

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2015:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
George S. Hrichak, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Donald E. Wiggins

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO AMEND THE YORK COUNTY ZONING ORDINANCE, CHAPTER 24.1, YORK COUNTY CODE, TO INCORPORATE PROVISIONS REGULATING ELECTRONIC MESSAGE CENTER SIGNAGE AND ILLUMINATION LEVELS

WHEREAS, the York County Board of Supervisors has sponsored Application ZT-163-15 to amend the Zoning Ordinance to establish definitions and standards for electronic message center signs and illumination levels; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends adoption of the proposed amendments; and

WHEREAS, the Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to the proposed amendments; and

WHEREAS, the Board has determined that such amendments are consistent with good zoning practice;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the ____ day of _____, 2015 that Application No. ZT-163-15 be, and it

is hereby, approved to amend Chapter 24.1, Zoning, of the York County Code to read and provide as follows:

Sec. 24.1-701. Sign classifications.

Signs, as defined in article I, shall be classified according to one or more of the following definitions:

Electronic message center (EMC). A sign that utilizes computer-generated messages or some other electronic means of displaying and changing copy. These signs include displays using incandescent lamps, light emitting diodes (LEDs), liquid-crystal display (LCD) fiber optics, light bulbs, plasma display screens or other illumination devices, or a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals that are used to change the messages, intensity of light or colors displayed by such sign. The term shall not include signs on which lights or other illumination devices display only the temperature or time of day in alternating cycles or only motor vehicle fuel prices displayed continuously.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface, except as defined under “electronic message center”.

Sec. 24.1-702. General sign regulations

- (m) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect in an offensive manner on or into residential structures or motels. No exposed reflective type bulbs or incandescent lamps shall be used on the exterior surface of any sign in such a manner that will cause offensive glare on adjacent property or create a traffic hazard.

In the case of electronic message center signs, the following additional standards shall apply:

- (1) Illuminance intensity of electronic message center signs shall be measured with an illuminance meter set to measure footcandles and accurate to at least two decimals. The maximum allowable illumination intensity for such signs

shall be determined relative to ambient lighting conditions by measuring the difference between an intensity reading taken with the sign illumination turned off and one taken with the sign displaying a white image for a full color-capable electronic message, or a solid message for a single-color electronic message. The difference between the two readings shall not exceed 0.3 footcandles. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the electronic message center sign as set forth in the following table:

<u>SIGN AREA VERSUS MEASUREMENT DISTANCE</u>	
<u>Area of Sign (sq. ft.)</u>	<u>Measurement Distance (ft.)</u>
<u>10</u>	<u>32</u>
<u>15</u>	<u>39</u>
<u>20</u>	<u>45</u>
<u>24</u>	<u>49</u>
<u>32</u>	<u>57</u>
<u>40</u>	<u>64</u>
<u>50</u>	<u>71</u>
<u>64</u>	<u>80</u>
<u>150</u>	<u>122</u>

For signs with an area other than those specifically listed in the table, the measurement distance shall be calculated using the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign sqft} \times 100}$$

- (2) Each permitted electronic message center sign shall be equipped with a sensor or other device that automatically determines the ambient illumination and which is programmed to automatically dim the illumination intensity according to ambient light conditions so as to ensure compliance with the 0.3 footcandle standard.

Prior to the County's final inspection and approval of an electronic message center sign, the applicant shall provide written certification from the sign manufacturer/installer that the sensor is working correctly to keep the sign's illumination intensity within the prescribed brightness limitations set by this ordinance.

Sec. 24.1-710. Prohibited signs.

- (b) Signs with lights which flash, move, rotate, blink, flicker, or vary in either intensity or color, or which change the message or image more frequently than once every 24 hours.

The above provisions notwithstanding, electronic message center signs (changeable message or image signs) which change more frequently than once every 24 hours shall be permitted on the freestanding signage otherwise allowed for places of worship and for community, regional, or specialty shopping centers, as defined in this chapter, provided that:

- (1) each message or image shall remain fixed and unchanged for a minimum period of eight (8) seconds;
- (2) there is no appearance of movement, scrolling, dissolving or fading in which images or messages “move” or in which part of one message or image appears simultaneously with any part of a second or subsequent one;
- (3) the maximum illumination intensity shall not exceed the limits prescribed in Section 24.1-702(m) and any illumination intensity, contrast or coloration of the message text or image shall remain constant for each display period;
- (4) when such sign is installed at a place of worship located in a Residential zoning district it shall be designed and operated equipped with technology that automatically dims the electronic message illumination intensity commensurate with ambient light conditions (i.e., illumination intensity lower in low light and nighttime conditions than in daylight). In addition, so that between dusk and dawn the background field for any variable text message on the sign shall be black and the lights constituting the message text or any image shall be amber or orange ~~and set at the lowest illumination intensity that provides contrast and legibility on the black background~~; and
- (5) provided further, that this special signage opportunity shall not be permitted for any place of worship or shopping center located in a TCM-Tourist Corridor Management Overlay district.

~~Message or image changes on any other changeable message/image signs shall occur no more frequently than once every 24 hours.~~
