

CHAPTER 7. - SIGNS

Sec. 11-7-1. - Purpose and intent.

- (a) The purpose and intent of this chapter is to regulate the use of publicly visible displays or graphics; to protect and enhance the character of roadways and surrounding areas; to prevent diminishing property values due to excessive signage; to safeguard the public use and nature of roadways; and to minimize visual distractions to motorists along public roads.
- (b) The regulations are specifically designed to:
 - (1) Promote maximum legibility of signs and to prevent their over-concentration as well as excessive height, bulk and area.
 - (2) Promote the safety of persons and property by requiring that signs not create a hazard due to collapse, fire, collision, decay or abandonment; do not obstruct firefighting or police surveillance; and do not create traffic hazards by confusing or distracting motorists or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
 - (3) Enable customers and other persons to identify and locate a business or service.

(Ord. of 4-23-96; Ord. of 2-10-04)

Sec. 11-7-2. - Definitions.

For the purposes of this chapter certain words or terms used herein are defined as follows:

Accessory sign: A sign relating only to uses of the premises on which the sign is located, or products sold on the premises on which the sign is located, or indicating the name and address of a building or the occupants or management of a building on the premises where the sign is located.

Alter: Any change to a sign or its supporting structure, including a change in size, message, color, height or location. The term "alter" shall not apply to the change of message on signs designed to have periodic changes in message, such as gasoline price signs.

Double-faced sign: A sign with two (2) parallel, or nearly parallel faces, back to back, and located not more than thirty-six (36) inches from each other.

Flashing sign: An illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any sign which revolves or moves, whether illuminated or not, shall be considered a flashing sign. A clock or thermometer or similar instrument with moving hands or a sign which has letters or numbers which change at intervals of not less than five (5) seconds shall not be considered a flashing sign.

Flat sign: Any sign attached to, painted upon, and erected parallel to, the face of the outside wall of a building and supported throughout its length by such wall or building, not extending more than eighteen (18) inches from the building wall and which displays only one (1) sign face.

Freestanding sign: A sign not on a building but which is affixed to the ground, and can be a pole, pylon, post or other detached sign. A sign attached to or painted upon a surface, such as a fence or wall not part of a building, shall be considered a freestanding sign.

Frontage (lot): The length of that part of a lot which fronts a public street.

Illegal sign: Any sign erected or maintained in violation of an ordinance in this Code, or altered, removed or replaced in violation of an ordinance in this Code.

Illuminated sign: A sign illuminated by any manner by an artificial light source whether internally or externally lit.

Monument sign: A sign with a structure at least ninety (90) percent of the width of the sign affixed to the ground.

Nonconforming sign: A sign which does not conform to the regulations in this chapter, but which was erected in accordance with all applicable regulations which were in effect at the time of its erection shall be considered a nonconforming sign. An illegal sign is not a nonconforming sign.

Off-premises sign: Any sign that is used to attract attention to an object, person, product, institution, organization, business, service, event or location that is not located on the premises upon which the sign is located. This definition does not include governmental traffic, directional or regulatory signs or notices of the federal, state, county or city government or their public agencies.

On-premises sign: Any sign that is used to attract attention to an object, person, product, institution, organization, business, service, event or location that is located on the premises upon which the sign is located.

Projecting sign: A sign, other than a flat sign, that is attached to a wall or applied to or suspended from an awning, canopy, or marquee.

Shopping center: Commercial development of more than one retail sales or service establishment on a single parcel of common ownership attached by common walls or if located in separate buildings are interconnected by walkways and/or access ways, providing common parking facilities for all establishments, having multiple tenancy of a single or several large common structures, and otherwise present the appearance of one continuous commercial area.

Sign: An identification, description, illustration or device which is affixed to, painted upon, or represented directly or indirectly upon a building, structure, or land, rock, tree or other natural object, and which directs attention to a product, place, activity, person, institution or business. Murals directing attention to things as described herein shall be considered signs.

Sign area: That entire area composed of a square, circle or rectangle that encloses the extreme limits of the message, including all letters, figures, characters, background and trim. Any supportive frame and bracing members of a sign shall not be included in the sign area calculations provided that the member has no advertising value. Only one (1) side of a double-faced sign shall be included in a computation of sign area. For other signs with more than one (1) face, each side shall be included in a computation of sign area. The area of a cylindrical or spherical sign shall be included by multiplying one-half (½) of the circumference by the height of the sign. Murals determined to be signs shall have their entire square footages included in sign area calculations.

Sign height: The vertical distance from the street grade or the average lot grade at the front setback line, whichever produces the greater vertical distance, to the highest point of the sign.

Wall sign: See flat sign.

(Ord. of 4-23-96; Ord. of 6-25-96; Ord. of 2-10-04; Ord. of 3-10-09; Ord. of 4-24-12(11); Ord. of 6-24-14(5))

Sec. 11-7-3. - General regulations for all signs.

The following regulations apply generally to all signs in addition to regulations for different districts set forth elsewhere in this chapter.

- (1) No sign, unless herein excepted, shall be erected, constructed, attached, painted, altered or relocated, except as provided in this chapter, until a permit has been issued by the director of community development or their designated agent. Before any permit is issued an application shall be filed in the office of the director of community development along with sufficient plans and/or specifications as is necessary to fully establish the scope and intent of the work and the total value of the signage including cost of installation. All signs which are electrically illuminated shall require a separate electrical permit and inspection. All permits shall become null and void when work is not performed within one (1) year from the date on which the permit is issued.

Fees for sign permits shall be in accordance with the schedule adopted by ordinance, a copy of which is maintained in the office of the director of community development.

- (2) Structural and safety features and electrical systems shall be in compliance with applicable standards of the Uniform Statewide Building Code. In addition, no sign shall be approved for use when it can be shown that site placement may jeopardize site vision for motorists or pedestrians or otherwise present a concern for public safety.
- (3) The following signage is exempted from the provisions of this chapter which requires a permit, but shall be in accordance with applicable safety standards:
 - a. Official traffic signs or structures and provisional warning signs or structures when erected or required to be erected by a government agency, and temporary signs which address dangerous conditions.
 - b. Change of copy within existing sign perimeters.
 - c. Directional signs which address only traffic flow or other functional assistance rather than advertising.
 - d. Temporary nonilluminated signs not exceeding the size limits for permanent signs in any district, or height, and placed only for the duration of construction work in progress or real estate promotion, located on premises and limited to one such sign per each street frontage.
 - e. Sign on a truck, bus or other vehicle while in use in the normal course of business. This subsection should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district which such signs are not permitted.
 - f. Items permitted by Section 11-7-3(5)a.—e.
- (4) The director of community development, or their designated agent, upon application, as required in this chapter, may issue temporary permits for the following signs and displays for a period of not exceeding thirty (30) days when, in their opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property.
 - a. Signs advertising a special civic or cultural event, such as a fair or exposition, play, concert or meeting, sponsored by a government, civic or charitable organization.
 - b. Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.
- (5) Pennants, banners, streamers and all other fluttering, spinning or similar-type signs and advertising devices are prohibited except as specified below:
 - a. National flags and flags of political subdivisions of the United States and flags associated with the Armed Forces.
 - b. Corporate/business flags only when erected on the same pole as, or directly adjacent to, displays containing flags as listed in subsection 11-7-3(5)a. Corporate/business flags shall be no larger in size than flags as listed in subsection 11-7-3(5)a., and shall be limited in number to one (1).
 - c. Flags of bona fide nonprofit civic, charitable, cultural, fraternal and welfare organizations.
 - d. Flags used for decorative purposes on residentially zoned property that do not have words or images related to advertising a site for business purposes located outside of the setback from all public streets unless within five (5) feet of a permitted sign structure within the setback. Such flags must be affixed in permanent foundations, on permitted sign structures, or on principal buildings.
 - e. Pennants, banners, streamers and other fluttering, spinning or similar-type advertising devices pertaining to and during nationally recognized holiday periods, or during a special civic or cultural event.

- f. As permitted within Section 11-7-11 of this Code.
- (6) No flashing signs shall be permitted in any district.
 - (7) No sign shall be fastened to, supported by or be placed on the roof of a building and no projecting sign shall extend over the top of or above the roofline or parapet wall of a building.
 - (8) Applications for signs and displays, including off-premise advertising, which give rise to questions of interpretation of these regulations may be referred by the director of community development to the city council for the purpose of interpretation by the city council and recommendation for action on the application by the director of community development. If, in the opinion of the city council, the application is not adequately covered by these regulations, the city council may amend this chapter.
 - (9) No sign shall be constructed, erected, used, operated or maintained which:
 - a. Displays intermittent lights resembling, or seeming or resemble, the flashing lights customarily associated with danger or such as are customarily used by police, fire or ambulance vehicles or for navigation purposes.
 - b. Is so located and so illuminated as to provide a background of colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from normal approaching position of a vehicle to a distance of twenty-five (25) to one hundred (100) feet.
 - (10) Permitted signs for a nonconforming business or industrial use in a residential district shall consist of those signs permitted in the B-1A Local Business District.
 - (11) Except as otherwise specifically provided in these regulations, all nonconforming signs shall be allowed to remain until said signs are destroyed or removed. Nonconforming signs cannot be enlarged in area or extended in height. A nonconforming sign which is destroyed or damaged to a greater extent than fifty (50) percent of its appraised value cannot be altered, replaced, repaired or reinstalled unless it is in conformance with this chapter. A nonconforming sign which is damaged to an extent equal to or less than fifty (50) percent of its appraised value can be repaired or replaced by a sign having the same or smaller size and in the same location of the sign prior to its incurring damage. Any freestanding sign that is nonconforming as to height can be altered in message and/or have the sign removed and replaced, so long as the pole or support structure remains the same and is not removed or changed; once the pole or support structure is removed or changed then the sign must be replaced in conformance with this chapter.
 - (12) Except as otherwise provided, these regulations shall be interpreted to permit only one (1) freestanding sign, in accordance with applicable regulations, on each street frontage for each permitted use on the premises.
 - (13) Signs of permitted types and sign area may be placed on front walls or on walls of buildings other than the front nonresidential districts, except that signs may not be placed on side or rear walls abutting and within one hundred (100) feet of a residential district.
 - (14) Unless otherwise specified in this chapter, all signs shall comply with the yard requirements in the district in which they are located; provided, that one sign, accessory or otherwise, may occupy required yards in a district where such sign is permitted by this chapter.
 - (15) Portable signs, on wheels, carriages or on fixed supports shall be considered as freestanding signs, be included in any measurement of permitted sign area, be limited to business and industrial districts, shall require a permit, shall not exceed thirty (30) days' continuous use and shall not be placed on a public right-of-way.
 - (16) No sign, portable or otherwise, is to be placed or located to conflict with the vision clearance or other requirements of this chapter or applicable traffic ordinances.
 - (17) No signs shall be attached to trees, utility poles or any other unapproved supporting structure.

- (18) Reserved.
- (19) The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violation of this chapter. Where a sign has been erected in accordance with this chapter, the sign company shall be relieved of further responsibility under this chapter after final approval of the sign by the director of community development or their designated agent.
- (20) All signs shall be maintained in good condition and appearance. After due notice has been given as provided below, the director of community development or their designated agent, may cause to be removed any sign which shows gross neglect or becomes dilapidated, or may cause the message of any sign to be removed, which, by reason of a change in occupancy, no longer relates to a use conducted on the property.
- (21) An owner or lessee of either the site or the sign who fails to correct any violation of this chapter within ten (10) days after receiving written notice of violation from the director of planning and community development or their designated agent, shall upon conviction be guilty of a class 1 misdemeanor.
- (22) Fees for sign permits shall be fifty dollars (\$50.00) up to the first one thousand dollars (\$1,000.00) of sign value and twenty dollars (\$20.00) for each additional one thousand dollars (\$1,000.00) or portion thereof of sign value. An additional two (2) percent will be added to the total fee for the state levy. Government, civic, charitable and nonprofit organizations are exempt from fee requirements.
- (23) In the R-3 Multiple Dwelling and Medium Density Residential Districts, R-4 Planned Unit Residential District, R-5 High Density Residential District, B-1A Local Business District, B-1 Central Business District, B-2 General Business District and M-1 General Industrial District, all signs, with the exception of those signs referred to in sections 11-7-6(6), 11-7-6.1(4) and 11-7-7(4) of this chapter, shall be limited to a total face area of not more than ten (10) percent of building front square footage along any one (1) public street or one (1) square foot per one (1) lineal foot of site frontage parallel to principal street frontage, whichever is greater.

(Ord. of 4-23-96; Ord. of 11-12-96; Ords. (two) of 8-12-97; Ord. of 10-20-98; Ord. of 2-10-04; Ord. of 8-14-07; Ord. of 8-23-11; Ord. of 9-27-11(1); Ord. of 9-27-11(2); Ord. No. 8-23-11(1); Ord. of 1-10-12(1); Ord. of 1-10-12(2); Ord. of 4-24-12(12); Ord. of 6-24-14(6))

Sec. 11-7-4. - Special regulations for the R-1, Single-Family Residential District; R-2, Residential District; R-3, Multiple Dwelling and Medium Density Residential Districts; and R-4, Planned Unit Residential District.

The following sign regulations shall apply in the R-1, Single-Family Residential District, R-2, Residential District, R-3, Multiple Dwelling and Medium Density Residential Districts, and R-4, Planned Unit Residential District:

- (1) Permanent signs shall be limited to nonresidential uses, including bed and breakfast facilities, and residential development identification signs. Said signs shall not exceed an aggregate of twenty-four (24) square feet in face area for each main building or use. Said signs shall not exceed six (6) feet in height above grade. No more than two (2) signs shall be permitted for each main building or use.
- (2) All signs shall be limited to on-premises advertising.
- (3) Permanent ground signs shall be set back at least one-third ($1/3$) of the established building setback from all public streets and shall be a minimum of twenty-five (25) feet setback from the point of intersection of more than one (1) public street, which ever is greater.
- (4) The illumination of signs shall be in keeping with the intent and purpose of residential district.

- (5) Temporary nonilluminated signs, limited in area to four (4) square feet, are permitted on premises only for the purpose of advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed. Said signs shall be well maintained and removed upon sale of property or completion of construction.
- (6) One (1) temporary nonilluminated sign, limited in area to thirty-two (32) square feet, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.
- (7) Through a comprehensive sign plan approved by City Council, colleges, universities, hospitals, and private schools having a function substantially the same as public schools, can have signs that shall be limited to a total sign area of not more than one-half (0.5) square feet for every lineal foot of site frontage parallel to the principal street, provided no single freestanding sign exceeds an area of two hundred (200) square feet, or a maximum height of eight (8) feet above grade. The comprehensive sign plan request shall present all planned signs, which may include more than one (1) sign of each type.

(Ord. of 4-23-96; Ord. of 11-26-96; Ord. of 1-12-99; Ord. of 2-10-04; Ord. of 8-24-04; Ord. of 8-14-07; Ord. of 3-10-09; Ord. of 3-8-11; Ord. of 1-24-12(1))

Sec. 11-7-5. - Special regulations for the MH-1, Manufactured Home Park District and MH-2, Manufactured Home Subdivision District.

The following sign regulations shall apply in the MH-1 manufactured home park district and the MH-2 manufactured home subdivision district:

- (1) A name plate or directional sign, limited in area to two (2) square feet, to identify the owner or occupant of a manufactured home or a permitted home occupation.
- (2) No trespassing signs without limitations on number or placement, limited in area to two (2) square feet.
- (3) A sign limited in area to twenty-four (24) square feet for identification of the manufactured home park, its management or its occupants.
- (4) Directional signs, limited in area to two (2) square feet, for permitted accessory uses.
- (5) Temporary nonilluminated signs, limited in area to four (4) square feet, for identification of manufactured homes for sale or rent.
- (6) A temporary sign, limited in area to thirty-two (32) square feet, erected in connection with new construction and displayed on the premises only during such time as the actual construction work is in progress.

(Ord. of 4-23-96; Ord. of 2-10-04)

Sec. 11-7-6. - Special regulations for the B-1, Central Business District.

The following sign regulations shall apply in the B-1, Central Business District:

- (1) Except as otherwise permitted, all permanent signs shall be for on premises advertising use.
- (2) Projecting signs may extend no closer than two (2) feet from the vertical face of curbing along public streets and shall have a minimum height clearance of eight (8) feet above all rights-of-way for pedestrian use and fourteen (14) feet above potential vehicular use.
- (3) Projecting signs shall not exceed thirty-two (32) square feet in area.

- (4) Awning, canopy or marquee signs shall be limited to the first floor of a building along streets, parking lots, and alleyways.
- (5) Except as otherwise permitted, for a shopping center, or multiple tenant building, each individual business shall be allowed wall signage based upon one (1) square foot of sign area for each linear foot of the outside exterior walls occupied by that business with the exception of the rear outside exterior wall. This wall signage is in addition to the total allowable sign area for the building as a whole.
- (6) Freestanding signs, other than directional signs, including pylon or post structures, shall be limited to a maximum height of thirty (30) feet above average grade conditions, shall not project over any lot line and shall not exceed a sign area of one hundred (100) square feet.
- (7) Directional signs which are restricted to public safety function rather than advertising, such as traffic flow, fire lanes and parking, shall be permitted as accessory signs and not included in the computation of sign area.
- (8) One (1) portable freestanding sign is permitted for each business. Such sign shall not exceed three (3) feet in width and six (6) feet in height and may be located upon the city sidewalk; provided, that a clear area of three (3) feet in width is left for pedestrian access. Such signs shall be located only in front of the business advertised and only during the hours of operation. The sign area shall be in addition to the overall allowable sign area for the business.
- (9) Notwithstanding other regulations set forth in this chapter, a shopping center or multiple tenant building on a single or multiple parcels of common ownership, managed by a single entity as a unified commercial project, may, by presenting a comprehensive sign plan to city council, request approval of otherwise nonpermitted signage to include wall signage advertising a business on walls not occupied by that business and off premises free standing signage for the development. The comprehensive sign plan shall include a scaled graphic representation of the following information, together with the necessary explanatory material:
 - a. The boundaries of the area involved and the ownership of properties contained therein, as well as all existing public streets and alleys within and adjacent to the site.
 - b. The location, dimensions and general description of all proposed signage.

In addition to other requirements imposed by the plan and city council, the right of individual establishments to have individual freestanding signs shall be waived. For a development of multiple parcels, the total square footage of the combined freestanding signage shall not exceed what the total would be if the development was located on one (1) parcel. A freestanding sign permitted by this provision may not exceed thirty (30) feet in height or one hundred (100) square feet in area.

After approval of a comprehensive sign plan by city council, signage not shown on the approved plan may not be installed unless the comprehensive sign plan is amended.

(Ord. of 4-23-96; Ord. of 4-14-98; Ord. of 10-20-98; Ord. of 2-12-02; Ord. of 2-10-04; Ord. of 3-25-08(2); Ord. of 10-14-08(1); Ord. of 4-24-12(13); Ord. of 6-24-14(7))

Sec. 11-7-6.1. - Special regulations for the B-1A, Local Business District and B-2, General Business District.

The following sign regulations shall apply in the B-1A, Local Business District and B-2, General Business District:

- (1) Except as otherwise permitted, all permanent signs shall be for on premises advertising use.

- (2) Projecting signs may extend no closer than two (2) feet from the vertical face of curbing along public streets and shall have a minimum height clearance of eight (8) feet above all rights-of-way for pedestrian use and fourteen (14) feet above potential vehicular use.
- (3) In the B-1A, Local Business District, projecting signs, other than directional signs, shall be limited to one (1) per building per street frontage and size shall not exceed thirty-two (32) square feet.
- (4) Except as otherwise permitted, for a shopping center, or multiple tenant building, each individual business shall be allowed wall signage based upon one (1) square foot of sign area for each linear foot of the outside exterior walls occupied by that business with the exception of the rear outside exterior wall. This wall signage is in addition to the total allowable sign area for the building as a whole.
- (5) Freestanding signs, other than directional signs, including pylon or post structures, shall be limited to a maximum height of thirty-five (35) feet above average grade conditions, shall not project over any lot line and shall not exceed a sign area of two hundred forty (240) square feet.
- (6) Directional signs which are restricted to public safety function rather than advertising, such as traffic flow, fire lanes and parking, shall be permitted as accessory signs and not included in the computation of sign area.
- (7) Notwithstanding other regulations set forth in this chapter, a shopping center or multiple tenant building on a single or multiple parcels of common ownership, managed by a single entity as a unified commercial project, may, by presenting a comprehensive sign plan to city council, request approval of otherwise nonpermitted signage to include wall signage advertising a business on walls not occupied by that business and off premises free standing signage for the development. The comprehensive sign plan shall include a scaled graphic representation of the following information, together with the necessary explanatory material:
 - a. The boundaries of the area involved and the ownership of properties contained therein, as well as all existing public streets and alleys within and adjacent to the site.
 - b. The location, dimensions and general description of all proposed signage.

In addition to other requirements imposed by the plan and city council, the right of individual establishments to have individual freestanding signs shall be waived. For a development of multiple parcels, the total square footage of the combined freestanding signage shall not exceed what the total would be if the development was located on one (1) parcel. A freestanding sign permitted by this provision may not exceed thirty-five (35) feet in height or two hundred forty (240) square feet in area.

After approval of a comprehensive sign plan by city council, signage not shown on the approved plan may not be installed unless the comprehensive sign plan is amended.

(Ord. of 3-25-08(2); Ord. of 10-14-08(2); Ord. of 4-24-12(14); Ord. of 6-24-14(8))

Sec. 11-7-7. - Special regulations for the M-1, General Industrial District.

The following sign regulations shall apply in the M-1, General Industrial District:

- (1) Except as otherwise permitted, all permanent signs shall be for on-premises advertising use.
- (2) Projecting signs may extend no closer than two (2) feet from the vertical face of curbing along public streets and shall have a minimum height clearance of eight (8) feet above all rights-of-way for pedestrian use and fourteen (14) feet above potential vehicular use.
- (3) For a multiple tenant building, each individual business or industry is allowed wall signage based upon one (1) square foot of sign area for each linear foot of the outside exterior walls

occupied by that business or industry with the exception of the rear outside exterior wall. This wall signage is in addition to the total allowable sign area for the building as a whole.

- (4) Freestanding signs, other than directional signs, including pylon or post structures, shall be limited to a maximum height of thirty-five (35) feet above average grade conditions, shall not project over any lot line and shall not exceed a sign area of two hundred forty (240) square feet.
- (5) Directional signs which are restricted to public safety function rather than advertising, such as traffic flow, fire lanes and parking, shall be permitted as accessory signs and not included in the computation of sign area.
- (6) Off-premises signs, such as billboard advertising, shall comply with all the requirements of this section and the general requirements section, and in addition shall have the same setback as other principal structures and buildings as provided in the M-1, General Industrial District and further must set back a minimum of one thousand (1,000) feet from any residential district.

(Ord. of 4-23-96; Ord. of 10-20-98; Ord. of 2-10-04; Ord. of 4-24-12(15); Ord. of 6-24-14(9))

Sec. 11-7-8. - Interstate 81 overlay sign district.

Any business or industrial zoned property located within an eight hundred (800) foot radius of the center of any Interstate 81 exit ramp intersection with the closest boundary of an intersecting street shall be defined as the Interstate 81 overlay sign district. Within this Interstate 81 overlay sign district, the maximum height allowance for freestanding signs, other than directional signs, including pylon or post structures shall be limited to thirty-five (35) feet above average grade conditions or be determined by the nearest interstate exit number and based on an elevation above mean sea level as set out below:

Exit Number	Maximum Sign Height (feet above mean sea level)
243 (Pleasant Valley Road)	1349.6
245 (Port Republic Road)	1341.8
247 (East Market Street)	1452.6

Elevations must be determined by a licensed surveyor from a city Global Positioning System (GPS) point. Signs located within the Interstate 81 overlay sign district shall not project over any lot line and shall not exceed a sign area of three hundred (300) square feet for one sign or when more than one qualifying use is located on a single parcel within the Interstate 81 overlay sign district, a single support structure may be erected which contains a combined sign area not to exceed five hundred (500) square feet provided no single sign size shall exceed three hundred (300) square feet.

(Ord. of 4-23-96; Ord. of 12-15-98; Ord. of 2-10-04; Ord. of 1-8-19(1))

Sec. 11-7-9. - Variances.

- (1) A variance allowing off-premises signs within the B-2 and M-1 zoning classifications for uses on parcels having no road frontage. This sign shall be the only freestanding sign permitted for the off-

premises use(s) advertised. The area of such sign shall be determined by the city council; provided, that the area of the off-premises sign shall not exceed the amount of signage previously allowed for an on-premises sign on the same lot. In addition, the off-premises sign area shall not be calculated against the allowable signage for the lot on which it is situated, but shall be counted against the allowable signage for the lot served by the off-premises sign. At no time shall variances be granted to allow more than one (1) off-premises sign for any parcel of land having no road frontage regardless of the number of uses.

- (2) In authorizing a variance, the city council may impose such conditions regarding the location, character, and other features of the proposed sign as it deems necessary in the public interest.
- (3) Before approving any such variance, the city council shall hold at least one public hearing thereon, pursuant to public notice as required by § 15.2-2204 of the Code of Virginia, 1950, as amended. The application fee for the variance shall be two hundred seventy-five dollars (\$275.00).

(Ord. of 1-12-99; Ord. of 2-10-04; Ord. of 4-26-11(9); Ord. of 6-24-14(10))

Sec. 11-7-10. - Special regulations for the UR, Urban Residential District and the R-P, Residential-Professional Overlay.

The following sign regulations shall apply in the UR, Urban Residential District and R-P, Residential-Professional Overlay:

- (1) Permanent signs shall be limited to nonresidential uses, including bed and breakfast facilities, and residential identification signs. Said signs shall not exceed an aggregate of ten (10) square feet in face area for each main building or use. Said signs support structure shall not exceed eight (8) feet in height above grade. No more than two (2) signs shall be permitted for each main building or use.
- (2) All signs shall be limited to on-premises advertising.
- (3) Permanent ground signs shall be set back at minimum three (3) feet from any property line and shall be a minimum of twenty-five (25) feet setback from the point of intersection of more than one public street, which ever is greater.
- (4) The illumination of signs shall be in keeping with the intent and purpose of residential district. Illumination shall be exterior and illuminate only the face area of the sign.
- (5) Temporary nonilluminated signs, limited in area to four (4) square feet, are permitted on premises only for the purpose of advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed. Said signs shall be well maintained and removed upon sale of property or completion of construction.
- (6) One temporary nonilluminated sign, limited in area to thirty-two (32) square feet, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.

(Ord. No. 11-27-01(3); Ord. of 2-10-04)

Sec. 11-7-11. - Special regulations for the downtown area.

- (a) Notwithstanding other regulations and provisions of this chapter, banners may be displayed within the "downtown area", as defined below in this section, for the purpose of promoting downtown or advertising downtown events of a nonpartisan civic, cultural or holiday nature, provided the message or event is sponsored by a civic, governmental or nonprofit organization. Organizations desiring to display such banners shall apply to the director of community development (hereinafter referred to as the director) for a permit to display banners. The director may charge a reasonable permit fee to cover expenses incurred associated with the display of banners.

- (b) The director shall establish general criteria for the construction, materials, and place and manner of display of the banners, and shall review and approve plans or drawings for specific banners as applications for permits arise. The displaying organization shall have general liability insurance in amounts and with insurers deemed adequate by the director, which insurance shall include the city, and other parties at risk, as "also insureds", "additional insureds" or other similar classification.
- (c) Banners displayed pursuant to this section shall be displayed only so long as they remain in good repair, but in no event longer than twelve (12) months from the date of the issuance of the permit unless the displaying organization is granted a permit renewal. If not removed by the displaying organization within ten (10) days of notice given that a banner is no longer in good repair, or that twelve (12) months have elapsed, the city may remove the banner at the expense of the displaying organization.
- (d) The director may delegate all or some of the duties assigned by this section to a person, persons or civic oriented organization for the day-to-day administration of this section; but shall retain final permit issuance authority.
- (e) For purposes of this section, the "downtown area" shall be bounded to the south by Cantrell Avenue, to the north by Kratzer Avenue, to the east by Mason Street, and to the south by High Street.

(Ord. of 6-22-04; Ord. of 5-24-05)

Sec. 11-7-12. - Special regulations for the R-5, High Density Residential District.

The following sign regulations shall apply in the R-5, High Density Residential District.

- (1) All permanent signs shall be for on-premises advertising use.
- (2) For commercial uses, each individual business shall be allowed one (1) wall sign per exterior wall occupied by that business with area based upon one (1) square foot of sign area for each linear foot of the outside exterior walls occupied by that business, with the exception of the rear outside wall. However, no single sign may be greater than fifty (50) square feet in area and signage on an individual frontage may not exceed the amount proportional to that frontage.
- (3) Commercial freestanding signs in the R-5, High Density Residential District, other than directional signs, shall be designed and constructed to appear as a monument style sign, shall be limited to one (1) per development, shall not exceed a maximum height of eighteen (18) feet above grade, shall not project over any lot line and shall not exceed a sign area of sixty-four (64) square feet.
- (4) Directional signs, which are restricted to public safety function rather than advertising, such as traffic flow, fire lanes and parking, shall be permitted as accessory signs and not included in the computation of sign area.
- (5) Residential identification signage shall not exceed an aggregate of twenty-four (24) square feet in face area. Said signs shall not exceed six (6) feet in height above grade. No more than two (2) freestanding residential identification signs shall be permitted for each development.

(Ord. of 3-10-09; Ord. of 6-24-14(11))

Sec. 11-7-13. - Special regulations for the R-6, Low Density Mixed Residential Planned Community District, and the R-7, Medium Density Mixed Residential Planned Community District.

The following sign regulations shall apply in the R-6, Low Density Mixed Residential Planned Community District, and the R-7, Medium Density Mixed Residential Planned Community District.

- (1) Permanent signs shall be limited to nonresidential uses, including bed and break-fast facilities, and residential identification signs. All signs shall be on premises.
- (2) Types of signs permitted: The following sign types are permitted subject to the other standards in this section: flat wall signs, window signs, projecting signs, signs on awnings, and freestanding monument signs. Roof signs and freestanding signs on poles are not permitted.
- (3) Area of signs:
 - a. *Retail, restaurant and office uses:* Signs for such uses shall not exceed an aggregate total area of all types of signs allocated to a ground floor business of one (1) square foot of face area per linear foot of building frontage for the business with a maximum sign area of fifty (50) square feet of face area per business. Upper floor business signs shall be combined on one flat wall mounted directory sign that does not exceed six (6) square feet in face area at each primary entrance to the upper floors.
 - b. *Other nonresidential uses:* Signs for such uses shall not exceed an aggregate total area of all types of signs of ten (10) square feet of face area per use.
 - c. *Residential identification signs:* Signs to identify a residential area shall not exceed an aggregate total area of ten (10) square feet of face area at each major entrance. No more than two (2) identification signs shall be permitted per planned community.
- (4) *Location of signs:*
 - a. While subsection 11-7-13(3) defines the total size/area of all signs allocated to a use, such signs may be located on any side of the building, provided, however, that at least sixty (60) percent of the total sign area is located on or in front of the front facade of the building where the front entrance is located. Signs are permitted at side and rear entrances, but shall not exceed an aggregate total area of six (6) square feet in face area per side or rear facade. Because the R-6 and R-7 districts permit both residential and nonresidential uses, subsection 11-7-3(13) of the sign ordinance does not apply within these districts.
 - b. Signs are not permitted to be located above the second floor of buildings.
 - c. Signs may be located on the front or side panel or valance of an awning, but shall not be located on the top or body of the awning.
 - d. Projecting signs shall be located at least ten (10) feet above the sidewalk and extend no more than four (4) feet from the building wall.
- (5) *Size of certain signs:*
 - a. The height of monument signs including base is limited to five (5) feet and a maximum total face area of ten (10) square feet.
 - b. Projecting signs shall not exceed six (6) square feet.
- (6) *Illumination of signs:* Illumination shall be exterior and illuminate only the face of the sign.
- (7) Temporary nonilluminated signs, limited in area to four (4) square feet, are permitted on premises only for the purpose of advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed. Said signs shall be well maintained and removed upon sale of property or completion of construction.
- (8) One (1) temporary nonilluminated sign, limited in area to thirty-two (32) square feet, erected in connection with new construction work, and displayed on the premises only is permitted during such time as the actual construction work is in progress.

(Ord. of 10-25-05, § 3; Ord. of 3-10-09)

Sec. 11-7-14. - Special regulations for the MX-U, Mixed Use Planned Community District.

Unless further restricted within the master development plan, the following sign regulations shall apply in the MX-U, Mixed Use Planned Community District.

- (1) All permanent signs shall be for on-premises advertising use.
- (2) Projecting signs may extend no closer than two (2) feet from the vertical face of curbing along public streets and shall have a minimum height clearance of eight (8) feet above all rights-of-way for pedestrian use and fourteen (14) feet above potential vehicular use.
- (3) Awning, canopy or marquee signs shall be limited to the first floor of a building along streets, parking lots, and alleyways.
- (4) For commercial uses, each individual business shall be allowed wall or projecting signage based upon one (1) square foot of sign area for each linear foot of the outside exterior walls occupied by that business, with the exception of the rear outside wall. However, no single sign may be greater than fifty (50) square feet in area and signage on an individual frontage may not exceed the amount proportional to that frontage.
- (5) Commercial freestanding signs shall not exceed a maximum height of eighteen (18) feet above grade, shall not project over any lot line and shall not exceed a sign area of sixty-four (64) square feet.
- (6) Directional signs, which are restricted to public safety function rather than advertising, such as traffic flow, fire lanes and parking, shall be permitted as accessory signs and not included in the computation of sign area.
- (7) One (1) portable freestanding sign is permitted for each business that has been approved for zero (0) front-yard setback regulations. Such sign shall not exceed three (3) feet in width and six (6) feet in height and may be located upon the private and/or city sidewalk; provided that a clear area of three (3) feet in width is left for pedestrian access. Such signs shall be located only in front of the business advertised and only during the hours of operation. The sign area shall be in addition to the overall allowable sign area for the business.
- (8) Residential identification signage shall not exceed an aggregate of twenty-four (24) square feet in face area. Said signs shall not exceed six (6) feet in height above grade. No more than two (2) freestanding residential identification signs shall be permitted for each development.
- (9) Notwithstanding other regulations set forth in this chapter, a shopping center or multiple tenant building on a single or multiple parcels of common ownership, managed by a single entity as a unified commercial project, may, by presenting a comprehensive sign plan to city council, request approval of otherwise nonpermitted signage to include wall signage advertising a business on walls not occupied by that business and off premises free standing signage for the development. The comprehensive sign plan shall include a scaled graphic representation of the following information, together with the necessary explanatory material:
 - a. The boundaries of the area involved and the ownership of properties contained therein, as well as all existing public streets and alleys within and adjacent to the site.
 - b. The location, dimensions and general description of all proposed signage.

In addition to other requirements imposed by the plan and city council, the right of individual establishments to have individual freestanding signs shall be waived. For a development of multiple parcels, the total square footage of the combined freestanding signage shall not exceed what the total would be if the development was located on one (1) parcel. A freestanding sign permitted by this provision may not exceed eighteen (18) feet in height or sixty-four (64) square feet in area.

After approval of a comprehensive sign plan by city council, signage not shown on the approved plan may not be installed unless the comprehensive sign plan is amended.

(Ord. of 4-28-09(4); Ord. of 4-24-12(16); Ord. of 6-24-14(12))

Sec. 11-7-15. - Sign regulations for the I-1, Institutional Overlay District.

The following sign regulations shall apply in the I-1, Institutional Overlay District:

- (1) Allowable signage for uses permitted by right in the I-1, Institutional Overlay District shall be based on the sign requirements of the underlying base district.
- (2) Notwithstanding the requirements set forth in subsection 11-7-15(1), uses permitted by right in the I-1, Institutional Overlay District, may present to the city council, for its approval, a comprehensive sign plan that includes signage that does not meet the sign requirements of the underlying base district. The comprehensive sign plan shall include a scaled graphic representation of the following information, together with the necessary explanatory material:
 - a. The boundaries of the area involved and the ownership of properties contained therein, as well as all existing public streets and alleys within and adjacent to the site.
 - b. The location, dimensions, and general description of all proposed signage.

(Ord. of 1-24-12(2))