

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2014:

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Present

Vote

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

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE TO APPROVE APPLICATION NO. ZT-156-14 TO AMEND ARTICLE VII, SIGNS, OF THE YORK COUNTY ZONING ORDINANCE, CHAPTER 24.1 – YORK COUNTY CODE, TO MODIFY THE REQUIREMENTS PERTAINING TO POLITICAL SIGNS TO ENSURE CONSISTENCY WITH SECTION 15.2-109 OF THE CODE OF VIRGINIA

WHEREAS, it has come to the attention of the York County Board of Supervisors that certain aspects of Article VII, Signs, of the York County Zoning Ordinance may be inconsistent with the requirements of Section 15.2-109 of the Code of Virginia; and

WHEREAS, in accordance with good zoning practice and to ensure consistency with the State Code provisions the Board has sponsored this amendment and referred it to the Planning Commission in accordance with applicable procedures; and

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

WHEREAS, the Board has given careful consideration to the recommendation of the Planning Commission and the public comments with respect to this application and has determined that the proposed amendments would appropriately address the current inconsistency with the provisions of Section 15.2-109 of the Code of Virginia;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2014, that Application No. ZT-156-14 be, and it is hereby, approved to amend various sections of Article VII, Signs, of the York County Zoning Ordinance (Chapter 24.1, York County Code) to read as set forth below:

Amend Article VII, Signs, to read as follows:

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**Sec. 24.1-704. Temporary signs.**

The zoning administrator, upon application, may issue permits for the following temporary signs and banners. Such signs shall not count against the normal sign area allowances for the property on which located. All temporary signs and banners shall be subject to the setback and sight-triangle clearance standards applicable to permanent signs. Freestanding temporary signs and banners shall be limited to one (1) per street frontage per individual parcel; building mounted temporary banners shall be limited to one per business establishment/tenant space with its own individual exterior entrance:

- (a) Banners or other temporary signs not exceeding forty (40) square feet in area, which promote a special civic, cultural or religious event such as a fair, exposition, play, concert or meeting sponsored by a governmental, charitable, not-for-profit or religious organization. The duration of such permit shall not exceed thirty (30) days.
- (aa) Banners or other temporary signs not exceeding forty (40) square feet in area which identify and are associated with a temporary business activity involving the sale of seasonal commodities as permitted pursuant to sections 24.1.-306 and 24.1-440 of this chapter and which may be displayed for the duration of the seasonal commodities sales operation.
- (b) Banners or other temporary signs not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding, when used in conjunction with the opening of a new business or an establishment going out of business in any commercial or industrial district or a legally existing nonconforming business in any other district. The duration of such permit shall not exceed sixty (60) days and only one such sign, either freestanding or building mounted, shall be permitted. "Grand-Opening" temporary signage shall be permitted only within the one-year period after the actual business opening occurs. The completion of a major interior or exterior remodeling or a change in ownership for a pre-existing business shall be deemed eligible for temporary "grand-opening" banners within the one-year period after the renovation or ownership change.
- (bb) In addition to the above, businesses may install temporary banners or signs, not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding,

for the following purposes:

- (1) announcing employment opportunities (e.g., “Now Hiring” or “Help Wanted”);
- (2) announcing “Now Enrolling” in the case of a childcare or daycare center;
- (3) announcing a sales event such as a “Clearance Sale” or “Truckload Sale”, an anniversary of the business operation (e.g., “25<sup>th</sup> Year in Business”), or other business-related messages, including those that refer to a specific item, product or brand that is offered by the business;
- (4) identifying/advertising a temporary business activity as permitted under Section 24.1-306 – Category 8 – Temporary Uses.

Such temporary signs or banners must be on the site of such business. Only one (1) building-mounted or one (1) freestanding sign shall be permitted per street frontage. Such sign may be displayed for a maximum period of 120 days in any single 12-month period. The 120-days maximum display allowance may be used as 120 consecutive days or may be broken into as many as six (6) separate time periods during the course of a 12-month period. The permit application for such sign shall specify the time period(s) during which the sign will be displayed.

In the case of a property occupied by a building or buildings with multiple tenant spaces (e.g., a strip shopping center), each business establishment/tenant space with its own individual exterior entrance shall be eligible for its own temporary building-mounted sign or banner, which shall be subject to the 120-days per 12-month period allowance. The property also shall be eligible for one (1) freestanding temporary sign or banner per street frontage, provided however that such freestanding sign may not be displayed at any time during which building-mounted signs or banners allowed by this subsection are being displayed by businesses within the center.

- (c) Temporary portable signs, not exceeding thirty-two (32) square feet in area or one (1) per parcel, which are intended to identify or display information pertaining to an establishment for which permanent free-standing signage is on order as evidenced by presentation of a copy of an executed order form for such permanent signage to the Zoning Administrator. Such permit shall expire and the portable sign shall be removed upon erection of the permanent sign or 120 days whichever shall occur first. In addition, temporary banners or sign sleeves, neither of which exceed normal sign area allowances, may be used when permanent signage is on order, as evidenced in the manner described above or when in the opinion of the zoning administrator other temporary business circumstances, such as relocation due to fire or disaster, warrant such use and the size of the temporary banner/sleeve does not exceed normally permitted sign area allowances. Such signage may be authorized for terms of up to 120 days, and may be renewed for good cause shown.

- (d) Temporary signs and banners when used to announce the grand opening and initiation of sales or leasing of lots and/or dwelling units within a newly developing residential project having at least ten (10) lots or units. The cumulative area of all such signs and banners erected for any single residential project shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. The duration of such permit shall not exceed 120 days.
- (e) Temporary signs and banners when used to announce special events such as new home shows being conducted within a residential subdivision or development. The cumulative area of all such signs and banners erected for any single event shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. Such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within seven (7) days following the closing of the event; provided, however, that no sign or banner shall be permitted to remain in place for any event for more than thirty (30) days between the first appearance and its removal.
- (f) With the approval of the Virginia Department of Transportation, the zoning administrator may authorize banners to be suspended above a public road right-of-way for a period not to exceed seven (7) days or the duration of the event being announced or promoted plus three (3) days, whichever shall be greater.
- ~~(g) Political headquarters signs in commercial and industrial districts which are in addition to the signs otherwise permitted on the subject property and which do not exceed thirty two (32) square feet may be erected not earlier than sixty (60) days prior to the election, canvass, or primary to which such signs pertain and shall be removed within seven (7) days following the election, canvass or primary.~~

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#### **Sec. 24.1-704.1. Political Signs**

Political signs shall be permitted subject to the following provisions and to the general regulations set out in Section 24.1-702, except as specifically noted, and provided further that no permits shall be required.

- (a) In commercial and industrial districts, one sign, not exceeding forty (40) square feet, may be erected/installed on property serving as a political headquarters. Such sign shall be installed no earlier than sixty (60) days prior to the election, canvass, or primary to which it pertains and shall be removed within seven (7) days following the election, canvass or primary.
- (b) Non-illuminated political signs and posters may be placed on individual properties in accordance with the following provisions and with the owner's permission:

1) Signs or posters not exceeding six (6) square feet each in area and not limited as to the number of such signs;

2) One sign or poster not exceeding forty (40) square feet may be installed on each street frontage of any property.

Such signs shall be exempt from the normal ten-foot (10') minimum setback requirement for signs and shall be removed within seven (7) days following the election, canvass or primary to which they pertain.

**Sec. 24.1-707. Exempt signs.**

The following signs may be erected, altered or maintained in any zoning district when in accordance with the general provisions established in section 24.1-702, except as noted, and provided further, that permits shall not be required unless specifically noted.

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~~(g) Non illuminated political signs and posters of less than or equal to six (6) square feet in area, provided that all such signs shall be removed within seven (7) days following the election, canvass or primary. Such signs shall be exempt from the 10 foot minimum setback requirement.~~

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