavelengths). A standardized candle emits light with a luminous intensity of one (1) candela. If emission in any direction is blocked by an opaque barrier, the emission would still be approximately one (1) candela in the directions that are not obscured.

*Electronic Message Boards:* A sign display or device that changes message copy on the sign by means of light emitting diodes (LED), fiber optics light bulbs, liquid crystal display or other illumination devices within the display area.

*Institutional Uses:* A nonprofit, religious, or public use such as a religious building, library, public or private school, hospital or government-owned or operated building, structure or land used for public purpose.

*LED:* Light-emitting diode; a semiconductor that gives out light when an electric current is applied to it.

*Non-Incandescent Light:* Light emitting device operating as a result of being heated to a high temperature, a bright glow.

*Sign:* Any device or display of any letters, words, numerals, figures, emblems, pictures, trademark, symbol, flag, banner, pennant or any parts or combinations thereof, by any means whereby such are made visible for the purpose of making anything known, whether such display be made on, attached to or as a part of a structure, surface or any natural object, which display is visible beyond the boundaries of the parcel of land on which the same is made. A display of less than one (1) square foot in area bearing only property numbers, postal box numbers, names of occupants of premises or other identification of premises not having commercial purpose is excluded from this definition. Detailed definitions of sign types and related terms are contained in detailed sign regulations at Article IV, Division 2, to a residential subdivision, apartment or townhouse complex, and identifying same. The following words, terms and phrases pertaining to signs, when used in this chapter, shall have the meanings ascribed to them:

*Banner:* Cloth, paper, ~~balloons~~ or material of any kind intended to attract attention to a service, product, sale, grand opening or similar on the same parcel where the activity is occurring or service is available. Governmental flags or symbolic flags of religious, charitable, public or non-profit organizations shall not be considered to be banners.

*Marquee:* 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.

*Moving (animated):* Signs which involve the use of motion, rotation, or the appearance of motion.

*Sign, bulletin board:* A sign presenting the name, time or date of meetings and related information concerning a civic or religious organization.

*Sign, business:* A sign which directs attention to a business, profession, product, service or activity conducted, sold or offered on the premises where such sign is located.

*Sign, construction:* A temporary sign identifying those engaged in construction of any building site.

*Sign, direction/location sign:* A sign displayed for the direction or convenience of the public identifying restrooms, entrances, exits and so forth indicating the direction to which attention is called giving the name and approximate location only of the business or service.

*Sign, directory:* A sign on which the names and locations of occupants or the uses of a building or group of buildings is given along with a location of the business or service.

*Sign, double faced:* A sign with two (2) faces parallel to each other and containing an identical message and not located more than twenty-four (24) inches from each other or being a V-shaped sign with the interior angle of the two (2) faces not exceeding ninety (90) degrees.

*Sign, farm:* A sign erected or maintained on any farm by the owner or tenant of such farm and relating solely to farm or horticultural produce, livestock or services sold, produced, manufactured or furnished on such farm.

*Sign, flashing:* A sign on which artificial light is not kept constant in intensity at all times when in use. Illuminated signs which indicate public service information, such as time, date, temperature, weather, shall not be considered flashing signs.

*Sign, freestanding monument:* Any nonmovable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to nor printed on a building.

*Sign, freestanding ground mounted:* Any sign which is supported by structures or supports in or upon the ground and independent of any support from any building, not a pole sign.

*Sign, home occupation:* A home occupation sign directs attention to a home occupation on the premises, but which home occupation is clearly a secondary use of the dwelling.

*Sign, business identification:* A sign which identifies or otherwise describes the name, ownership or location of the lot or parcel of land upon which it is situated.

*Sign, residential identification:* A sign which identifies or otherwise describes the name, ownership or location of the lot or parcel of land for individual single family dwellings, duplexes and townhouse complexes.

Sign, Kiosk: A three (3) or more sided freestanding structure located within a pedestrian circulation area in commercial districts and used for the posting of notices and locational information but not for commercial advertising.

Sign, Neon: Signs made of continuous luminous tubes containing neon or other inert gases that glow brightly when high voltage is applied.

*Sign, marquee:* 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.

*Sign, monument:* A freestanding ground mounted sign built on grade and attached to a continuous structural base, which base shall be no less than half the width of the message portion of the sign and shall be permanently affixed to the ground. Monument signs shall not include freestanding signs supported by poles.

*Sign, outdoor advertising (includes billboards):* Any off-premises sign.

Sign, Projecting Wall Mounted: Any sign, other than a wall or marquee sign, which is permanently affixed to a building and is supported only by the wall on which it is mounted.

*Sign, freestanding pole or pole-mounted:* A sign that is mounted on one (1) or more freestanding poles or similar columnar supports with greater than 30 inches of clearance from the ground to the bottom of the sign.

*Sign, portable:* Any sign not permanently affixed to the ground nor to a structure, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment. Any such vehicle shall, without limitation, be considered to be used for the express purpose of advertising if it fails to display current license plates, inspection sticker, municipal decal or if evidence of paid-to-date local taxes can not be made available. ~~Portable signs may be used only as temporary signs, as defined in this section.~~

*Sign, projecting:* Any sign, other than a wall, awning or marquee sign, which is affixed to a building.

*Sign, real estate:* Any sign which is used to offer property or structures for sale, lease or rent and located on the premises being offered.

*Sign, residential:* A sign which identifies the name of a residential project. The message content shall be limited to the name of the subdivision.

*Sign, rooftop:* Any sign or portion of a sign so erected or affixed to a building as to extend above the lowest point of the roof level of a building.

*Sign, temporary:* Any sign not permanently attached to a structure nor permanently mounted in the ground, which can be transported to other locations, except political signs. Such signs may include, but are not limited to, paper or poster signs, ~~portable signs~~ or other moveable signs, which may announce or advertise seasonal or other brief activity such as weekly specials, special services offered for a limited time by a business establishment, summer camps, fairs, auctions, sale of property or other similar temporary or non-recurring offers or

notices. A temporary sign shall not remain on the property for more than ninety (90) days in any one (1) calendar year, with the exception of signs advertising the sale of the property on which the sign is placed.

*Sign, wall:* Any sign attached to a wall or painted on or against a surface of a structure that is designed and used for human occupancy, which sign displays only one advertising surface and which extends not more than eighteen (18) inches from the wall.

*Sign, window:* Any sign attached to or applied directly on to the inside or outside surface of a window or any sign visible from a public right-of-way through a window but no more than two (2) feet from the window surface.