Planning Commission

Regular Session Agenda

March 5, 2013

6:00 P.M.

1. Call to Order – Planning Commission Regular Session
    a. Roll Call – Establish a quorum

2. Invocation and Pledge of Allegiance

3. Public Comments

4. Consent Agenda
    a. Approval of Agenda Format
    b. Approval of Minutes
    c. Reports

5. Old Business
    a. Sign Ordinance Work session – combined ordinance

6. New Business
    a. None

7. Announcements

8. Adjourn

DRAFT
PLANNING COMMISSION
Regular Meeting
Town Hall
February 5, 2013

At approximately 6:00 p.m. in the Town Hall, Chairman Dennis McCoy, having established a quorum, called to order the Regular Meeting of the Planning Commission. In attendance were Commissioners Andy Buchholz, Dan Burke, Joan Natali, Sandra Salopek and Bill Stramm. Vice Chair Mike Strub was not in attendance. Also present were Town Planner Tom Bonadeo, Town Clerk Libby Hume and Officer Jim Pruitt. There were 3 members of the public in attendance.

A moment of silence was observed followed by the Pledge of Allegiance.

PUBLIC COMMENTS

There were no comments from the public nor any written comments submitted prior to the meeting.

CONSENT AGENDA

Motion made by Joan Natali, seconded by Bill Stramm, to accept the agenda format as presented. The motion was approved by unanimous consent.

The Commissioners reviewed the minutes for the January 9, 2013 Regular Meeting.

Motion made by Sandra Salopek, seconded by Joan Natali, to approve the minutes from the January 9, 2013 Regular Meeting as presented. The motion was approved by unanimous consent.

REPORTS

Tom Bonadeo reported the following: i) The Town would be making temporary repairs to the Fun Pier in accordance with the engineer's plan in an effort to get it reopened for the season. The pier was a very important amenity in the Town. Replacement planning would begin immediately and the Town was working with FEMA on this project. The problem was that FEMA would only replace the pier in its current location; ii) VDOT continued with the sidewalk repair project. The contractor would move to Mason Avenue after completion of the lower portion of Monroe Avenue to ensure the work on Mason Avenue was done before summer; iii) The Friends of the Cape Charles Memorial Library were having a fundraising Gala Event on February 23rd from 6:00 PM – 8:00 PM. Joan Natali added that she was selling tickets; iv) South Port was progressing with the wetlands mitigation and some preliminary work had begun on parcel 12 for the removal of the old fender piles. An application had been received for review by the Harbor Area Review Board; v) Tom was working with the new owner of Aqua to get them reopened; vi) Some inquiries were received for new development in Bay Creek; vii) There were still some foreclosures on primarily empty houses. People were buying them and fixing them up; viii) The Virginia Certified Planning Commissioner Program was a two session program and had been scheduled for March 25-26 and June 10-11, both in Richmond. Tom distributed information regarding the program to the new Commissioners and explained the classes. Tom asked the Commissioners to contact Libby or Amanda if they were available to attend so arrangements could be made; ix) The Public Works crew was working on the snow fence at the beach. The fencing would be taken down early to mid-May; x) Tom showed the Commissioners the drawing of Phase 2 of the Cape Charles Trail Plan and explained that a median would be installed on the northern portion of Peach Street similar to the median on the southern portion. There would be a 10' sidewalk along one side of Peach Street similar to the sidewalk

around Central Park. The sidewalk would also be installed on the north side of Washington Avenue to Fig Street and to the beach. The Phase 2 drawings would be forwarded to VDOT for their review as part of the grant process; and xi) The Town was also planning to build a sidewalk from Heritage Acres into the Town. This could not be included as part of the VDOT sidewalk project.

OLD BUSINESS

A. *Density – Town Council Letter*

Tom Bonadeo stated that at the January meeting, the Commissioners had agreed that FAR was a viable method for calculating density in the Harbor District. The Harbor Area Conceptual Master Plan divided the zone into areas relative to their relationship with other zones such as the north side of Mason Avenue and the existing Historic District. Tom Bonadeo reviewed the current Harbor District regulations as follows: i) 25% open space was required; ii) Parking was not part of open space; iii) The current height regulation was 40' with a conditional use permit up to 55'; iv) The Mason Avenue corridor was between the National Historic District and the Harbor and the Master Plan recommended that this area be treated more like Mason Avenue than the Harbor; v) The Harbor District Zone allowed residential units over commercial space and 50% of the first floor to be used as residential space. All residential space must have its own entrance at the street level; and vi) There was currently no limitation to the number of residential units on a property. The Commissioners previously reviewed the math ratios and had reached a consensus that a FAR of about 1.25 provided the density, open space and height most resembling the north side of Mason Avenue. Several modifications to the zoning ordinance were required to implement the FAR concept in the Harbor District as follows: i) The existing Harbor District zoning language did not make any differentiation between any of the areas around the Harbor. The areas around the Harbor should be delineated in the ordinance so that FAR could be applied to each area differently; ii) These areas should also have the elevation requirements applied differently. The areas along Mason Avenue should be lower in height while the areas on the south side of the Harbor should have higher allowances. The height averaging formula and the requirement for "broken" elevations should be eliminated; iii) A FAR table should be created with smaller ratios (1.25) along Mason Avenue and larger ratios (1.5 to 1.75) on the south side of the Harbor; and v) Existing lots bordering Mason Avenue and the Harbor needed to be defined. The Commissioners reviewed a letter to be submitted to the Town Council recommending the incorporation of FAR into the existing ordinance.

Motion made by Bill Stramm, seconded by Joan Natali, to forward the letter to the Town Council recommending modification to the Harbor District ordinance to incorporate FAR. The motion was approved by unanimous consent.

NEW BUSINESS

A. *Section VIII – Historic District Ordinance and Guidelines*

Tom Bonadeo explained that the Historic District Overlay was Section VIII of the Cape Charles Zoning Ordinance. In addition to the ordinance was a set of Historic District Guidelines which had been approved by Council. The Historic District Review Board worked under the Guidelines. Unfortunately, there were some discrepancies between the two documents in some specific areas of administration. The Commissioners reviewed the Historic District Review Board Process Flow Chart which was part of the Guidelines which showed that only disapproved applications could be appealed. Unfortunately, this language was not included in the Zoning Ordinance. Tom Bonadeo stated that much of the language in the zoning ordinance and guidelines were taken from the Town of Smithfield. There was some conflicting/unclear language in Smithfield's ordinance. A legal opinion was needed regarding several issues including a definition of an "aggrieved" party. Town Manager Heather Arcos had sent a request to legal counsel for their review and recommended language. Upon receipt of the information from legal counsel, this issue would be brought back for review by the Commissioners.

Dan Burke asked about Section VIII of the Zoning Ordinance – Historic District Overlay. Tom Bonadeo explained that there were two parts to the Historic District. The first was the National Historic District which included most of the older portion of the Town, but not all. The Town enacted the Overlay District to protect the other areas in the historic part of Town.

Tom Bonadeo stated that with the current issues on the table, the review of the Sign Ordinance would be continued at the March meeting.

ANNOUNCEMENTS

Tom Bonadeo stated that the auditors were here over the last two days reviewing the Town's financial records and all went well.

Bill Stramm mentioned that he would be out of Town in March and would not be able to attend the next meeting.

Motion made by Andy Buchholz, seconded by Bill Stramm, to adjourn the Planning Commission meeting. The motion was approved by unanimous consent.

Chairman Dennis McCoy

Town Clerk

DRAFT

Planning Commission Staff Report

From: Tom Bonadeo

Date: February 5, 2013

Item: 4C – Reports

Attachments:

Item Specifics

1. The Northampton County website is www.co.northampton.va.us and contains the updated information from county meetings. The Northampton Planning Commission also meets on this night and a copy of their agenda is attached.

2. The South Port Lease Amendments and Wetlands work are nearly complete.

3. The Historic Review Board met in February and considered upcoming training sessions an addition at 506 Monroe Avenue and a Garage modification at 113 Tazewell Avenue. These were approved by the Board. The Town Council met February 21st and, in conformity with the Ordinance, modified the decision of the Historic District Review Board. The Council also added a condition that the costs of the appeal are paid for by the applicant. This cost is approximately $1500.

4. The beach fencing work is ongoing and the repairs to the fun pier are nearly complete..

5. Working with VDOT on a sidewalk repair project. The contractor is moving to the lower portion of Tazewell Avenue.

6. The carpet has been installed in the new Library, the code compliant rear exit door is operational and the Friends of the Library held a very successful fundraising event in February.

7. While the planner continues to work with many banks and legal staff on foreclosures these properties are being sold and the new owners are renovating for their own use.

8. The Planner is working with multiple projects for Tax Credit Rehabilitation.

9. The Planner is part of the Climate Adaptation Working Group (CAWG) here on the shore. CAWG plans to provide community outreach meetings later this spring and summer for the citizens of the shore to better understand the planning required to meet the challenge of climate change. The shore suffers from two problems, sinking land and rising water. This is related to the Zoning Ordinance as we have a flood plain ordinance limiting development in the flood zone. Attached is a summary of the related Biggert-Waters Act of 2012 concerning flood insurance now and in the future.

10. Working with the new owners of Aqua and the Marina on future and near future plans.

Agenda
Northampton County Planning Commission
Tuesday, March 5, 2013
16404 Courthouse Road, Eastville, VA
7:00 p.m., Board Chambers

1. **Call to order**

2. **Establishment of a quorum**

3. **Review and acceptance of the agenda**

4. **Public hearing**

   A. **Special Use Permit 2013-01**: BECO Construction, Inc., has applied to operate a Live/Work Unit on property located at 26452 Lankford Highway in the Cape Center area. The property, containing 30,492 square feet of land, is described as Tax Map 98, double circle A, parcel 46 and is zoned EB Existing Business.

5. **Matters from the public**

6. **Unfinished business**
   A. Zoning Code §154.111, agricultural ponds draft language (Commissioner Kellam)
   B. Comprehensive Plan review
   C. Draft Annual Report

7. **Consideration of Minutes**
   A. Feb. 5, 2013

8. **New Business**
   A. Procedural matters
   B. Briefing on Zoning Map Petition 2013-01

9. **Communications**
   A. Town Planning Commission/Town Council Agendas

10. **Monthly Staff Report**

11. **Adjourn/Recess**

Summary of Contents Biggert-Waters Flood Insurance Reform Act of 2012

H.R. 4348 Conference Report Title III (Pages 521-576)

Signed by the President July 6, 2012

(compiled by ASFPM Vice Chair Bill Nechamen and Merrie Inderfurth, Washington Liaison – using Congressional committee Section-by-Section) in addition to bill language.

The authority of the National Flood Insurance Program (NFIP) is extended for 5 years until September 30, 2017. The bill contains many reforms and changes, many of which are already generating questions as to intent, interpretation and implementation. While a summary is helpful, reading the actual bill text is recommended.

Flood Insurance

Removes subsidized rates (pre-FIRM rates) for the following classes of structures and allows rates to increase by 25% per year until actuarial rates are achieved: The effective date is July 1, 2012.

- Any residential property that is not the primary residence of an individual
- Any severe repetitive loss property
- Any property that has incurred flood related damages that cumulatively exceed the fair market value of the property
- Any business property
- Any property that after the date of the Bill has incurred substantial damage or has experienced "substantial improvement exceeding 30 percent of the fair market value of the property.
- Any new policy or lapsed policy, or any policy for a newly purchased property.
- Any policy for which the owner has refused a FEMA mitigation offer under HMGP, or for a repetitive loss property or severe repetitive loss property.
    - Severe Repetitive Loss means four or more claims payments of over $5,000 or two claims that exceed the value of the property.

Increases the limit for annual rate increases within any risk classification of structures from 10 percent to 20 percent. Effective date is July 1, 2012.

Defines Severe Repetitive Loss properties for single family residences as 4 or more claims, each for more than $5,000 and cumulatively more than $20,000. For multi-family residences, the Director may provide a definition by regulation.

Allows for premium payments either annually or in more frequent installations.

Places limits on a bank's force placement of flood insurance. Forced placed insurance would be cancelled and the premiums refunded upon proof of a borrower's existing flood insurance coverage.

When flood maps change, a property that has higher rates as a result of a new map shall have the new rates phased in over a five-year period at 20% per year. .Premium rate adjustments due to map changes take effect on the effective date of the new map.

Lender penalties for non-compliance with mandatory flood insurance purchase requirements is increased from $350 to $2000 per violation, and the limit of fines for any lending institution over a calendar year is removed. It was $100,000.

Minimum annual deductibles on claims are changed to $1500 for coverage up to $100,000 and $2000 for coverage over $100,000 for pre-FIRM properties, and $1,000 and $1,250 for below and above $100,000 coverage for post-FIRM properties.

Rates must be set to cover the average historical loss year, including catastrophic loss years, in accordance with generally accepted actuarial principles. (That would also increase rates since the increase in flood damages has meant that rates do not cover the historical average loss year.)

Requires FEMA to establish a National Flood Insurance Reserve Fund of at least one percent of the total potential loss exposure. This fund would be built by 7.5% of the reserve ratio required each year. Allows FEMA to report to Congress if such goals cannot be met and to explain the reasons.

Requires a ten-year repayment plan for the current insurance fund debt and also requires a report and repayment plan whenever FEMA has to borrow funds to pay NFIP claims..

Clarifies that private flood insurance may satisfy flood insurance coverage requirements if it meets certain standards..

Allows state sponsored nonbinding mediation of flood insurance claims disputes, and would require NFIP representatives to participate.

Amends the Real Estate Settlement Procedures Act (RESPA) to require explanation of the availability of flood insurance under the NFIP or through private insurance for properties both in and out of Standard Flood Hazard Areas (SFHAs).

Establishes reporting requirements associated with reimbursement of expenses for Write Your Own (WYO) insurance companies. Directs the FEMA Administrator to develop a methodology for calculating expense reimbursement within 180 days and to issue a rule within 12 months.

Establishes a process involving the National Oceanographic and Atmospheric Administration (NOAA) to allocate tropical storm and hurricane damages between wind and water damage. (This is Subtitle B of Title III and is entitled "Alternative Loss Allocation". This is derived from previously introduced legislation known as "The Coastal Act". It's provisions are found on pages 576-585.)

Mapping

Establishes a Technical Mapping Advisory Council with membership coming from a wide range of professions, including federal agencies and state and local mapping partners. The Council would advise

FEMA on improving accuracy, on standards that should be adopted for flood maps, data and map maintenance and on funding needs and strategy. . It would also develop recommendations within 1 year for future conditions mapping, including impacts of sea level rise and future development on flood risk. FEMA is required to incorporate such recommendations into the ongoing review and updating of flood maps.

Establishes an on-going National Flood Mapping Program. Requires that flood maps show 100-year and 500-year floodplains for all populated areas and areas of possible population growth, as well as areas with residual risk behind levees or below dams. Also requires mapping of the level of protection provided by flood control structures. Requires that new flood maps use the most accurate topography and elevation data available. Also requires acquisition of new ground elevation data when necessary. Requires development of flood data on a watershed basis.

Requires FEMA to notify property owners when their properties are included in, or are removed from an area covered my mandatory insurance purchase requirements. Also requires notification of Senators and House Members whose States or Districts are affected by map changes.

There is an authorization of $400,000,000 for flood mapping per year for fiscal years 2013 – 2017. (This is an authorization level – not to be confused with actual annual appropriations.)

Formalizes a Scientific Resolution Panel to arbitrate when a community has received an unsatisfactory ruling with respect to an appeal of a revised flood insurance rate map. Appeals must be based on technical or scientific data.

Removes limitations on state contributions to updated flood mapping. (Previously, there was a limit of a 50% state contribution to the costs of new flood maps. This has resulted in some states in states developing mapping data but FEMA being unable to use it to produce new maps.)

Requires a study on federal interagency coordination of flood mapping, including collection and utilization of data among all governmental users.

Mitigation Programs

Consolidates NFIP funded mitigation programs (Repetitive Flood Claims, Severe Repetitive Loss Properties, Flood Mitigation Assistance) into a single program. The combined National Flood Mitigation Fund is to be funded at $90 million per year. (While the old Flood Mitigation Assistance and pilot Severe Repetitive Loss program were funded at up to $40 million per year each and the Repetitive Flood Claims program at up to $10 million, the SRL program has never been fully utilized in part due to its complexity. The new program simplifies and combines the three previous programs and includes the following:

Allows the required Flood Mitigation Plan to be part of a community's multi-hazard mitigation plan.

Removes beach nourishment as an allowed mitigation activity.

Adds elevation, relocation or floodproofing of utilities as allowed mitigation activities.

Adds demolition and rebuild as an allowed mitigation activity.

Specifically notes the capacity for "direct" grants if the Administrator, after consulting with the State and community, determines that neither has the capacity to manage the mitigation grant.

Caps the use of mitigation grant funds for state mitigation plan development at $50,000 and at $25,000 for a community.

Provides for denial of grant funds if not obligated (paid out) in 5 years. (This is due to Congressional concern about unobligated balances.) Specifically restates 2004 Reform bill provision prohibiting offsetting collections to fund these mitigation programs.

Restructures federal share requirement:

> Up to 100% for severe repetitive loss structures. (4+ Claims of over $5000 or 2+ claims exceeding value of structure)
>
> Up to 90% for repetitive loss structures. (2 claims over 10 years averaging at least 25% of value of structure)
>
> Up to 75% for other approved mitigation activities.

Levees

Establishes a Flood Protection Structure Accreditation Task Force in cooperation with the Corps of Engineers. The Task Force is charged with better aligning the information collected by the Corps of Engineers' Inspection of Completed Works Program with FEMA's flood protection structure accreditation requirements. The Task Force must develop a process that allows data collected for either purpose to be used interchangeably, and to allow data collected by the Corps of Engineers under the Completed Works Program to be used to satisfy the FEMA accreditation requirements. (This is not meant to reduce the level of public safety and flood control provided by accredited levees. However the Task Force is charged with considering changes to the information collected by the Corps of Engineers and the FEMA flood protection accreditation requirements.) FEMA and the Corps of Engineers must implement the measures developed by the Task Force within one year and complete implementation within two years.

Allows for flood insurance premiums to reflect premiums in fully protected areas in communities that are deemed to have made adequate progress in the reconstruction or improvement of a flood protection system.

Flood In Progress Determinations

FEMA is required to develop a process for determining when a flood event has commenced for the purpose of flood insurance coverage. (Generally a new policy becomes active in 30 days unless purchased as part of a real estate closing. Due to recent long lasting floods, particularly in the Mississippi and Missouri basins, where flooding can begin upstream more than a month before downstream areas

flood, there has been confusion as to the meaning of "flood in progress" as related to coverage under newly purchased flood insurance policies.)

Studies.

An assortment of studies are required including:

- Analysis of increasing the maximum residential and commercial structures, including the availability in the private marketplace of flood insurance in amounts that exceed current NFIP coverage limits.
- Annual program financial reports, including efforts to purchase substantially damaged properties and detailed analyses of the nature of losses.
- A GAO report on Pre-FIRM structures, including length of ownership, income of owners, comparison of flood losses to those of post-FIRM structures, the cost of subsidies to pre-FIRM structures, and options for eliminating subsidies.
- A GAO report on the three largest contractors FEMA uses to administer the NFIP.
- A study by the National Academy of Sciences on graduated risk behind levees.
- A separate FEMA and GAO study of reinsurance and privatization of the NFIP.
- A GAO study on business interruption and additional living expenses coverage.
- A FEMA study of amending the legislation to use national recognized building codes as part of the floodplain management criteria.
- A FEMA – National Academy of Sciences study of encouraging maintenance of flood insurance and methods for establishing an affordability framework for flood insurance, including targeted assistance.
- A Federal Insurance Office study of the current market for natural catastrophe insurance in the United States, including issues of affordability.

Building Code Enforcement

Allows use of Community Development Block Grant funds for increasing staffing and training for local building code enforcement, and to provide flood hazard and flood insurance information to residents.

Planning Commission Staff Report

From: Tom Bonadeo

Date: March 5, 2013

Item: 5A – Sign Ordinance

Attachments: Combined Ordinance

Background

The sign ordinance has had review and has been marked up. We have reviewed most sections. The attached copy is a combination of the marked up ordinance with the missing items of our existing ordinance added in. Each place that there are additions it is noted in the margin.

Item Specifics

This combined ordinance should be read through and marked up for clarity. I expect there are duplications and errors.

The ordinance does define the types of signs, specify the sizes of sign types and describes where each type is allowed or not allowed. The work for this session will be to discuss the following:

1. Definitions
2. Sign types and categories.
3. Allowed, Exemptions, Sizes and Prohibited Signs based on existing ordinances.
4. Errors and needed corrections

The next step will be to brief Town Council of recommendations, get feedback on recommendations and to send the ordinance to legal review. Once the ordinance is in draft form it will be ready for public comment.

Recommendations

The attached combined ordinance has been marked-up for review. This copy is not the same as was distributed last month. Read and review this ordinance for the three items listed above.

Section 4.1 Sign Regulations

A. Purpose

The purpose of this sign ordinance is to encourage the effective use of signs as a means to communicate in the Town, to maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth; to improve the pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property, and to enable the fair and consistent enforcement of these sign restrictions.

B. Definitions

The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

1. Flashing. Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination.

2. Patterned illusionary movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Environmentally activated. Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

Mechanically activated. Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

ARCHITECTURAL PROJECTION. Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. See also "Awning;" "Backlit awning;" and "*Canopy*, Attached and Free-standing."

AWNING. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable,

including such structures that are internally illuminated by fluorescent or other light sources.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning. See also "Wall or fascia sign."

BACKLIT AWNING. An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER. A flexible substrate on which copy or graphics may be displayed.

BANNER SIGN. A sign utilizing a banner as its display surface.

BILLBOARD. Any large sign/panel including supporting structure used as an outdoor display for the purpose of displaying advertisements; the product, business, or service so advertised or displayed being remote from the site of the sign. This sign is typically seen alongside roadways or on the sides of buildings. (Sometimes referred to as "Off-premise sign" or "Outdoor advertising sign.")

BUILDING ELEVATION. The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

CANOPY (Attached). A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached *canopy* may be illuminated by means of internal or external sources of light. See also "Marquee."

CANOPY (Free-standing). A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a free-standing *canopy* may be illuminated by means of internal or external sources of light.

CANOPY SIGN. A sign affixed to the visible surface(s) of an attached or free-standing *canopy*. For reference, see Section C.

CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input, including signs which are:

> **Electrically activated.** Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also "Electronic message sign or center."
>
> **Manually activated.** Changeable sign whose message copy or content can be changed manually.

COMBINATION SIGN. A sign that is supported partly by a pole and partly by a building structure.

COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DEVELOPMENT COMPLEX SIGN. A free-standing sign identifying a multiple-occupancy development, such as a shopping center or planned *industrial* park, which is controlled by a single owner or landlord, approved in accordance with Section I.2 of this chapter.

DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DOUBLE-FACED SIGN. A sign with two faces, back to back.

ELECTRIC SIGN. Any sign activated or illuminated by means of electrical energy.

ELECTRONIC MESSAGE SIGN OR CENTER. An electrically activated changeable sign whose variable message capability can be electronically programmed.

EXTERIOR SIGN. Any sign placed outside a building.

FASCIA SIGN. See "Wall or fascia sign."

FLASHING SIGN. See "Animated sign, electrically activated."

Need to add size. 8/2/11

FREE-STANDING SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. For visual reference, see Section C.

Need to compare to existing. 8/2/11

FRONTAGE (Building). The length of an exterior building wall or structure of a single premise orientated to the public way or other properties that it faces.

FRONTAGE (Property). The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

GROUND SIGN. See "Free-standing sign."

ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated). Lighting fixtures must be dark sky compliant.

INTERIOR SIGN. Any sign placed within a building, but not including "window signs" as defined by this ordinance. Interior signs, with the exception of window signs as defined, are not regulated by this chapter.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior building facade.

MARQUEE. See "*Canopy* (attached)."

MARQUEE SIGN. See "*Canopy* sign."

Rayfield's could have one. 11/1/11

MENU BOARD. A free-standing sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and

which has no more than 20 percent of the total area for such a sign utilized for business identification.

MULTIPLE-FACED SIGN. A sign containing three or more faces.

OFF-PREMISE SIGN. See "Billboard."

ON-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

OUTDOOR ADVERTISING SIGN. See "Billboard."

PARAPET. The extension of a building facade above the line of the structural roof.

POLE SIGN. See "Free-standing sign."

POLITICAL SIGN. A temporary sign intended to advance a political statement, cause or candidate for office during an election. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PORTABLE SIGN. Any *sign* not permanently attached to the ground or to a building or building surface. See "Temporary Sign."

PROJECTING SIGN. A *sign* other than a wall sign that is attached to or projects more than 18 inches (457 mm) from a building face or wall or from a structure whose primary purpose is other than the support of a sign. For visual reference, see Section C.

REAL ESTATE SIGN. A temporary *sign* advertising the sale, lease or rental of the property or premises upon which it is located.

REVOLVING SIGN. A *sign* that revolves 360 degrees (6.28 rad) about an axis. See also "Animated sign, mechanically activated."

ROOF LINE. The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

ROOF SIGN. A *sign* mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs. For a visual reference, and a comparison of differences between roof and fascia signs, see Section C.

Need to add. 11/1/11

SANDWICH BOARD.

SIGN. Any device visible from a public place that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

SIGN AREA. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided

or "V" shaped *sign* shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as 50 percent of the sum of the area of all faces of the *sign*.

SIGN COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a *sign*, exclusive of numerals identifying a street address only.

SIGN FACE. The surface upon, against or through which the *sign* copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border. see Section C.

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the *sign* copy is displayed or illustrated, but not open space between separate panels or cabinets.
2. In the case of *sign* structures with routed areas of sign copy, the *sign* face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.
3. In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the *sign* face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the *sign* copy, but not the open space between separate groupings of sign copy on the same building or structure.
4. In the case of *sign* copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the *sign* face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN STRUCTURE. Any structure supporting a sign.

TEMPORARY SIGN. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or *sign* structure that is permanently embedded in the ground, are considered temporary signs.

UNDER CANOPY SIGN OR UNDER MARQUEE SIGN. A sign attached to the underside of a *canopy* or marquee.

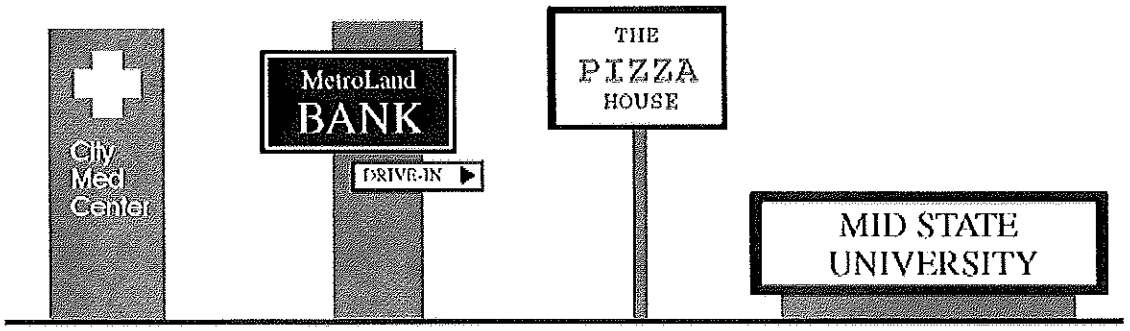
V SIGN. Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than 90 (1.57 rad) degrees with the distance between the sign faces not exceeding 5 feet (1524 mm) at their closest point.

WALL OR FASCIA SIGN. A *sign* that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 18 inches (457 mm) from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. For a visual reference and a comparison of differences between wall or fascia signs and roof signs, see Section C.

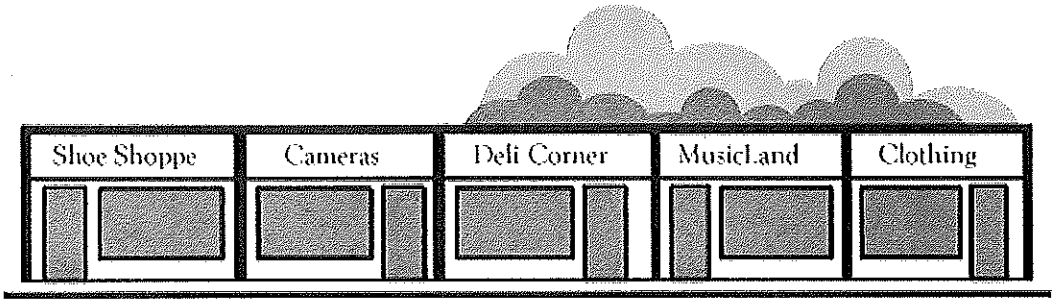
WINDOW SIGN. A *sign* affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property. A business is permitted to hang a sign in a window relating to something within their establishment. A business is not permitted to hang a sign in their window advertising another business.

C. General

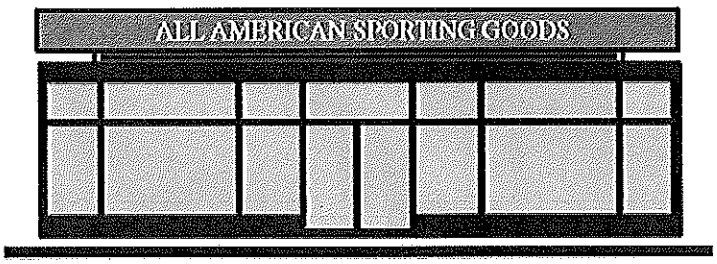
Sign types and the computation of *sign* area shall be as depicted in Figures C.1(1) through C.1(4).



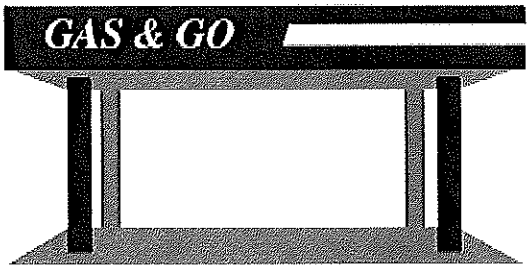
COMMON FREESTANDING SIGN TYPES



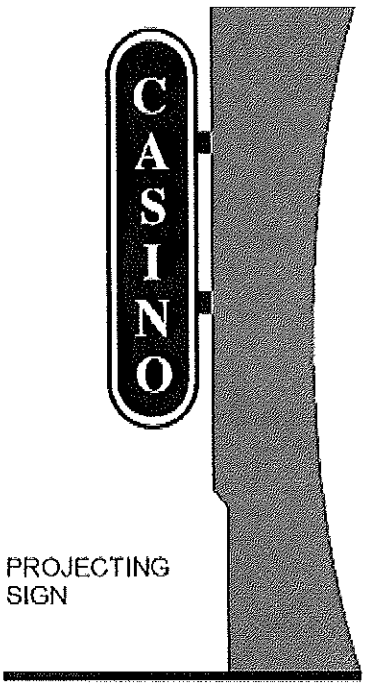
WALL OR FASCIA SIGNS ON STOREFRONTS



ROOF SIGN



CANOPY SIGN
ON FREESTANDING CANOPY



PROJECTING SIGN

FIGURE C.1(1) GENERAL SIGN TYPES

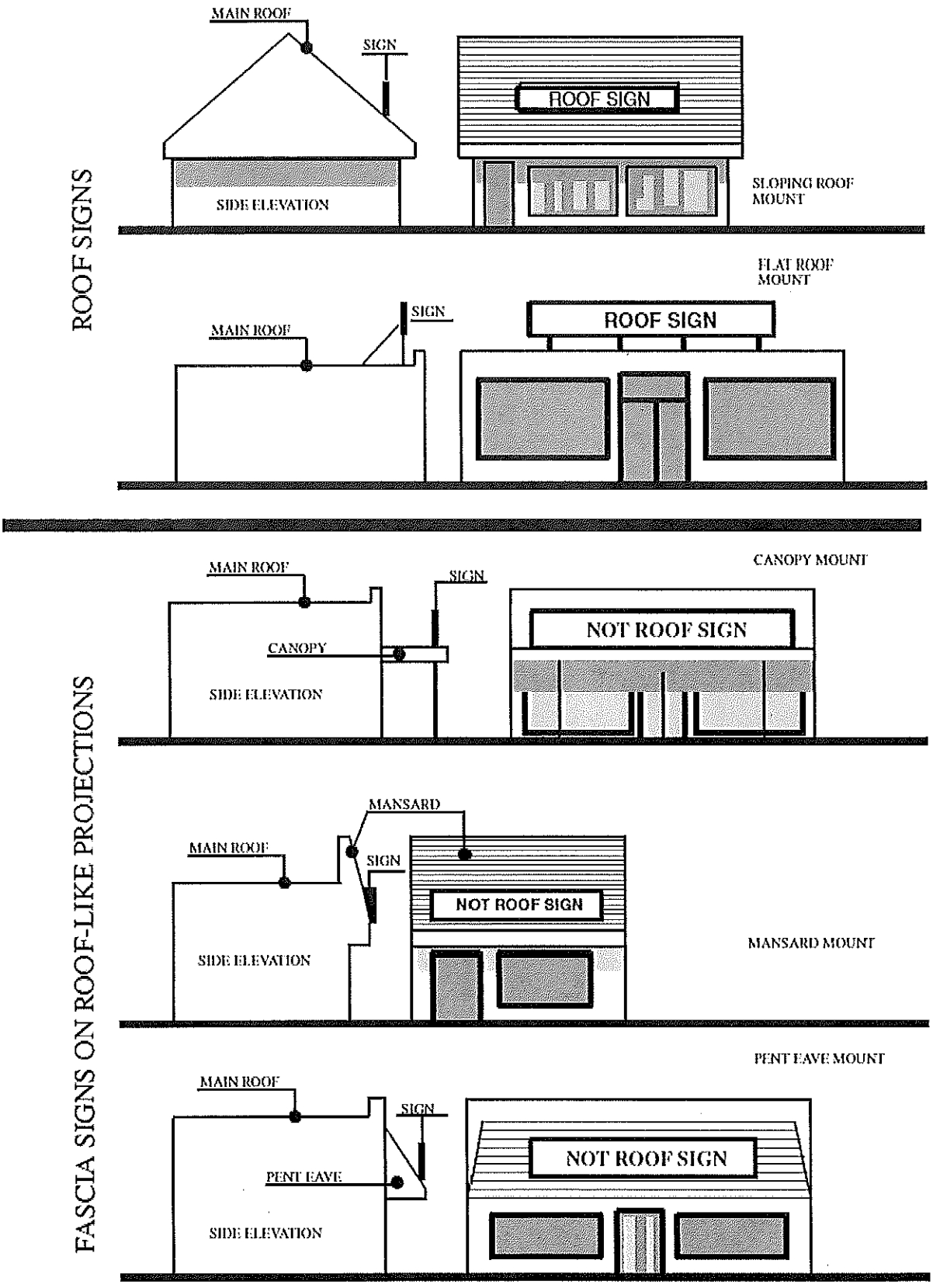
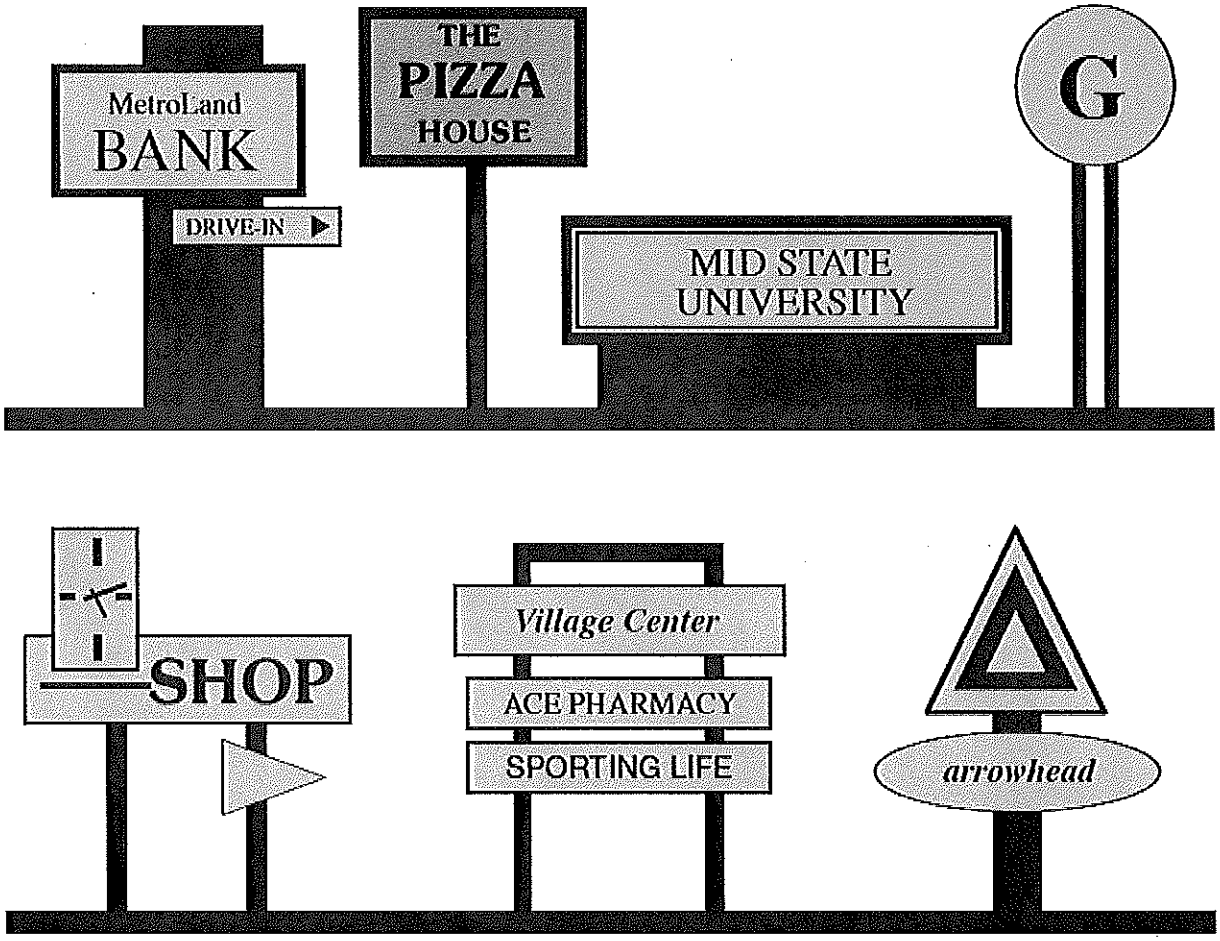
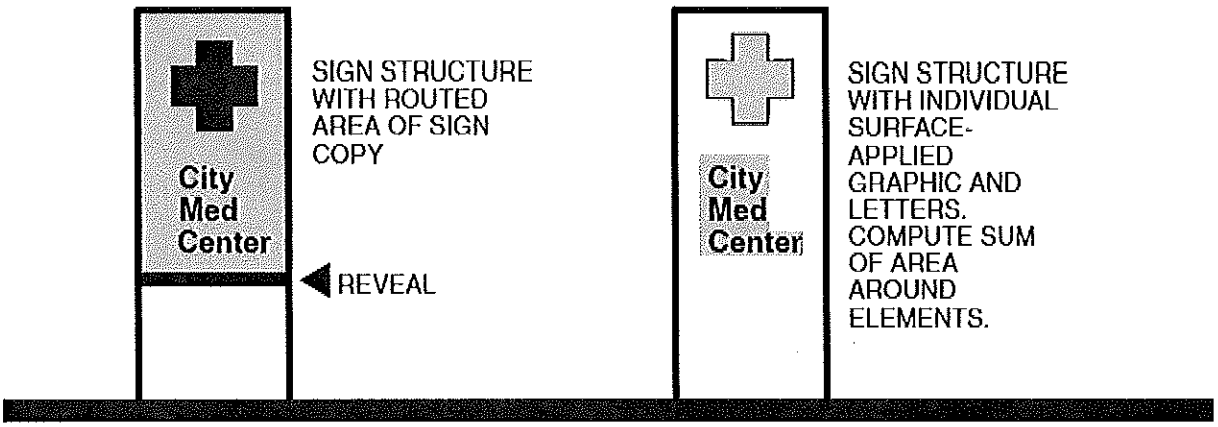


FIGURE C.1(2) COMPARISON—ROOF AND WALL OR FASCIA SIGNS

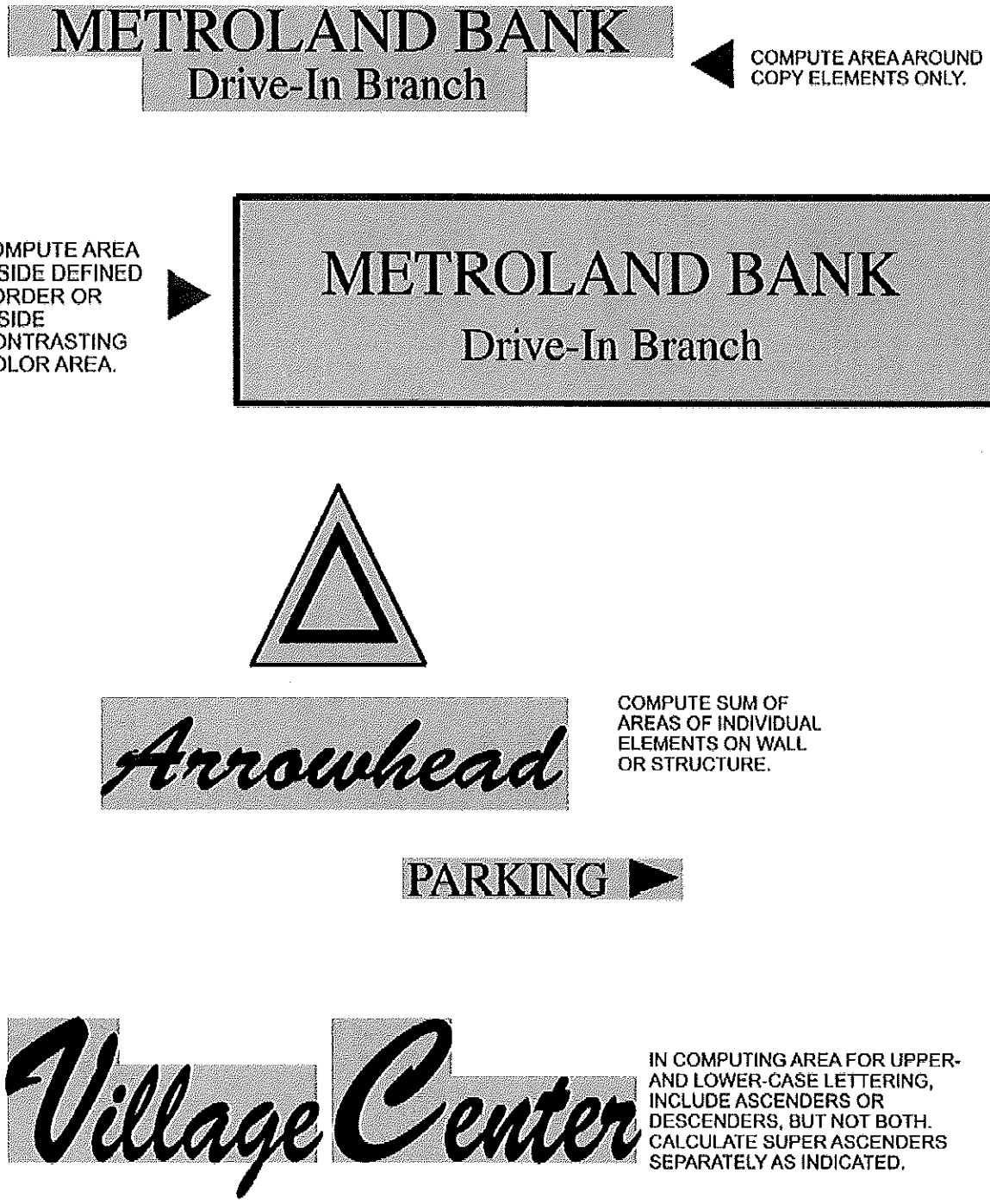


SIGN STRUCTURES



Notes: Sum of shaded areas only represents sign area. Sign constructed with panels or cabinets.

FIGURE C.1(3) SIGN AREA—COMPUTATION METHODOLOGY



Notes: Sum of shaded areas only represents sign area for code compliance purposes. Examples of signs consisting of individual letters, elements or logos placed on building walls or structures.

FIGURE C.1(4) SIGN AREA—COMPUTATION METHODOLOGY

D. General Provisions

1. Conformance to codes
   Any sign hereafter erected shall conform to the provisions of this ordinance and of any other ordinance or regulation within this jurisdiction.

2. Signs in rights-of-way

No sign other than an official traffic sign or similar sign shall be erected within any public way, unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization of the Town Manager and the Virginia Department of Transportation (VDOT).

3. Projections over public ways

Signs projecting over public walkways shall be permitted to do so only with the approval of the Town Manager on a temporary basis. These signs are subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of 8 feet (2438 mm) from *grade* level to the bottom of the sign. Signs, architectural projections or *sign* structures projecting over vehicular access areas must conform to the minimum height clearance limitations imposed by the jurisdiction for such structures.

4. Traffic visibility.

No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.

5. Computation of frontage

Business signs with an area of two square feet for each foot of facade width to a maximum of fifty square feet in sign area (where more than one business exists in a building, each maximum sign area is to be proportionate to the business square footage). For buildings with more than one wall facing a street, each side of the building will be computed separately.

6. Animation and changeable messages

10/4/11-Not permitted.

6/5/12 TB to call Chincoteague

Animated signs, except as prohibited in Section F, are permitted in commercial and *industrial* zones only. Changeable signs, manually activated, are permitted for nonresidential uses in all zones. Changeable signs, electrically activated, are permitted in all nonresidential zones.

7. Maintenance, repair and removal

6/5/12 Need to obtain legal opinion re: removal of damaged signs.

Every sign permitted by this ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the zoning administrator, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this ordinance, the owner thereof or the person or firm using same shall, upon written notice by the zoning administrator forthwith in the case of immediate danger, and in any case within not more than 10 days, make such sign conform to the provisions of this ordinance, or shall remove it. If within 10 days the order is not complied with, zoning administrator shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.

8. Obsolete sign copy

Any *sign* copy that no longer advertises or identifies a use conducted on the property on which said *sign* is erected must have the sign copy covered or removed within 30 days after written notification from the zoning administrator; and upon failure to comply with such notice, the zoning administrator is hereby authorized to cause removal of such sign copy, and any expense incident thereto

shall be paid by the owner of the building, structure or ground on which the sign is located.

In some instances, the historic significance of the sign will exempt the property from adherence to this ordinance. Such cases will be determined by the zoning administrator.

9. Nonconforming signs

Any sign legally existing at the time of the passage of this ordinance that does not conform in use, location, height or size with the regulations of the zone in which such *sign* is located, shall be considered a legal nonconforming use or structure and shall be permitted to continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations:

6/5/12 Need legal review re: handling of non-conforming signs.

a. Structural alterations, enlargement or re-erection are permissible only where such alterations will not increase the degree of nonconformity of the signs.
b. Any legal nonconforming *sign* shall be removed or rebuilt without increasing the existing height or area if it is damaged, or removed if allowed to deteriorate to the extent that the cost of repair or restoration exceeds 50 percent of the replacement cost of the sign as determined by the zoning administrator.
c. Signs that comply with either Item 1 or 2 above need not be permitted.

E. Exempt Signs

The following signs shall be exempt from the provisions of this chapter. No sign shall be exempt from Section D.4.

1. Official notices authorized by a *court*, public body or public safety official.
2. Directional, warning or information signs authorized by federal, state or municipal governments.
3. Memorial plaques, building identification signs, historical markers and building cornerstones when cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure.
4. The flag of a government or noncommercial institution, such as a school.
5. Religious symbols and seasonal decorations within the appropriate public holiday season.
6. Works of fine art or historical signs displayed in conjunction with a commercial enterprise where the enterprise does not receive direct commercial gain.
7. Street address signs and combination nameplate and street address signs that contain no advertising copy and which do not exceed 4 square feet (0.56 m^2) in area.

Added #8 2/26/2013

8. Freestanding signs or signs attached to fences, no more than one and one half square feet in area, to warn the public against hunting, fishing, trespassing, dangerous animals, swimming, the existence or danger of such, when placed on the periphery of the property or at a location where the warning is necessary.

F. Prohibited Signs

The following devices and locations shall be specifically prohibited:

1. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
2. Except as provided for elsewhere in this code, signs encroaching upon or overhanging public right-of-way. No *sign* shall be attached to any utility pole (with the exception of the utility pole located at the Post Office on Randolph Avenue), light standard, street tree or any other public facility located within the public right-of-way.

Added #4, #9, #10, #11, #12 and #13 2/26/2013

3. Signs which blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.
4. Signs, any part of which moves by any means, including but not limited to rotating signs, propellers, discs, and such but excluding pennants and signs indicating time and temperature.
5. Portable signs except as allowed for temporary signs.

"Any sign displayed on an automobile, boat, truck, or other motorized vehicle which is used primarily for such advertising display." Change or incorporate into #6. 2/26/2013

6. Any *sign* attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:
6.1. The primary purpose of such a vehicle or trailer is not the display of signs.
6.2. The signs are magnetic, decals or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
6.3. The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such signs relate.

Need to define "static" displays.

7. Vehicles and trailers are not used primarily as static displays, advertising a product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the general public.
8. Balloons, streamers or pinwheels except those temporarily displayed as part of a special sale, promotion or community event. For the purposes of this subsection, "temporarily" means no more than 20 days in any calendar year.
9. Any signs that use the word "stop" or "danger" or otherwise present or imply the need or requirement to stop or take caution of the existence of danger or which is a copy of, imitation of, or which for any reason is likely to be confused with any sign displayed or authorized by a public authority.
10. Any non-shielded illumination of a sign within 200 feet of a residential district.
11. Billboard signs
12. Illuminated tubing or strings of lights solely for the purpose of illumination, except when displayed as decorations during the holiday seasons. This includes any lighting arrangement which outlines any portion of a building or structure by exposed tubing or strings of lights.
13. Signs advertising activities which are illegal under federal, state, or local laws and regulations.

G. Permits Required

1. Unless specifically exempted, a permit must be obtained from the zoning administrator for the erection and maintenance of all signs erected or maintained within this jurisdiction and in accordance with other ordinances of this jurisdiction. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner and in a manner in accordance with all the other provisions of this ordinance.

2. Construction documents

Before any permit is granted for the erection of a sign or sign structure requiring such permit, construction documents shall be filed with the zoning administrator showing the dimensions, materials and required details of construction, including loads, stresses, anchorage and any other pertinent data. The permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected and by engineering calculations signed and sealed by a registered design professional where required by the *International Building Code*.

3. Changes to signs
No sign shall be structurally altered, enlarged or relocated except in conformity to the provisions herein, nor until a proper permit, if required, has been secured. The changing or maintenance of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, business names, lettering, sign faces, colors, display and/or graphic matter, or the content of any sign shall not be deemed a structural alteration.

4. Permit fees
Permit fees to erect, alter or relocate a sign shall be in accordance with the fee schedule adopted within this jurisdiction.

Added #5, #6, #7, #8 and #9 2/26/2013

5. Permit number. The permit number assigned shall be indicated on the lower right hand corner of all signs issued permits after the date of adoption of this ordinance.
6. Permit expiration. If a sign is not erected within twelve months following the issuance of a sign permit, such permit shall be null and void.
7. Church, school, or other public or semi-public institutions may have one name sign or bulletin board not exceeding twenty square feet in area.
8. Landscaping shall be integrated with each individual freestanding sign. Landscaping plans will be approved by the Zoning Administrator.
9. Signs and advertising structures shall not obstruct any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, or ingress and egress for any building structure.

H. Specific Sign Requirements

1. Identification signs.
Identification signs shall be in accordance with Sections H.1.a through H.1.c.

a. Wall signs
Every single-family residence, multiple-family residential complex, commercial or *industrial* building, and every separate nonresidential building in a residential zone may display wall signs per street frontage subject to the limiting standards set forth in Table 1008.1.1(1). For shopping centers, planned *industrial* parks or other multiple occupancy nonresidential buildings, the building face or wall shall be calculated separately for each separate occupancy, but in no event will the allowed area for any separate occupancy be less than [JURISDICTION TO INSERT NUMBER] square feet.

TABLE H.1.a(1) IDENTIFICATION SIGN STANDARDS—WALL SIGNS

LAND USE	AGGREGATE AREA (square feet)
Single-family residential	2 SQFT
Multiple-family residential	12 SQFT

For SI: 1 square foot = 0.0929 m^2.

b. Free-standing signs

In addition to any allowable wall signs, every single-family residential subdivision, multiple-family residential complex, commercial or *industrial* building, and every separate nonresidential building in a residential zone shall be permitted to display free-standing or combination signs per street frontage subject to the limiting standards set forth in Table H.1.b.

TABLE H.1.b IDENTIFICATION SIGN STANDARDS—FREE-STANDING SIGNS[a,b,c]

LAND USE	NUMBER OF SIGNS	HEIGHT (feet)	AREA (square feet)	SPACING
Single-family residential	1	4'	12 Sq Ft	1 per subdivision entrance[a]
Multiple-family residential	1	??	[JURISDICTION TO INSERT NUMBER]	1 per driveway[a]
Commercial and industrial	1	??	See Figures 1008.1.2 (1), (2) and (3)	150[b]

Need to add sizes for Commercial 1/9/13.

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m^2, 1 acre = 4047 m^2.

a. For subdivision or apartment identification signs placed on a decorative entry wall approved by the ~~code official~~ zoning administrator, two identification signs shall be permitted to be placed at each entrance to the subdivision or apartment complex, one on each side of the *driveway* or entry drive.

b. For shopping centers or planned *industrial* parks, two monument-style free-standing signs not exceeding 50 percent each of the permitted height and area, and spaced not closer than 100 feet to any other free-standing identification sign, shall be permitted to be allowed in lieu of any free-standing sign otherwise permitted in Table H.1.b.

Need to add sizes for Commercial 1/9/13.

c. For any commercial or *industrial* development complex exceeding 1,000,000 square feet of gross leasable area, or 40 acres in size, such as regional shopping centers, auto malls or planned *industrial* parks, one free-standing sign per street front shall be permitted to be increased in sign area by up to 50 percent.

2. Temporary signs

Temporary signs shall be in accordance with Sections H.2.a through H.2.f.

a. Real estate signs

Real estate signs shall be permitted in all zoning districts, subject to the following limitations:

(1) Real estate signs located on a single residential lot shall be limited to one sign, not greater than 4 square feet in area. (Open House Signs)

(2) Real estate signs advertising the sale of lots located within a subdivision shall be limited to one sign per entrance to the subdivision, and each *sign* shall be no greater than 32 square feet in area nor 6 feet in height. All signs permitted under this section shall be removed within 7 days after sale of the last original lot.

(3) Real estate signs advertising the sale or lease of space within commercial or *industrial* buildings shall be no greater than 12 square feet in area nor 8 feet in height, and shall be limited to one sign per street front.

Add AUCTION Signs – size up to 32 SQFT. Can be displayed up to 30 days.

(4) Real estate signs advertising the sale or lease of vacant commercial or *industrial* land shall be limited to one sign per street front, and each sign shall be no greater than 8 feet in height, and 20 square feet for property of 10 acres or less, or 32 square feet for property exceeding 10 acres.

(5) Real estate signs shall be removed not later than 7 days after execution of a lease agreement in the event of a lease, or the closing of the sale in the event of a purchase.

b. Development and construction signs

Signs temporarily erected during construction to inform the public of the developer, contractors, architects, engineers, the nature of the project or anticipated completion dates, shall be permitted in all zoning districts, subject to the following limitations:

(1) Such signs on a single residential lot shall be limited to one sign, not greater than 6 feet in height and 4 square feet in area.

(2) Such signs for a residential subdivision or multiple residential lots shall be limited to one sign, at each entrance to the subdivision or on one of the lots to be built upon, and shall be no greater than 6 feet in height and 32 square feet in area.

~~(3) Such signs for nonresidential uses in residential districts shall be limited to one sign, and shall be no greater than 6 feet in height and 4 square feet in area.~~

(4) Such signs for commercial or *industrial* projects shall be limited to one sign per street front, not to exceed 6 feet in height and 12 square feet for projects on parcels 5 acres or less in size, and not to exceed 6 feet in height and 32 square feet for projects on parcels larger than 5 acres.

(5) Development and construction signs may not be displayed until after the issuance of construction permits by the building official, and must be removed not later than 7 days following issuance of an occupancy permit for any or all portions of the project.

c. Special promotion, event and grand opening signs

Signs temporarily displayed to advertise special promotions, events and grand openings shall be permitted for nonresidential uses in a residential district, and for all commercial and *industrial* districts subject to the following limitations:

(1) Such signs shall be limited to one sign per street front.

Contradictory? #1 and #3 2/26/2013

(2) Such signs may be displayed for not more than 30 consecutive days in any 3-month period, and not more than 60 days in any calendar year. The signs shall be erected ~~no more than 5 days prior to the event or grand opening~~ on weekends only, and shall be removed not more than 1 day after the event or grand opening.

(3) The total ~~area~~ number of all such signs shall not exceed 5 ~~square feet~~ in any single-family residential district, [JURISDICTION TO INSERT NUMBER] square feet in any multiple-family residential district and [JURISDICTION TO INSERT NUMBER] square feet in any commercial or *industrial* district.

Size? 4 sq ft? 2/26/2013

d. Special event signs in public ways

Signs advertising a special community event shall not be prohibited in or over public rights-of-way, subject to approval by the zoning administrator and the Virginia Department of Transportation as to the size, location and method of erection. The zoning administrator may not approve any special event signage that would impair the safety and convenience of use of public rights-of-way, or obstruct traffic visibility.

e. ~~Portable signs~~

~~Portable signs shall be permitted only in the C, CR and FI districts, as designated in this code, subject to the following limitations:~~

Currently not allowed. TB asked the Commissioners to think about. Possibly could use to eliminate the number of event signs. 4/3/2012

~~(1) No more than one such sign may be displayed on any property, and shall not exceed a height of [JURISDICTION TO INSERT NUMBER] feet nor an area of [JURISDICTION TO INSERT NUMBER] square feet.~~

~~(2) Such signs shall be displayed not more than 20 days in any calendar year.~~

~~(3) Any electrical portable signs shall comply with NFPA 70, as adopted in this jurisdiction.~~

~~(4) No portable sign shall be displayed prior to obtaining a sign permit.~~

f. Political signs

Political signs shall be permitted in all zoning districts, subject to the following limitations:

(1) Such signs shall not exceed an area of 4 square feet.

(2) Such signs for election candidates or ballot propositions shall be displayed only for a period of 45 days preceding the election and shall be removed within 7 days after the election.

(3) Such signs shall not be placed in any public right-of-way or obstruct traffic visibility.

3. Requirements for specific sign types

Signs of specific type shall be in accordance with Sections H.3.a through H.3.g.

a. Canopy and marquee signs

(1) The permanently-affixed copy area of *canopy* or marquee signs shall not exceed an area equal to 25 percent of the face area of

the *canopy*, marquee or architectural projection upon which such sign is affixed or applied.

(2) Graphic striping, patterns or color bands on the face of a building, *canopy*, marquee or architectural projection shall not be included in the computation of sign copy area.

b. Awning signs

(1) The copy area of awning signs shall not exceed an area equal to 25 percent of the background area of the awning or awning surface to which such a sign is affixed or applied, or the permitted area for wall or fascia signs, whichever is less.

(2) Neither the background color of an awning, nor any graphic treatment or embellishment thereto such as striping, patterns or valances, shall be included in the computation of sign copy area.

c. Projecting signs

(1) Projecting signs shall be permitted in lieu of free-standing signage on any street frontage limited to one sign per occupancy along any street frontage with public entrance to such an occupancy, and shall be limited in area to 2 square feet per each lineal foot of building frontage, except that no such sign shall exceed an area of 50 square feet.

(2) No such *sign* shall extend vertically above the highest point of the building facade upon which it is mounted.

(3) Such signs shall not extend over a public sidewalk without approval of the Town Manager.

(4) Such signs shall maintain a clear vertical distance above any public sidewalk a minimum of 8 feet.

d. Under *canopy* signs

(1) Under *canopy* signs shall be limited to no more than one such sign per public entrance to any occupancy.

(2) Such signs shall maintain a clear vertical distance above any sidewalk or pedestrian way a minimum of 8 feet.

e. Roof signs

(1) Roof signs shall not be permitted in any districts.

f. Window signs (Inside).

Window signs shall be permitted for any nonresidential use in a residential district, and for all commercial and *industrial* districts, subject to the following limitations:

(1) Any signs attached to windows or glass walls advertising weekly specials or special services offered for a limited time by a business establishment.

(2) The aggregate area of all such signs shall not exceed 25 percent of the window area on which such signs are displayed. Window panels separated by muntins or mullions shall be considered as one continuous window area.

Added #3 2/26/2013

(3) Window signs shall not be assessed against the sign area permitted for other sign types.

g. Menu boards

Menu board signs shall not be permitted to exceed 10 square feet (2' x 5').

Added h. 2/26/2013

h. Sandwich boards

Sandwich boards on public right-of-way shall be removed at daily close of business.

I. Signs for Development Complexes

1. Master sign plan required

All landlord or single-owner controlled multiple-occupancy development complexes on parcels exceeding 8 acres (32 376 m^2) in size, such as shopping centers or planned *industrial* parks, shall submit to the ~~code official~~ zoning administrator a master sign plan prior to issuance of new sign permits. The master sign plan shall establish standards and criteria for all signs in the complex that require permits, and shall address, at a minimum, the following:

a. Proposed sign locations.
b. Materials.
c. Type of illumination.
d. Design of free-standing sign structures.
e. Size.
f. Quantity.
g. Uniform standards for nonbusiness signage, including directional and informational signs.

2. Development complex sign

In addition to the free-standing business identification signs otherwise allowed by this ordinance, every multiple-occupancy development complex shall be entitled to one free-standing sign per street front, at the maximum size permitted for business identification free-standing signs, to identify the development complex. No business identification shall be permitted on a development complex sign. Any free-standing sign otherwise permitted under this ordinance may identify the name of the development complex.

3. Compliance with master sign plan

All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the master sign plan.

10. Amendments

Any amendments to a master sign plan must be signed and approved by the owner(s) within the development complex before such amendment will become effective.

J. Other Permitted Signs

1. Commercial Districts

Added J, K & L 2/26/2013

a. Barber poles.
b. Theater marquees, including chaser lights, neon, and backlit changeable letterings appropriate to its use.

K. Sign Illumination

1. External Illumination. External lighting shall be limited to light fixtures utilizing white, not colored, lighting and shall not be blinking, fluctuating, or moving. External lighting shall be provided by concealed and/or screened spots or floods and shall be arranged and installed so that direct or reflected illumination does not exceed (0.5) foot candles above background measured at the lot line of any adjoining residential or agricultural parcel or public right-of-way.
2. Internal Illumination. Internal lighting shall be limited to internal light contained within translucent letters and internal illuminated sign boxes provided the background or field on which the copy and/or logos are placed is opaque. The area illuminated is restricted to the sign face only. The direct or reflected illumination shall not exceed (0.5) foot candles above the background measured at the lot line of any adjoining residential or agricultural parcel or public right-of-way.

L. Violations of Signs

Need to add consequences and sign removal. 2/26/2013

The Zoning Administrator shall have the authority to determine violations of this preceding section and notify the owner of such violation in writing.