

Planning Commission

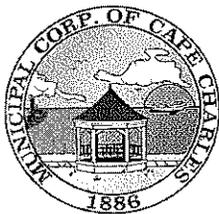
Public Hearing

&

Regular Session Agenda

December 4, 2012
Town Hall, 2 Plum Street
6:00 P.M.

1. Call Public Hearing to Order; Roll Call
 - a. Read advertisement and project description
 - b. Applicant Presentation
 - c. Hear Public Comments
2. Close Public Hearing and move to regular meeting
3. Invocation and Pledge of Allegiance
4. Public Comments
5. Consent Agenda
 - a. Approval of Agenda Format
 - b. Approval of Minutes
 - c. Reports
6. Old Business
 - a. Conditional Use Permit – South Port Investors LLC – Parcels 12 and 17
 - b. Density – Harbor District – Mason Avenue Corridor
 - c. Sign Ordinance - Review
7. New Business
 - a. None
8. Announcements
9. Adjourn



DRAFT
PLANNING COMMISSION
Regular Meeting
Town Hall
November 6, 2012

At approximately 6:00 p.m. in the Town Hall, Vice Chair Dennis McCoy, having established a quorum, called to order the Regular Meeting of the Planning Commission. In attendance were Commissioners Andy Buchholz, Joan Natali, Sandra Salopek, Bill Stramm, and Mike Strub. Commissioner Malcolm Hayward was not in attendance. Also present were Town Planner Tom Bonadeo and Town Clerk Libby Hume. There was one member 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

Due to the nature of the items under New Business, Tom Bonadeo proposed that the New Business items be reviewed in reverse order prior to Old Business.

Motion made by Joan Natali, seconded by Andy Buchholz to accept the changes to the agenda. The motion was approved by unanimous consent.

The Commissioners reviewed the minutes for the October 2, 2012 Regular Meeting.

Motion made by Joan Natali, seconded by Mike Strub, to approve the minutes from the October 2, 2012 Regular Meeting as presented. The motion was approved by unanimous consent.

REPORTS

Tom Bonadeo reported the following: i) Assessments were still in process for damages from Hurricane Sandy and would continue for at least a week or more. The most damage was sustained by the fishing pier and the Sea Breeze Apartments. The north-west building was condemned for safety issues and the management team of Sea Breeze Apartments located alternative housing for the seven families who were displaced. The Bay Creek golf courses also sustained some damage. Staff met with FEMA representatives regarding the pier and beach. As of this time, the State of Virginia had not yet been declared a disaster area in order for the Town to qualify for FEMA assistance; and ii) Even though the Wave Attenuation Devices (WADs) were completed off the shore of the Bay Vistas and Sea Breeze Apartments, the sand replenishment had not been done prior to the hurricane. If the 30' of sand had been in place, it would have helped with the erosion and the foundation of the Sea Breeze building probably would not have been undermined.

NEW BUSINESS

A. Election of Chairperson and Vice-Chairperson

Tom Bonadeo informed the Commissioners that the Planning Commission By-Laws outlined that the election of the Chairperson and Vice-Chairperson would be held each year in November.

Joan Natali nominated Dennis McCoy to serve as Chairperson, seconded by Bill Stramm. There were no other nominations or volunteers for the position. Dennis McCoy was elected as Chairperson by unanimous vote.

Dennis McCoy nominated Mike Strub to serve as Vice-Chairperson, seconded by Andy Buchholz. There were no other nominations or volunteers for the position. Mike Strub was elected as Vice-Chairperson by unanimous vote.

B. *Reschedule January 1, 2013 Meeting*

Tom Bonadeo stated that the first Tuesday of January 2013 was January 1st. Since that was a holiday, an alternate date needed to be chosen for the January Planning Commission meeting. The Commissioners reviewed the calendar and discussed several dates.

Motion made by Joan Natali, seconded by Andy Buchholz, to schedule the January 2013 Planning Commission meeting for January 9, 2013. The motion was approved by unanimous consent.

C. *Conditional Use Permit – South Port Investors LLC – Parcels 12 and 17*

Tom Bonadeo informed the Commissioners that a conditional use permit application had been received from South Port Investors for uses on two pieces of property in the Harbor District which were leased from the Town (parcels 83A3-12 and 83A3-17). The construction costs were estimated at approximately \$5M. Tom Bonadeo explained the history of the area known as the former Sustainable Technology Industrial Park (STIP) to the newer Commissioners.

Tom Bonadeo went on to state that Phase 1 of the South Port project consisting of uses for boat and marine engine repair, boatel, equipment storage, one dwelling unit and a 6' chain link security fence, would be reviewed this evening. It was explained that the boatel would use exposed racks for storing boats and the dwelling unit would be used for the individual on duty.

Tom Bonadeo showed the Commissioners the design plans submitted by South Port and pointed out the proposed locations for the 600-SQFT, 2-story building, the travel lift, storage area and fence, adding that additional storage would be across the road at the old wastewater treatment plant site.

There was some discussion regarding approval of a conditional use permit for leased property being approved for someone other than the owner and Tom Bonadeo explained that a conditional use permit could be requested by a variety of people as long as they had the authorization from the property owner. The Town was currently working with South Port Investors on a modification to the leases to include the new plans/uses. Tom Bonadeo added that the Town was interested in South Port Investor's success in this plan.

Mike Strub asked whether the U.S. Coast Guard had approved the plans. Tom Bonadeo stated that the Coast Guard had no purview in this area and that South Port had applied to the Virginia Marine Resources Commission (VMRC) and sent information to all adjacent property owners (Coast Guard, Virginia Institute of Marine Science, the Town, etc.) The initial application was approved in 2008, but had to be re-approved due to modifications being made to the plan. The Cape Charles Wetlands Board met on November 2nd and approved the revised mitigation plan according to the Army Corps of Engineers requirements. There was a 10-day waiting period before the Corps could issue a modified permit.

Tom Bonadeo informed the Commissioners that Harbor Development was also previously approved for a conditional use permit to build two boatels, a marine repair facility, and 320-360 residential condominium units over commercial space on 20 acres of land between Bay Shore Concrete and South Port. Andy Buchholz asked whether the Commissioners could review the conditional use permit for the Harbor Development since the uses were similar to what was being requested by South Port Investors. Tom Bonadeo agreed that the information would be emailed to the Commissioners for their review.

Tom Bonadeo reviewed the process for issuing conditional use permits pursuant to § 4.3 of the Cape Charles Zoning Ordinance. There was much discussion regarding the requirements and Andy Buchholz stated that he wanted to ensure that nothing would be discharged into the Chesapeake Bay and asked about the handling of gas or oil spills. Tom Bonadeo stated that there would be a holding tank to drain the unused fuel and something would be placed underground, beneath gravel, to catch any spills.

Tom Bonadeo went on to explain that the Planning Commission had 100 days from the initial review to make their recommendation to the Town Council on whether or not to approve the Conditional Use Permit Application. The deadline was February 14, 2013. A public hearing needed to be held and recommendation to the Town Council needed to be within 45 days after the public hearing. A public hearing could be scheduled for December preceding the regular meeting and the Commissioners could discuss any comments received and further review the application at that meeting. The Commissioners could then make their recommendations to the Town Council or continue discussion at their January meeting. If there was an issue and the Commissioners could not agree on a recommendation, they could negotiate with the application to extend the deadline. There was some further discussion regarding the proposed plans.

Motion made by Joan Natali, seconded by Mike Strub, to schedule a public hearing for December 4, 2012. The motion was approved by unanimous consent.

OLD BUSINESS

A. Density - Harbor District - Mason Avenue Corridor

Due to time limitations, discussion regarding this issue was postponed to the December meeting.

B. Sign Ordinance - Review

Due to time limitations, discussion regarding this issue was postponed to the December meeting.

ANNOUNCEMENTS

There were no announcements.

Motion made by Mike Strub, seconded by Joan Natali, to adjourn the Planning Commission meeting. The motion was approved by unanimous consent.

Chairman Dennis McCoy

Town Clerk

Planning Commission Staff Report

From: Tom Bonadeo

Date: December 4, 2012

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 when available prior to printing.
2. The Southport Project has received a modification to its Corps of Engineers Permit. The Cape Charles Wetlands Board also approved a one year permit for wetlands mitigation in relation to the same project. Work should be starting soon.
3. The old WWTP is demolished. South Port has moved into the area and is clearing, replanting and getting ready for creating a new entrance for their project.
4. The Historic Review Board met last month. The Board reviewed two applications for additions or modifications to homes in town. The Board also reviewed the modification request for the Hotel Cape Charles and voted to require the Hotel to install the second floor rail as proposed.
5. The storm caused numerous difficulties around Town. The President has declared Virginia a disaster area after Hurricane Sandy. This is good news for our recovery effort and the associated costs.
6. Working with VDOT on a sidewalk repair project. The work is progressing on the streets between Madison Avenue and Monroe Avenue.
7. Sea Breeze is working on a plan to recover their building after the hurricane damage. Permit applications are being prepared for VMRC.
8. The New Library Building is being readied for occupancy. The old teller line has been removed, the furniture is being sold or reused and the safe deposit boxes have been recycled. ADA bathroom and other items are getting ready for installation.
9. The fishing pier is still closed and awaiting structural engineer review.

Planning Commission Staff Report

From: Tom Bonadeo
Date: December 4, 2012
Item: 6A – Conditional Use Permit – South Port Investors LLC
Attachments: Additional Information

Item Specifics

The Zoning Administrator has received a Conditional Use Permit Application from South Port Investors LLC. The application is for uses on two pieces of property owned by the Town and leased to South Port Investors LLC. The properties are 83A3-A-12 (parcel 12) and 83A3-A-17 (parcel 17). These two properties are zoned Harbor District.

The requested uses are for:

1. Boat and Marine Engine Repair (Parcels 12 & 17)
2. Boatel (33 boats - Parcel 12)
3. Dwelling Unit (1 - Parcel 12)
4. 6' Chain Link Security fence (Parcel 12)

The process for issuing Conditional Use Permits is found in Section 4.3 of the Zoning Ordinance. These are certain uses that are listed in the ordinance for which the Town Council, upon recommendation by the Planning Commission, shall find that the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvement in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

The Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance. The Planning Commission may recommend conditions as it sees fit.

Discussion

The zoning administrator has worked with the applicant in preparation of the application and finds that the application meets the requirements of the ordinance. During the discussion at last month's meeting several questions arose about parts of the application. Specifically, the following:

1. What is the height of the Storage rack?
2. Where is parking for the boatel cars and trailers?
3. Are the boatel spaces for temporary storage of are they rented like slips?
4. Is there some protection planned during paint and fiberglass work?
5. Since parcel 17 work area is gravel, how will this be protected?
6. Is there a pump out system for sewage?
7. Discuss Virginia Clean Marina.

The attached letter and drawing answer most of the above questions. The storage rack will be no taller than 40 feet which is the maximum allowed by the zoning ordinance for a building or structure in the Harbor District. No CUP is required for this height.

The drawing shows the parking spaces marked out per the Table of Parking standards as noted in the letter. The Boatel spaces are rented by the public and if trailers are to be stored they would be kept on parcel 17.

There is to be no work fiberglass work or painting on parcel 12 and on parcel 17 ground cloths and enclosures would be used. This is only one of the requirements of participation in the Virginia Clean Marina Program. The Cape Charles Town Harbor and Bay Creek Marina both have the Clean Marina status. The CUP for Harbor Development required that they become a Virginia Clean Marina as a condition of the CUP.

The Zoning Ordinance requires that upon recommendation by the Planning Commission, the Town Council shall find that the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working within the particular surrounding neighborhood.
 - a. Participation in the Virginia Clean Marina Program will help protect the neighbors and the environment.
 - b. Design includes a water recycling wash rack
2. Be detrimental to the public welfare or injurious to property or improvement in the neighborhood.
 - a. \$5,000,000 investment
 - b. New jobs
 - c. Additional boats into the area
3. Be in conflict with the purpose of the comprehensive plan.
 - a. The Comprehensive Plan and the Harbor Area Plan both concur with the development of the harbor as a mixed use and specifically mention this project as a positive development.

The Corp of Engineers has approved the modification to their permit as requested by South Port Investors LLC. The Cape Charles Wetlands Board also approved the wetlands mitigation as proposed and required by the Corps. This clears the way for construction to begin on the wetlands mitigation and the spoils site. The spoils site is at the end of Bayshore Road, a site previously cleared for construction as part of this project.

The uses of Boatel, Boar Repair and Marine Engine Repair are also conditional uses on the property in the surrounding neighborhood. The single dwelling unit will be of little impact as there are persons staying on the Coast Guard property and there is a CUP for 360 dwelling units in the surrounding neighborhood.

Recommendation

Review the presentation, public comments and discussion. Consider a recommendation to Town Council with or without conditions.



Engineering Resources Group, LLC

Cleveland Park Business Center
5741 Cleveland Street, Suite 120
Virginia Beach, VA 23462
Ph: (757) 961-6215 Fx: (757) 961-7244

November 26, 2012

Mr. Tom Bonadeo, Town Planner
Town of Cape Charles Planning Department
2 Plum Street
Cape Charles, VA 23310

**RE: Conditional Use Permit
Cape Charles Yacht Center - Phase I
Parcels 12 and 17
Cape Charles, Virginia
ERG Project No. 2111203.A**

Please find enclosed the following items for your review and approval of the above referenced project:

Item	Copies	Description
1	5	Conceptual Plan - Revised
2	5	Conceptual Plan Reduced Size - Revised
3	5	Boatel Exhibit

The following items are in response to your preliminary comments:

1. The primary purpose of the proposed boatel is to provide rental space.
2. Designated parking has been added to Parcels 12 and 17 at the following rates:
 - a. Equipment Shop = 1 space / 400 sf
 - b. Office Space = 1 space / 300 sf
 - c. Dwelling = 2 spaces / unit
 - d. Boatel = 1/2 space / boat

The Conceptual Plan dated October 17, 2012 has been revised accordingly.

3. The proposed boatel is currently under design. However, with or without a roof, the height of the boatel structure will not exceed the 40' height limit.

See the attached Boatel Exhibit for additional information.

4. The area of trailer parking has been designated on Parcel 17.

5. Painting and fiberglass work will be performed under temporary tenting with impervious tarp ground protection within the stone work area on Parcel 17 until a permanent paint and repair facility is constructed on Parcel 17.

No painting or fiberglass work is to be performed on Parcel 12.

6. This project incorporates best management practices to meet stormwater regulations.

A Stormwater Pollution Prevention Plan will be prepared for this project.

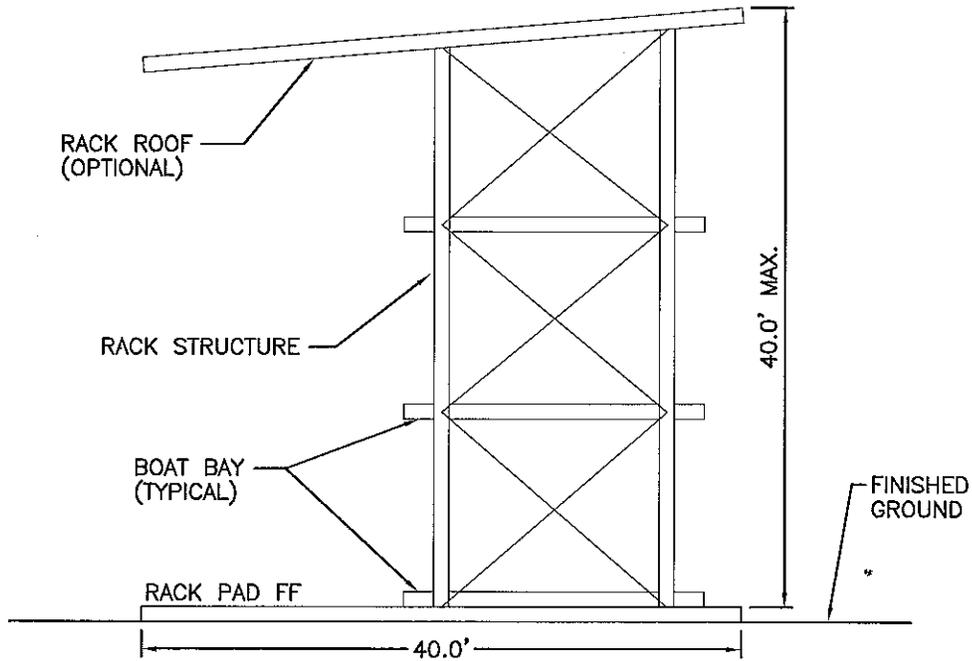
7. This project is working towards the designation as a Virginia Clean Marina.

Please feel free to contact me at (757) 961-6215 or dmacLennan@ergroup.net if you have any questions or need additional information.

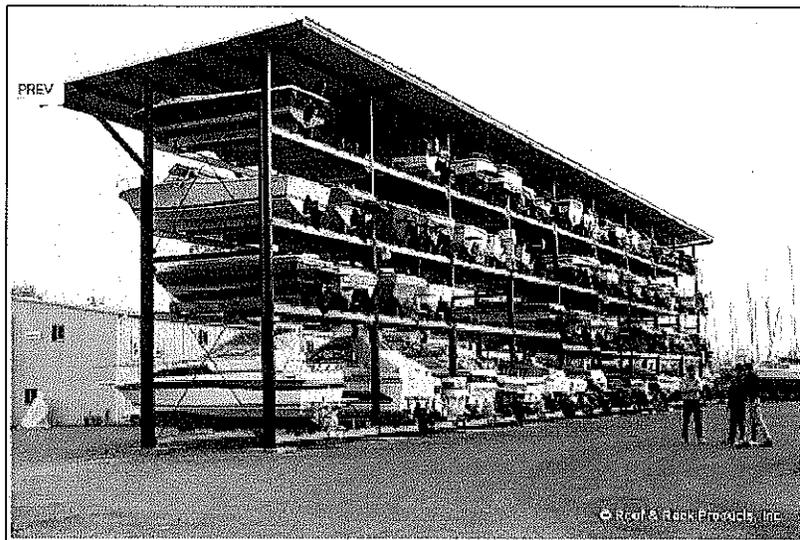
Sincerely,



Donald W. MacLennan, P.E.
President
Engineering Resources Group, LLC

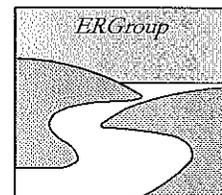


PROPOSED FOR PARCEL 12



EXAMPLE OF TYPICAL STRUCTURE

BOATEL EXHIBIT
 CAPE CHARLES YACHT CENTER
 NOT TO SCALE



Engineering Resources Group, LLC
 5741 Cleveland Street, Suite 120
 Virginia Beach, VA 23462
 PH: (757) 961-6215 FX: (757) 961-7244

Planning Commission Staff Report

From: Tom Bonadeo

Date: December 4, 2012

Item: 6B – Review of Density in Harbor District Zone – Mason Avenue Corridor

Attachments: Table of densities, FAR examples

Item Specifics

The Commission reviewed the Density issue at the August and September meetings. The current economic situation has created new building challenges for real estate developers. The Harbor District Zone is the least developed area of Town. Two large projects were submitted and approved under this zoning ordinance. Both projects had positive growth potential while showing some of the potential weaknesses of the ordinance. No specific number of residential units (density) is specified in the Harbor Zone. The Harbor Area Conceptual Master Plan divides the zone into areas relative to their relationship with other zones such as Mason Avenue.

Discussion

A quick review of the September discussion on FAR will help the new members have an understanding of the scope of density measurements.

The Commission reviewed ways to measure density, by Units per Acre and Floor Area Ratio (FAR). We will review more detail on FAR as this is the general method for measuring density. FAR also takes into account open space and height. Some facts about Harbor District are:

1. 25% open space is required.
2. Parking is not part of open space.
3. Current height regulation is 40' with a CUP for some higher to 55'.
4. The Mason Avenue corridor is between Mason Avenue and the Harbor. The Master Plan recommends that this area be treated more like Mason Avenue than like the Harbor.

The Harbor District Zone allows residential units over commercial space. It also allows partial use (50%) of the first floor as residential space. All residential space must have its own entrance at street level. There is no limitation of the number of units on a property.

The planning book "Planning the Built Environment" has numerous tables and guidelines that are generally used for this type of definition. In addition to the tables from the last meeting, two new tables are included, one showing coverage and one showing different FAR and its relationship to coverage.

If we use FAR, open space and height together we can control density and keep the overall building size more in keeping with the north side of Mason Avenue.

Here are sample Densities of existing areas in Cape Charles using DU per acre:

1. The "standard" lot in the Cape Charles Residential area is 5600 square feet which yields 7.7 units per acre.
 - a. This allows for onsite parking and 50% open space.
 - b. Maximum elevation of 40 feet but no more than 2 ½ stories.
 - c. What is the FAR?

2. The C-1 Commercial area allows dwelling units only above the first floor and with separate access to the street level, not through a commercial unit.
 - a. The densest location is the Wilson Building that has nine dwelling units on three floors.
 - b. This location is covers one 5600 square foot lot.
 - c. All parking is on-street parking.
 - d. This is about 69 units per acre.
 - e. The building is 4 stories.
 - f. What is the FAR?

3. The building at 115 Mason Avenue is on a 35 foot wide lot with 4 dwelling units.
 - a. This provides a density of 35 units per acre
 - b. This lot only allows 3 on-site parking spaces.
 - c. The building is 3 stories.
 - d. What is the FAR?

New development also must meet the table of parking standards. This means that the development will be required to have on-site parking that will take up square footage. The table requires one parking space per bedroom. Parking is not allowed in the open space of the development in the Harbor District.

The definition of a dwelling unit says one or more rooms. The zoning ordinance does not regulate the number of bedrooms in the unit. The Floor Area Ration (FAR) would be useful in the Harbor District as it regulates total area not just units. FAR is often used in commercial development as it regulates the square footage relationship rather than the number of dwelling units. A dwelling unit can also vary in size and number of bedrooms. Figure 14.5 shows this relationship.

Reviewing Figure 14.5 shows that a density of 25 to 35 units per acre or a FAR of .5 to .9 allows enough open space to meet the parking requirements, keep the height relatively low and provide sufficient dwelling units.

Recommendation

Review and discuss the FAR examples as presented.

Figure 14.1. Examples of Building Coverage

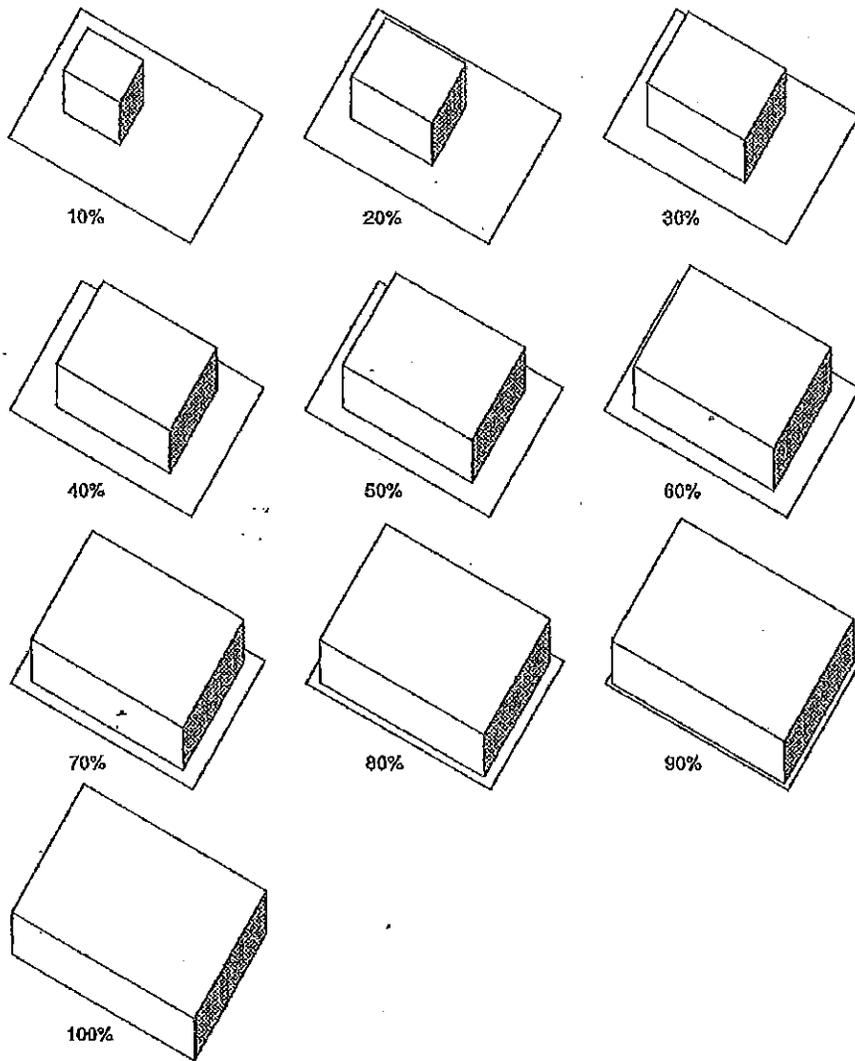


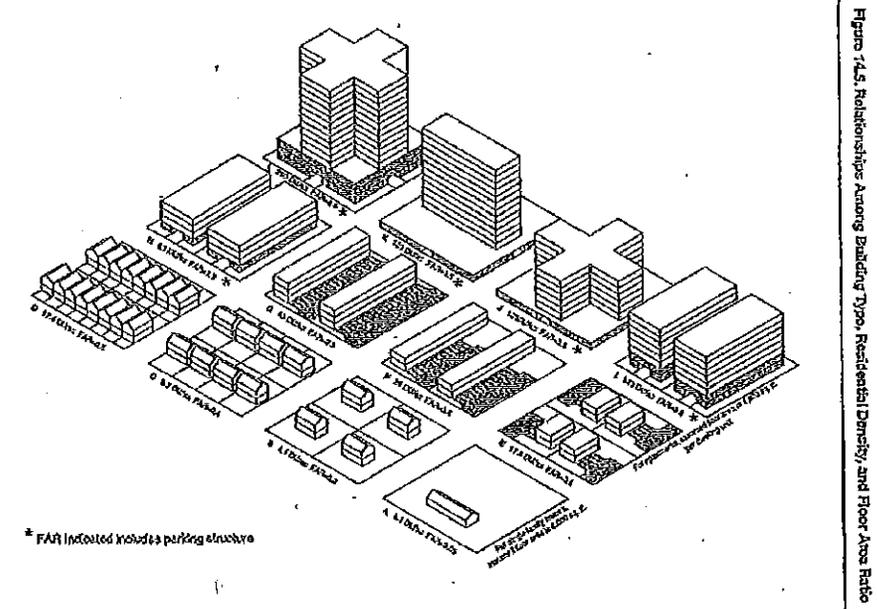
Table 14.2. Relationships Among Building Type, Residential Density, and Floor Area Ratio

Figure	Type of Structure	ASSUMED SPECIFICATIONS				RESULTING PATTERNS			
		Lot Size (sq. ft.)	Floor Area per DU	Building Spacing per DU	Number of Stories	Residential Density (DU/acre)	Dweller per Acre	Floor Area Ratio	Coverage (percent)
A	Detached, single-family houses	40,000	2,000	not shown	1	40,000	1.1	0.05	5
B	Detached, single-family houses	10,000	2,000	not shown	2	10,000	4.4	0.2	10
C	Detached, single-family houses	5,000	2,000	not shown	2	5,000	8.7	0.4	20
D	Row houses	2,500	2,000	not shown	2	2,500	17.4	0.8	40
E	Fourplex	10,000	1,000	1.2	2	2,500	17.4	0.4	20
F	Two-story garden apartment	20,000	1,000	1.2	2	1,000	20	0.6	20
G	Two-story garden apartment	20,000	1,000	1.0	3	1,100	40	0.9	30
H	Two-story garden apartment over parking	20,000	1,000	1.0	3	600	60	1.4	40
I	Two-story garden apartment over parking	20,000	1,000	1.0	6	350	125	2.9	48
J	Two-story garden apartment over parking	40,000	1,000	1.0	6	400	100	3.5	40
K	Two-story garden apartment over parking	40,000	1,000	1.0	12	400	100	3.5	20
L	Two-story garden apartment over parking	40,000	1,000	1.0	12	274	200	4.7	20

* DU = dwelling unit.
 † This table shows floor area in the situation depicted in both residential and parking areas. Other figures, not marked by an asterisk, are calculated on the basis of residential floor area only.

Figure 14.5 illustrates what the buildings in our calculations that each dwelling unit has a floor area of 2,000 square feet. The space for parking cars has not been shown in these illustrations because off-street parking presents no serious problems at these residential densities.

The left-hand row in Figure 14.5 contains only single-family houses, ranging in density from a low-density suburban home with a density of 1.1 DU/acre to urban row houses at a density of 17.4 DU/acre. It has been assumed



* FAR = Floor Area Ratio

Figure 14.2. Sites Developed With a Floor Area Ratio of 1.0

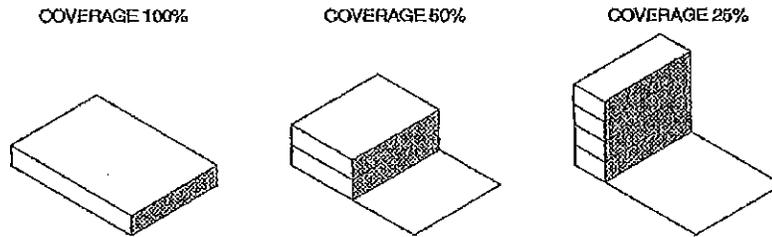


Figure 14.3. Sites Developed With a Floor Area Ratio of 0.5

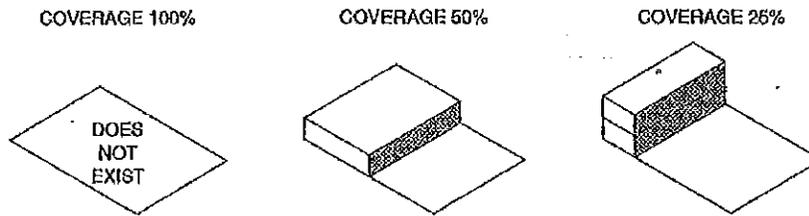
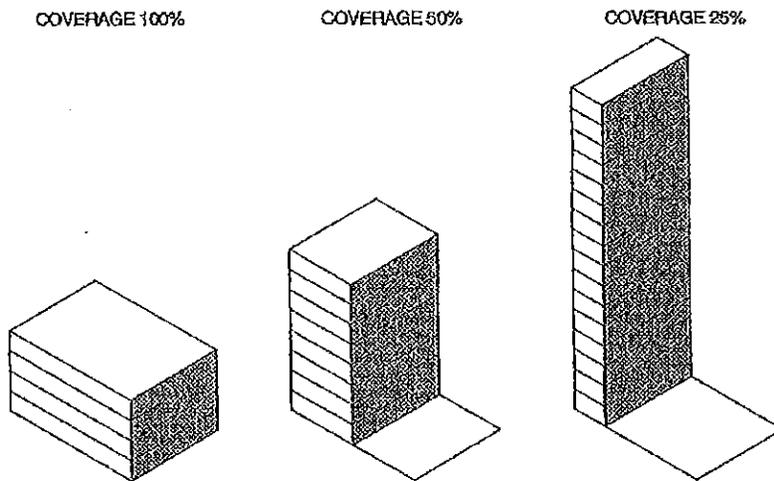


Figure 14.4. Sites Developed With a Floor Area Ratio of 4.0



streets, and facilities serving the local population (such as local schools, local parks, and local shopping facilities). The area specifically excluded land uses serving populations outside of the area being analyzed (such as state universities, regional shopping centers, and regional airports). The land area may or may not include vacant land.

Population-wide residential density—The number of dwelling units per unit area (such as square miles or square kilometers) of land within the political boundaries of a jurisdiction. (The area usually includes residential, commercial, industrial, recreational, and institutional land uses, as well as vacant land, military bases, airports, and bodies of water.)

Residential density is most often expressed in terms of dwelling units (DU) per acre (ac). Sometimes, however, the inverse of this term, lot area per dwelling unit, is used.

USING RESIDENTIAL DENSITY AS A DESIGN TOOL

Residential density, expressed in dwelling units per acre (DU/ac), is used as an overview planning tool.

Residential density, expressed in lot area per dwelling unit, is used as a regulatory tool (e.g., in specific zoning regulations).

When calculating the yield for single building sites, density figures (expressed in terms of square feet of lot area per DU) are used.

For a site that is to be subdivided (with streets to be subtracted from the gross area) the number of gross acres in each land use is multiplied by the gross residential density of that land use which results in an approximate yield in number of dwelling units.

For a site that is to be subdivided (with streets, parks, shopping centers, and schools), the gross area of the tract in

acres is multiplied by the neighborhood density figure which is closest to the typical type of dwelling that will be built on the property; this will produce an approximation of the number of dwelling units that the area will produce.

It must be noted that the above calculations will give approximations only. For more precise figures, one must specify how many units of each building type will be built, the average lot area per dwelling unit for each building type, the percent of the area that will be used for streets, and the percent of the area that will be used for community facilities. This detailed analysis can usually be made only after a fairly detailed site plan has been developed.

Table 14.1 reports typical residential densities. Note that these are generalized approximations only, and that the values reported in the table are not standards that apply everywhere.

COVERAGE AND FLOOR AREA RATIO

Some additional terms are used when describing or calculating residential density:

Coverage—The area of a building lot that is covered by a structure, expressed in square feet; the proportion of a building lot that is covered by a structure, expressed in percent or in decimal parts.

Floor area ratio (FAR)—The ratio between the total gross floor area on all stories of a structure to the gross area of the building lot on which the structure is located.

Floor area ratios are often used in regulating the density of development of commercial and industrial properties; they are rarely used in regulating residential properties. This is because experience has shown that when a FAR is the primary regulation in apartment zoning, property owners tend to crowd their properties with many small apartment units

Table 14.1. Typical Residential Densities

Residential Use	Lot Area (sq. ft./DU)	Net Residential Density (DU/acre)	Gross Residential Density (DU/acre)	Neighborhood Density (DU/acre)
Rural cottage	50 acres	.05	.05	.05
Rural residential	5 acres	.20	.18	.15
Low-density single family	20,000	2.2	1.7	1.5
Medium-density single family	8,000	5.5	4.0	3.5
High-density single family	5,000	6.7	6.5	6.2
Duplicate	4,000	11	8	6
Low-density row house	3,500	12	12	10
High-density row house	2,500	17	12	10
Low-density townhouse	5,400	8	6	5
High-density townhouse	2,700	16	12	10
1-story apartments	2,400	18	13	10
2-story apartments	1,200	36	25	20
3-story apartments	800	72	50	35
High-rise apartments	300	145	100	60

* DU/ac = dwelling units per acre
 * sq. ft./DU = area in the building site in square feet per dwelling unit

rather than fewer moderate-sized units. (In some instances, this may be a desired effect; in others, it may be considered an adverse impact.)

Figure 14.1 illustrates a variety of building coverages. It may be noted that very low coverage figures are usually found only in low-density suburban and rural areas, and that very high coverage figures are usually found only in dense urban areas. A coverage of 100 percent is extreme and is almost never found.

Figure 14.2 illustrates the three sites, each of which is developed to a FAR of 1.0 (that is, each site has a structure on it which is equal in floor area to the land area of the site). The figure on the left shows development when the building coverage is 100 percent; the figure in the middle shows development with a

RELATIONSHIPS AMONG BUILDING TYPE, RESIDENTIAL DENSITY, AND FLOOR AREA RATIO

Figure 14.3 illustrates the same three sites, but this time each of them is developed to a FAR of 0.5. Since it is impossible to develop a site at 100 percent coverage while having a FAR of 0.5, no structure is shown in the left-hand diagram.

Figure 14.4 again illustrates the three sites, but this time each one is developed to a FAR of 4.0.

Planning Commission Staff Report

From: Tom Bonadeo
Date: December 4, 2012
Item: 6C – Sign Ordinance
Attachments: Ordinance pages to be reviewed

Background

The sign ordinance has had review and has been partially marked up. Attached are pages 1 - 20. The session this evening will be a review of the existing ordinance, the modifications of the ordinance and where we will go next. The modified ordinance is based on the International Zoning Code. This code is written by the International Code Council.

Item Specifics

Please take time to read through the attached version. You will receive a Zoning Ordinance book and this session will provide instruction on the use of the book.

Recommendations

Introduction to code Section IV, specifically Signs.

Section 4.1 Sign Regulations

A. Purpose

OK'd at
8/2/11
meeting
(language
from Ports)

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. ~~For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds 4 seconds.~~

Deleted 11/2011.

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 making anything known; the product, business, or service so advertised or displayed being on or 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.")

Definitions pulled from Internet. 1/2012. Need to decide which one to use.

Need to add size.

OR

A large permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages. (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."

Need to add language re: dark sky compliance. 8/2/11

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).

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. 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.

11/1/11

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

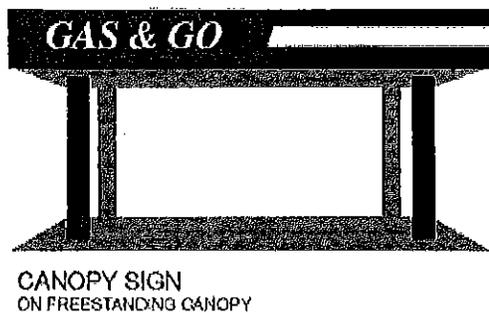
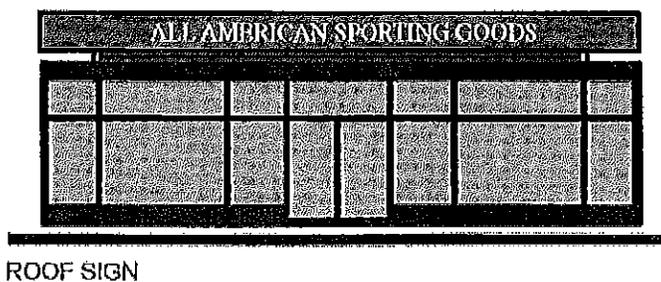
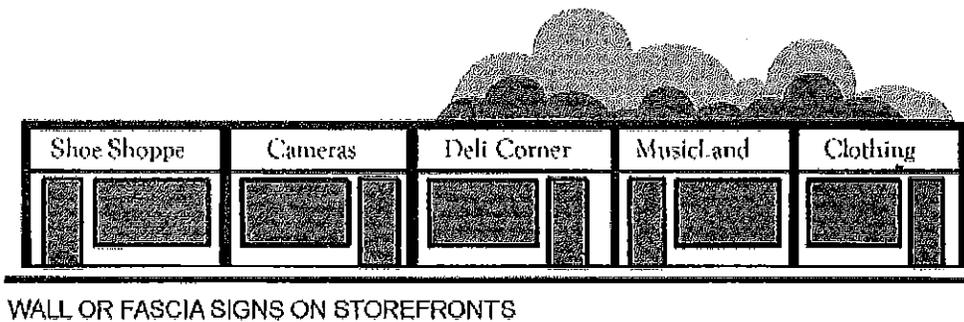
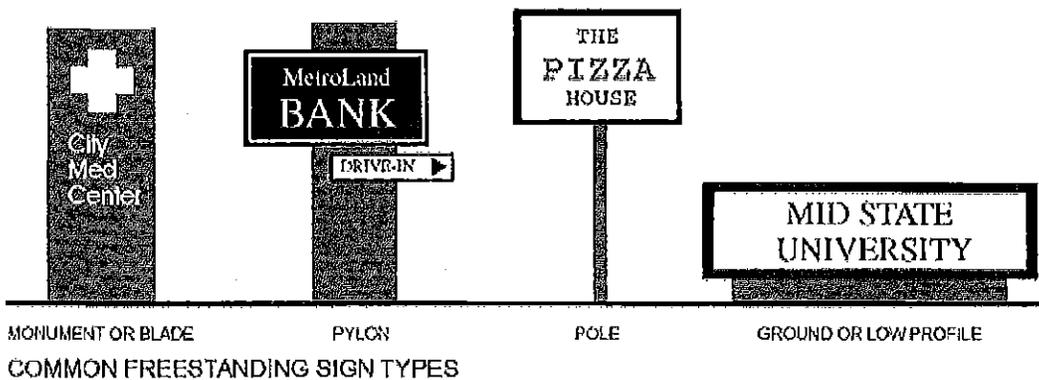


FIGURE C.1(1) GENERAL SIGN TYPES

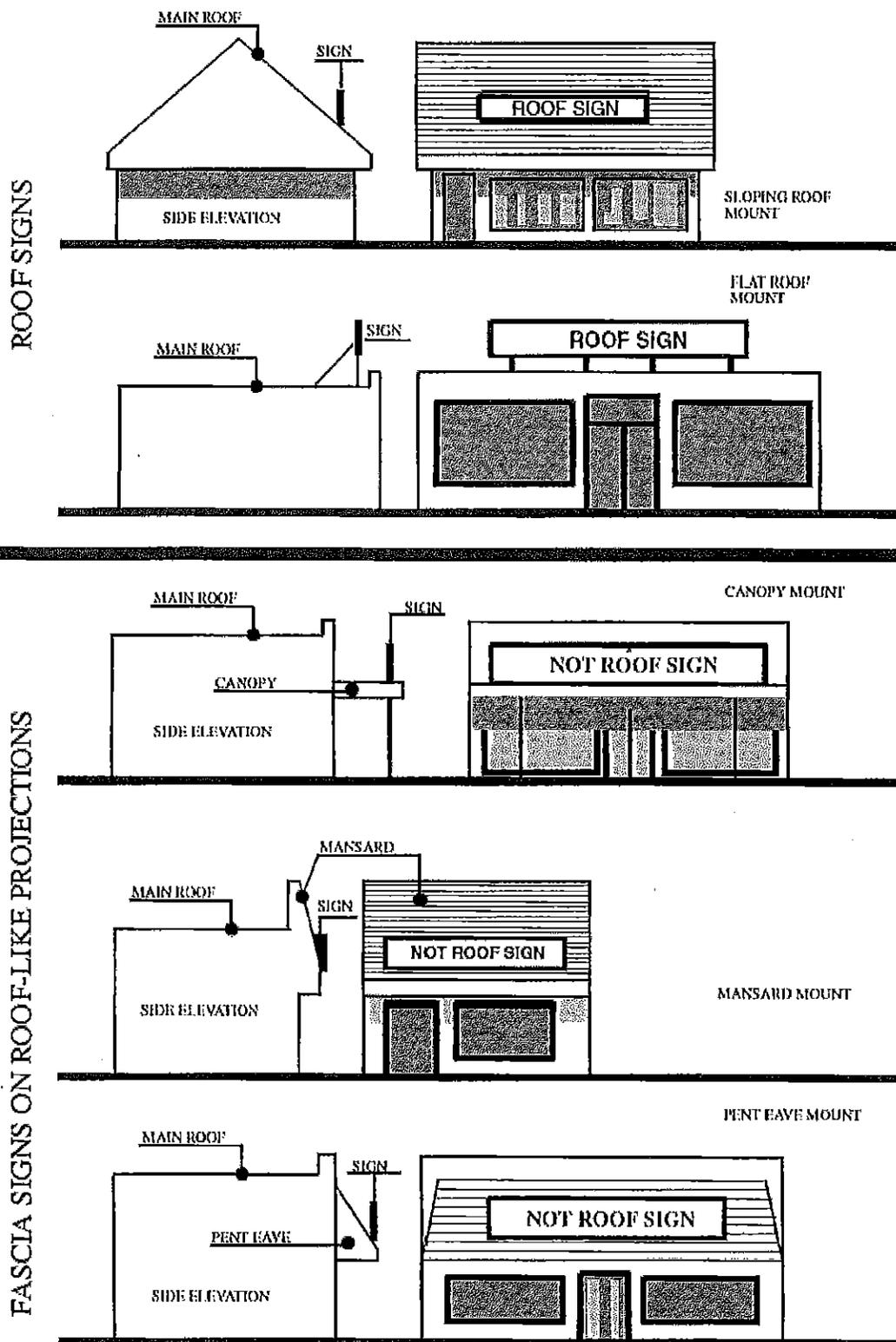
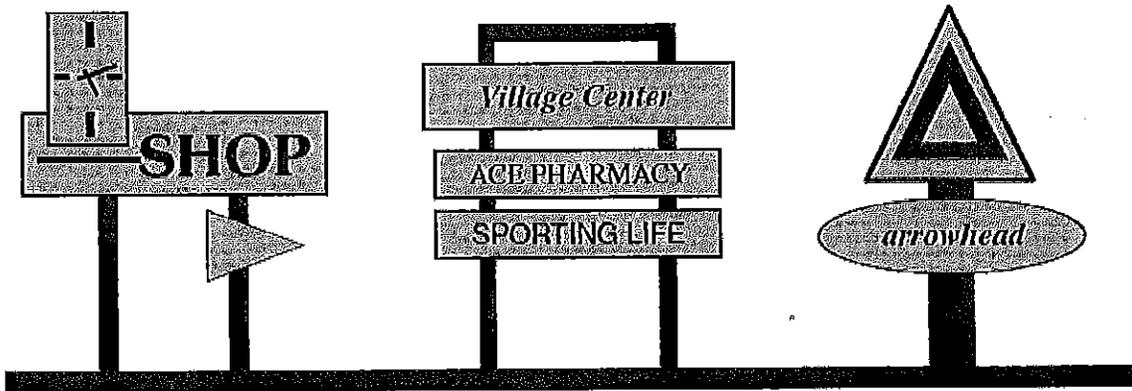
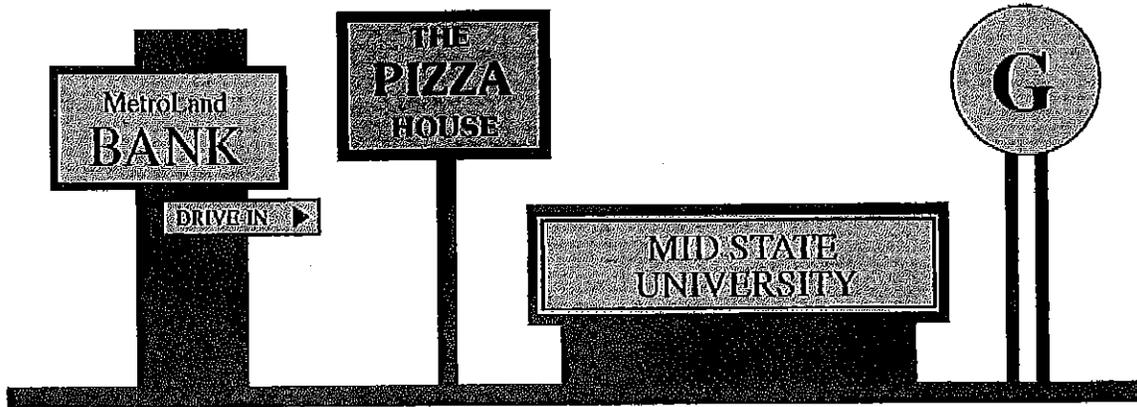
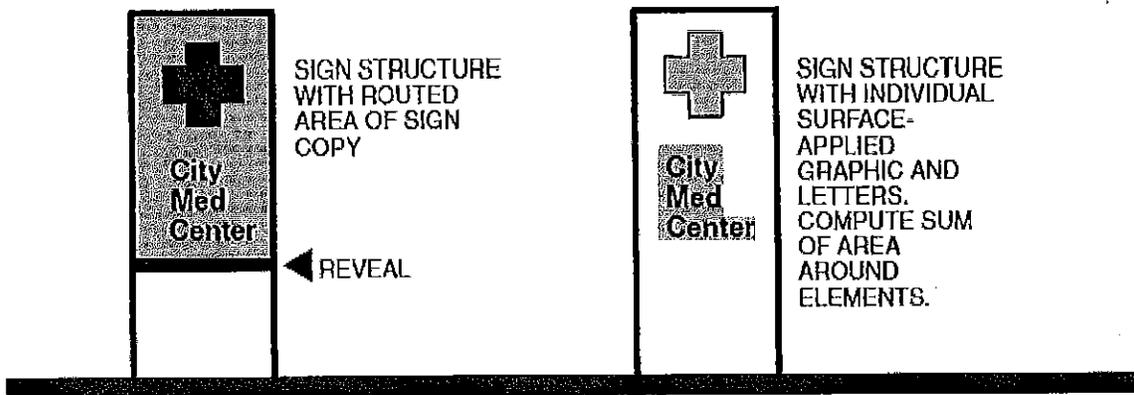


FIGURE C.1(2) COMPARISON—ROOF AND WALL OR FASCIA SIGNS



SIGN STRUCTURES

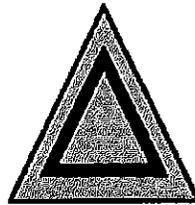


Notes: Sum of shaded areas only represents sign area. Sign constructed with panels or cabinets.

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



COMPUTE AREA INSIDE DEFINED BORDER OR INSIDE CONTRASTING COLOR AREA.



COMPUTE SUM OF AREAS OF INDIVIDUAL ELEMENTS ON WALL OR STRUCTURE.



IN COMPUTING AREA FOR UPPER- AND LOWER-CASE LETTERING, INCLUDE ASCENDERS OR DESCENDERS, BUT NOT BOTH. CALCULATE SUPER ASCENDERS SEPARATELY AS INDICATED.

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

Deleted 6/5/12

Any sign hereafter erected shall conform to the provisions of this ordinance and the provisions of the *International Building Code* and of any other ordinance or regulation within this jurisdiction.

2. Signs in rights-of-way
Deleted 11/1/11.
6/5/12-changed to Town Manager
No sign other than an official traffic sign or similar sign shall be erected ~~within 2 feet (610 mm) of the lines of any street, or~~ within any public way, unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization of the ~~code official zoning administrator~~ Town Manager.

3. Projections over public ways
11/1/11.
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
Need to put in "our" language.
~~If a premises contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign area(s) thus calculated shall be permitted to then be applied to permitted signs placed on each separate wall or property line frontage.~~

Current language from § 4.1.J.2.b
6/5/12 added language for bldgs with more than 1 wall w/street 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 Chicoteague
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 ~~code official 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 ~~code official 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, the ~~code official 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

Add reference to
Historic Guidelines.
10/4/11

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 ~~code official~~ zoning administrator; and upon failure to comply with such notice, the ~~code official~~ 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.

6/5/12 Add exemption
for historic significance
(i.e., Wilson bldg)

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 ~~code official~~ 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 6 square feet (0.56 m²) in area.

Added
9/6/11

Added
6/5/12.

Too big
11/1/11

F. Prohibited Signs

The following devices and locations shall be specifically prohibited:

Need to compare with current. 10/4/11

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.
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. Portable signs except as allowed for temporary signs.
5. Any *sign* attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:
 - 5.1. The primary purpose of such a vehicle or trailer is not the display of signs.
 - 5.2. 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.
 - 5.3. 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.
6. 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.
7. 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.

Added 11/1/11

Need to define "static" displays.

G. Permits Required

1. Unless specifically exempted, a permit must be obtained from the ~~code official~~ 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 ~~code official~~ 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.

Need to add reference to pole at the post office 11/1/11.

Need to add reference to pole at the post office 11/1/11.

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.

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
Nonresidential in a residential zone	Up to 50 SQFT
Commercial and industrial	See Table 1008.1.1(2)

For SI: 1 square foot = 0.0929 m².

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.

Tom to work on. Table too complicated for our purposes. 01/03/12.

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	[JURISDICTION TO INSERT]	[JURISDICTION TO INSERT]	[JURISDICTION TO INSERT NUMBER]	1 per subdivision entrance ^a

	NUMBER]	NUMBER]		
Multiple-family residential	[JURISDICTION TO INSERT NUMBER]	[JURISDICTION TO INSERT NUMBER]	[JURISDICTION TO INSERT NUMBER]	1 per driveway ^a
Nonresidential in a residential zone	[JURISDICTION TO INSERT NUMBER]	[JURISDICTION TO INSERT NUMBER]	[JURISDICTION TO INSERT NUMBER]	300 ^a
Commercial and industrial	[JURISDICTION TO INSERT NUMBER]	See Figures 1008.1.2 (1), (2) and (3)	See Figures 1008.1.2 (1), (2) and (3)	150 ^b

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m², 1 acre = 4047 m².

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.

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.

c. Directional signs

No more than two directional signs shall be permitted per street entrance to any lot. There shall be no limit to the number of directional signs providing directional information interior to a lot. In residential zones, the maximum area for directional signs shall be [JURISDICTION TO INSERT NUMBER] square feet. For all other zones, the maximum area for any directional sign visible from adjacent property or rights-of-way shall be [JURISDICTION TO INSERT NUMBER] square feet. Not more than 25 percent of the area of any directional sign shall be permitted to be devoted to business identification or logo, which area shall not be assessed as identification sign area.

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:

4 SQFT - Includes Open House Signs
Add AUCTION Signs – size up to 48 SQFT. Can be displayed up to 30 days.

- (1) Real estate signs located on a single residential lot shall be limited to one sign, not greater than 4 square feet in area.
- (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 10 7 days after sale of the last original lot.

5/1/12 – sizes added in #2 & 3. # days changed in #2.

5/1/12 – sizes added in #4
& # of days changed in #5.

- (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.
- (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 (~~40-470 m²~~) or less, or ~~100~~ 32 square feet (~~9.3 m²~~) for property exceeding 10 acres (~~40-470 m²~~).
- (5) Real estate signs shall be removed not later than ~~10~~ 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:

5/1/12 – sizes added in #1-4
& # of days changed in #5.

6/5/12 – need to check #s
in (1) with May notes.

- (1) Such signs on a single residential lot shall be limited to one sign, not greater than 6 feet in height and 32 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 (~~20-235 m²~~) or less in size, and not to exceed 6 feet in height and 32 square feet for projects on parcels larger than 5 acres (~~20-235 m²~~).
- (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 ~~24 hours~~ 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.
- (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, and shall be removed not more than 1 day after the event or grand opening.

- (3) The total area of all such signs shall not exceed [JURISDICTION TO INSERT NUMBER] 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.

d. Special event signs in public ways

Need to defer to VDOT since we don't own the streets & ROWs.

6/5/12 added VDOT. Need to submit LUP-A for VDOT approval.

Signs advertising a special community event shall not be prohibited in or over public rights-of-way, subject to approval by the ~~code official~~ zoning administrator and the Virginia Department of Transportation as to the size, location and method of erection. The ~~code official~~ 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

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

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

- (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:

4/3/2012 changes made

- (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 ~~60~~ 45 days preceding the election and shall be removed within ~~10~~ 7 days after the election, ~~provided that signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than 10 days after the general 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 height and area to [JURISDICTION TO INSERT NUMBER] square feet per each [JURISDICTION TO INSERT NUMBER] lineal feet of building frontage, except that no such sign shall exceed an area of [JURISDICTION TO INSERT NUMBER] square feet.
 - (2) No such *sign* shall extend vertically above the highest point of the building facade upon which it is mounted by more than [JURISDICTION TO INSERT NUMBER] percent of the height of the building facade.
 - (3) Such signs shall not extend over a public sidewalk in excess of [JURISDICTION TO INSERT NUMBER] percent of the width of the sidewalk.
 - (4) Such signs shall maintain a clear vertical distance above any public sidewalk a minimum of [JURISDICTION TO INSERT NUMBER] 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, and shall be limited to an area not to exceed [JURISDICTION TO INSERT NUMBER] square feet.
 - (2) Such signs shall maintain a clear vertical distance above any sidewalk or pedestrian way a minimum of [JURISDICTION TO INSERT NUMBER] feet.
- e. Roof signs
- (1) Roof signs shall be permitted in commercial and *industrial* districts only.
 - (2) Such signs shall be limited to a height above the roofline of the elevation parallel to the sign face of no more than [JURISDICTION

TO INSERT NUMBER] percent of the height of the roofline in commercial districts, and [JURISDICTION TO INSERT NUMBER] percent of the height of the roofline in *industrial* districts.

(3) The sign area for roof signs shall be assessed against the aggregate permitted area for wall signs on the elevation of the building most closely parallel to the face of the sign.

f. Window signs.

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) 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.

(2) 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 50 square feet (4.6 m²).

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 m²) 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.

4. 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.