

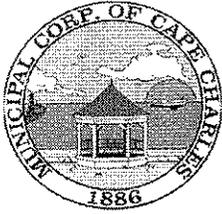
Planning Commission

Regular Session Agenda

September 6, 2011

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 Review - Definitions
6. New Business
7. Announcements
8. Adjourn



DRAFT
PLANNING COMMISSION
Regular Meeting
Town Hall
August 2, 2011

At 6:00 p.m. in the Town Hall, Chairman Bruce Brinkley, having established a quorum, called to order the Regular Meeting of the Planning Commission. In attendance were Commissioners Malcolm Hayward, Dennis McCoy, Joan Natali and Mike Strub. Commissioner Roger Munz was not in attendance. It was noted that there was one vacancy on the Commission. Also present were Town Planner Tom Bonadeo and Town Clerk Libby Hume. There were no members of the public in attendance.

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

REGULAR MEETING 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 Dennis McCoy to accept the agenda format as presented. The motion was approved by unanimous consent.

The Commissioners reviewed the minutes for the July 12, 2011 Regular Meeting.

Mike Strub noted a typographical error under Reports on the first page.

Motion made by Joan Natali, seconded by Dennis McCoy, to approve the minutes from the July 12, 2011 Regular Meeting as amended. The motion was approved by unanimous consent.

REPORTS

Tom Bonadeo reported that the new Mason Avenue force main was into the final phase of construction. The contractor had promised that Mason Avenue would be open by this coming weekend for the parade and 125th Anniversary festivities.

Joan Natali asked about the status on the Harbor dredging project. Tom Bonadeo explained that the Town had not lost hope. This was a huge project (estimated around \$20M - \$30M) and the Federal government was not able to earmark any funding for this project. Bayshore Concrete was planning to float the concrete sections, for the tunnel projects across the bay, by barge.

OLD BUSINESS

Sign Ordinance Review - New Intent Statement

Tom Bonadeo informed the Commissioners that the Town Council had reviewed the Intent Statement and was in support of the Planning Commission working to improve the overall effectiveness of the ordinance. Tom Bonadeo stated that the language for the new "Intent" statement was taken from the "Purpose" statement from the City of Portsmouth's ordinance. The Commissioners were in agreement with the modifications to the "Intent" statement and proceeded to review the "Definitions" section of the current ordinance. The Commissioners agreed as follows: i) The definition of "Sign" duplicated itself within the definition and would be modified for additional clarity; ii) The definition of "Sign, Billboard" would be rewritten and a size would be added; iii) There was some discussion regarding the definition of "Sign, Construction" and it was agreed not to add sizes because in some cases, larger signs would be

preferred; iv) It was agreed that a size needed to be added to the definition of "Sign, Freestanding" and Tom Bonadeo would do some research of other localities' ordinances to draft language for review at the next meeting; v) Reference to "dark sky" would be added to the definition of "Sign, Illumination;" and vi) There was some discussion regarding the definition of "Sign, Portable" which was defined but was not used in the current ordinance and whether this type of sign could be considered a "Temporary Sign." Tom Bonadeo stated that he would revise the "Definition" section, using the City of Portsmouth ordinance as a guide, for review by the Commissioners at the next meeting.

Malcolm Hayward stated that he had talked to Town Manager Heather Arcos and thought that his signage was permitted. Tom Bonadeo explained that banners could be considered as "Grand Opening" signs and were permitted for 30 days, which had expired. The banner was also on a vehicle which was not permitted. If the Town permitted one company to do this, others would follow suit. There was some further discussion regarding options for Malcolm Hayward's signage and much discussion regarding "signs" vs. "vehicles."

Tom Bonadeo reviewed the City of Portsmouth's ordinance regarding permitted signage and stated that, for the next meeting, he would place the information into a matrix to be reviewed by the Commissioners.

Malcolm Hayward stated that he had heard that the Town of Chincoteague had a seasonal sign ordinance. Tom Bonadeo stated that he would contact the Town Manager of Chincoteague regarding this issue adding that it would be feasible to allow certain types of signage during the summer months.

Aircraft Ordinance – Review and Comment

Tom Bonadeo explained that the Code of Virginia made some changes in relation to heliports which prompted the creation of a model ordinance for helicopter landing areas. Tom Bonadeo added that he had spoken to several individuals who have owned helicopters and to Oral Lambert of Bay Creek and the consensus was that the Town did not have a problem with helicopters and there was not much point in working on an ordinance of this nature until the Town had more frequency of helicopter landings. Tom Bonadeo suggested that this information be kept on hand until the time came when the Town would need such an ordinance.

Dennis McCoy stated that he was concerned that the Town and Planning Commission were not planning for the future. Tom Bonadeo stated that from a planning perspective, it would be appropriate to keep this information on hand until it became an issue. Once you told someone they could land a helicopter at any given location, it would become a liability issue.

After further discussion, the Commissioners were in agreement that Tom Bonadeo would create a file for this information. If this issue ever became a problem for the Town, this model ordinance would be revisited.

NEW BUSINESS

There was no new business to review.

OTHER BUSINESS

Tom Bonadeo stated that the Planning Commission meetings were scheduled for the first Tuesdays of each month and there were several instances where this date conflicts with elections and falls on the day after a holiday. The scheduled September meeting falls on the day after Labor Day. Tom Bonadeo asked the Commissioners whether they wanted to reschedule the September meeting. The Commissioners were in agreement to keep the September meeting as scheduled.

Tom Bonadeo went on to state that at the July meeting, the Commissioners approved the scheduling of joint public hearings with the Town Council to hear comments regarding the proposed modifications to the zoning ordinance relating to Home Occupations and the definition of Agriculture. This recommendation was on the August 11th Town Council agenda and the proposed date of the joint public hearing was September 22nd, which was the date reserved for the Town Council Work Session. Action would then be taken in October.

Malcolm Hayward asked about the status of the bath houses at the Town Harbor. Tom Bonadeo explained that a Design-Build Request for Qualifications had been advertised and 10 responses were received, one response stated that the job was too small. The remaining nine responses were being reviewed by a committee and would be scored to determine the best qualified contractors to whom a Request for Proposal would be provided. Tom Bonadeo went on to explain the scoring system. Malcolm Hayward asked whether there were any regulations regarding giving preference for local companies. Joan Natali stated that if all other criteria were equal, the Town could lean toward a local company. Tom Bonadeo stated that the Town had to follow Federal guidelines because of the Federal Grant Funding received and added that to his knowledge, there was no Federal law regarding the use of local contractors. Bruce Brinkley added that he did not feel this issue was within the Planning Commission's purview.

ANNOUNCEMENTS

There were no announcements.

Motion made by Dennis McCoy, seconded by Mike Strub, and unanimously approved to adjourn the Regular Meeting of the Planning Commission.

Chairman Bruce Brinkley

Town Clerk

Planning Commission Staff Report

From: Tom Bonadeo
Date: September 6, 2011
Item: 4C – Reports
Attachments:

Item Specifics

Storm Update

The storm caused some disruption but no major impact for the Town of Cape Charles. We had some worries with the 736' antenna as winds of 115mph as predicted could have caused damage. The total fall radius would include both of our WWTPs and the intersection at Marina and Bayshore roads. The normal fall radius is 35% of height and no buildings would have been damaged at this range.

An electrical short on a pole near the Rosenwald School cause a power outage to Bay Creek Golf community and points west, including the tower. We learned that AT&T had only battery backup for their cell node. After eight hours without power the batteries died and cell service went dead for AT&T customers 7am Sunday morning until power was restored a few hours later.

Some fairly extensive erosion was observed on the north side of Sea Breeze. This area has been losing ground for some time but this storm caused the bank to erode into the Sea Breeze property and the electrical transformer to drop over the bank. ANEC moved the transformer Sunday morning and emergency fill work have started.

Some additional erosion at the north end of the Aqua restaurant around the end of the rock revetment was also documented. About 18' of sand was moved and the face of the rock slid seaward in four places. There were lots of trees down with some power lines down in the process. The beach fared well in the storm. High tide on Saturday night did not exactly line up with the strongest winds and the tide reached about 7.5 feet. This level is less than the boardwalk but with wave action water did come over the edge at Jefferson Avenue. It left the upper edge of the beach at boardwalk level and there is still a good bathing beach. We will need our usual sand help next spring.

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 Harbor Redevelopment Plan – Bathhouse project is moving forward and the responses have been received and 5 have been notified as qualified. The RFP will be out the qualified vendors next week with responses due in 30 days.
3. The WWTP is moving along well. Our employees are being trained and some testing of equipment has begun. Finished are going on and in the buildings and we expect to begin taking effluent in early November.
4. The new force main on Mason Avenue is into the final phase with the destruction of the de-gritter. This is the old light blue contraption that used to stick up over the fence and

from which the smell came. Final manholes and then paving on the south lane of Mason Avenue.

5. The Historic Review Board did not meet last month and no items have been received for this month. We expect to meet to discuss the update to the inventory of homes in the town.
6. The Sinclair FM Tower standing 736' tall survived the storm. The current load on the antenna has a wind problem at about 115 mph. The antenna is scheduled to be "unloaded" when the new monopole is built. Sinclair is waiting on the final environmental studies to start building.
7. The County Supervisors have not had great success with the wind ordinance. Gamesa continues work on the offshore turbine and bird studies will resume in early fall.

Planning Commission Staff Report

From: Tom Bonadeo
Date: August 2, 2011
Item: 5A – Sign Ordinance
Attachments: International Code Definitions

Background

The sign ordinance definitions section is the next portion of the review process. Chairman Brinkley recommended we review the International Zoning Code Definitions as they are more “universal” than crafting our own. These have already be reviewed and used by numerous jurisdictions around the world.

Item Specifics

At the last meeting it was agreed that we would discuss the definitions section at this meeting. At the recommendation of the Chair, the definitions from the International Code have been attached to the packet.

I included the entire sample code so that we could go to the next step which would be to pick choose which other section would or would not be appropriate for use in our ordinance.

From an administrative perspective, the pictures are very helpful. They may be included in the ordinance or at least in a handout for applicants.

Recommendations

Review and compare the definition section of the code.

CHAPTER 10

SIGN REGULATIONS

SECTION 1001 PURPOSE

1001.1 Purpose. The purpose of this chapter is to protect the safety and orderly development of the community through the regulation of signs and sign structures.

SECTION 1002 DEFINITIONS

1002.1 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.

ABANDONED SIGN. A sign structure that has ceased to be used, and the owner intends no longer to have used, for the display of sign copy, or as otherwise defined by state law.

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.
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 freestanding."

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. See "Off-premise sign" and "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 1003.

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 1009.2 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."

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 1003.

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).

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."

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 "Outdoor advertising sign."

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. A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

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.

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 1003.

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 1003.

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 1003.

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 1003.

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.

SECTION 1003 GENERAL SIGN TYPES

1003.1 General. Sign types and the computation of sign area shall be as depicted in Figures 1003.1(1) through 1003.1(4).

SECTION 1004 GENERAL PROVISIONS

1004.1 Conformance to codes. 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.

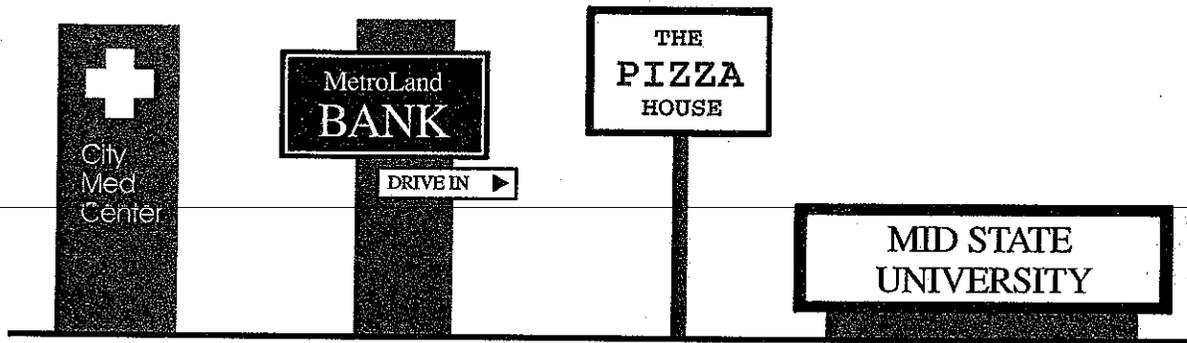
1004.2 Signs in rights-of-way. No sign other than an official traffic sign or similar sign shall be erected within 2 feet (610 mm) of the lines of any street, or within any public way, unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization of the code official.

1004.3 Projections over public ways. Signs projecting over public walkways shall be permitted to do so only 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.

1004.4 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.

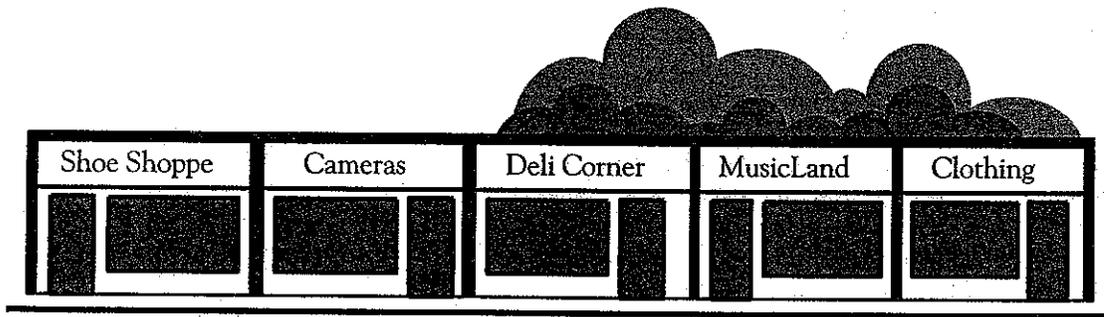
1004.5 Computation of frontage. If a premises contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or 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.

1004.6 Animation and changeable messages. Animated signs, except as prohibited in Section 1006, 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.

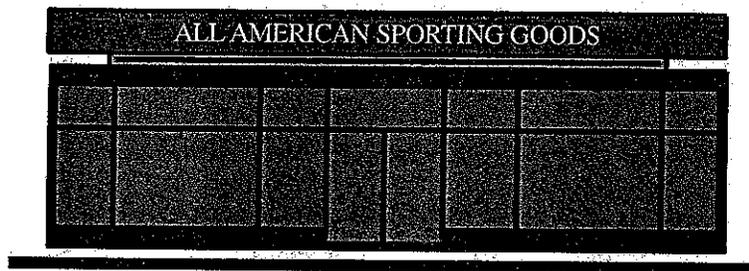


MONUMENT OR BLADE PYLON POLE GROUND OR LOW PROFILE

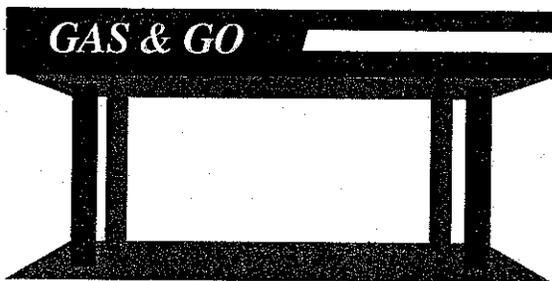
COMMON FREESTANDING SIGN TYPES



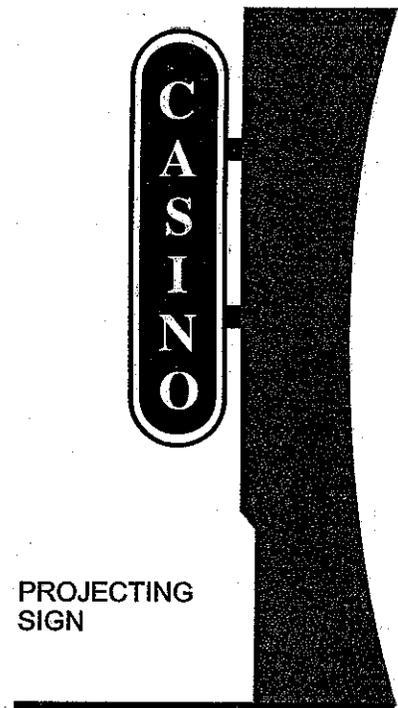
WALL OR FASCIA SIGNS ON STOREFRONTS



ROOF SIGN



CANOPY SIGN
ON FREESTANDING CANOPY



PROJECTING
SIGN

FIGURE 1003.1(1)
GENERAL SIGN TYPES

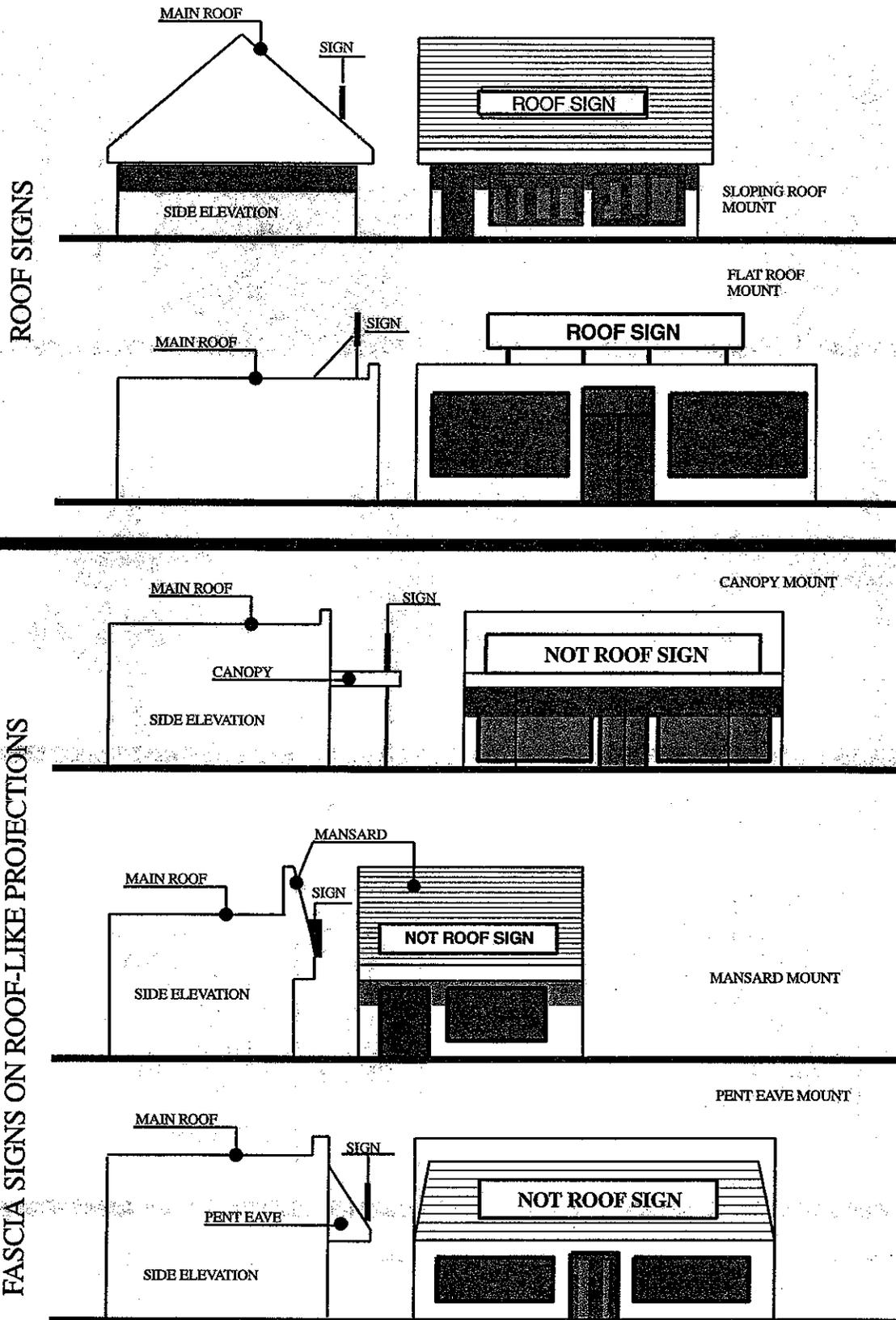
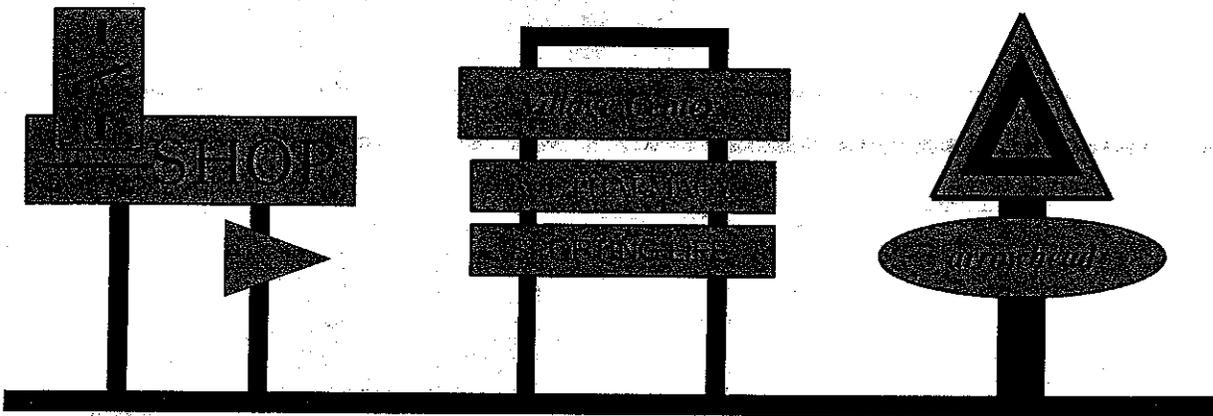
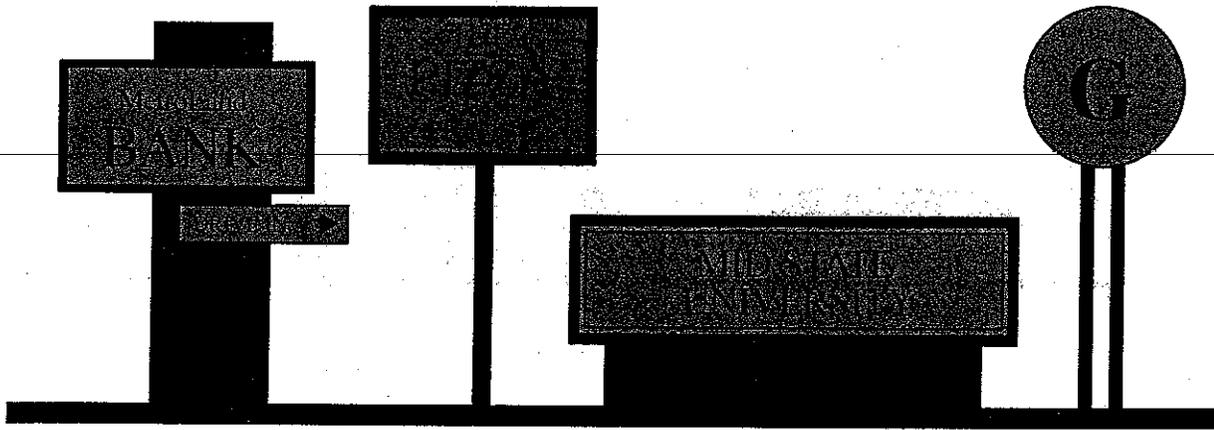
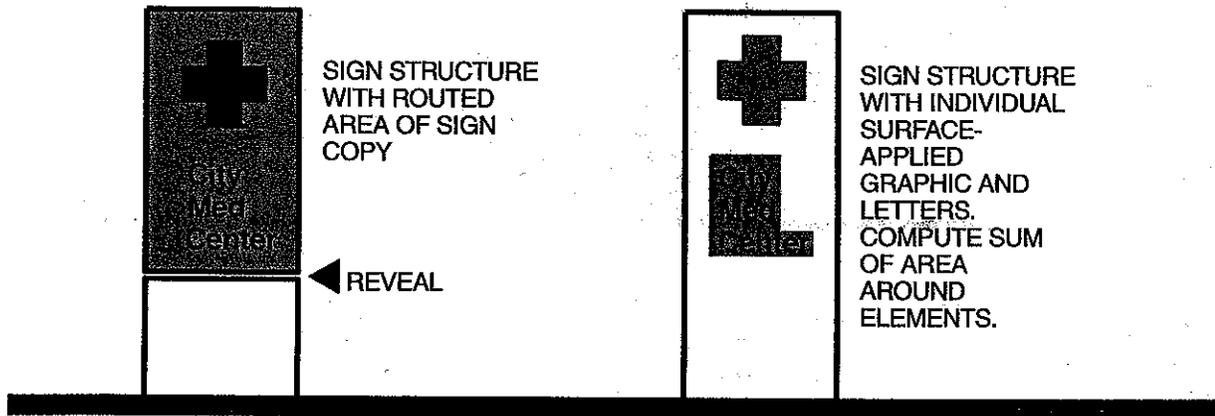


FIGURE 1003.1(2)
COMPARISON—ROOF AND WALL OR FASCIA SIGNS

SIGN REGULATIONS



SIGN STRUCTURES



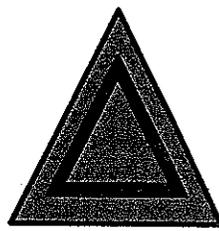
Notes: Sum of shaded areas only represents sign area. Sign constructed with panels or cabinets.

FIGURE 1003.1(3)
SIGN AREA—COMPUTATION METHODOLOGY



COMPUTE AREA AROUND COPY ELEMENTS ONLY.

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 1003.1(4)
SIGN AREA—COMPUTATION METHODOLOGY

1004.7 Maintenance, repair and removal. 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, 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 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 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.

1004.8 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 code official; and upon failure to comply with such notice, the code official 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.

1004.9 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:

1. Structural alterations, enlargement or re-erection are permissible only where such alterations will not increase the degree of nonconformity of the signs.
2. 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.
3. Signs that comply with either Item 1 or 2 above need not be permitted.

SECTION 1005 EXEMPT SIGNS

1005.1 Exempt signs. The following signs shall be exempt from the provisions of this chapter. No sign shall be exempt from Section 1004.4.

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 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 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.

SECTION 1006 PROHIBITED SIGNS

1006.1 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, 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.

SECTION 1007 PERMITS

1007.1 Permits required. Unless specifically exempted, a permit must be obtained from the code official 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.

1007.2 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 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*.

1007.3 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.

1007.4 Permit fees. Permit fees to erect, alter or relocate a sign shall be in accordance with the fee schedule adopted within this jurisdiction.

SECTION 1008 SPECIFIC SIGN REQUIREMENTS

1008.1 Identification signs. Identification signs shall be in accordance with Sections 1008.1.1 through 1008.1.3.

1008.1.1 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.

1008.1.2 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 1008.1.2.

1008.1.3 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.

TABLE 1008.1.1(1)
IDENTIFICATION SIGN STANDARDS—WALL SIGNS

LAND USE	AGGREGATE AREA (square feet)
Single-family residential	[JURISDICTION TO INSERT NUMBER]
Multiple-family residential	[JURISDICTION TO INSERT NUMBER]
Nonresidential in a residential zone	[JURISDICTION TO INSERT NUMBER]
Commercial and industrial	See Table 1008.1.1(2)

For SI: 1 square foot = 0.0929 m².

TABLE 1008.1.1(2)
SIGN AREA

DISTANCE OF SIGN FROM ROAD OR ADJACENT COMMERCIAL OR INDUSTRIAL ZONE	PERCENTAGE OF BUILDING ELEVATION PERMITTED FOR SIGN AREA
0 to 100 feet	[JURISDICTION TO INSERT NUMBER]
101 to 300 feet	[JURISDICTION TO INSERT NUMBER]
Over 301 feet	[JURISDICTION TO INSERT NUMBER]

For SI: 1 foot = 304.8 mm.

1008.2 Temporary signs. Temporary signs shall be in accordance with Sections 1008.2.1 through 1008.2.6.

1008.2.1 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 [JURISDICTION TO INSERT NUMBER] feet in height and [JURISDICTION TO INSERT NUMBER] 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 [JURISDICTION TO INSERT NUMBER] square feet in area nor [JURISDICTION TO INSERT NUMBER] feet in height. All signs permitted under this section shall be removed within 10 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 [JURISDICTION TO INSERT NUMBER]

TABLE 1008.1.2
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 NUMBER]	[JURISDICTION TO INSERT NUMBER]	[JURISDICTION TO INSERT NUMBER]	1 per subdivision entrance ^a
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.

- For subdivision or apartment identification signs placed on a decorative entry wall approved by the code official, 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.
- 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 1008.1.2.
- 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.

square feet in area nor [JURISDICTION TO INSERT NUMBER] feet in height, and shall be limited to one sign per street front.

- 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 [JURISDICTION TO INSERT NUMBER] feet in height, and [JURISDICTION TO INSERT NUMBER] square feet for property of 10 acres (40 470 m²) or less, or 100 square feet (9.3 m²) for property exceeding 10 acres (40 470 m²).
- Real estate signs shall be removed not later than 10 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.

1008.2.2 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:

- Such signs on a single residential lot shall be limited to one sign, not greater than [JURISDICTION TO INSERT NUMBER] feet in height and [JURISDICTION TO INSERT NUMBER] square feet in area.
- 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 [JURISDICTION TO INSERT NUMBER] feet in height and [JURISDICTION TO INSERT NUMBER] square feet in area.
- Such signs for nonresidential uses in residential districts shall be limited to one sign, and shall be no greater than [JURISDICTION TO INSERT NUMBER] feet in

height and [JURISDICTION TO INSERT NUMBER] square feet in area.

- Such signs for commercial or industrial projects shall be limited to one sign per street front, not to exceed [JURISDICTION TO INSERT NUMBER] feet in height and [JURISDICTION TO INSERT NUMBER] square feet for projects on parcels 5 acres (20 235 m²) or less in size, and not to exceed [JURISDICTION TO INSERT NUMBER] feet in height and [JURISDICTION TO INSERT NUMBER] square feet for projects on parcels larger than 5 acres (20 235 m²).
- 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 following issuance of an occupancy permit for any of all portions or the project.

1008.2.3 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:

- Such signs shall be limited to one sign per street front.
- 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.
- 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.

1008.2.4 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 code official as to the size, location and method of erection. The code official 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.

1008.2.5 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:

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 the ICC *Electrical Code*, as adopted in this jurisdiction.
4. No portable sign shall be displayed prior to obtaining a sign permit.

1008.2.6 Political signs. Political signs shall be permitted in all zoning districts, subject to the following limitations:

1. Such signs shall not exceed a height of [JURISDICTION TO INSERT NUMBER] feet nor an area of [JURISDICTION TO INSERT NUMBER] square feet.
2. Such signs for election candidates or ballot propositions shall be displayed only for a period of 60 days preceding the election and shall be removed within 10 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.

1008.3 Requirements for specific sign types. Signs of specific type shall be in accordance with Sections 1008.3.1 through 1008.3.7.

1008.3.1 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.

1008.3.2 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.

1008.3.3 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.

1008.3.4 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.

1008.3.5 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.

1008.3.6 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.

1008.3.7 Menu boards. Menu board signs shall not be permitted to exceed 50 square feet (4.6 m²).

SECTION 1009
SIGNS FOR DEVELOPMENT COMPLEXES

1009.1 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 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:

1. Proposed sign locations.
2. Materials.
3. Type of illumination.
4. Design of free-standing sign structures.
5. Size.
6. Quantity.
7. Uniform standards for nonbusiness signage, including directional and informational signs.

1009.2 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.

1009.3 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.

1009.4 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.