COUNTY OF YORK
MEMORANDUM

DATE: March 5, 2013 (PC Mtg. 3/13/13)

TO: York County Planning Commission

FROM: J. Mark Carter, Assistant County Administrator

SUBJECT: Application No. ZT-140-13, York County Board of Supervisors: Sidewalk Signs and Yorktown Historic District – Waterfront subarea wall sign area limits

Issue

This application, sponsored by the Board of Supervisors through the adoption of Resolution Nos. R13-11 and R13-25, requests consideration of amendments to the following sections of the York County Zoning Ordinance (Chapter 24.1 – York County Code):

- **377(h), Yorktown Historic District – Standards and Guidelines for Review**: amend Section III, Signs, of the Yorktown Design Guidelines, incorporated as part of the Zoning Ordinance by reference, to: add a reference to Sidewalk Signs; increase the size allowances for wall-mounted signs in the Waterfront sub-area from the current 5-square foot limit to an area not exceeding 1-square foot per foot of building width, with a 50-square foot absolute maximum; expand allowable wall sign placement options; and, add weather-resistant composite materials to the list of allowable sign fabrication materials.

- **701, Sign classifications**: add definition of Sidewalk Sign.

- **702, Temporary signs**: add language to clarify that each tenant space with its own individual exterior entrance is eligible for a temporary building-mounted sign/banner while free-standing temporary signs/banners are limited to one per street frontage.

- **704.1, Sidewalk signs (new section):** add provisions to authorize the use of movable Sidewalk Signs (A-frame, sandwich board, pedestal, etc.), not exceeding 6-square feet in area, within 30 feet of the main customer/client entrance to a business.

Considerations

Attachment C shows the combined amendment proposals along with several staff recommendations for adjustment and modification of the draft provisions for clarification and elimination of potential internal conflicts. The differences between the versions

initially sponsored by the Board and the versions now recommended by staff are highlighted with ***bold / italics / shading*** in Attachment C.

Sidewalk Signs

By letter dated October 15, 2012, the Economic Development Authority (EDA) requested that the Board consider the possibility of adding provisions to the Zoning Ordinance to authorize the use of A-frame, pedestrian-oriented sidewalk signs for business identification/advertising in settings such as multi-tenant shopping centers or retail areas such as Riverwalk Landing. Working with the concepts presented in the EDA's letter and after review of regulatory examples from various localities throughout the country, staff developed a draft of potential amendments to Article VII – Signs – that would establish opportunities for businesses to use this particular type of temporary and portable signage. These draft provisions were forwarded to the Board by a memorandum from the County Administrator dated November 27, 2012 and were subsequently sponsored for formal consideration by the Board (see Attachment A).

Highlights of the proposed changes (new definition and new section 24.1-704.1) relating to sidewalk signs are as follows and staff comments are noted in italics (Note: in Attachment C, ***shading/bold italics*** indicates staff-proposed changes to the draft language initially sponsored by the Board):

- the provisions would allow various types of "sidewalk" signs such as those commonly referred to as *A-frame*, *sandwich board*, *stand*, or *pedestal* signs;

  see proposed definition in section 701 and the drawings in the attachment to the November 27th memorandum; Note: slight modifications to the proposed definition are suggested to better describe the portability characteristic of such signs;

- as a general rule, one (1) such sign per premises would be allowed; however, in the case of multi-tenant structures, two signs would be allowed as long as 30 feet of separation between the two is maintained;

  for clarification, staff suggests a slight re-wording of subsection (a) to refer to "business establishment" and "exterior customer/client entrances" and to the maximum limit of two signs;

- the sign would have to be located within 15 feet of the front of the building and not more than 30 feet from the main customer/client entrance;

  this provision is intended to ensure that the signs are truly pedestrian-oriented and are not allowed to become a second freestanding advertising sign along the adjacent roadways;

- as suggested by the EDA, such signs would be limited to 6 square feet of display area (each side of the double-faced sign); maximum height (4 feet) and maximum width (2'-6") standards are also proposed;

- several provisions addressing materials, durability, wind-resistance, and attachments are proposed;

  minor rewording of subsection (d), (e), (f), and (g) are proposed for clarification and to emphasize important points, such as: prohibiting glass;

- several provisions address the actual placement of the sign and require that it not inhibit ADA accessibility and that a minimum 4-foot wide pedestrian way be maintained

  subsections (h) and (j) are proposed to be simplified;

- consistent with their intended purpose – i.e., to provide information to pedestrians and to attract them into the business – the provisions require that the signs be displayed only during business hours and that they be stored indoors at other times; this also is a common provision in the various example ordinances that were reviewed;

- in the case of businesses located in a shopping center or in a cohesively designed retail complex such as Riverwalk Landing where the sidewalks/pedestrian areas are part of the "common" property serving all tenants, the provisions would require documentation of the approval of sign placement and design by the controlling entity (e.g. the shopping center management or owner).

It should be noted that the provisions are drafted so as to provide the "sidewalk sign" opportunity to <u>all</u> businesses, and not just those in shopping centers or multi-tenant retail complexes. Staff is of the opinion that this opportunity can reasonably and appropriately be extended to all businesses as long as the requirement for proximity to the building and main customer / client entrance is included so as to be consistent with the intended pedestrian orientation and avoid placements that would constitute a second freestanding roadside sign on a property.

<u>*Temporary Signs/Banners*</u>

A minor amendment is proposed in section 24.1-704 as it pertains to temporary signs and banners in order to correct some contradictory language and to expand opportunities for businesses located in multi-tenant buildings. (Note: in Attachment C, ***shading/bold italics*** indicates staff-proposed changes to the draft language initially sponsored by the Board).

The temporary signs/banners provisions, which were last amended in 2010, are set forth in subsections (b) and (bb) which, in summary, allow:

- (b) – one temporary "Grand-Opening" or "Going out of Business" banner or sign (40 square feet maximum area / 6 feet maximum height) which can be in place for a maximum of 60 days (this allowance also covers change of ownership or completion of major renovations situations);

- (bb) - building-mounted **or** freestanding signs (40 square feet maximum area / 6 feet maximum height) to announce "Now Hiring" / "Help Wanted" / "Now Enrolling" / "Clearance Sale" / "Truckload Sale" type events, which can be in place for a maximum of 120 days in a 1-year period, and which are in addition to the allowance provided by subsection (b).

The current wording of subsection (bb) indicates that the signs authorized under each subsection are allowed to be in place at the same times (concurrent or overlapping) if desired (i.e., one sign per each subsection). However, the introductory language in Section 704 indicates that "*temporary signs and banners shall be limited to one per street frontage*", which contradicts that opportunity. Since the actual intent was to prevent more than one freestanding temporary sign on the same frontage, a phrase to that effect was proposed.

Another difficulty with the current language arises in the case of properties with multiple tenants (e.g. a strip shopping center), where it has been necessary for staff to ask the property owner (or the shopping center management company) to determine how many of the allowable 120 days will be allocated to each tenant who might desire to hang a temporary sign or banner on the exterior wall of their tenant space or to erect a freestanding sign or banner (i.e., since it is the parcel that is limited to one sign). This has been difficult to administer and a source of frustration to the individual businesses within shopping centers or other multi-tenant establishments. Therefore, the draft amendments proposed new language in the introductory paragraph of Section 24.1-704 to indicate that building mounted temporary signs/banners would be allowed for any establishment with its own individual exterior entrance.

These changes were proposed with the objective of providing an opportunity, for example, for each individual tenant in a strip shopping center to have its own temporary building-mounted sign/banner for up to 120 days, rather than having to share that 120-day allowance with some or all of the other tenants in the complex. In addition, the intent was to also maintain the current opportunity for the center to have a freestanding banner for up to 120 days, with that allowance able to be allocated among one or more of the tenants if so desired. In hindsight, staff does not believe the initially drafted language clearly accomplishes those objectives and, therefore, some alternate / additional language is proposed for subsection (bb) (***see shaded bold italics***). Please note that this revised language also proposes to change "calendar year" to "12-month period" to make permitting and administration more advantageous to the signage applicant.

Yorktown Historic District – Waterfront Sub-Area: Wall Signs

Also at the request of the Office of Economic Development, the Board has sponsored amendments to the Yorktown Design Guidelines to increase the allowable wall sign area in the Waterfront sub-area of the Yorktown Historic District to be generally consistent with the allowances provided by the Zoning Ordinance for uses in NB-Neighborhood Business districts (see Attachment B). Currently, the Yorktown Design Guidelines, which are incorporated into the Zoning Ordinance by reference in Section 24.1-377 (Yorktown Historic District), specify a maximum area of only five (5) square feet for wall signs. These same provisions apply to the more historic and pedestrian-oriented Historic Core sub-area of Yorktown (i.e., the Main Street area). The Office of Economic Development has requested that the Waterfront sub-area provisions be re-evaluated since the success of businesses and establishments along Water Street depends on visibility to both pedestrians and motorists and, depending on the distance between an establishment and the roadway, the extremely small allowable area for wall signs can be problematic. As such, it was suggested that the wall signage opportunities applicable in NB-Neighborhood Business Districts, which also are characterized by a need for visibility from adjacent roadways, would be worthy of consideration. In fact, the NB District sign provisions were the applicable standards in Yorktown prior to the June 2004 effective date of the Historic District and Design Guidelines.

With this as background, the proposed amendments to the Signs section of the Yorktown Design Guidelines would change the wall signage allowance for establishments in the Waterfront subarea from the current 5 square feet maximum to a ratio of 1-square foot per foot of building width, with an absolute maximum of 50 square feet. Under this proposal, there would be no changes in the standards for the Historic Core subarea (the portions of Yorktown above the bluffs) or for freestanding or hanging signs in the Waterfront subarea. Also included in the draft language are several "housekeeping" changes including the insertion of a reference to *Sidewalk Signs*, the addition of "weather-resistant composite materials" as permissible for use in sign fabrication, and clarification to reference external illumination opportunities for wall and hanging signs.

Conclusions / Recommendation

Staff believes that all of these proposed amendments are business-friendly in that they will expand signage opportunities and the ability of businesses to achieve better identification of their establishments and the products or services that they offer. At the same time, the provisions are intended to strike a balance between the desire for more and larger signs and the aesthetic and community character objectives that have been established for the County's commercial corridors and the Yorktown Historic District. Accordingly, staff recommends that the proposed amendments be forwarded to the Board of Supervisors with a recommendation for approval and adoption. This can be accomplished by the adoption of Resolution No. PC13-3, which shows only the proposed changes in or additions to the existing Zoning Ordinance provisions.

Carter/3337

Attachments:

- Attachment A - Memorandum from County Administrator to Board of Supervisors dated 11/27/12 and Resolution No. R13-11
- Attachment B - Memorandum from County Administrator to Board of Supervisors dated 2/11/13 and Resolution No. R13-25
- Attachment C – Combined draft showing original and staff-proposed modifications for clarification
- Sidewalk Signs examples
- Proposed Resolution No. PC13-3

ATTACHMENT A

COUNTY OF YORK
MEMORANDUM

DATE: November 27, 2012

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Potential Zoning Ordinance Amendment – Sidewalk Signs

By letter dated October 15, 2012 (copy attached), the Economic Development Authority (EDA) requested that the Board consider the possibility of adding provisions to the Zoning Ordinance to authorize the use of A-frame, pedestrian-oriented sidewalk signs for business identification/advertising in settings such as multi-tenant shopping centers or retail areas such as Riverwalk Landing. Working with the concepts presented in the EDA's letter and after review of regulatory examples from various localities throughout the country, staff has developed the attached draft of potential amendments to Article VII – Signs – that would establish opportunities for businesses to use this particular type of temporary/portable signage. Highlights of the proposal drafted for your consideration are as follows:

- the provisions would allow various types of "sidewalk" signs such as those commonly referred to as *A-frame*, *sandwich board*, *stand*, or *pedestal* signs;

- as a general rule, one (1) such sign per premises would be allowed; however, in the case of multi-tenant structures, a second sign would be allowed as long as 30 feet of separation between the two is maintained;

- the sign would have to be located within 15 feet of the front of the building and not more than 30 feet from the main customer/client entrance; this provision is intended to ensure that the signs are truly pedestrian oriented and are not allowed to become a second freestanding advertising sign along the adjacent roadways;

- as suggested by the EDA, such signs would be limited to 6 square feet of display area (each side of the double-faced sign); maximum height (4 feet) and maximum width (2'-6") are also proposed;

- several provisions addressing materials, durability, wind-resistance, and attachments are proposed;

- several provisions address the actual placement of the sign and require that it not inhibit ADA accessibility and that a minimum 4-foot wide pedestrian way be maintained;

- consistent with their intended purpose – i.e., to provide information to pedestrians and to attract them into the business – the provisions require that the signs be displayed only during business hours and that they be stored indoors at other times; this also is a common provision in the various example ordinances that were reviewed;

- in the case of businesses located in a shopping center or in a cohesively designed retail complex such as Riverwalk Landing where the sidewalks/pedestrian areas are part of the "common" property serving all tenants, the provisions would require documentation of the approval of sign placement and design by the controlling entity (e.g. the shopping center management or owner).

Please note that these provisions are drafted so as to provide this opportunity to all businesses, not just those in shopping centers or multi-tenant retail complexes. Should the Board wish to restrict the opportunity to those placements, additional language could be inserted to do so. Staff is of the opinion that this opportunity can reasonably and appropriately be extended to all businesses as long as the requirement for proximity to the building and main customer / client entrance is included so as to be consistent with the intended pedestrian orientation.

In addition to the draft changes pertaining to sidewalk signs, staff is proposing language in the Temporary Signs section (section 24.1-704) to clarify the one-freestanding-banner per-parcel rule and to note that individual tenants in a multi-tenant center (e.g., a shopping center) could each have a building-mounted banner.

Staff stands ready to respond to any questions or direction the Board may have concerning these draft amendments. If they are deemed acceptable for discussion and formal review, a resolution to sponsor a text amendment application and refer it to the Planning Commission can be prepared for action at the Board's December 18th meeting. I will await the Board's direction.

Carter/3337
Attachments

- Letter from EDA Chairman dated October 15, 2012
- Sidewalk signs examples
- Draft Amendments – Article VII, Signs

October 15, 2012

The Honorable Thomas G. Shepperd, Jr.
York County Board of Supervisors
P.O. Box 532
Yorktown, VA 23690

Re: Zoning Ordinance Amendment Request – Sign Regulations

Dear Chairman Shepperd:

At the September 25, 2012 Economic Development Authority (EDA) meeting, the members voted unanimously to request that the Board of Supervisors consider sponsoring an amendment to the Zoning Ordinance regarding the use of A-Frame signs.

We are requesting that the Sign Ordinance be amended to allow retailers, restaurants and visitor attractions in Historic Yorktown, and in multi-tenant shopping centers in all areas of the County, to display one small, A-Frame sign, approximately 2'x 3', on a year-round basis. We recommend that the sign placement be restricted to the area in proximity to the front of the establishment and that it not block pedestrian or vehicular traffic or impair sight distance for motorists. Also, we recommend a requirement that the sign be relocated inside the place of business each day at closing. Finally, recognizing that these signs will probably be located in common areas not owned by the respective retailers, there should be a requirement that the property owner grant permission for the use of these signs.

We believe the use of these signs, under the circumstances described above, is very necessary in areas such as Riverwalk Landing to attract potential customers and advertise unique services or goods. This is a very common practice in many similar retail areas and is something that would be of great benefit to the business community.

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(757) 890-3317 ♦ FAX (757) 890-4010 ♦ TDD (757) 890-3300
www.yesyorkcounty.com ♦ econdev@yorkcounty.gov

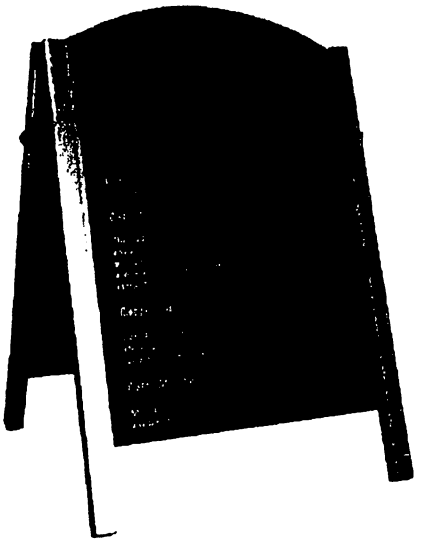
If the Board of Supervisors' is willing to support this request, the EDA would very much appreciate the Planning Division's review and refinement of this proposal before the official vetting process begins.

Thank you for your consideration and, if you have any questions regarding this request, please let me know.

Sincerely,

R. Anderson Moberg, Chairman
York County Economic Development Authority

Copy The Honorable Sheila S. Noll
The Honorable George S. Hrichak
The Honorable Donald E. Wiggins
The Honorable Walter C. Zaremba
James O. McReynolds



Examples courtesy of brochures produced by Carpinteria, California and Fremont, Michigan

ARTICLE VII. SIGNS

Sec. 24.1-700. Applicability.

No sign shall be erected, altered, expanded, reconstructed, replaced or relocated on any property except in conformance with the provisions of this article and all other applicable ordinances and regulations of the county. Repainting or refacing an existing sign or making minor non-structural repairs shall not require a permit.

Sec. 24.1-701. Sign classifications.

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

Advertising sign. A sign which directs attention to a business, profession, product, service, activity or entertainment which is not conducted, sold or offered on the premises upon which such sign is located.

Banner. A piece of cloth, plastic or other flexible material on which words, letters, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display or direction and which is suspended for display, typically from buildings or poles.

Community identification sign. A permanent sign which identifies the name of a subdivision, apartment complex, condominium or other type of residential or nonresidential development or neighborhood but not containing separate information pertaining to the builder, developer or financier associated with such property; however, signs identifying rental properties may specify the name of the management firm.

Construction sign. A temporary sign which identifies facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction or alteration of such facilities.

External illumination. Illumination by floodlights, spotlights or other sources which are focused directly on the face of the sign.

Free-standing sign. A sign, supported by one or more columns, uprights or braces, in or upon the ground, and not attached to any building. Free-standing signs include, but are not limited to, pole signs, monument signs, and signs attached to a flat surface such as a fence or wall not a part of a building.

Monument sign. A type of free-standing sign, other than a pole sign, with sides parallel to or nearly parallel to each other, with the supporting structure as wide as or wider than the sign face itself, and with the entire supporting structure in contact with the ground or within twelve inches (12") of the ground.

Identification sign. An on-premises sign which indicates the name, nature, logo, trademark, commodity, entertainment or service sold, offered or manufactured on the premises, and/or other pertinent information about a building, business, development or establishment on the premises.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface.

Marquee or canopy sign. A sign which is painted on, attached to, or hung from a marquee or canopy which projects from and is totally or partially supported by a building.

Off-Premises directional sign. A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of a use, but which does not otherwise qualify as an advertising sign.

Off-Premises directional open house sign. A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers. Such signs shall not contain any reference to any individual or firm.

On-Premises directional sign. A sign which is intended to provide directional information for the

premises on which it is located. Such sign may pertain to traffic movement, pedestrian movement, parking or loading
space, or similar types of information, but shall not consist of advertising matter.

Pennants. Pieces of cloth, plastic or flexible material, generally triangular or rectangular in shape, and which typically are strung together in a series on lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention.

Political sign. A temporary sign which pertains to an issue of public concern or to an issue or candidate in a pending election.

Portable sign. Any sign not permanently attached to a structure or permanently mounted in the ground which can be transported to other locations. Portable signs shall include, but not be limited to, signs which are trailer-mounted or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Projecting sign. A sign which is attached perpendicularly, or nearly perpendicularly, to a building wall or roof line and which extends from such wall or roof line not more than forty-eight inches (48").

Realty sign. A temporary sign which advertises the sale, lease, rental or display of the lot or building upon which such sign is displayed.

Roof sign. A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.

Sidewalk sign. A type of portable sign that is self-supporting and which is placed on a sidewalk or pedestrian walkway as a temporary means of identification or advertising for an adjacent business during its business hours. Such signs may be generically known as A-frame, Sandwich Board, Stand, or Pedestal signs.

Temporary sign. A sign, banner, poster, or advertising display constructed of cloth, plastic, sheet-metal, cardboard, wallboard, plywood or other like materials, intended to be displayed for a limited period of time, and not permanently attached to a building or the ground.

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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. Free-standing t~~T~~emporary 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 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 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 a temporary banner or free-standing sign, 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., "25th 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 sign or banner must be on the site of such business. Only one such sign shall be permitted per street frontage and the maximum allowable size shall be forty (40) square feet and six (6) feet in height, if freestanding. Such sign may be displayed for a maximum of 120 days in any single calendar year. 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 calendar year. The permit application for such sign shall specify the time period(s) during which the sign will be displayed.

(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.

(Ord. No. 098-18, 10/7/98; Ord. No. 01-20(R), 10/16/01; Ord. No. 03-42(R), 12/2/03; Ord. No. 08-17(R), 3/17/09; Ord. No. 10-24, 12/21/10)

Sec. 24.1-704.1. Sidewalk signs.

The zoning administrator, upon application, may issue permits for sidewalk signs subject to the following standards and conditions. Such signs shall not count against the normal sign area allowances for the property on which located.

(a) One non-illuminated sidewalk sign is allowed per premises. In the event the premises houses multiple businesses, one additional sidewalk sign may be authorized provided that the two signs are no closer than 30 feet to one another. Nothing shall prevent the identification of more than one of the businesses located on the premises on a single sign.

(b) The placement of sidewalk signs shall be limited to a location within fifteen feet (15') of the front (i.e., between the imaginary extension of the side walls of the building) of the establishment to which it refers and not more than thirty feet (30') from the main customer/client entrance of the establishment.

(c) Sign area shall not exceed 6 square feet (e.g., each face of a double-sided or A-frame sign). Maximum height shall be 4 feet. Maximum width shall be 2'6".

(d) Sidewalk signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. Metal, wood, and plastic are typical materials used. Glass and other breakable materials are not allowed.

(e) The sign face may include permanent/fixed copy (e.g., painted on the surface) or the sign, interchangeable copy, or it may be composed of a chalk, dry-erase, or other similar type of board on which the messages can be easily and frequently changed.

(f) The sign shall be of sufficient weight to prevent it from becoming a hazard in windy conditions or from being overturned by contact. Weights, if required, should be incorporated into the sign design / construction as opposed to being applied (e.g., placing sandbags on the sign base is not allowable).

(g) No temporary posters, letters, flyers, balloons, pennants, flags, or other attention-getting devices may be attached to the sign. Sign copy or sign parts that move in a controlled or uncontrolled manner shall not be permitted.

(h) The sign placement shall not prevent the sidewalk from being ADA accessible nor shall it cause a pedestrian to have to move further from a building and closer to a roadway. When placed on a sidewalk such sign shall not cause the unobstructed, clear-path of the walkway to be less than four feet (4') in width.

(i) No sign shall be located within or closer than two feet (2') from curbs, driveways, parking lots or any other vehicular circulation or parking surfaces. No such sign shall be located in conflict with sight distance / sight triangle standards.

(j) No such sign shall be permitted on a sidewalk or pedestrian walkway that is located within a public road right-of-way.

(k) The sign must be removed from the sidewalk or display location during times when the identified business establishment is closed. Storage during non-business hours shall be indoors.

(l) When such sign is to be located on a sidewalk/walkway not under the control of the business owner (e.g., on a walkway along the front of a multi-tenant shopping center or retail complex),

the application for approval shall be accompanied by documentation indicating that the sidewalk owner has approved the use, design and placement of the sign.

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BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 15th day of January, 2013:

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

On motion of Mr. Hrichak, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND ARTICLE VII – SIGNS OF CHAPTER 24.1, ZONING, YORK COUNTY CODE, TO ESTABLISH SPECIAL PROVISIONS FOR THE USE OF SIDEWALK SIGNS IN ASSOCIATION WITH BUSINESSES IN CERTAIN SPECIFIED LOCATIONS

WHEREAS, Article VII of Chapter 24.1, Zoning, of the York County Code sets forth various standards pertaining to business identification and advertising signage; and

WHEREAS, the York County Economic development Authority has requested that the Board consider amendments to expand those signage opportunities to include an allowance for sidewalk signs in certain pedestrian-oriented locations; and

WHEREAS, in the interest of good zoning and land use practice, the Board wishes to sponsor an application to allow review and consideration of this issue in accordance with applicable procedures for Zoning Ordinance amendments;

NOW, THERERFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of January, 2013, that it does hereby sponsor an application to allow consideration of the draft amendments set forth in the County Administrator's November 27, 2012 memorandum to the Board.

BE IT FURTHER RESOLVED that the proposed amendments and applications be, and they hereby are, referred to the York County Planning Commission for review, public hearing, and recommendation in accordance with applicable procedures.

A Copy Teste:

Mary E. Simmons
Deputy Clerk

ATTACHMENT B

COUNTY OF YORK
MEMORANDUM

DATE: February 11, 2013 (BOS Mtg. 2/19/13)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Sponsor Zoning Ordinance Amendment Application – Yorktown Historic District (Waterfront sub-area) Signage Allowances

The Office of Economic Development has requested that consideration be given to increasing the allowable wall sign area in the Waterfront sub-area of the Yorktown Historic District to be generally consistent with the allowances provided by the Zoning Ordinance for uses in NB-Neighborhood Business districts. Currently, the Yorktown Design Guidelines, which are incorporated into the Zoning Ordinance by reference in Section 24.1-377 (Yorktown Historic District), specify a maximum area of only five (5) square feet for wall signs. These same provisions apply to the more historic and pedestrian-oriented Historic Core sub-area of Yorktown (i.e., the Main Street area). The Office of Economic Development has requested that the Waterfront sub-area provisions be re-evaluated since the success of businesses and establishments along Water Street depends on visibility to both pedestrians and vehicles and, depending on the distance between an establishment and the roadway, the extremely small allowable area for wall signs can be problematic. As such, it has been suggested that the wall signage opportunities applicable in NB-Neighborhood Business Districts, which also are characterized by a need for visibility from adjacent roadways, would be worthy of consideration. In fact, the NB District sign provisions were the applicable standards in Yorktown prior to the adoption of the Historic District and Design Guidelines in 2003.

With this as background, staff has drafted proposed amendments to the Signs section of the Yorktown Design Guidelines. These proposed changes are attached and I recommend that they be sponsored for review and consideration by the Planning Commission. Proposed Resolution R13-25 (attached) would initiate and sponsor a Zoning Ordinance text amendment application to allow the draft amendments to be formally reviewed and considered by the Planning Commission. I recommend its adoption.

Carter/3337

Attachments:
- Draft Amendments to Article III – Signs, Yorktown Design Guidelines
- Proposed Resolution R13-25

III. Signs

A. Residential Signs

1. Signs for residential buildings shall be limited to those that provide identification of the residence by street number/name, family name, and/or building or property name.

2. Signs should be appropriate to the scale and design character of the residence and should not adopt thematic designs.

3. Residential identification signs shall not exceed one (1) square foot in size.

4. In addition to the standard residential identification sign, Bed and Breakfast and Tourist Home establishments accessory to a single family residential use may be identified by a separate free-standing or building mounted identification sign not exceeding four (4) square feet in area.

B. Commercial Signs

Commercial signs should be used primarily to identify a business rather than to advertise products or services. Commercial signs should be designed to be compatible in style with the building(s) to which it refers and should not adopt thematic designs.

1. Appropriate Sign Types/Sizes

a. Types

(1) *Pivotal* buildings

Single-post, freestanding signs

(2) *Contributing* buildings and *new* construction

(a) Wall signs—attached to the exterior wall

(b) Hanging signs—hung from a metal bracket or porch lintel, if compatible with the design of the building and porch

(c) Elevated freestanding signs (single- or double-post)

(3) Portable signs, even for temporary use, shall not be used within the district.

(4) Sidewalk Signs as may be allowed by the terms of Article VII of the Zoning Ordinance.

b. Size

Historic Core:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two-sided)

(3) Wall-mounted: maximum size – five (5) square feet

Waterfront:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two-sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two sided)

(3) Wall-mounted: maximum area for all wall signs not to exceed 1.0 square foot per foot of principal building width measured on the primary façade(s) of the structure or 50 square feet, whichever is less. Primary façade(s) shall be those which are parallel to a public street frontage, to a public pedestrian way, or to the York River. No structure shall be considered to have more than two (2) primary facades for the purposes of maximum sign area calculations.

2. Location

a. Signs should not be attached directly to the walls or features of *pivotal* buildings in order to avoid damaging historic materials. For such structures, freestanding signs are more appropriate unless the building fronts directly on the sidewalk or street, in which case a building mounted sign could be appropriate also.

b. Wall signs should be located adjacent to the entry door or on an appropriate façade or gable end. Buildings with multiple commercial tenants should have a directory sign with all tenants listed.

c. Hanging signs should be attached to the underside of the porch roof or lintel, parallel to the front of the building, or from a bracket perpendicular to the face of the building or a

porch column. Hanging signs should not be located higher than the top of the porch.

d. No sign shall be mounted on or from the roof of a structure. Signs may be attached or applied to fabric awnings and umbrellas with approval on a case-by-case basis.

e. Freestanding signs should be located within twenty (20) feet of the front property line, with the sign panel either parallel or perpendicular to the street.

3. Design, Shape and Materials

a. Sign design should be compatible with the character of the building and simple in background, colors, lettering, and mounting structure. The building should remain the dominant feature, not the sign.

b. A horizontal layout should be used for hanging signs. Signs hung over porch stairs or entrances should have a minimum clearance of seven feet six inches (7'-6").

c. A single-post design should be used for elevated freestanding signs. The post should be of painted wood, five (5) feet to seven (7) feet high, and of simple design, in character with traditional features such as fence posts, lampposts, and hitching posts. The sign should be of painted wood, hung from a simple wooden cross-arm or decorative metal bracket or centered on the top of the post. Sign panels should be double-sided if they are oriented perpendicular to the street. Wood signs, which are partially or entirely sandblasted or burned, are not appropriate. The maximum allowable height shall be ten (10) feet.

d. Signs should be constructed of appropriate but durable materials, such as:

(1) marine-grade exterior plywood or weather-resistant composite materials, with banded or sealed edges, and all elements primed and painted

(2) brass or bronze sign panels attached to front façade, fence, or wall

(3) painted iron or pressure-treated wood posts for freestanding posts.

4. Colors and Lettering

a. Sign colors should be compatible with the principal color of the building, wall or fence to which they are attached or adjacent. Colors should be selected from the Yorktown Color Palette, as defined in Appendix 3, Glossary. Other colors may be considered on a case-by-case basis.

b. Not more than three colors should be used on any one sign.

c. Metal posts and hardware used for supporting or attaching signs should be painted black or other dark color.

d. Lettering should be:

(1) easy to read in terms of size and style

(2) appropriate to the character of the property and its use

5. Lighting

a. Signs with internal illumination shall not be permitted.

b. Freestanding, wall, and hanging signs may be illuminated by external light sources either directly focused on the sign or through indirect illumination by other site lighting. The specific fixtures and intensity of any external illumination focused on the sign shall be evaluated on a case-by-case basis. In any event, the bulbs shall be concealed by landscaping shields or other appropriate means.

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 19th day of February, 2013:

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

On motion of Mr. Hrichak, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND ARTICLE III – SIGNS OF THE YORKTOWN HISTORIC DISTRICT DESIGN GUIDELINES TO INCREASE THE ALLOWABLE AREA FOR WALL SIGNS TO BE COMENSURATE WITH THE ALLOWANCES PROVIDED BY THE ZONING ORDINANCE FOR THE NB-NEIGHBORHOOD BUSINESS DISTRICT

WHEREAS, the Yorktown Historic District Design Guidelines, adopted December 2, 2003, set forth various requirements for signage in the Yorktown Historic District; and

WHEREAS, the Design Guidelines are incorporated into the York County Zoning Ordinance by reference in Section 24.1-377 - Yorktown Historic District; and

WHEREAS, the York County Office of Economic Development has requested that consideration be given to amendments that would increase the allowable area for wall signs in the Waterfront sub-area to be generally consistent with the allowances provided by the Zoning Ordinance for the NB-Neighborhood Commercial District; and

WHEREAS, in the interest of good zoning and land use practice, the Board wishes to sponsor an application to allow review and consideration of this issue in accordance with applicable procedures for Zoning Ordinance amendments;

NOW, THERERFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of February, 2013, that it does hereby sponsor an application to allow consideration of the draft amendments set forth in the attachment to the County Administrator's February 11, 2013 memorandum to the Board.

BE IT FURTHER RESOLVED that the proposed amendments and applications be, and they hereby are, referred to the York County Planning Commission for review, public hearing, and recommendation in accordance with applicable procedures.

A Copy Teste:

Mary E. Simmons
Deputy Clerk

ATTACHMENT C

Yorktown Design Guidelines – as referenced in Section 24.1-377 (Yorktown Historic District)

III. Signs

A. Residential Signs

1. Signs for residential buildings shall be limited to those that provide identification of the residence by street number/name, family name, and/or building or property name.

2. Signs should be appropriate to the scale and design character of the residence and should not adopt thematic designs.

3. Residential identification signs shall not exceed one (1) square foot in size.

4. In addition to the standard residential identification sign, Bed and Breakfast and Tourist Home establishments accessory to a single family residential use may be identified by a separate free-standing or building mounted identification sign not exceeding four (4) square feet in area.

B. Commercial Signs

Commercial signs should be used primarily to identify a business rather than to advertise products or services. Commercial signs should be designed to be compatible in style with the building(s) to which it refers and should not adopt thematic designs.

1. Appropriate Sign Types/Sizes

a. Types

(1) *Pivotal* buildings

Single-post, freestanding signs

(2) *Contributing* buildings and *new* construction

(a) Wall signs—attached to the exterior wall

(b) Hanging signs—hung from a metal bracket or porch lintel, if compatible with the design of the building and porch

(c) Elevated freestanding signs (single- or double-post)

(3) Portable signs, even for temporary use, shall not be used within the district, ***except for , sidewalk signs as allowed by the terms of Article VII of the Zoning Ordinance***

~~(4) Sidewalk signs as may be allowed by the terms of Article VII of the Zoning Ordinance.~~

b. Size

Historic Core:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two-sided)

(3) Wall-mounted: maximum size – five (5) square feet

Waterfront:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two-sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two sided)

(3) Wall-mounted: maximum area for all wall signs not to exceed 1.0 square foot per foot of principal building width measured on the primary façade(s) of the structure or 50 square feet, whichever is less. Primary façade(s) shall be those which are parallel to a public street frontage, to a public pedestrian way, or to the York River. No structure shall be considered to have more than two (2) primary facades for the purposes of maximum sign area calculations.

2. Location

a. Signs should not be attached directly to the walls or features of *pivotal* buildings in order to avoid damaging historic materials. For such structures, freestanding signs are more appropriate unless the building fronts directly on the sidewalk or street, in which case a building mounted sign could be appropriate also.

b. Wall signs should be located adjacent to the entry door or on an appropriate façade or gable end. Buildings with multiple commercial tenants should have a directory sign with all tenants listed.

c. Hanging signs should be attached to the underside of the porch roof or lintel, parallel to the front of the building, or from a bracket perpendicular to the face of the building or a porch column. Hanging signs should not be located higher than the top of the porch.

d. No sign shall be mounted on or from the roof of a structure. Signs may be attached or applied to fabric awnings and umbrellas with approval on a case-by-case basis.

e. Freestanding signs should be located within twenty (20) feet of the front property line, with the sign panel either parallel or perpendicular to the street.

3. Design, Shape and Materials

a. Sign design should be compatible with the character of the building and simple in background, colors, lettering, and mounting structure. The building should remain the dominant feature, not the sign.

b. A horizontal layout should be used for hanging signs. Signs hung over porch stairs or entrances should have a minimum clearance of seven feet six inches (7'-6").

c. A single-post design should be used for elevated freestanding signs. The post should be of painted wood, five (5) feet to seven (7) feet high, and of simple design, in character with traditional features such as fence posts, lampposts, and hitching posts. The sign should be of painted wood, hung from a simple wooden cross-arm or decorative metal bracket or centered on the top of the post. Sign panels should be double-sided if they are oriented perpendicular to the street. Wood signs, which are partially or entirely sandblasted or burned, are not appropriate. The maximum allowable height shall be ten (10) feet.

d. Signs should be constructed of appropriate but durable materials, such as:

(1) marine-grade exterior plywood or weather-resistant composite materials, with banded or sealed edges, and all elements primed and painted

(2) brass or bronze sign panels attached to front façade, fence, or wall

(3) painted iron or pressure-treated wood posts for freestanding posts.

4. Colors and Lettering

a. Sign colors should be compatible with the principal color of the building, wall or fence to which they are attached or adjacent. Colors should be selected from the Yorktown Color Palette, as defined in Appendix 3, Glossary. Other colors may be considered on a case-by-case basis.

b. Not more than three colors should be used on any one sign.

c. Metal posts and hardware used for supporting or attaching signs should be painted black or other dark color.

d. Lettering should be:

(1) easy to read in terms of size and style

(2) appropriate to the character of the property and its use

5. Lighting

a. Signs with internal illumination shall not be permitted.

b. Freestanding, wall, and hanging signs may be illuminated by external light sources either directly focused on the sign or through indirect illumination by other site lighting. The specific fixtures and intensity of any external illumination focused on the sign shall be evaluated on a case-by-case basis. In any event, the bulbs shall be concealed by landscaping shields or other appropriate means.

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ARTICLE VII. SIGNS

Sec. 24.1-700. Applicability.

No sign shall be erected, altered, expanded, reconstructed, replaced or relocated on any property except in conformance with the provisions of this article and all other applicable ordinances and regulations of the county. Repainting or refacing an existing sign or making minor non-structural repairs shall not require a permit.

Sec. 24.1-701. Sign classifications.

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

Advertising sign. A sign which directs attention to a business, profession, product, service, activity or entertainment which is not conducted, sold or offered on the premises upon which such sign is located.

Banner. A piece of cloth, plastic or other flexible material on which words, letters, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display or direction and which is suspended for display, typically from buildings or poles.

Community identification sign. A permanent sign which identifies the name of a subdivision, apartment complex, condominium or other type of residential or nonresidential development or neighborhood but not containing separate information pertaining to the builder, developer or financier associated with such property; however, signs identifying rental properties may specify the name of the management firm.

Construction sign. A temporary sign which identifies facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction or alteration of such facilities.

External illumination. Illumination by floodlights, spotlights or other sources which are focused directly on the face of the sign.

Free-standing sign. A sign, supported by one or more columns, uprights or braces, in or upon the ground, and not attached to any building. Free-standing signs include, but are not limited to, pole signs, monument signs, and signs attached to a flat surface such as a fence or wall not a part of a building.

Monument sign. A type of free-standing sign, other than a pole sign, with sides parallel to or nearly parallel to each other, with the supporting structure as wide as or wider than the sign face itself, and with the entire supporting structure in contact with the ground or within twelve inches (12") of the ground.

Identification sign. An on-premises sign which indicates the name, nature, logo, trademark, commodity, entertainment or service sold, offered or manufactured on the premises, and/or other pertinent information about a building, business, development or establishment on the premises.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface.

Marquee or canopy sign. A sign which is painted on, attached to, or hung from a marquee or canopy which projects from and is totally or partially supported by a building.

Off-Premises directional sign. A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of a use, but which does not otherwise qualify as an advertising sign.

Off-Premises directional open house sign. A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers. Such signs shall not contain any reference to any individual or firm.

On-Premises directional sign. A sign which is intended to provide directional information for the premises on which it is located. Such sign may pertain to traffic movement, pedestrian movement, parking or loading
space, or similar types of information, but shall not consist of advertising matter.

Pennants. Pieces of cloth, plastic or flexible material, generally triangular or rectangular in shape, and which typically are strung together in a series on lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention.

Political sign. A temporary sign which pertains to an issue of public concern or to an issue or candidate in a pending election.

Portable sign. Any sign not permanently attached to a structure or permanently mounted in the ground which can be transported to other locations. Portable signs shall include, but not be limited to, signs which are trailer-mounted or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Projecting sign. A sign which is attached perpendicularly, or nearly perpendicularly, to a building wall or roof line and which extends from such wall or roof line not more than forty-eight inches (48").

Realty sign. A temporary sign which advertises the sale, lease, rental or display of the lot or building upon which such sign is displayed.

Roof sign. A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.

Sidewalk sign. A type of portable sign that is self-supporting and which is placed on a sidewalk or pedestrian walkway as a temporary means of identification or advertising for an adjacent business during its business hours, ***and is not affixed to the ground or any surface. Sidewalk signs may be of the sort*** ~~***Such signs may be***~~ generically known as A-frame, ~~***S***~~***s***andwich ~~***B***~~***b***oard, ~~***S***~~***s***tand, or ~~***P***~~***p***edestal signs.

Temporary sign. A sign, banner, poster, or advertising display constructed of cloth, plastic, sheet-metal, cardboard, wallboard, plywood or other like materials, intended to be displayed for a limited period of time, and not permanently attached to a building or the ground.

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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 t~~T~~emporary 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 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 ~~a~~ temporary banner**s** or ~~***free-standing***~~ sign**s**, 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., "25th 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 sign**s** or banner**s** must be on the site of such business. Only one ***(1) building-mounted or one (1) freestanding*** ~~***such***~~ sign shall be permitted per street frontage ~~***and the maximum allowable size shall be forty (40) square feet and six (6) feet in height, if freestanding.***~~ Such sign may be displayed for a maximum ***period*** of 120 days in any single ***12-month period*** ~~***calendar year***~~. 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*** ~~***calendar year.***~~ 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.

(Ord. No. 098-18, 10/7/98; Ord. No. 01-20(R), 10/16/01; Ord. No. 03-42(R), 12/2/03; Ord. No. 08-17(R), 3/17/09; Ord. No. 10-24, 12/21/10)

Sec. 24.1-704.1. Sidewalk signs.

The zoning administrator, upon application, may issue permits for sidewalk signs subject to the following standards and conditions. Such signs shall not count against the normal sign area allowances for the property on which located.

(a) One non-illuminated sidewalk sign is allowed per ~~premises~~ ***business establishment having an exterior customer/client entrance***. In the event a structure houses multiple businesses ***sharing a common customer entrance***, ***two*** ~~one additional~~ sidewalk signs may be authorized provided that the two signs are no closer than 30 feet to one another. Nothing shall prevent the identification of more than one of the businesses located on the premises on a single sign.

(b) The placement of sidewalk signs shall be limited to a location within fifteen feet (15') of the front (i.e., between the imaginary extension of the side walls of the building) of the establishment to which it refers and not more than thirty feet (30') from the main customer/client entrance of the establishment.

(c) Sign area shall not exceed 6 square feet (e.g., each face of a double-sided or A-frame sign). Maximum height shall be 4 feet. Maximum width shall be 2'6".

(d) Sidewalk signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. ~~*Metal, wood, and plastic are typical materials used.*~~ ***Sidewalk signs shall not be constructed of g*** ~~G~~lass ~~*and other breakable materials. are not allowed.*~~

(e) The sign face may include permanent/fixed copy (e.g., painted on the surface) ***and*** ~~*or the sign,*~~ ***inter***changeable copy. ~~, or~~ ***Acceptable materials for changeable copy sidewalk signs may include*** chalk, dry-erase, ***removable letters,*** or other similar types of boards on which the messages can be easily and frequently changed.

(f) The sign shall be of sufficient weight to prevent it from becoming a hazard in windy conditions or from being overturned by contact. Weights, if required, ***must*** ~~*should*~~ be incorporated into the sign design ~~/~~ ***and*** construction. ***The use of sandbags, bricks or similar items to add weight to the sign is not allowed***. ~~as opposed to being applied (e.g., placing sandbags on the sign base is not allowable).~~

(g) No temporary posters, letters, flyers, balloons, pennants, flags, or other attention-getting devices may be attached to the sign. ***Mobile or moving s***~~S~~ign copy or sign parts ~~*that move in a controlled or uncontrolled manner*~~ shall not be permitted.

(h) The sign placement shall not prevent the sidewalk from being ~~*ADA*~~ accessible ***as required by the Americans with Disabilities Act, nor shall it*** cause ~~*a pedestrian to have to move further from a building and closer to a roadway. When placed on a sidewalk such sign*~~

shall not cause the unobstructed, clear-path of the walkway to be less than four feet (4') in width.

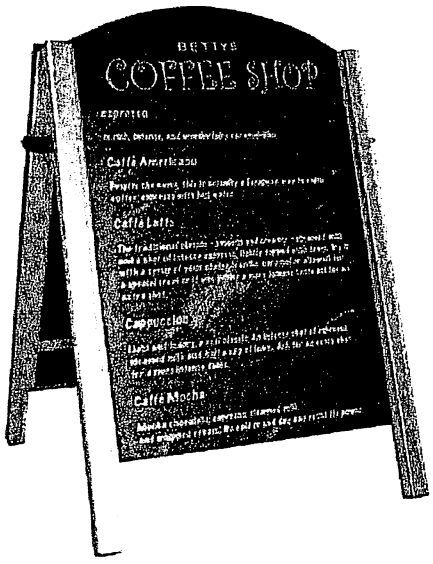
(i) No sign shall be located within or closer than two feet (2') from curbs, driveways, parking lots or any other vehicular circulation or parking surfaces. No such sign shall be located in conflict with sight distance / sight triangle standards.

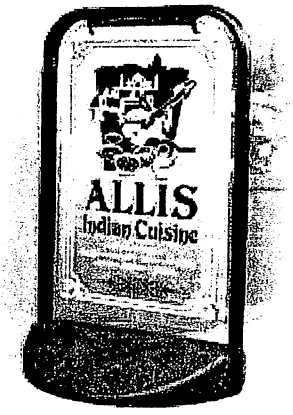
(j) No such sign shall be permitted ***on a sidewalk or pedestrian walkway that is located*** within a public road right-of-way.

(k) The sign must be removed from the sidewalk or display location during times when the identified business establishment is closed. Storage during non-business hours shall be indoors.

(l) When such sign is to be located on a sidewalk/ ***or*** walkway not under the ***sole*** control of the business owner, ***such as (e.g.,*** on a walkway ***within the common area of along the front of*** a multi-tenant shopping center or retail complex), the application for approval shall be accompanied by documentation indicating that the sidewalk owner has approved the use, design and placement of the sign.

***





Examples courtesy of brochures produced by Carpinteria, California and Fremont, Michigan

PC13-3

PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2013:

Present — Vote

Richard M. Myer, Jr., Chair
Mark B. Suiter, Vice Chair
Alexander T. Hamilton
Christopher A. Abel
Timothy D. McCulloch
Todd H. Mathes
Melissa S. Magowan

On motion of _____, which carried ___, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. ZT-140-13 TO AMEND VARIOUS SECTIONS OF THE YORK COUNTY ZONING ORDINANCE (CHAPTER 24.1, YORK COUNTY CODE) PERTAINING TO SIGNS

WHEREAS, Application No. ZT-140-13 has been sponsored by the Board of Supervisors to allow consideration of various amendments to the signage requirements set forth in the York County Zoning Ordinance; and

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

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ___ day of _____, 2013, that Application No. ZT-140-13 be, and it is hereby, transmitted to the York County Board of Supervisors with a

recommendation of approval to amend the York County Zoning Ordinance (Chapter 24.1, York County Code) to incorporate the following amendments:

Yorktown Design Guidelines – as referenced in Section 24.1-377 (Yorktown Historic District)

III. Signs

A. Residential Signs

1. Signs for residential buildings shall be limited to those that provide identification of the residence by street number/name, family name, and/or building or property name.

2. Signs should be appropriate to the scale and design character of the residence and should not adopt thematic designs.

3. Residential identification signs shall not exceed one (1) square foot in size.

4. In addition to the standard residential identification sign, Bed and Breakfast and Tourist Home establishments accessory to a single family residential use may be identified by a separate free-standing or building mounted identification sign not exceeding four (4) square feet in area.

B. Commercial Signs

Commercial signs should be used primarily to identify a business rather than to advertise products or services. Commercial signs should be designed to be compatible in style with the building(s) to which it refers and should not adopt thematic designs.

1. Appropriate Sign Types/Sizes

a. Types

(1) *Pivotal* buildings

Single-post, freestanding signs

(2) *Contributing* buildings and *new* construction

(a) Wall signs—attached to the exterior wall

(b) Hanging signs—hung from a metal bracket or porch lintel, if compatible with the design of the building and porch

(c) Elevated freestanding signs (single- or double-post)

(3) Portable signs, even for temporary use, shall not be used within the district, except for sidewalk signs as allowed by the terms of Article VII of the Zoning Ordinance.

b. Size

Historic Core:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two-sided)

(3) Wall-mounted: maximum size – five (5) square feet

Waterfront:

(1) Freestanding: maximum size – nine (9) square feet (per sign face, if two-sided sign)

(2) Hanging: maximum size – six (6) square feet (per sign face, if two sided)

(3) Wall-mounted: maximum area for all wall signs not to exceed 1.0 square foot per foot of principal building width measured on the primary façade(s) of the structure or 50 square feet, whichever is less. Primary façade(s) shall be those which are parallel to a public street frontage, to a public pedestrian way, or to the York River. No structure shall be considered to have more than two (2) primary facades for the purposes of maximum sign area calculations.

2. Location

a. Signs should not be attached directly to the walls or features of *pivotal* buildings in order to avoid damaging historic materials. For such structures, freestanding signs are more appropriate unless the building fronts directly on the sidewalk or street, in which case a building mounted sign could be appropriate also.

b. Wall signs should be located adjacent to the entry door or on an appropriate façade or gable end. Buildings with multiple commercial tenants should have a directory sign with all tenants listed.

c. Hanging signs should be attached to the underside of the porch roof or lintel, parallel to the front of the building, or from a bracket perpendicular to the face of the building or a porch column. Hanging signs should not be located higher than the top of the porch.

d. No sign shall be mounted on or from the roof of a structure. Signs may be attached or applied to fabric awnings and umbrellas with approval on a case-by-case basis.

e. Freestanding signs should be located within twenty (20) feet of the front property line, with the sign panel either parallel or perpendicular to the street.

3. Design, Shape and Materials

a. Sign design should be compatible with the character of the building and simple in background, colors, lettering, and mounting structure. The building should remain the dominant feature, not the sign.

b. A horizontal layout should be used for hanging signs. Signs hung over porch stairs or entrances should have a minimum clearance of seven feet six inches (7'-6").

c. A single-post design should be used for elevated freestanding signs.

The post should be of painted wood, five (5) feet to seven (7) feet high, and of simple design, in character with traditional features such as fence posts, lampposts, and hitching posts. The sign should be of painted wood, hung from a simple wooden cross-arm or decorative metal bracket or centered on the top of the post. Sign panels should be double-sided if they are oriented perpendicular to the street. Wood signs, which are partially or entirely sandblasted or burned, are not appropriate. The maximum allowable height shall be ten (10) feet.

d. Signs should be constructed of appropriate but durable materials, such as:

(1) marine-grade exterior plywood or weather-resistant composite materials, with banded or sealed edges, and all elements primed and painted

(2) brass or bronze sign panels attached to front façade, fence, or wall

(3) painted iron or pressure-treated wood posts for freestanding posts.

4. Colors and Lettering

a. Sign colors should be compatible with the principal color of the building, wall or fence to which they are attached or adjacent. Colors should be selected from the Yorktown Color Palette, as defined in Appendix 3, Glossary. Other colors may be considered on a case-by-case basis.

b. Not more than three colors should be used on any one sign.

c. Metal posts and hardware used for supporting or attaching signs should be painted black or other dark color.

d. Lettering should be:

(1) easy to read in terms of size and style

(2) appropriate to the character of the property and its use

5. Lighting

a. Signs with internal illumination shall not be permitted.

b. Freestanding, wall, and hanging signs may be illuminated by external light sources either directly focused on the sign or through indirect illumination by other site lighting. The specific fixtures and intensity of any external illumination focused on the sign shall be evaluated on a case-by-case basis. In any event, the bulbs shall be concealed by landscaping shields or other appropriate means.

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ARTICLE VII. SIGNS

Sec. 24.1-700. Applicability.

No sign shall be erected, altered, expanded, reconstructed, replaced or relocated on any property except in conformance with the provisions of this article and all other applicable ordinances and regulations of the

county. Repainting or refacing an existing sign or making minor non-structural repairs shall not require a permit.

Sec. 24.1-701. Sign classifications.

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

Advertising sign. A sign which directs attention to a business, profession, product, service, activity or entertainment which is not conducted, sold or offered on the premises upon which such sign is located.

Banner. A piece of cloth, plastic or other flexible material on which words, letters, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display or direction and which is suspended for display, typically from buildings or poles.

Community identification sign. A permanent sign which identifies the name of a subdivision, apartment complex, condominium or other type of residential or nonresidential development or neighborhood but not containing separate information pertaining to the builder, developer or financier associated with such property; however, signs identifying rental properties may specify the name of the management firm.

Construction sign. A temporary sign which identifies facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction or alteration of such facilities.

External illumination. Illumination by floodlights, spotlights or other sources which are focused directly on the face of the sign.

Free-standing sign. A sign, supported by one or more columns, uprights or braces, in or upon the ground, and not attached to any building. Free-standing signs include, but are not limited to, pole signs, monument signs, and signs attached to a flat surface such as a fence or wall not a part of a building.

Monument sign. A type of free-standing sign, other than a pole sign, with sides parallel to or nearly parallel to each other, with the supporting structure as wide as or wider than the sign face itself, and with the entire supporting structure in contact with the ground or within twelve inches (12") of the ground.

Identification sign. An on-premises sign which indicates the name, nature, logo, trademark, commodity, entertainment or service sold, offered or manufactured on the premises, and/or other pertinent information about a building, business, development or establishment on the premises.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface.

Marquee or canopy sign. A sign which is painted on, attached to, or hung from a marquee or canopy which projects from and is totally or partially supported by a building.

Off-Premises directional sign. A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of a use, but which does not otherwise qualify as an advertising sign.

Off-Premises directional open house sign. A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers. Such signs shall not contain any reference to any individual or firm.

On-Premises directional sign. A sign which is intended to provide directional information for the premises on which it is located. Such sign may pertain to traffic movement, pedestrian movement, parking or loading
space, or similar types of information, but shall not consist of advertising matter.

Pennants. Pieces of cloth, plastic or flexible material, generally triangular or rectangular in shape, and which typically are strung together in a series on lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention.

Political sign. A temporary sign which pertains to an issue of public concern or to an issue or candidate in a pending election.

Portable sign. Any sign not permanently attached to a structure or permanently mounted in the ground which can be transported to other locations. Portable signs shall include, but not be limited to, signs which are trailer-mounted or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Projecting sign. A sign which is attached perpendicularly, or nearly perpendicularly, to a building wall or roof line and which extends from such wall or roof line not more than forty-eight inches (48").

Realty sign. A temporary sign which advertises the sale, lease, rental or display of the lot or building upon which such sign is displayed.

Roof sign. A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.

Sidewalk sign. A type of portable sign that is self-supporting and which is placed on a sidewalk or pedestrian walkway as a temporary means of identification or advertising for an adjacent business during its business hours, and is not affixed to the ground or any surface. Sidewalk signs may be of the sort generically known as A-frame, sandwich board, stand, or pedestal signs.

Temporary sign. A sign, banner, poster, or advertising display constructed of cloth, plastic, sheet-metal, cardboard, wallboard, plywood or other like materials, intended to be displayed for a limited period of time, and not permanently attached to a building or the ground.

***

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 t~~T~~emporary 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 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 a temporary banners or ~~free-standing~~ 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., "25th 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 ~~such~~ sign shall be permitted per street frontage ~~and the maximum allowable size shall be forty (40) square feet and six (6) feet in height, if freestanding~~. Such sign may be displayed for a maximum period of 120 days in any single 12-month period~~calendar year~~. 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~~calendar year~~. 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.

(Ord. No. O98-18, 10/7/98; Ord. No. 01-20(R), 10/16/01; Ord. No. 03-42(R), 12/2/03; Ord. No. 08-17(R), 3/17/09; Ord. No. 10-24, 12/21/10)

Sec. 24.1-704.1. Sidewalk signs.

The zoning administrator, upon application, may issue permits for sidewalk signs subject to the following standards and conditions. Such signs shall not count against the normal sign area allowances for the property on which located.

(a) One non-illuminated sidewalk sign is allowed per business establishment having an exterior customer/client entrance. In the event a structure houses multiple businesses sharing a common customer entrance, two sidewalk signs may be authorized provided that the two signs are no closer than 30 feet to one another. Nothing shall prevent the identification of more than one of the businesses located on the premises on a single sign.

(b) The placement of sidewalk signs shall be limited to a location within fifteen feet (15') of the front (i.e., between the imaginary extension of the side walls of the building) of the establishment to which it refers and not more than thirty feet (30') from the main customer/client entrance of the establishment.

(c) Sign area shall not exceed 6 square feet (e.g., each face of a double-sided or A-frame sign). Maximum height shall be 4 feet. Maximum width shall be 2'6".

(d) Sidewalk signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. Sidewalk signs shall not be constructed of glass.

(e) The sign face may include permanent/fixed copy (e.g., painted on the surface) and changeable copy. Acceptable materials for changeable copy sidewalk signs may include chalk, dry-erase, removable letters, or other similar types of boards on which the messages can be easily and frequently changed.

(f) The sign shall be of sufficient weight to prevent it from becoming a hazard in windy conditions or from being overturned by contact. Weights, if required, must be incorporated into the sign design and construction. The use of sandbags, bricks or similar items to add weight to the sign is not allowed.

(g) No temporary posters, letters, flyers, balloons, pennants, flags, or other attention-getting devices may be attached to the sign. Mobile or moving sign copy or sign parts shall not be permitted.

(h) The sign placement shall not prevent the sidewalk from being accessible as required by the Americans with Disabilities Act, nor shall it cause the unobstructed, clear-path of the walkway to be less than four feet (4') in width.

(i) No sign shall be located within or closer than two feet (2') from curbs, driveways, parking lots or any other vehicular circulation or parking surfaces. No such sign shall be located in conflict with sight distance / sight triangle standards.

(j) No such sign shall be permitted within a public road right-of-way.

(k) The sign must be removed from the sidewalk or display location during times when the identified business establishment is closed. Storage during non-business hours shall be indoors.

(l) When such sign is to be located on a sidewalk or walkway not under the sole control of the business owner, such as on a walkway within the common area of a multi-tenant shopping center or retail complex, the application for approval shall be accompanied by documentation indicating that the sidewalk owner has approved the use, design and placement of the sign.

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