
DIVISION 7. SIGNS

Sec. 24-5701. Purpose and Intent

A. Purpose and Intent

Signs have the potential to obstruct views, distract motorists, displace alternative uses for land, and pose other problems that call for regulation. The purpose of this division is to regulate the size, color, illumination, movement, materials, location, height, and condition of signs, in order to:

1. Reduce the problems caused by signs;
2. Facilitate the creation of a convenient, attractive, and harmonious community;
3. Protect property values and the character of neighborhoods and historic areas within the County;
4. Promote the safety of pedestrians and traffic; and
5. Encourage economic development.

Sec. 24-5702. Applicability

- A.** All signs are subject to the standards of this division. Except as provided in Sec. 24-5703 below, a sign permit in accordance with Sec. 24-2311, Sign Permit, is required prior to the installation or display of any sign within the County.
- B.** If any provision of this division is found by a court of competent jurisdiction to be invalid, the remaining provisions should be given effect to the fullest extent possible, consistent with the First Amendment guarantee of free speech.
- C.** Unless otherwise provided, wherever this chapter allows a sign with commercial content, noncommercial content is also permitted, subject to the same regulations.

Sec. 24-5703. Signs Not Requiring Permits

A sign permit is not required for:

- A.** Any sign placed by a government body, required by law, or permitted by the Virginia Department of Transportation.
- B.** Up to three noncommercial flags on any lot. Any commercial flag must comply with the regulations for detached signs.
- C.** The refacing or repair of an existing permitted sign.
- D.** On any lot, not more than two non-illuminated signs not exceeding two square feet in aggregate area or four feet in height.
- E.** Non-illuminated signs posted along the property line of any lot, except that (i) such signs must not exceed one square foot in area and (ii) such signs must not be posted within 250 feet of each other on the same property line. Notwithstanding the general prohibition in Sec. 24-5704.A.1 below, such signs may be attached to trees.
- F.** Window signs that do not exceed 50 percent of the total area of the window or door.
- G.** Temporary signs, as follows:

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1. On property where a building permit is active, one sign no more than three square feet in area;
 2. On property actively marketed for sale or rent, one sign no more than 32 square feet in area and eight feet in height when the sign abuts a street classified as a controlled access, major arterial, minor arterial, major collector, or major access road; and no more than three square feet in area and four feet in height when the sign abuts any other street;
 3. In any Conservation and Agricultural District or Residential District, or Planned Development District that includes only residential development, temporary noncommercial signs not exceeding 16 square feet in aggregate area for each lot may be displayed no more than 90 consecutive days and no more than 120 days in any calendar year;
 4. In any Nonresidential or Mixed-Use District, or Planned Development District that includes nonresidential development, temporary noncommercial signs may be displayed no more than 90 consecutive days and no more than 120 days in any calendar year. Each sign must not exceed 32 square feet in area, and the total aggregate area of signs along any 300-foot segment of street frontage must not exceed 32 square feet; and
 5. Detached temporary signs must not be illuminated and must not exceed eight feet in height.
- H.** In any Nonresidential or Mixed-Use District, or Planned Development District that includes nonresidential development, one display of attention-getting devices for a period not exceeding ten days in each three-month period: January 1 through March 31, April 1 through June 30, July 1 through September 30, or October 1 through December 31, provided that:
1. The display must not obstruct any public right-of-way, required parking space, or ingress or egress to any building;
 2. The display must not damage required landscaping;
 3. The display must not exceed 20 feet in any dimension, and the top of the display must not exceed a height of 30 feet above the ground; and
 4. If an otherwise permissible attention-getting device is displayed more than ten days in any three-month period, in addition to any other remedy, the number of days in excess of ten will be counted against the number of days permitted in future three-month periods.

Sec. 24-5704. Prohibited Signs

In addition to signs prohibited in certain parts of the County in accordance with Sec. 24-5606, Signs, the following signs are prohibited:

A. General Prohibitions

1. Any sign attached to trees, bushes, shrubberies, or other plants or vegetation except those allowed in accordance with Sec. 24-5703.E above;
2. Any sign simulating, or which is likely to be confused with, a traffic control sign, any other sign displayed by a public authority, or the lights or markings on an emergency vehicle; and
3. Any sign displayed on a stationary vehicle or trailer that is used for the purpose of a mobile or portable sign, including the parking of a vehicle for a period of more than 24 hours within 100 feet of and plainly visible from the public right-of-way.

B. Distraction-Based Prohibitions

1. Any sign with parts that rotate or move, or appear to rotate or move;
2. Any sign displaying flashing, scrolling, or intermittent lights or lights of changing degrees of intensity;
3. Searchlights;
4. Any sign consisting primarily of exposed illuminated tubing or strings of lights, except in windows or when used for temporary decorations not to exceed 90 days in any calendar year;
5. Any sign that emits smoke, flame, scent, mist, aerosol, liquid, or gas;
6. Any sign that emits sound; and
7. Strings of pennants or flags except temporary attention-getting devices as provided in Sec. 24-5703.H above.

C. Location-Based Prohibitions

1. Off-premises commercial signs, except outdoor advertising signs allowed by Sec. 24-5707.D.7;
2. Any sign placed on public land, including street right-of-way, other than those approved in writing by the County Engineer or the Virginia Department of Transportation, required by law without such approval, or permitted under Code of Virginia § 24.2-310 E. Any unauthorized sign is subject to immediate removal and disposal by any authorized official. Removal of the sign by an authorized official does not preclude prosecution of the person responsible for the sign;
3. Any sign attached to the roof of a building (other than the lower plane of a mansard roof), extending above the ridge of a sloped roof, or attached to a parapet wall and extending above the top of such wall; and
4. Any sign that prevents a driver from having an unobstructed view of an intersection or seeing conflicting vehicles or pedestrians in the roadway.

Sec. 24-5705. General Requirements

The following requirements apply to all signs subject to this division:

- A.** Detached signs must be set back from any street right-of-way at least five feet.
- B.** Any attached sign in a business or industrial district located within 150 feet of a Residential District on the same side of the same street must be attached flat against a building wall that does not face the adjacent Residential District.
- C.** External lighting of signs must consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light is substantially confined to the sign. The beam width must not be wider than that needed to illuminate the sign.
- D.** Illumination from any sign must not exceed 0.5 footcandles above ambient lighting conditions at any property line and must not shine directly into oncoming traffic or directly into a dwelling.
- E.** For any sign in the B-1, B-2, B-3, M-1, M-2, or M-3 districts, except for outdoor advertising signs subject to Sec. 24-5707.D.7, the image or message must not change more often than once every ten seconds. For any sign in any other zoning district, the image or message

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must not change more often than once every five minutes. The images, messages, and transitions between them must not include or simulate motion, video, or animation.

Sec. 24-5706. Maintenance and Removal

- A.** All signs must be constructed and maintained in compliance with the Uniform Statewide Building Code and in a neat and clean condition.
- B.** The Building Official may order the immediate removal or repair of any sign the Building Official determines presents an immediate threat to the safety of the public because it has become insecure, in danger of falling, or otherwise unsafe. If such action is necessary to render a sign safe, the cost of such action will be at the expense of the owner or lessee of the premises.
- C.** Any sign that becomes a safety hazard or is not kept in a reasonably good state of repair must be repaired or removed after written notice by the Building Official to the property owner or permit holder.
- D.** When the business advertised on a sign has ceased operating, the owner of the property must remove the sign or replace the sign face with a blank face within 60 days of the cessation of business operations until such time as a new use has begun operating on the property.
- E.** Any sign that constitutes a nuisance may be abated by the County under the provisions of Code of Virginia §§ 15.2-900, 15.2-906, or 15.2-1115.

Sec. 24-5707. Signs Requiring Permits

A. Agricultural and Conservation Districts, and Single-Family Residential Districts

A sign permit may be issued for the following signs in the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5A, A-1, and C-1 districts:

- 1.** At each entrance to a section of an approved and recorded subdivision: One detached sign not exceeding 25 square feet in area or six feet in height, or two signs attached to a wall or fence on opposite sides of the entrance and not exceeding 30 square feet in aggregate area. Such signs may be located in the right-of-way if approved by the County Engineer.
- 2.** Accessory to any principal use other than a single-family dwelling:
 - (a)** No more than three attached or detached signs, not exceeding 50 square feet each or 82 square feet in aggregate area. Detached signs must not exceed eight feet in height.
 - (b)** For each parking lot serving two or more buildings: One detached sign per building, not exceeding three square feet in area or five feet in height.

B. Other Residential Districts

A sign permit may be issued for the following signs in the R-5, R-6, and RTH districts:

- 1.** Accessory to a residential use for which a plan of development or site plan is required, including a townhouse project or multifamily development:
 - (a)** At each entrance to a phase or section as shown on the approved plan of development or recorded subdivision plat: One sign not exceeding 32

square feet in area or eight feet in height, or two signs attached to a wall or fence on opposite sides of the entrance and not exceeding 36 square feet in aggregate area. Such signs may be located in the right-of-way if approved by the County Engineer.

(b) For each parking lot serving two or more buildings: one detached sign per building, not exceeding three square feet in area or five feet in height.

2. Accessory to any principal use other than a residential use:

(a) No more than three attached or detached signs, not exceeding 50 square feet each or 82 square feet in aggregate area. Detached signs must not exceed eight feet in height.

(b) For each parking lot serving two or more buildings: one detached sign per building, not exceeding three square feet in area or five feet in height.

C. Office and Office/Service Districts

A sign permit may be issued for the following signs in the O-1, O-2, O-3, and O/S districts:

1. For each lot: One detached sign if the lot has an entrance on one public street, or two detached signs if the lot has entrances on two or more public streets. Each sign must not exceed 32 square feet in area or 15 feet in height.

2. For each building: Attached signs not exceeding 32 square feet in aggregate area for each 25,000 square feet of finished floor area or part thereof. One detached sign not exceeding 12 square feet in area or five feet in height may be substituted for 12 square feet of attached sign area.

3. For each parking lot serving two or more buildings: One detached sign per building, not exceeding three square feet in area or five feet in height.

4. For each phase or section in the approved plan of development: One attached or detached sign not exceeding 20 square feet in area. Detached signs must not exceed ten feet in height. Such signs may be located in the right-of-way if approved by the County Engineer.

5. For a coordinated development of 20 acres or more:

(a) For each entrance from a major arterial, minor arterial, or major collector road: one detached sign not exceeding 75 square feet in area, or two signs not exceeding 75 square feet in aggregate area when attached to a wall or fence on opposite sides of an entrance. Each sign must not exceed 15 feet in height and must not be located within 75 feet of any other detached sign. Such signs may be located in the right-of-way if approved by the County Engineer.

(b) For each 20 acres or part thereof: one detached sign not exceeding 36 square feet in area or six feet in height, provided such signs must not be located within 75 feet of any other detached sign. Such signs may be located in the right-of-way if approved by the County Engineer.

D. Business Districts

A sign permit may be issued for the following signs in the B-1, B-2 and B-3 districts, provided that in the B-1 district, signs must not be illuminated between 12:00 am (midnight) and 6:00 am:

1. Attached signs not exceeding the following aggregate allowance of sign area for each linear foot of building length: In the B-1 district, one and one-half square feet; in the B-2 district, three square feet; in the B-3 district, four square feet.

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2. Detached signs: One of the following may be allowed on a parcel as applicable, but not both:
 - (a) Accessory to one business with independent street access and parking: One detached sign may be located along each public street frontage. Such signs must not exceed 32 square feet in area each or eight feet in height and must be located at least 75 feet from any other detached sign.
 - (b) Accessory to a group of two or more businesses with coordinated street access and parking: One detached sign for each point of access to a public street, provided that any two signs on the same public street must be located at least 500 feet apart, and any such sign must be located at least 75 feet from any other detached sign. Such signs must not exceed 150 square feet in area each or 25 feet in height, except that for a coordinated development of 40 acres or more, one detached sign may be up to 250 square feet in area and 30 feet in height.
3. For each parking lot serving two or more buildings: One detached sign per building, not exceeding three square feet in area or five feet in height.
4. For a coordinated development of 20 acres or more: One detached sign not exceeding 36 square feet in area or six feet in height for each 20 acres or part thereof. Such signs must not be located within 75 feet of any other detached sign. Such signs may be located in the right-of-way if approved by the County Engineer.
5. For a coordinated development of 40 acres or more: for each parcel improved with a building of 60,000 square feet or more of finished floor area, one monument sign not exceeding 35 square feet in area or five feet in height.
6. As a part of a drive-through facility: No more than two detached signs for each position where orders are placed or customers are served, not exceeding 48 square feet in area or eight feet in height.
7. In the B-3 district, outdoor advertising signs as provided below.
 - (a) No permit will be issued for a new outdoor advertising sign in addition to those lawfully in existence on May 27, 1998, except as follows:

(1) Replacement

A lawful outdoor advertising sign for which a permit has been issued may be replaced with a new outdoor advertising sign at the same location provided the new sign must not:

- A. Exceed 500 square feet in area;
- B. Exceed 40 feet in height if abutting an interstate highway or 25 feet in height if not abutting an interstate highway; and
- C. Project over any property line or any right-of-way line (public or private).

(2) Relocation

A lawful outdoor advertising sign for which a permit has been issued may be relocated to, or replaced with a new outdoor advertising sign at, a new site on the same side of the same street provided that the following requirements are met. For purposes of this provision, "original sign" will mean the sign as it existed on May 27, 1998:

- A. The new location must be on the same lot as the original sign or on a different lot and within 500 feet of the original sign, measured parallel to the front property line;

- B.** The new location must be at least 1,000 feet from any other outdoor advertising sign on the same side of the same street;
- C.** The new location must be at least 500 feet from any Residential district fronting on the same side of the same street, or from any school, County park, or religious institution;
- D.** The relocated or replacement sign must not exceed 500 square feet in area;
- E.** The relocated or replacement sign must not exceed 40 feet in height if abutting an interstate highway, or 25 feet in height if not abutting an interstate highway; and
- F.** The relocated or replacement sign must not project over any property line or any right-of-way line (public or private).

(b) A lawful outdoor advertising sign for which a permit has been issued may be continued, maintained, refaced, or repaired at its existing location, size, and height.

(c) Artistic embellishments may be added to a lawful outdoor advertising sign structure for which a permit has been issued if such embellishments do not exceed ten percent of the area of the sign face and such embellishments do not extend more than five feet from such sign structure.

E. Industrial Districts

For any use in the M-1, M-2, or M-3 district that is also allowed in the B-3 district, a sign permit may be issued for any sign that would be allowed in the B-3 district pursuant to subsection D above subject to the standards for the B-3 district in subsection D.7 above. For any use in the M-1, M-2, or M-3 district that is not allowed in the B-3 district, a sign permit may be issued for the following signs:

- 1.** Attached signs not exceeding four and one-half square feet of sign area for each linear foot of building length.
- 2.** Detached signs: One for each point of access to a public street, provided that any two signs on the same public street must be located at least 500 feet apart. Each sign must not exceed 150 square feet in area or 25 feet in height and must be located at least 75 feet from any other detached sign.
- 3.** For each parking lot serving two or more buildings: One detached sign per building, not exceeding three square feet in area or five feet in height.
- 4.** For a coordinated development of 20 acres or more: One detached sign not exceeding 50 square feet in area or six feet in height for each 20 acres or part thereof. Such signs must not be located within 75 feet of any other detached sign. Such signs may be located in the right-of-way if approved by the County Engineer.
- 5.** Outdoor advertising signs will be allowed subject to subsection D.7 above.

F. Planned Development Districts

Signs requiring a permit may be allowed in Planned Development Districts in accordance with the approved PD Master Plan (see Sec. 24-3503.A, PD Master Plan) and PD Terms and Conditions Document (see Sec. 24-3503.D, PD Terms and Conditions Document).

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- D.** A lot that does not conform to the minimum lot width requirements in this Ordinance based on the rules of measurement that determine how lot width is measured, but that did previously comply with the minimum lot width standards based on the rules of measurement in effect at the time the lot was platted, will be deemed a lawful nonconforming lot.

Sec. 24-6403. Reconstruction After Damage or Destruction

A building located on a nonconforming lot may be repaired, rebuilt, or replaced after being damaged or destroyed by a natural disaster or other act of God or a fire in accordance with Sec. 24-6305, Reconstruction After Damage or Destruction.

Sec. 24-6404. Government Acquisition of Land

Any lot of record that complied with the zoning regulations in effect at the time it was created and was or is subject to governmental acquisition of part of the lot for a public purpose resulting in the lot becoming nonconforming as to lot area, lot width, or both, by 10 percent or less of the applicable standard, will be deemed a lawful nonconforming lot. Any proposed development of such lots must comply with all other standards and requirements of this Ordinance, including all dimensional standards other than the nonconforming lot area or lot width resulting from the governmental land acquisition.

DIVISION 5. NONCONFORMING SIGNS

Sec. 24-6501. General Provisions

- A.** A nonconforming sign is any sign lawfully existing on April 25, 2017, that does not conform to the provisions of Article 5, Division 7, Signs, except any outdoor advertising sign (i) allowed by Sec. 24-5707.D.7; (ii) not prohibited by Sec. 24-5704, Prohibited Signs; and (iii) meeting the requirements of Sec. 24-5705, General Requirements, will be considered a conforming sign. A nonconforming sign may remain, subject to the requirements of this division.
- B.** Nothing in this division will be deemed to prevent maintenance or repair of a nonconforming sign, or the alteration to the face of a sign involving the replacement of materials or parts, or the replacement with a different type of sign of the same size (e.g., replacement of a sign cabinet with channel letters).
- C.** The owner of the property where a sign is located will have the burden of establishing the nonconforming status, physical characteristics, and location of the sign. Upon notice from the Planning Director, a property owner must submit verification that a sign was lawfully existing at the time of erection. Failure to provide such verification will be cause for an order to remove the sign or bring the sign into compliance with Article 5, Division 7, Signs.
- D.** A nonconforming sign may be replaced with a new sign of lesser height or area, or both, and the replacement sign will be deemed nonconforming and may remain in accordance with this division.
- E.** A nonconforming sign that is changed to become conforming or is replaced by a conforming sign will no longer be deemed nonconforming, and thereafter such sign must be maintained in accordance with Article 5, Division 7, Signs.

Sec. 24-6502. *Enlargement or Increase of Features*

A nonconforming sign must not be enlarged and any feature of a nonconforming sign, such as illumination, must not be increased. This paragraph is not intended to prohibit upgrades in the efficiency of lighting of any sign, or the addition of solar panels to an outdoor advertising sign subject to Sec. 24-5707.D.7.

Sec. 24-6503. *Reconstruction After Damage or Destruction*

- A.** A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50 percent of its area may be restored within two years after such destruction or damage but must not be enlarged in any manner.
- B.** If a nonconforming sign is destroyed or damaged to an extent exceeding 50 percent of its area, it must not be reconstructed but may be replaced with a sign that complies with Article 5, Division 7, Signs.

Sec. 24-6504. *Relocation*

A nonconforming sign must not be moved unless the change in location will make the sign more conforming with the standards in Article 5, Division 7, Signs.

Sec. 24-6505. *Removal of Nonconforming Sign*

A nonconforming sign structure will be subject to the removal provisions in Article 5, Division 7, Signs. In addition, a nonconforming sign structure will be considered abandoned if the use to which it is accessory has not been in operation for a period of two years or more. Following the expiration of the two-year period, any abandoned nonconforming sign must be removed by the owner of the property on which the sign is located, if notified by the County to do so. If, following such two-year period, the County has made a reasonable attempt to notify the property owner, the County through its own agents or employees may enter the property upon which the sign is located and remove any such sign whenever the owner has refused to do so. The cost of such removal will be chargeable to the owner of the property.

DIVISION 6. GRADUATED COMPLIANCE OF NONCONFORMING SITE FEATURES

Sec. 24-6601. *Graduated Compliance: Purpose and Intent*

This division establishes rules for increasing compliance of nonconforming sites when a use is changed or a building is expanded. It is intended to promote reinvestment in small commercial properties where nonconforming site features make it difficult or impossible to adapt existing buildings to new uses. Where possible, nonconforming sites should be brought into full compliance with this Ordinance. When a small commercial site would otherwise remain vacant because there is insufficient space to bring nonconforming parking or landscaping into full compliance with this Ordinance, this division may provide relief. For such sites, this division allows for graduated compliance while requiring those improvements that are practical, but not requiring full compliance where it would be impossible or impractical.

Short-term rental

The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Short-term rental, hosted stay

A short-term rental during which the homeowner is present in the dwelling.

Short-term rental, unhosted stay

A short-term rental during which the homeowner is not present in the dwelling.

Short-term renter

Any person permitted to occupy a short-term rental for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy, and any companions or guests of such person.

Sidewalk

A hard-surfaced walk or raised path and any curb ramps or blended transitions along and generally paralleling the side of the streets for pedestrians. Sidewalks do not include the curb or gutter structures.

Sight distance triangle

A triangular area that is included between the lines of an intersecting public street or private driveway, extended to the point where the lines intersect, and, at points on each line 20 feet distant from that point for a public street or 10 feet distant for a private driveway, a straight line connecting them.

Sign

Any device (writing, letters, numerals, illustration, emblem, symbol, trademark, device, figure or character) visible to and designed to communicate information to persons in a public area. The term "sign" does not include the display of merchandise for sale on the site of the display.

Sign, attached

A sign attached to or painted on the outside wall of a building or structure.

Sign, detached

A sign not attached to or painted on a building, but permanently affixed to the ground or to a post, pylon, fence, or wall that is not part of a building.

Sign, monument

A detached sign that is either: 1) a solid structure made of brick, stone, concrete or similar durable material; or 2) constructed on or connected directly to a solid supporting foundation made of brick, stone, concrete or similar durable material, with no separation between the sign and the base and where the width of the base is at least 90 percent of the width of the sign.

Sign, outdoor advertising

A detached or attached sign and supporting sign structure, including a billboard, which advertises or directs the attention of the general public to a profession or business conducted, or to a commodity, service, activity or entertainment sold or offered, which is located off the premises on which the sign is located.

Sign permit

See Sec. 24-2311, Sign Permit.

Article 8 Definitions

Division 5. General Definitions

Sign, temporary

A sign not intended for permanent display and not permanently fixed to the ground or a structure, usually constructed of cloth, canvas, vinyl, paper, fabric, or other lightweight material.

Sign, window

A sign visible outside the window or door and attached to or within 18 inches in front of or behind the surface of a window or door.

Site plan

See Sec. 24-2315, Site Plan

Solar energy equipment

Equipment for the collection of solar energy or its conversion to electrical energy for use on the same property, or for incidental sale to a public utility, when that equipment is accessory to a principal use of the property. Components are typically mounted on the roof of one or more buildings, but may be mounted on other structures, or on the ground.

Specified anatomical areas

Less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities

Human genitals in a state of sexual stimulation or arousal; sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breast, including masturbation.

State

Of or referring to the Commonwealth of Virginia.

Steep slopes

Any land area within a resource management area (RMA) which rises or falls at a rate of 20 feet or more per 100 feet as measured in the horizontal plane.

Story

That portion of a building included between the surface of any floor and either (1) the surface of the floor immediately above it or (2) or the ceiling immediately above it if there is no floor immediately above it.

Street

A dedicated public thoroughfare which affords the principal means of access to abutting property, including road, highway, drive, lane, avenue, place, boulevard, or any other thoroughfare. This definition does not include an alley or any public right-of-way less than 30 feet in width.

Street, local

Streets having the function of providing direct access to abutting land and to the collector system.

Street, major arterial

See "Major arterial".

Street, major collector

See "Major collector".