

OCT 11 1976

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-37

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE VIII, SPECIAL REGULATIONS FOR EXTERIOR SIGNS.

BE IT ORDAINED, by the Board of Supervisors of the County of James City that Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs, be and the same is, hereby, amended to read as follows:

CHAPTER 20

ZONING

Article VIII. Special Regulations for Exterior Signs.

Section 20-129. Definitions.

For the purpose of this article, the following definitions of terms and words shall apply:

Double-faced sign. A sign with two parallel or nearly parallel faces, back to back, and located not more than twenty-four inches from each other.

Flashing sign. An illuminated sign on which the artificial or reflected light is not maintained stationary or 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.

Flat sign. Any sign attached to, and erected parallel to the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than eighteen inches from the building wall.

Free-standing sign. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall not a part of a building shall be considered a free-standing sign.

Gross sign area. That area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line including the outer extremities of the framework or background of the sign whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in a sign area. Only one side of a double-faced sign

shall be included in a computation of sign area. The area of signs with more than two faces shall be computed by multiplying one-half the perimeter of one face by the height of the sign. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

Illuminated sign. Any sign designed to give forth artificial light or designed to reflect light from one or more sources of artificial light erected for the purpose of providing light for the sign.

Indirectly illuminated sign. A sign which does not produce artificial light from within itself but which is opaque and backlighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself, or a sign of translucent nontransparent material illuminated from within but with no exposed or exterior bulbs, tubes or other light source.

Marquee sign. Any sign attached to or hung from a marquee. For the purpose of this article, a marquee is a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

Projecting sign. A sign which is attached to and projects more than eighteen inches from the face of a wall of a building. The term projecting sign includes a marquee sign.

Sign. A structure, display or device that is arranged, intended, designed, or used as an advertisement, announcement, identification, description or direction.

Section 20-130. Content of signs.

It is the intent of this limitation to prohibit the use of exterior signs for the general advertisement of products, services or other matters having no relation to the premises upon which they are placed. The content or advertising message carried by signs hereafter erected shall be limited to one or more of the following:

- (a) The identification of building or its owners or occupants of the premises;
- (b) Information concerning lawful activities on the premises or goods or services offered in connection therewith;
- (c) Information concerning the sale, rental or lease of the premises.
- (d) Information on directional signs as prescribed in Section 20-131.

Section 20-131. Sign dimensions and special regulations.

(a) Each property having less than four hundred feet of lot frontage shall be permitted one free standing sign. Such signs shall not exceed thirty-two square feet per face if located within seventy-five feet of the road right-of-way, fifty square feet per face if located seventy-five to one hundred and fifty feet from the road right-of-way, or sixty square feet per face if located one hundred and fifty feet or more from the road right-of-way. Such signs shall not exceed an overall height of twenty feet from grade.

Individual stores, businesses or professions on the same property shall combine signs on a single standard; and the square footage of the combined signs shall not exceed thirty-two square feet per face, except as provided herein.

Shopping centers shall be permitted one free-standing sign per major street frontage; except, that no more than two free-standing signs will be permitted for each shopping center. A free-standing shopping center sign shall display only the shopping center name. Individual shops and businesses in shopping centers may have building face signs as provided for in subsections (c) and (d) of this section; or specially designed signing consistent with the overall development plan for the shopping center and approval as a part thereof by the Planning Commission.

(b) Each property having in excess of four hundred feet of lot frontage shall be permitted one additional free-standing sign of the same size and height as subsection (a) above.

(c) In zones where business or manufacturing is permitted a building face sign shall also be permitted. The area devoted to such sign shall not exceed ten percent of the area of the first story of the front facade of the building. Such signs shall be mounted flat against the building.

(d) When the same building faces onto a public right-of-way or parking lot on the rear or side of the building, an additional sign may be erected at the entrance on that side. The area devoted to such a sign shall not exceed ten percent of the area of the face of the building to the first story height, and such sign must be mounted flat against the building.

(e) Banners or flags, used as signs, shall be allowed by permit provided that the same are installed in a permanent fashion, are maintained in good repair at all times and will not constitute a hazard to vehicular traffic.

(f) Signs on entrance marquees or canopies shall be allowed, provided that the total area of such signs if constructed alone or in combination with other building signs does not exceed the maximum allowable dimensions as set forth in subsection (c) above.

(g) In no case shall a sign be permitted which will detrimentally affect the safety of the traveling public.

(h) Directional signs may be allowed upon the determination of the Administrator or his designee that the sign or signs:

(1) Permit vehicular traffic to locate distinctive places of historical significance, businesses, campgrounds, industries and residential areas or other activities which are located off and are not visible from the state primary roads; and

(2) Show only the name, mileage and direction.

If determined necessary by the Administrator, or his designee, each such place of historical significance, residence or business may be allowed up to three directional signs.

Sign size and location shall be determined in accordance with the criteria below:

<u>Road Along Which Sign is to be Placed</u>	<u>Min. Distance From Intersection Where Sign may be Placed</u>	<u>Max. Sign Size Under 25 ft. from Road Right-of-Way</u>	<u>Max. Sign Size Over 25 ft. from Road Right-of-Way</u>
Interstate &			
Primary	500 Ft.*	10 SF	10 SF
Secondary	100 Ft.	6 SF	6 SF

* In the event there is not 500 feet between intersections, the sign may be placed at or near the midpoint between the intersections providing the sign is not closer than 100 feet to either intersection.

Section 20-132. Exemptions.

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the Building Code:

(a) Official traffic signs, historical markers, provisional warning signs or sign structures when erected or required to be erected by a governmental agency and temporary signs indicating danger.

(b) Signs authorized by the State Highway Department to be placed on a highway right-of-way.

(c) Changing of the copy on a bulletin board, poster board, display encasement, reader board or bill board.

(d) Temporary nonilluminated signs, not more than six feet square in area, advertising real estate for sale or lease and located on the premises one such sign for each street frontage.

(e) Temporary nonilluminated signs not more than ten square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.

(f) Nonilluminated signs warning trespassers or announcing property as posted, not to exceed four feet per sign.

(g) Sign on a truck, bus or other vehicle, while in use in a normal course of business. This section should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.

(h) Mailboxes and similarly located signs identifying a private residence.

(i) Home occupation signs not to exceed four square feet. Such signs shall not be illuminated and shall be attached to the dwelling.

(j) Signs within a business or manufacturing district which are not visible from a public road or abutting property line.

(k) Signs not to exceed six square feet in area, within a business or manufacturing district, which state the name or number of a building, to be located on the rear or sides of a building on a parcel containing four or more buildings.

(l) Signs placed upon the exterior of a structure indicating the location of restrooms, bathhouses, entrances or exits.

(m) Signs not to exceed six square feet in area indicating the entrance or exit from a parking lot, potable water supply, sewage station for recreational vehicles, or other notices related to public health or safety. Such signs shall be adjacent to the facility.

(n) Temporary signs not to exceed twelve square feet per face erected for a period of up to sixty days advertising seasonal agricultural products for sale within an agricultural district.

(o) Special notice placards not to exceed four square feet in size attached to a building or to a free-standing sign indicating credit cards which are accepted on the premises; group affiliations of which the business is a member or clubs or groups which utilize, recommend, inspect or approve the business for use by its members.

Section 20-133. Prohibited signs.

The following signs are specifically prohibited:

(a) Flashing, animated and rotating signs or appurtenances to signs which are nonstationary.

(b) Displays intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger of such as are customarily used by police, fire or ambulance vehicles or for navigation purposes.

(c) Signs so located and so illuminated as to provide a background of colored lights blending with traffic signal lights that might reasonably confuse a motorist when viewed from a normal approach position of a vehicle at a distance of twenty-five to three hundred feet.

(d) Signs which are not an integral part of the building design but fastened to and supported by or on the roof of a building or projecting over or above the roof line or parapet wall of a building, except as otherwise provided herein.

(e) Signs placed or located to conflict with the vision clearance or other requirements of applicable traffic ordinances.

(f) Signs attached to trees, utility poles or other unapproved supporting structure.

(g) Signs which are portable or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Section 20-134. Temporary signs.

The Administrator or his designee, upon application, may issue temporary permits for the following signs and displays when in his opinion the use of such signs and displays would be in the public interest and would not result in damage to private property. Such permits shall be valid for a period of up to thirty days following issuance.

(a) Signs of not more than thirty-two square feet advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting sponsored by a governmental, charitable or nonprofit organization.

(b) Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.

(c) Special decorative displays used for purposes of advertising the opening of a new store, business or profession.

Section 20-135. Permits.

Procedures. The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this chapter.

(a) Required; application; inspection of signs. No sign, unless herein excepted, shall be erected, constructed, structurally altered, or relocated, except as provided in this article and in these regulations, until a permit has been issued by the Administrator or his designee. Before any permit is issued, an application provided by the Administrator or his designee shall be filed together with three sets of drawings or specifications (one to be returned to the applicant) as may be necessary to fully advise and acquaint the Administrator or his designee with the location in relation to adjacent buildings, construction, materials, manner of illuminating or securing or fastening and number of signs applied for and the wording of the sign or advertisement to be carried on the sign.

(b) Electrical permit. All signs which are electrically illuminated shall require a separate electrical permit and an inspection.

(c) Permit time limit. All signs shall be erected on or before the expiration of six months from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required.

(d) Permit number. Each sign requiring a permit shall be clearly marked with the permit number and the name of the person or firm placing the sign on the premises.

(e) Fees required. For all sign permits required, a fee of one dollar per square foot of surface area shall be charged to cover the cost of administration. Area shall be computed in accordance with the definition of gross sign area as set forth in Section 20-129.

Section 20-136. Exceptions.

Upon application, the Administrator or his designee may grant an On-Premises Sign Limitation Waiver which may allow:

(a) One free standing sign not to exceed seventy-five square feet per face; or

(b) One building face sign not to exceed an area equal to fifteen percent of the area of the first story of the front facade of the building. Such signs shall be mounted flat against the building; or

(c) One free standing sign not to exceed thirty-two square feet per face and not to exceed thirty feet in height; or

(d) One sign to be placed on the roof of the building not to exceed fifteen percent of the area of the first story of the front facade of the building.

(e) Such On-Premises Sign Limitation Waivers shall only be granted in unusual circumstances where it can be demonstrated to the Administrator or his designee that:

(1) Unusual topography, vegetation, distance of the business or parcel from the road right-of-way, separation of grade, or the location of the driveway in relation to the location of the business and traffic patterns would impose a substantial hardship upon the business by making the advertising signs unreadable from vehicles on the adjoining roadway; or

(2) The waiver would allow the business to post signs that are consistent with the majority of other businesses located on the same parcel; or

(3) In addition to the provisions for granting sign limitation waivers under (1) and (2) above, if the facade of the building is so designed that a building face sign cannot be placed upon it, and a roof sign would be the only reasonable and practical solution consistent with good design, a sign consistent with (d) above shall be permitted, provided the sign is not within 200 feet of residentially zoned property, and

(4) That in (1), (2) and (3) above such waiver is consistent with traffic safety.

Section 20-137. Nonconforming signs.

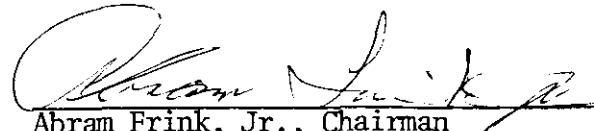
Any sign existing prior to adoption of this chapter and not conforming to the terms of this chapter is hereby declared a nonconforming sign and may not be structurally altered, or replaced unless such sign conforms to the requirements of the Chapter. Upon the cessation or termination of particular use on a parcel of real property, the owner thereof shall within ninety days of such cessation or termination remove all nonconforming signs. If the owner shall fail to comply with this requirement then written notice shall be given by the Administrator to the owner advising of the violation. If such signs are then not removed within ten days, the Administrator shall cause such removal and charge the cost to the owner of the premises.

Section 20-138. Violation and penalties.

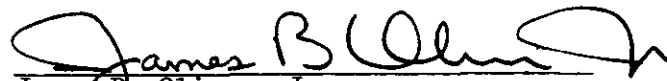
The violation of any of the provisions of this article is hereby declared to be a misdemeanor for which the Administrator or his designee shall cause a written notice of violation to be issued to the owner, tenant or lessee of the property on which the sign is located and/or the owner or lessee of the sign. If such violation is not corrected within five days after receipt of the notice of violation except violations involving portable signs, the Administrator or his designee shall remove or cause to be removed at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate. If the violation involves a portable sign, such sign shall be removed immediately, and if not the Administrator or his designee shall remove or cause to be removed at the owner's or tenant's expense such sign and/or

institute such other action as may be appropriate. Removal of a sign shall not affect any proceedings instituted prior to removal of such sign.

This ordinance shall be in full force and effect from the day of its adoption.


Abram Frink, Jr., Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board