

Town of Lovettsville

Planning Commission

Minutes of Public Hearing and Regular Meeting, December 1, 2010

The Public Hearing of the Lovettsville Planning Commission was called to order by Chairwoman Mari Bushway on Wednesday, December 1, 2010 at 7:35 P.M. at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA 20180.

Welcomes and Introductions

Chairwoman Bushway welcomed the citizens attending the meeting and thanked them for coming. She introduced Mayor Walker and Planning Commissioners Jack Burden, Rodney Gray, Aaron Kahn and Joseph Mueller. She also introduced Town Manager Keith Markel, Zoning Administrator Steve McGregor and Town Clerk Judy Kromholz.

Absent

Commissioners Lorraine Bauer, Elaine Fischer

Audience

There was no one present in the audience.

Explanation of Procedures and Opening of the Hearing

Chairwoman Bushway read the Public Notice of this Public Hearing as it appeared in the *Purcellville Gazette* (Attachment I: Public Notice).

Presentation

Because no members of the public attended the hearing, the Commissioners unanimously waived the presentation (Attachment II: Staff Report (LVZA 2009-0004: Repeal Article 7 of the Lovettsville Zoning Ordinance and enact revised Article 7 in its place, entitled "Sign Regulations))

Public Speakers

Chairwoman Bushway confirmed that no written communication had been received by Town Hall.

Motion: To close this Public Hearing at 7:38 PM.

By: Commissioner Mueller

Second: Commissioner Gray

Aye: Commissioners Burden, Bushway, Gray, Kahn, Mueller.

Nay: None

Abstain: None

Absent: Commissioners Bauer, Fischer

Regular Meeting

Chairwoman Bushway called the Regular Meeting of the Lovettsville Planning Commission to order at 7:49 PM.

Changes in Present at Meeting

None

Present In the Audience

Mayor Walker and Councilwoman Coleman were present in the audience.

Public Comment

No member of the public had signed up to speak at the regular meeting.

Additions/Deletions/Modifications to the Agenda

Chairwoman Bushway called for changes to the agenda. There were none.

Approval of Planning Commission Minutes

No minutes were presented.

Staff Reports

Administrator McGregor presented his written report for October 2010. There were no questions from the Commission.

Action Items

A. LVZA 2009-0004: Sign Ordinance

Administrator McGregor introduced some comments that he had received from Commissioner Mueller. Commissioner Mueller discussed personal expression signs, which can only be 3 square feet under the proposed ordinance. He brought up examples of new baby or a welcome home signs that commonly are larger and stated that he does not believe the Commission meant to exclude or disallow them. He suggested considering them to be temporary signs and allowing display for a short period of time. Commissioner Gray agreed that this should be allowed for personal expression banners, but not for commercial establishments. Commissioner Burden suggested that this type of sign could remain unmentioned: people will hang the banner anyway and no one would object. Chairwoman Bushway and Commissioner Kahn disagreed, stating that there are Town residents who would complain about such a banner if it were not explicitly permitted. Special occasion of celebratory signs were suggested as the defining category and Mueller suggested including an example. The Commission agreed on the following wording:

“Temporary Personal expression signs have no size limit but can only be displayed for up to 7 calendar days in any 12 month period.”

There being no further discussion, Chairwoman Bushway called for a motion.

Motion: I move that the Planning Commission recommend approval of the proposed text attached to the December 1, 2010 staff report for LVZA 2009-0004 Signs with any revisions agreed upon and marked up during this meeting.

By: Commissioner Kahn

Second: Chairwoman Bushway

Aye: Commissioners Burden, Bushway, Gray, Kahn, Mueller.

Nay: None

Abstain: None

Absent: Commissioners Bauer, Fischer

Manager Markel polled the Commissioners about holding a joint work session prior to the Town Council considering this item. They stated they would be willing to attend such a session if Town Council so chooses. Manager Markel also explained that the changes made during tonight's Commission consideration were minor and expanded the rights of the Town residents. Therefore, an additional Planning Commission Public Hearing is not necessary.

B. LVPA 2010-0001: Authorize Public Hearing for Comprehensive Plan

Administrator McGregor presented this item. The Comprehensive Plan Advisory Committee is expected to complete the draft of the revised Comprehensive Plan that they intend to recommend to the Planning Commission before the end of November. Therefore, it is appropriate that the Planning Commission consider requesting a public hearing be scheduled as early as possible thereafter, in 2011. He explained that the next CPAC meeting is scheduled for next week and it is expected that they will make a formal recommendation to the Planning Commission at that meeting. By authorizing the scheduling of the public hearing, the Commission is not committed to acting but will expedite the process if the recommendation to proceed is made next week.

Commissioner Burden stated for the record that Chairwoman Bushway did an outstanding job of chairing the last CPAC meeting; ensuring that every single comment received at or after the public forum was addressed by the Committee and that no member of the Commission had any outstanding concerns.

Motion: I move that the Planning Commission direct staff to schedule a public hearing on the proposed revision of the Town's Comprehensive Plan recommended by the Comprehensive Plan Advisory Committee. The hearing should be scheduled as early as possible in 2011.

By: Commissioner Kahn
Second: Commissioner Gray

Chairwoman Bushway called for additional discussion. Commissioner Mueller asked if the Public Hearing could be scheduled on January 5th during their next scheduled meeting. Manager Markel said that was feasible and all the Commissioners confirmed that they will be attending that meeting. There being no further discussion, Chairwoman Bushway called for the vote.

Aye: Commissioners Burden, Bushway, Gray, Kahn, Mueller.
Nay: None
Abstain: None
Absent: Commissioners Bauer, Fischer

Discussion Items

No discussion items were on the agenda.

Information Items

No information items were on the agenda.

Comments from the Mayor and Commissioners

Chairwoman Bushway called for comments from the Mayor and the Commissioners.

Mayor Walker reminded everyone that the Town Lantern Parade and Tree Lighting Ceremony will be this coming Friday.

Commissioner Burden asked if the Planning Commission will revert to meeting twice a month now that their duties on the Comprehensive Plan Advisory Committee have come to an end. The Commission agreed to meet on the first and third Wednesday of every month.

Councilwoman Bushway stated that she had received a letter of concern from a citizen outside the Town limits concerning runoff on his property. Manager Markel stated that he will assist the complainant to make appropriate contacts with the County.

Adjournment

Motion: To adjourn the Planning Commission regular meeting of December 1, 2010
By: Commissioner Mueller
Second: Commissioner Kahn
Aye: Commissioners Burden, Bushway, Gray, Kahn, Mueller.
Nay: None
Abstain: None
Absent: Commissioners Bauer, Fischer

The Meeting was adjourned at 8:30 PM.

Respectfully submitted,


Judy L. Kromholz, Town Clerk

Date Approved: January 19, 2011

Attachment I: *Purcellville Gazette* Ad
Attachment II: Staff Report
Attachment III: Speaker signup sheet

Public Hearing/Legal Notices

Town of Purcellville 2010 Sports Funding Application

The Town of Purcellville is accepting applications from local organizations for the Annual Sports League Funding. There is \$5,000 in this year's budget. All applications are due on December 3, 2010. To receive an application, please contact: Jennifer Hough in the Public Works Department at (540) 751-2334. For more information, please visit our website: www.purcellvilleva.gov

REQUEST FOR PROPOSALS Real Estate Brokerage Services

The Town of Purcellville is requesting proposals for Real Estate Brokerage Services for the purpose of advising and representing the Town in the sale or lease of the current Purcellville Town Hall located at 130 East Main Street, Purcellville, Virginia 20132.

Download the Request for Proposal (RFP) at the website www.purcellvilleva.gov or contact Steve Coakley at scoakley@purcellvilleva.gov or (540) 751-2351. Proposals will be accepted until November 29, 2010 at 2:00 PM (EST) at the Town Hall located at 130 East Main Street, Purcellville, Virginia 20132. As part of the proposal process, a mandatory Offerors Conference and Facility Inspection will be held on November 22, 2010 at 10 a.m. at Town Hall. All other relevant items are identified in the RFP.

Robert W. Lazaro, Jr., Mayor

PUBLIC HEARING NOTICE TOWN OF PURCELLVILLE

The Purcellville Town Council will hold a special public hearing in the Council Chambers located at 130 East Main Street, Purcellville, Virginia on Monday, November 29, 2010 at 7:00 PM for the purpose of receiving comments on the following appeal of a Board of Architectural Review decision:

CDA#10-48, Bethany United Methodist Church. Dennis Beese on behalf of Bethany United Methodist Church is appealing conditions of approval, in accordance with Sections 54-79 and 54-80 of the Purcellville Town Code, for the certificate of design approval (CDA) application #10-48 which sought architectural approval for an addition to the existing structure at 100 West Main Street. The application was approved by the Purcellville Board of Architectural Review (BAR) on October 5, 2010. The applicant is seeking an appeal of the following conditions of approval from the Town Council:

1. That the windows in the addition are wood clad windows which match the existing windows in color (cream).
2. That the door in the addition is a wood frame door/s with lites rather than an aluminum storefront door.

Copies of documents related to the above are available for inspection and copying at the Purcellville Town Hall during the hours of 8:00 AM to 5:00 PM, Monday through Friday, holidays excepted. At this hearing, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations are requested to contact Jennifer Helbert, Town Clerk at 540-751-2333 three days in advance of the meeting.

Robert W. Lazaro, Jr., Mayor

November 19, 2010

INVITATION FOR BID November 22, 2010

Bush Tabernacle Audio Visual

The Town of Purcellville is accepting competitive sealed bids from qualified contractors for the Bush Tabernacle Audio Visual in the Town of Purcellville, VA. Sealed Bids will be accepted until December 13, 2010, at the Town of Purcellville located at 130 E. Main Street, Purcellville, Virginia 20132. Bids must be clearly marked on the outside of the envelope "Sealed Bid - IFB# BTAV-10-01". Bids will then be publicly opened and read. Bids received after the specified time will not be considered. A Contractor wishing to withdraw his bid shall give notice in writing of his claim of right to withdraw his bid within two business days after the conclusion of the bid opening procedure and shall submit original work papers with such notice.

A mandatory pre-bid conference will be held on November 29, 2010 at 10:00 am in the Purcellville Town Hall located at 130 E. Main Street, Purcellville, Virginia 20132.

The project includes but is not limited to propose and install an audio visual system for the Bush Tabernacle to support movie night. The system is to be integrated into the existing building equipment. Interested bidders may download the Invitation for Bid (IFB) at the website www.purcellvilleva.com or contact Public Utilities

Department, at (540) 751-2334 to obtain a copy of the Contract Documents. Questions regarding the Bidding Documents should be directed in writing to: Capital Projects and Engineering Manager, Town of Purcellville, 130 East Main Street, Purcellville, VA 20132. Contractors who plan to submit bids to the Town may receive one set of Contract Documents at no charge from the Town Hall offices. Subcontractors can obtain sets of the Contract Documents at Purcellville Copy. Additional sets of the Contract Documents may be obtained from Town of Purcellville at Purcellville Copy for the actual costs to reproduce the documents.

Purcellville Copy is located at 125 Hirst Road, Suite 3-A, Purcellville, VA 20132, 540-338-7527; Business hours are Monday through Friday from 8:30 AM to 5:30 PM. Bidding Documents can be examined in the Town of Purcellville Town Office, 130 East Main Street, Purcellville, VA.

Notice of Public Hearing

Lovettsville Planning Commission

The Lovettsville Planning Commission will hold public hearing on the following item at their meeting on December 1, 2010 at 7:30pm at the Lovettsville Town Hall, 6 East Pennsylvania Avenue.

LYZA 2009-0004: Repeal Article 7 of the Lovettsville Zoning Ordinance and enact revised Article 7 in its place, entitled "Sign Regulations".

The application being considered is available for review at the Town Hall between the hours of 9AM and 3PM weekdays or by special appointment, holidays excepted. Call 540-822-5788 for more information or visit www.lovettsvilleva.gov.

**The Purcellville Gazette
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Record for Loudoun County**

FOSTER FAMILIES NEEDED!

For Save the Tails (new dog rescue group in Loudoun Co) When Save the Tails pulls a dog that is scheduled to be euthanized (for lack of shelter space) from a rural high kill shelter, we must have a place to put that dog. Foster families provide a loving, safe place for a dog to stay while we advertise him on Petfinder, our WEBSITE, our Facebook page, show him off at our Adoption Events and work to find him the perfect forever home. There is no financial commitment to fostering. Save the Tails does all the dog's vetting, pays for any necessary medicine and the first round of preventatives, we even supply the dog's food! Visit our WEBSITE, www.savethetails.org and then email fofoster@savethetails.org for more information. ♦



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Town of Lovettsville

STAFF REPORT

PLANNING COMMISSION

PUBLIC HEARING	
ITEM IDENTIFICATION	LVZA 2009-0004 Signs
TYPE OF ITEM	Zoning Ordinance Amendment
DATE OF HEARING	December 1, 2010
APPLICANT	Town of Lovettsville

BACKGROUND: In the fall of 2007 the Town Council authorized an evaluation of Zoning Ordinance Article 7 SIGNS with the intent to make changes. A committee was formed to evaluate the article in 2008. A draft had been created and discussed by the Planning Commission in 2004-05 but it was not brought to a public hearing. This was used as a starting point for the 2008 sign committee discussions along with the Zoning Administrator suggested revisions based on comments made in the 2005 period by the Town Attorney on the draft of the article being discussed at that time. The 2008 sign committee consisted of representatives of the Planning Commission, Town Council, Lovettsville Business Association and NVRetail, owner/developer of the Lovettsville Town Center mixed use commercial and residential project.

The sign committee discussed many options and issues related to the article. They had the business community attend a meeting to discuss their point of view. In 2009 the committee forwarded a redraft of Article 7 to the Planning Commission, which made some changes in March that were forwarded to the Town Attorney for comment. Approximately one year later the Town Attorney comments were available and staff redrafted the article based in part on the Town Attorney concerns and in part based on the need to streamline the text and remove as much redundancy as possible. A new redraft of the article was forwarded to the Planning Commission in the summer of 2010 at which time the Commission undertook additional discussions, as many of the commissioners had not been on the Commission when the original draft was formulated. The Town held a public information session on October 25, 2010 on the article at which time there was additional discussion. The Planning Commission authorized a public hearing of a new draft of the article after discussing further changes based on the public information session discussion.

November 24, 2010

DISCUSSION: All aspects of Article 7 were reviewed by staff, the sign committee and Planning Commission. The following summarizes the major changes under discussion:

1. The format was streamlined. Some subject headings were combined under a new heading. For example, there is a new heading entitled Administration and Enforcement that had subheadings for Application for a Permit, Sign Compliance, Expiration of Sign Permits, Non-Conforming Signs and Construction and Maintenance Standards. Instead of listing all prohibited sign and having a definition of such signs, a statement was inserted stating that unless a sign is specifically listed in the sign definitions, it is not permitted.
2. Signage for multiple business developments (e.g., office parks, shopping centers, industrial parks). There was extensive discussion of what kind of signage is appropriate and what standards should apply so that existing, single tenant businesses were not put at disadvantage. Discussion also centered on whether or not multiple business developments should be required to have comprehensive signage plans to ensure architectural uniformity while allowing individual tenants signage that suited their needs. It was concluded by the Planning Commission that a comprehensive signage plan should be required for such developments on two acres or more and that any sign in a comprehensive signage plan would have to meet the standards stated in Article 7 Signs.
3. Much discussion focused on whether or not OPEN signs should be internally illuminated. Other types of signs are not permitted to be internally illuminated. The Commission concluded that given the small size allowed for OPEN signs it would be beneficial to businesses to allow them to be internally illuminated.
4. The Planning Commission's 2009 draft text included a sunset provision for non-conforming signs so that after a period of time such signs would have to be brought into conformance with the ordinance. The Town Attorney advised that state law would preclude this provision so it has been removed. A non-conforming sign is considered permanent if it meets the standards for non-conforming signs in Article 7 Signs.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission directed staff to advertise a public hearing for the draft of Article 7 that is attached.

RECOMMENDATION: The Planning Commission should consider the proposed draft for Article 7 Signs and the public comments. The Commission can then consider making a recommendation to the Town Council.

DRAFT MOTION: “I move that the Planning Commission recommend approval of the proposed text attached to this staff report for LVZA 2009-0004 Signs (with any revisions agreed upon and marked up during the discussion).”

ATTACHMENT: Draft revision of Article 7 Signs, Lovettsville Zoning Ordinance

Town of Lovettsville
Sign Ordinance – Article 7 of the Town Zoning Ordinance
Draft (11-07-2010)

7-1 PURPOSE AND INTENT

The provisions of this Article are intended to establish regulations for all exterior signs and to further the objectives of the Lovettsville Comprehensive Plan. In that regard, it is intended to promote signs that are beneficial to businesses and maintain a uniform criterion throughout the Town that protects the character, history, and community within the Town of Lovettsville corporate limits. The provisions of this Article are intended to permit signs that are compatible with the landscape/streetscape and architecture of surrounding buildings; are legible and appropriate to the activity to which they pertain; are not distracting to motorists; and are constructed and maintained in a structurally sound and attractive condition.

Specifically, this Article is intended to protect the general public health, safety, convenience, and welfare; to reduce traffic hazards caused by unregulated signs that may distract, confuse, and impair the visibility of motorists and pedestrians; to promote the safety of public streets, highways, and other public improvements; to facilitate the creation of an attractive and harmonious community; to protect property values; and to further economic development.

7-2 APPLICABILITY

Signs constitute a separate and distinct use of the land. For purposes of this ordinance, signs are considered as accessory uses of real property and shall only be located on the property to which they pertain. These regulations shall apply to all signs erected, installed, or affixed within the Town of Lovettsville subsequent to July 1, 2008.

7-3 SIGN PERMIT REQUIRED

Any sign that is erected, installed, affixed, relocated, or replaced in any zoning district, shall have a permit, except as provided in Section 7-5 of this Article.

7-4 SIGN DEFINITIONS

The following definitions are for all signs allowed by this Article. Any type of sign not expressly allowed in this section or allowed at the discretion of the Zoning Administrator is not allowed.

Awning. A sign that is imprinted upon or affixed to a roof-like cover, whether retractable or not, and affixed to and extending from a building with open air underneath. An awning is meant for sheltering occupants of a building from the elements.

Banner. A sign made of a flexible material and is meant to flutter when activated by the wind.

Bulletin Board. A sign that identifies an institution or organization on whose premises it is located and that contains the name of the institution or organization, the names of individuals connected with it; and provides information about or announcements of events or activities occurring on the property.

Canopy. A sign that is imprinted upon or affixed to a canopy. A canopy is a permanent or temporary structure that provides a roof over a specific area without walls and is meant to protect people from the elements

Changeable Copy. Letters, symbols and numbers that appear on a sign that can be rearranged manually.

Civic, philanthropic, educational, or religious events. Signs for organized civic, philanthropic, educational or religious activities sponsored by non-governmental organizations or associations.

Construction. A temporary sign erected on the premises where construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors, or firms having a role with respect to the development on a site.

Credit Card, Association Decals. Signs that are generally affixed to glass that advertise which credit cards are accepted by a business or what business or other associations are associated with an activity on a property. Directory. A sign listing the tenants or occupants of a building or group of buildings and that may also indicate their respective professions, businesses, and hours of operation.

Flag or pennant. A sign constructed of a flexible material that moves under the force of the wind and installed for decorative, advertising, identification, personal expression, or other purposes.

Freestanding. A sign that is not affixed to a building or similar structure but is anchored into the ground or a structure specifically designed to hold the sign in place. Pole and monument signs are freestanding signs; wall, projecting, canopy, awning signs are not freestanding.

Government. A sign erected and maintained by a governmental entity pursuant to and in discharge of any governmental function or required by law, ordinance, or other governmental regulation; or intended to direct or control traffic; identify streets, parks, and historical events; or to provide other official information.

Ground-Mounted. (see Monument sign)

Information-Directional. A sign that provides information and directions necessary or convenient for visitors coming on the property to reach a destination on the property. Such signs include those for marking and indicating the location of structures or features; entrances and exits, parking areas, circulation direction, restrooms, and pickup and delivery.

Landmark / Historical/Memorial. Any sign identifying a place, site, structure, feature, or vista of artistic or historic merit, uniqueness, or of significance to the entire community.

Logo. A business brand or trademark that is usually an image but may include letters or numbers.

Model Home Office or Sales Trailer. Signs that identify the sales opportunity within a community, commercial, or light industrial development. May include address, hours of operation, phone numbers, business logos, and other information related to the sale of leasing of property.

Monument. A sign which is designed so its entire bottom edge is in contact with or is within six (6) inches of the ground upon which it is installed.

OPEN. A sign imprinted with the word "OPEN", indicating that the public may have access to a business, service, function, or activity.

Personal Expression. A sign that shows religious, political, or other messages, including any combination of words and images; or a sign used as decoration. Includes grave markers.

Pole. A freestanding sign that is mounted on or affixed to one or more posts or poles.

Portable. Any sign that can be moved from one location to another by one person without the aid of a machine.

Private Event. Any non-commercial activity on private property in any zoning district that is sponsored or permitted by the owner of the property. The activity can be open to the public or only to guests of the property owner.

Property Posting. Signs that show such information as "Private Property," "No Trespassing", "No Hunting", "Beware of Dog", "For Sale", "Danger", "No Access", "Not Liable for Injury", "No Picnicking", or "Private Entrance".

Private Sale, Yard Sale. A temporary sign advertising private sales of personal property, such as "For Sale", "For Rent", "garage sales", "yard sales", and "rummage sales".

Projecting. A sign that hangs or extends from a building or a structure.

Real Estate. A sign advertising the sale or lease of a property.

Residence Address and Name. A sign indicating the name and/or address of the occupants of a residential property.

Seasonal produce stand. A sign identifying an outdoor, open air tent or stand made of wood or other solid material from which locally grown or manufactured food products are sold to the public during the local growing season.

Suspended. (See Projecting)

Vehicle Safety Inspection. A sign that indicates that official State vehicle inspections and emissions testing are available.

Wall. A sign comprised of lettering, numbers, images, or logos, or any combination, affixed to, imprinted upon, or projected onto an exterior wall, or structure. Projected wall signs shall comply with sign illumination standards, Section 7-5 A, 8.

Window. A sign that is affixed to or imprinted upon a windowpane and is visible from off-site.

7-5 SIGN STANDARDS

A. General Sign Standards

- (1) Determination of Sign Height: The height of a sign shall be measured from the ground level to the top most portion of the sign.
- (2) Number of Sign Faces: No sign shall have more than two (2) sign faces.
- (3) Determination of Monument Sign Area: The surface area of the sign face or the space enclosing lettering or logo, not the structure upon which the sign may be mounted, shall determine the total square footage of the monument sign.
- (4) Determination of Sign Area: This is a measure of the surface area which encompasses any regular geometric figure (square, circle, rectangle, triangle, etc.) enclosing all parts of the sign face.
- (5) Area of Sign with Two Sign Faces: The area of a sign with two (2) sign faces shall be computed according to the following:
 - i. Sign faces separated by an interior angle of forty five (45) degrees or greater, both sign faces shall be included.
 - ii. Sign faces separated by an interior angle of less than forty five degrees (45), one sign face shall be included, provided, however, the area of the largest sign face shall be used when two faces are unequal in areas.
- (6) No sign shall be located on a roof of any type. This does not apply to canopy signs.
- (7) No sign shall be located in a public right-of-way without permission of the Virginia Department of Transportation and notification to the Town.
- (8) Sign Illumination. These standards apply to all signs:
 - i. Internally illuminated signs are prohibited, except where expressly allowed in this Article.
 - ii. The exterior illumination of signs shall be focused only on the sign and sign area for which it is intended and shall not cast distracting glare or reflect light beyond the property upon which the sign is located.
 - iii. An OPEN sign may be illuminated internally (e.g., neon, backlit, or LED type) with any color or externally only by white light and no part of the sign shall move or be flashing. Such a sign shall only be

illuminated during business hours. An OPEN sign may include the hours of operation. See Section 7-5 B, OPEN sign, for standards that apply.

iv. Projected wall signs shall not move, flash or be animated.

- (9) An individual business is defined for purposes of this Article as one or more commercial activities that occupy the same leased or owned space. It is the space, not the number of commercial activities within that space that constitutes an individual business. Signage standards apply to the space not the number of tenants occupying such space.

B. Standards by Sign Type. Signs are to be considered permanent and permits required, unless otherwise stated.

- (1) **Awning.** Area of sign may be up to ten (10) square feet. Logos may be included in such a sign. Lettering and numbers that are not part of a logo shall not exceed eight (8) inches in height.
- (2) **Banner.** Only allowed for non-residential uses in any district. The total area of a banner sign shall not exceed thirty (30) square feet. Sign shall be set back five (5) feet from the property boundary. Shall only be a temporary sign.
- (3) **Bulletin Board.** Area shall not exceed four (4) square feet, except in a multi-tenant property, in which case the area shall be determined by the Zoning Administrator. (No permit required)
- (4) **Canopy.** No more than one sign on a side is allowed and signs are allowed on no more than two (2) sides of a single canopy. The area of each sign on each side of a canopy shall not exceed twenty (20) square feet.
- (5) **Changeable Copy.** No standards apply to the copy. (No permit required). Standards apply to the types of signs upon which changeable copy is affixed, as stated in this section.
- (6) **Civic, Philanthropic, Educational, or Religious Events.** Temporary signs only for such events not sponsored by a governmental entity. Number of signs shall not exceed one (1). Sign area shall comply with standards for the type of sign. Signs shall not be displayed more than thirty (30) days prior to the event and shall be removed within three (3) calendar days following the event.
- (7) **Construction.** Such signs identify the project, the owner or developer, contractor, subcontractors, architect, landscape architect, engineer and 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 public street frontage of the property, not including internal public streets. Each sign permitted shall not exceed an area of twenty (20) square feet and six (6) feet in height and shall not be illuminated.

Such signs shall be removed within 30 days after issuance of the last occupancy permit in the development. (No permit required)

- (8) **Credit Card, Association Decal.** No standards apply. (No permit required)
- (9) **Directory.** Sign area shall not exceed four (4) square feet per tenant. The sign area of such signs on a multi-tenant property shall be determined by the Zoning Administrator. (No permit required)
- (10) **Flag or Pennant.** Shall not exceed fifteen (15) square feet. Area of such signs is not included in the total square footage allowed for a business or development. Such signs must hang at least eight feet above grade if it is hung over a pedestrian walkway and may not hang over any portion of a public street right-of-way. (No permit required)
- (11) **Freestanding.** (See Monument and Pole signs)
- (12) **Government.** No standards apply. (No permit required)
- (13) **Ground-Mounted.** (See Monument sign)
- (14) **Information-Directional Sign.** The size and location of such sign(s) shall be determined by the Zoning Administrator, or other governmental entity. (No permit required unless part of a comprehensive signage plan)
- (15) **Landmark/ Historical/Memorial.** Landmark/Historical/Memorial signs shall only be allowed if installed or sponsored and/or approved by a governmental entity. (No permit required)
- (16) **Logo.** Area shall not exceed two (2) square feet and shall be included in the area of the signage allowed.
- (17) **Model Home Office or Sales Trailer.** One (1) sign allowed. Sign area shall not exceed ten (10) square feet. Sign shall refer only to the community to which the sales or leasing refers.
- (18) **Monument.**
 - i. Maximum Height: Ten (10) feet.
 - ii. Maximum Sign Area: Fifteen (15) square feet.
 - iii. Maximum Number of Signs per lot: One (1), except as allowed in Section 7-7, Commercial and Light Industrial Districts.
 - iv. Number of Sign Faces: No sign shall have more than two (2) faces.
 - v. Illumination: White external lights only.
 - vi. Minimum Setback of Monument Signs: Ten (10) feet from any public right-of-way, service drive, or entrance.
- (19) **OPEN sign.** Sign area shall not exceed 1.5 square feet (See Section 7-5 A (8). General, Sign Illumination for illumination of OPEN signs. (No permit required)

(20)**Personal Expression.** Area of sign shall not exceed three (3) square feet. (No permit required)

(21)**Pole.**

- i. Maximum Height: Six (6) feet.
- ii. Maximum Sign Area: Fifteen (15) square feet, except where otherwise specifically provided.
- iii. Maximum Signs per lot: One (1), except where otherwise specifically provided in this Article.
- iv. Number of Sign Faces: No sign shall have more than two (2) faces.
- v. Illumination: White external lights only.
- vi. Setbacks: Five (5) feet for front yard. No less than five (5) feet from a residential district for a side yard. No less than twenty (20) feet from a residential district for a rear yard.
- vii. For pole signs related to real estate sales or leasing, see Real Estate sign.

(22)**Portable.** Such signs are allowed up to twelve (12) square feet for a single-sided sign and twenty-four (24) square feet for a two-sided sign or sandwich board. Maximum height shall be four (4) feet. Such signs shall not be visible after business hours and shall not be placed in the public right-of-way or public access easement in a manner that blocks pedestrian circulation on a sidewalk. Portable signs are allowed on a continuous basis. (No permit required). No standards for signs in residential districts, except for those standards that apply to the time allowed for such signs.

(23)**Property Posting.** Sign area of each sign shall be limited to no more than two (2) square feet. (No permit required)

(24)**Private Sale, Yard Sale.** Temporary sign limited to three days per sale. (No permit required)

(25)**Projecting.**

- i. A projecting sign may extend horizontally from the building to which it is mounted no more than three (3) feet.
- ii. If located over a pedestrian walkway, the bottom of a projecting sign shall be at least eight (8) feet above the walking surface of the walkway and may not overhang a public right-of-way or walkway or private access easement or obstruct any walkway, window, or balcony of an adjoining property.
- iii. The area of a projecting sign may be one (1) square foot per linear foot of building frontage on which the sign is to be attached, up to twelve (12) square feet.

iv. Setbacks: None.

(26) Real Estate For Sale or Lease.

- i. Two (2) signs are permitted for each public street frontage if one is a window sign. The second sign shall be a pole sign.
- ii. Sign height is limited to six (6) feet.
- iii. Sign may not be illuminated.
- iv. Signs shall not overhang a public right of way or private access easement.
- v. Sign must be removed within thirty (30) days of sale or lease of property.
- vi. (No permit required)

(27) Residence Address and Name. No standards apply. (No permit required)

(28) Seasonal produce stand. No more than two (2) signs allowed. Sign area shall not exceed ten (10) square feet per sign. Sign height shall not exceed six (6) feet. Signs shall only be posted during the selling season.

(29) Suspended. See Projecting sign.

(30) Vehicle Safety Inspection. No standards apply. (No permit required)

(31) Wall.

- i. No wall sign shall cover, cross, or otherwise hide windows, columns, or other architectural features of a building.
- ii. The maximum area of any wall sign shall not exceed one (1) square foot for each linear foot in length of the building façade, or façade of an individual business space, to which such sign is attached up to a maximum aggregate of one hundred (100) square feet.
- iii. The height of a wall sign shall not exceed twenty-five (25) feet from the ground.
- iv. Setbacks: None.

(32) Window. Sign shall cover no more than twenty (20) percent of the total window area in which it is placed and shall be located no higher than the first floor of a building, unless permitted under an approved comprehensive signage plan or as may be allowed in Section 7-7.

7-6 SIGNS IN RESIDENTIAL DISTRICTS

A. Residential Developments. Standards apply to residential communities or subdivisions that are developer-owned or that have homeowners associations and to the common areas within these communities or

subdivisions. These standards do not apply to individual lots within such communities or subdivisions.

- (1) One (1) monument sign showing only the name of the community or subdivision per external street entrance into the community. No other type of sign is permitted in this location, except for temporary signs, as described in (iv) of this section.
- (2) The height of the sign shall not exceed five (5) feet from the ground.
- (3) Sign(s) shall only be located on commonly owned land within the community.
- (4) Temporary sales sign(s) are allowed with an area not to exceed twenty (20) square feet and shall be allowed until there are no remaining lots for sale. Signs may be pole, wall, banner, portable, or monument type.
- (5) Signs attached to common accessory uses, such as community centers, club houses, tennis courts, and swimming pools, shall have an area no greater than four (4) square feet. Any type of sign is permitted. **Not permit required.**
- (6) Directional and address-identification signs shall have a maximum area of two (2) square feet. Any type of sign is permitted. No permit required.
- (7) Security or warning signs are permitted and have to maximum area.
- (8) All such signs shall only be located on common land owned by the development or homeowners association and permits only issued to properly constituted homeowners associations.

B. Non-Residential Uses in Residential Districts.

- (1) Type of sign: wall, monument, projecting, flag, portable. No more than one (1) of any type sign per lot.
- (2) Number of signs: one (1) per street frontage; two (2) per lot.
- (3) Area of an individual signs: monument and wall signs shall be no more than ten (10) square feet. Projecting signs shall be no more than five (5) square feet.
- (4) Total area of signage per lot: thirty (30) square feet.
- (5) Height of monument sign: no more than six (6) feet from the ground.
- (6) Height of wall sign: no more than ten (10) feet from the ground.
- (7) Setbacks and yards: Signs in front yards shall have no setback. Signs shall not be placed in front or side yards, except for through lots, which may have a sign in both front yards. A corner lot may only have a sign in one front yard.
- (8) Illumination: See Sec. 7-5 (A) (8).

7-7 SIGNS IN COMMERCIAL AND LIGHT INDUSTRIAL DISTRICTS

A. General

- (1) Development and Construction Standards. All signs requiring a permit shall comply with the requirements of Sections 7-5 and 7-6.
- (2) Signs Facing Residential Districts: Any sign erected within one hundred (100) feet of either an existing residential use or a residential district shall be non-illuminated and limited to sixteen (16) square feet in area.

B. Signs for Individual Businesses. A single business located on a single lot is allowed the following:

- (1) Maximum Number of Signs: Three (3) comprised of two (2) permanent and one (1) portable sign.
- (2) Types of Signs Permitted: Wall, monument, projecting, awning, canopy, and portable.
- (3) Height of Sign: See Sec. 7-5.
- (4) Area of Sign: See Sec. 7-5.

C. Signs for Multiple Business Developments. The following sign standards apply to all lots (or multiple contiguous lots under the same ownership) with multiple businesses; including office parks, light industrial parks, and shopping centers:

- (1) Multiple Business Development Identification Sign: One (1) monument sign within twenty-five feet of a public right-of-way that fronts on a public right-of-way. Such signs shall be allowed an area of one (1) square foot per five linear feet of a lot or lots comprising a development, up to a maximum of one-hundred (100) square feet; a maximum height of twelve (12) feet identifying the name of the development and the businesses within the development. The area of signs for individual businesses that are affixed to the multiple business development identification sign shall not be counted as part of the allowable sign area for individual businesses in multiple business development.
- (2) Maximum Number of Signs per Business: Three (3), at least two must have to be permanent.
- (3) Types of Signs Permitted: Wall, monument, projecting, awning, portable, or canopy.
- (4) Maximum Size of Signs: See Standards section.
- (5) Maximum Height of Signs: See Standards section.
- (6) Directory Sign: One (1) wall mounted sign per building placed near the principal entrance of the building shall be no more than fifteen (15) square feet in area and shall not be included with the number of signs permitted in (c) ii above. The area of signs for individual businesses that are affixed to the directory sign for a multiple business development

shall not be counted as part of the allowable sign area for individual businesses in multiple business development.

- (7) Signs for Individual Businesses within Multiple Business Developments: All standards are the same as for individual businesses, except that no monument signs shall be allowed, and second floor tenant space shall be entitled to 25 percent of the sign area which would be allotted to identical first floor tenant space.

7-8 COMPREHENSIVE SIGN PLAN

- (1) A comprehensive sign plan for a single lot or multi-lot development of over two (2) acres with multiple businesses is required and such a plan is meant to provide unified, internally harmonious signage for the entire project.
- (2) Applications for comprehensive sign plans shall indicate the type of signs(s), location on the ground or building size, height, area, design, materials, and color.
- (3) Comprehensive sign plans shall be evaluated in terms of the relationship of the signs to the architecture of the buildings.
- (4) All signs for single lot or multi-lot developments shall comply with the applicable standards in this Article in addition to the standards herein.
- (5) No modifications shall be made to an approved comprehensive signage plan for any single sign or tenant unless the entire comprehensive signage plan is the subject of amendment.

7-9 TEMPORARY SIGNS

- (1) Any sign that is otherwise allowed may be a temporary sign.
- (2) Temporary signs shall be limited to two (2) months during any calendar year.
- (3) Sign area shall comply with standards in this article for types of signs.

7-10 ADMINISTRATION AND ENFORCEMENT

A. Application for a Permit. Sign permit applications and sign permits shall be governed by the same provisions of this ordinance applicable to zoning permits (See zoning ordinance).

- (1) *Filing of Application and Fees.* Applications for sign permits shall be filed on a form provided by the Town, and shall be accompanied by the appropriate fee stated in the Town Schedule of Fees.
- (2) *Applicants.* Applicants can be property owners or tenants.
- (3) *Information Required.* All applications for Sign Permits shall contain the information requested on the Sign Permit Application form in order to be processed.

B. Sign Compliance

- (1) No sign shall be constructed, installed, moved, enlarged, illuminated, or substantially altered unless in accordance with the provisions of this ordinance, except as specifically provided below.
- (2) 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 will not be compromised. Any modification approved by the Town Council shall be included in a sign permit issued by the Zoning Administrator.

C. Expiration of Sign Permits.

A sign permit shall expire and become null and void if the approved sign is not erected within a period of twelve (12) months from the date the permit was originally issued. The Zoning Administrator may grant one extension of the sign permit for a period of six (6) months, but in no case shall a permit be valid for more than a total of eighteen (18) months. Extensions may only be granted when the proposed sign is in compliance with all current applicable regulations. When approved permits become void or expire a new application is required if a sign is to be allowed.

D. Revocation.

The Administrator may revoke a permit or approval if it is found that there has been concealment or misrepresentation of material facts in either the application or plans, or the sign has not been constructed as approved.

E. Non-Conforming Signs.

Non-conforming signs may not be replaced, reconstructed, enlarged, extended, modified, or moved. A nonconforming sign destroyed by any cause may not be repaired, reconstructed, or replaced except in conformity with this Article. For the purpose 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 the sign with an equivalent sign equals or exceeds 50 percent of the value of the sign so damaged.

F. Construction and Maintenance Standards.

- (1) Building Code Compliance: All signs shall be constructed in compliance with the Virginia Uniform Statewide Building Code.
- (2) Condition of Signs: All signs and components shall be maintained in good repair and in a safe, clean, and attractive condition.

G. Removal of Unsafe Signs.

- (1) Whenever, in the opinion of the Zoning Administrator, a sign becomes structurally unsafe or endangers the safety of a structure or the public, the Zoning Administrator shall order such sign to be made safe or comply with the ordinance as the case may be, or be removed. The order shall be sent registered or certified mail and shall be complied with within five days from the date of the mailing. Failure to comply with the order shall constitute grounds for the Zoning Administrator to have the sign removed, and the cost of the removal shall be added to any penalty assessed for the violation under this ordinance.
- (2) Whenever, in the opinion of the Zoning Administrator, an unsafe sign poses an imminent threat of serious injury to person or property, and the Zoning Administrator is unable to contact the property owner, the Zoning Administrator may cause the sign immediately to be made safe or removed, and the cost thereof shall be charged to the owner.

H. Removal of Illegal Signs.

An illegal sign is any sign that does not comply with any provision of this ordinance. The Zoning Administrator may order the removal of any illegal sign at the expense of the property owner.

