

Ordinance 2016-005

ORDINANCE TO AMEND THE CODE OF ORDINANCES, TOWN OF HAYMARKET, VIRGINIA (2004) CHAPTER 58 ARTICLE IX. SIGNS 58-336 THROUGH 58-348

Town of Haymarket Sign Ordinance Rewrite

*Prepared by the Team of EPR, PC; Herd Planning & Design, Ltd.; and Sympoetica
Revisions and Comments by Planning Commission, Town Attorney, Town Planner*

Article IX. Signs

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Sec. 58-336. Findings, purpose and intent; interpretation.

- (a) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. This article does not entirely eliminate all of the harms that may be created by the installation and display of signs, but allows adequate communication through signage while

encouraging aesthetic quality in the design, location, and size of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech and in a manner consistent with the Town's Comprehensive Plan. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article, which can be given effect without the invalid provision.

- (b) Signs not expressly permitted as being allowed by right or by special use permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the Town Council are forbidden.
- (c) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.
- (d) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- (e) These regulations distinguish between portions of the Town designed for primarily vehicular access and portions of the Town designed for primarily pedestrian access.
- (f) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

Sec. 58-337. Applicability

The provisions of this article apply to all property within the corporate limits of the town.

Sec. 58-338. Permit Required.

Except when otherwise exempted by this article, no sign shall be erected, constructed, posted, painted, altered, or relocated, unless and until a zoning permit has been issued by the zoning administrator and where provided for in this article, subsequent to an approval of a certificate of appropriateness by the architectural review board (ARB).

Sec. 58-339. Exemptions.

Sign permits shall not be required for the following signs; however, all applicable regulations of this chapter shall apply.

- (a) Government signs or signs required by law, including official traffic signs or sign structures, provisional warning signs or sign structures, and temporary signs indicating danger.
- (b) Minor Signs not exceeding three (3) total signs per separate road frontage per lot, and not less than 30 feet apart.
- (c) Change of message or content of an approved Sign.
- (d) Flags, provided, however, that no single flag shall exceed twenty-four (24) square feet in area and no single lot shall display more than three flags in commercial or industrial zoning districts. (e) Temporary Signs as set forth in 58-341(1).
- (f) Signs applied directly and entirely to and flush with any horizontal paved surface.

Sec. 58-340. Prohibited signs.

The following signs are prohibited:

- (a) Flashing Signs
- (b) Moving or Rotating Signs.
- (c) Portable Signs with the exception of A-frame Signs.
- (d) Off-premises signs, except as specifically authorized in Sec. 58-345 (a).
- (e) Inflatable signs.
- (f) Roof Signs
- (g) Signs illuminated with sodium halide lights; and any illuminated sign that emits lighting levels in excess of the limitation set forth in Sec. 58-344 (4)
- (i) Abandoned sign structures.
- (j) Changeable copy signs, except in the B-1, B-2, and I-1 zoning districts or accessory to a by-right non-residential use in the R-1 zoning district. Changeable copy signs may not exceed 25% of the total maximum square footage of all signs permitted for the business.
- (k) Any signs, including posters and handbills, affixed to any structures, trees or other natural vegetation, rocks or poles.
- (l) Any sign that may be confused with or obstruct the view of any authorized traffic sign or signal, or obstruct the sight-distance triangle at any road intersection, or otherwise create a distraction for drivers.
- (n) Signs that prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part or otherwise adversely affect safety or are in violation of any building code or other applicable law.
- (o) Signs that emit smoke, visible vapors, particles, normally detectable sound or odor shall not be permitted, including open flames used to attract public attention.
- (p) Mirrors or mirror devices on, in, or as part of a sign.
- (q) Parked vehicle signs.
- (r) Signs erected on public land other than those approved by an authorized City/County/Town official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.
- (s) Bench signs.

Sec. 58-341. Temporary signs

- (1) *Permit not required.* Temporary signs may be erected or constructed without a permit in all zoning districts as provided in this section; however, all applicable code requirements in this chapter shall apply.
- (2) *Temporary Signs in Commercial Zoning Districts.* These signs shall be either Freestanding Signs, Wall Signs, Window Signs, Banner Signs, or A-Frame Signs, and may be displayed for up to 45 consecutive days. The date of first display shall be marked on the reverse of the sign in indelible ink. The zoning administrator may extend the time limit by up to 45 days upon application by the owner at the end of the initial 45-day period, if the applicant shows that the sign is maintained in sound condition and the purpose for it still pertains. Temporary Freestanding Signs, Wall Signs, Banner Signs, shall not exceed one sign per location, nor eight (8) square feet in area and six (6) feet in height. Temporary Window Signs shall

not obstruct more than twenty (20) percent of the area of the window on which the sign is located. A-Frame Signs must not be more than an aggregate of twelve (12) square feet or less in a sandwich board design as defined herein. A-Frame signs and other signs not affixed to a building or the ground may only be displayed during business hours. The placement of the sign shall not impede pedestrian, wheelchair, or vehicular traffic flow. Only one such sign is permitted per business.

- (3) *Temporary Signs in Residential Zoning Districts.* These signs shall be either Freestanding Signs, Wall Signs, Window Signs or Banner Signs. Freestanding and Wall Signs shall not exceed sixteen (16) square feet in area per property. No sign shall exceed six (6) feet in height, except Window Signs. Window signs shall not obstruct more than twenty-five (25) percent of the total area of all windows on each building façade on the property.
- (4) *Temporary Signs in Industrial Zoning Districts.* These signs shall be either Freestanding Signs, Wall Signs, Window Signs or Banner Signs, subject to the same standards and limitations as temporary signs for the commercial districts (Sec. 58-341 (2)).
- (5) *Temporary Signs required to be posted by law.* Any such sign shall be removed the day after the last day for which it is permitted to be displayed. The administrator may require proof of legal requirement for the posting of the sign. These signs are permitted in all zoning districts.

Sec. 58-342. Process for permitting.

- (a) *Permit required.* Except when otherwise exempted by this article, no sign shall be erected, posted, painted, altered, or relocated, unless and until a zoning permit has been issued by the zoning administrator. Except for signs allowed without a permit under § 58-339, any new or enlarged sign, and any sign with changed colors, materials or style, requires a certificate of appropriateness by the architectural review board (ARB).
- (b) *Permit process.* Before any zoning permit is issued, the applicant shall submit to the administrator a sign permit application and an application for certificate of appropriateness when applicable provided by the administrator, together with drawings and/or specifications depicting the proposed signs and providing such other information as may be necessary to fully advise and acquaint the administrator with the location, construction, materials, manner of illuminating and/or securing or fastening, and number of the proposed signs. .
- (c) *Approval of permit.* For signs not requiring architectural review, the zoning administrator shall act on the permit application within 14 days of acceptance of the application. For signs requiring action by the architectural review board, the board shall act on the application within sixty (60) days after acceptance of the application by the zoning administrator, in accordance with Secs. 58-554 – 58-562 of this chapter, and the Historic District Design Guidelines adopted by the Town Council, as amended, unless such timeline is extended by the applicant in writing. The zoning administrator shall issue a zoning permit within three (3) business days following approval by the ARB.
- (d) *Building codes; inspections.* All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code.
- (e) *General permit application requirements.* Submission requirements for ARB sign guidelines as set forth in the Historic District Design Guidelines adopted by the Town Council, as amended, shall be followed for selecting the type of sign, location, colors, lettering style, materials and type of illumination (if applicable). Sign permit application(s) also require:
 - (i) An application for a certificate of appropriateness, as applicable.
 - (ii) A plat showing location of existing and proposed sign(s) on building façade(s) or grounds and exterior dimensions of buildings subject to the sign permit.
 - (iii) Scaled drawings showing dimensions, scale, and elevation of proposed sign(s) to include specific materials, hardware, and methods of mounting and illumination.

- (f) Except with signs approved through a comprehensive sign plan as a part of an approved site plan or as otherwise provided in this Chapter, all signs shall be erected within one year from the date of approval of the sign permit; otherwise, the permit shall become null and void and a new permit shall be required. The zoning administrator may grant one extension of the permit for a period of six (6) months, but in no case shall a permit be valid for more than a total of eighteen (18) months. Extensions may be granted only when the proposed sign is in compliance with all current applicable regulations.

Sec. 58-343. Enforcement

Violations of this Article constitute violations of the zoning code and the Town may obtain compliance through any of the methods available for other zoning violations.

Sec. 58-344. General requirements for all signs

(1) Sign area computations.

- (a) The surface area of any sign permitted under this article is determined by measuring the entire face of the sign including any wall work incidental to its decoration, but excluding support elements whose sole purpose and function is to support the sign, except as noted below:
- (b) The surface area of any sign made up only of individual letters or figures shall include the space between such letters or figures.
- (c) Whenever one sign contains information on both sides, one side only shall be used in computing the surface area of the sign.

(2) Placement of signs

Signs shall be placed so they do not obstruct vehicles, pedestrians, or the signs of adjacent businesses. Unless otherwise provided for in this chapter, permanent signs shall be located:

- (a) At least ten (10) feet from any lot line within the Gateway Sign Area, or no closer than the building façade is to the lot line, whichever is less.
- (b) At least five (5) feet to any lot line within the Core Sign Area, or no closer than the building façade is to the lot line, whichever is less.
- (c) At least ten (10) feet to any lot line within the Residential Sign Area, or no closer than the building façade is to the lot line, whichever is less.

(3) Materials, colors, and styles

All materials, colors, and styles of non-temporary signs are subject to approval by the architectural review board in accordance with the Historic District Design Guidelines adopted by the Town Council, as amended.

(4) Lighting.

No sign shall be permitted to have an illumination spread of more than 0.05 foot candle at the lot line, shine into on-coming traffic, affect highway safety, or shine directly into a residential dwelling unit. Internal illumination is not permitted except that in the B-1 and B-2 districts, a single neon window sign is permitted not more than 15” high by 24” wide, and in the I-1 district, freestanding signs may be internally illuminated. Permitted neon signs shall not flash and shall be “on” only during posted hours of business.

(5) Substitution.

Wherever this Article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height and construction.

(6) Total Maximum Signage.

On properties used for commercial purposes, the total maximum signage of window, freestanding, projecting, wall, individual letter, directory, canopy, A-frame, and painted signs shall not exceed 120 square feet per business or 2.5 square feet per linear foot of road frontage, whichever is greater.

Sec. 58-345. Permanent sign standards - type, number, area, and height of signs

(a) Signs in Commercial and Industrial Zoning Districts

Table (a)(i) Maximum Limits on Sign Dimensions for Lots in B-1 Zoning District						
	B-1 Zoning in Core and Residential Sign Map Areas as shown on Zoning Map			B-1 Zoning in Gateway Sign Map Area as shown on Zoning Map		
Sign Type	Number	Area (Sq. Ft.)	Height (Ft.)	Number	Area (Sq. Ft.)	Height (Ft.)
Window ⁵	Not limited	Lesser of 20% of window area or 6 Sq. Ft.	Not limited	Not limited	Lesser of 20% of window area or 6 Sq. Ft.	Not limited
Freestanding	1 per road front; 2 maximum per lot	18 per sign; 24 Total	8	1 per road front; 2 maximum	24 Sq Ft per sign; 36 Total	10
Projecting ¹	1 per business	9	No less than 9	1 per business	9 Sq Ft	No less than 9
Wall ²	1 per business per road frontage	12	15 ft. above floor level but not above roof line	1 per business per road front.	12 Sq Ft per business for front façade; 36 Sq Ft per building on rear or side facades only	15 ft. above floor level, except no limit for rear or side façades, but not above the roofline
Individual Letter	1 per business per road frontage	1.5 Ft. letter height. 18 Sq Ft. total area.	15 ft. above floor level	1 per business per road frontage	1.5 ft. letter height; 18 S. F. total area. If setback 100 ft. or >, 2 Ft. Ht., 20 S. F. total area.	15 ft. above floor level
Multiple tenant sign	1 wall or freestanding sign per multi-tenant building or site, in addition to other permitted signs	32 if less than 100 Ft road frontage. 48 if 100 Ft. or more lot width on any side.	8	1 wall or freestanding sign per multi-tenant building or site, in addition to other permitted signs	32 if less than 100 Ft road frontage. 56 if 100 Ft or more lot width on any side.	10
Canopy ³	Permitted	Letters not more than 12 inches high.	Not limited	Permitted	Letters not more than 12 inches high.	Not limited
Minor signs (see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))
Internally Illuminated	Not permitted except one neon window-sign not more than 15" high by 24" wide ⁴	n/a	n/a	Not permitted except one neon window sign not more than 15" high by 24" wide ⁴	n/a	n/a
A-Frame (see in Sec. 58-341(1)(a))	1 per 30 feet of frontage	12	5 feet	1 per 30 feet of frontage	12	5
Off premises	Not permitted	n/a	n/a	Not permitted	n/a	n/a
Painted	Not permitted	n/a	n/a	1 on side or rear wall	Shall not exceed 15% of that wall area	As per other standards

¹Shall be mounted perpendicular to principal building façade; shall project no greater than four (4) feet from building and no closer than one foot to back of curb.

²Shall be mounted flat on building façade; letters shall not extend more than six inches from surface of building. Signs shall be no higher than 15 feet above the floor level on which the sign is placed.

³To be placed only in valance of the building with a margin of a minimum of one inch above and below the letters.

Table (a)(ii) Maximum Limits on Sign Dimensions for Lots in B-2 and I-1 Zoning Districts						
Sign Type	B-2 Zoning as shown on Zoning Map			I-1 Zoning as shown on Zoning Map		
	Number	Area in square feet (S. F.)	Height In feet (Ft.)	Number	Area in square feet (S. F.)	Height In feet (Ft.)
Window ⁸	Not limited	Lesser of 20% of window area or 6 S. F.	Not limited	Not limited	Lesser of 20% of window area or 10 S. F.	Not < 5 Ft.
Freestanding	1 per road front; 2 maximum per lot	24 per sign; 36 total	10	1 per road front; 2 maximum per lot	36 total	15
Projecting ¹	1 per business	12	No less than 9	1 per business	12	No less than 9
Wall ²	1 per business, plus 1 for end units	9	15 above floor level	1 per tenant	12 ; 1 SF per linear foot of property width ⁴	15 above floor level
Individual Letter	1 per business per road frontage	1.5 Ft. letter height. 18 Sq Ft. total area. If setback 100 ft or >, 2 ft. ht. 20 S. F. area.	15 above floor level	1 per business per road frontage	1.5 ft. letter height per 10 ft bldg. height. w/ maximum 2 ft. letter ht. and 20 S. F. area.	15 above floor level
Directory (Wall or Freestanding) (In addition to other permitted Freestanding or Wall signs)	1 per multi-tenant building or site	32 if less than 100 Ft road frontage. 48 if 100 Ft. or more lot width on any side.	10	1 per multi-tenant building	4.5 Sq. Ft. per tenant;	15
Canopy ³	Permitted	letters not > 12 inches high	Not limited	Permitted	letters not more than 12 inches high	Not limited
Minor signs (see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))
Internally Illuminated	Not permitted except one neon sign window not more than 15" high by 24" wide ⁷	n/a	n/a	Permitted for freestanding signs	As per other standards in this article	As per other standards
A-Frame (see Sec. 58-341(2))	1 per 30 feet of frontage	12	5	Not permitted	n/a	n/a
Off premises	Not permitted	n/a	n/a	1 freestanding sign on contiguous lot ⁶	As per other standards	As per other standards
Painted	1 on side or rear wall	Shall not exceed 15% of that wall area	As per other standards	Not permitted	n/a	n/a
Temporary (freestanding, banner sign or wall only)	1 per lot	8	4	1 per lot	8	4
Address numbers	One set per building	n/a	Letters not > 12"	One set per building	n/a	Letters not > 12"

¹Shall be mounted perpendicular to principal building façade; shall project no greater than four (4) feet from building and no closer than one foot to back of curb.

²Shall be mounted flat on building façade; letters shall not extend more than six inches from surface of building. Signs shall be no higher than 15 feet above the floor level on which the sign is placed, or to the top of the ceiling height of that floor. For industrial zoning, a maximum 3 SF sign is allowed for each tenant if a common entrance, or maximum 8 SF per tenant for each multiple entrance. For shopping centers in B-2, all property signage must be located in the sign band provided above the building canopy. The sign shall occupy a maximum sign area not taller than 18 inches and not longer than 65 percent of the tenant's unit width. Such signs will not exceed 48 square feet in area. Any store in excess of 10,000 sq ft shall have a maximum sign area not taller than 24 inches and not longer than 40% of tenant's unit width.

³To be placed only in valance of the building with a margin of a minimum of one inch above and below the letters.

⁴Applies to retail shopping space constructed in excess of 75 feet from edge of public right of way and not within 500 feet of residential property. If the tenant is located in an end unit, it is permitted to install an additional sign. Total area of second sign may not exceed the result of one and one half times the width of the store. All property signage must be located in the sign band provided above the building canopy. The sign shall occupy a maximum sign area not taller than two feet and not longer than 80 percent of the tenant's unit width. Such signs will not exceed 48 square feet in area. Any store in excess of 40,000 square feet may have a maximum sign area not taller than 3.5 feet and not longer than 80 percent of the tenant's unit width.

⁵Such signs shall be no closer than 10 feet to any street line, travel lane or access road.

⁶Off premise sign is contingent on permission from owner of property on which the sign is located. No such sign may be located within 30 feet of any other sign.

(b) Signs in Residential Zoning Districts

Table (b) Maximum Limits on Sign Dimensions for Lots in Residential Zoning Districts (R-1 and R-2)									
	Residential Uses			Residential Projects ¹			Non-Residential Uses		
Sign Type	Number	Area (Sq. Ft.)	Height (Ft.)	Number	Area (Sq. Ft.)	Height (Ft.)	Number	Area (Sq. Ft.)	Height (Ft.)
Minor signs (see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))	(see Sec. 58-339(b))
Freestanding Signs	1 per lot	6 sq. ft.	Not more than 4 feet from existing grade	1 per site entrance	24 Sq. Ft.	5 feet	1 per separate road frontage	24 Sq. Ft.	5 feet
Wall Signs	1 per lot	6 sq. ft.	n/a	n/a	n/a	n/a	1 per separate road frontage	12 Sq. Ft.	12 ft.

¹Includes subdivisions and other types of residential projects built as a unified development.

Sec. 58-346. Structural and maintenance requirements.

- (a) All signs shall be maintained in good condition and remain structurally safe. Any sign that has deteriorated to a state of peeling, cracking, splitting, fading or rusting, is in violation of this ordinance and subject to enforcement.
- (b) The owner of any advertising sign located on commercial property where the use or business has ceased operating shall, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.

Sec. 58-347. Nonconforming signs.

- (a) Any nonconforming sign may be maintained even though it does not conform with the provisions of this article except as provided in this section or section 58-381 (c). The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- (b) No nonconforming sign may be enlarged or altered in such a manner as to expand the nonconformity, nor may illumination be added to any nonconforming sign, except as provided in Sec. 58-347 (h).
- (c) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this article.
- (d) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of the sign structure may be restored within two (2) years after such destruction or

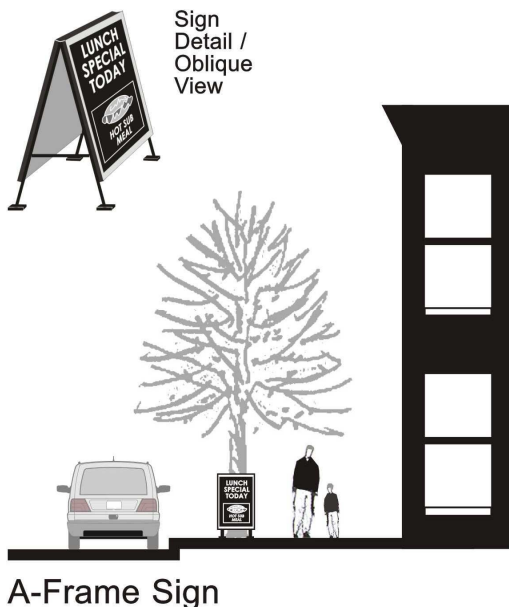
damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding fifty (50) percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.

- (e) The sign face of a nonconforming sign may be changed so long as this does not create any new nonconformities and so long as a new certificate of appropriateness is not required under § 58-342 (a).
- (f) Existing signs on an industrially zoned lot may be reconfigured so as to increase the number of signs, the mix of sign types, and the location of signs, as long as the total area of all signs on the lot is not increased, that existing maximum sign heights are maintained, and as long as all other requirements of this article are met.
- (g) A nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such structure sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days' written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

Sec. 58-348. Definitions.

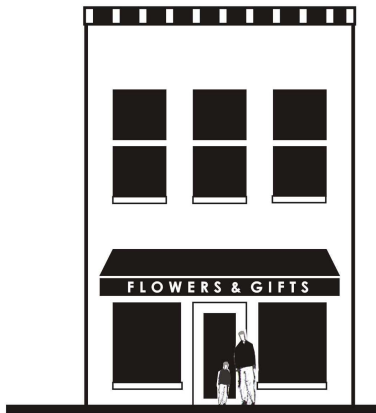
Illustrations show only the form of defined signs. Dimensional standards are shown only in the text of this article.

- (1) *A-Frame sign*. A temporary, portable sign used at a place of business to provide information to pedestrians and slow moving vehicles. The sign may be one or two sided.



- (2) *Awning sign*. See canopy sign.
- (3) *Banner sign*. A temporary sign made of cloth, paper, vinyl or like material attached to a wall so as to remain in a generally stationary position.

- (4) *Bench sign.* A sign painted, located on, or attached to any part of the surface of a bench, seat or chair placed on or adjacent to a public place or roadway.
- (5) *Billboard sign.* (see off-premises sign)
- (6) *Canopy sign.* A sign placed directly on or attached to the surface of an awning or canopy.



Canopy/Awning Sign



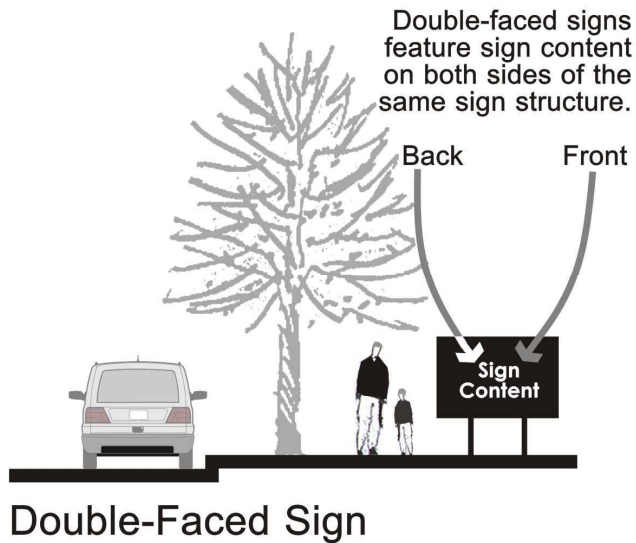
Canopy/Awning Sign

- (7) *Changeable copy sign.* A sign or part of a sign that is designed so that characters, letters or illustrations can be mechanically, physically, or electronically changed or rearranged without altering the face or surface of the sign. This does not include a flashing sign or a moving or rotating sign.
- (8) *Multi-tenant sign, Wall.* A wall sign at a building or group of buildings with multiple commercial tenants, controlled by the landlord thereof.
- (9) *Multi-tenant sign, Freestanding.* A freestanding sign at a building or group of buildings with multiple commercial tenants, controlled by the landlord thereof.

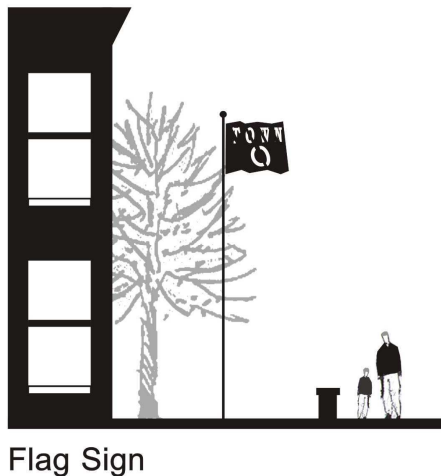


Directory Sign

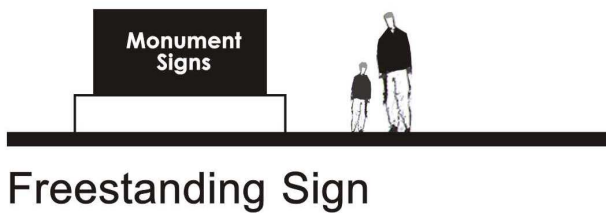
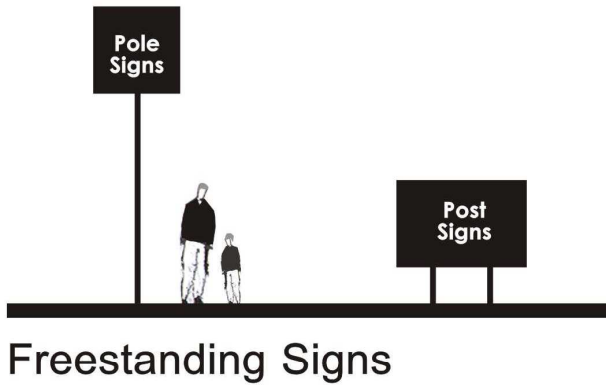
- (10) *Double-faced sign*. A sign with two parallel or nearly parallel faces, back to back, upon which advertising is displayed. For purposes of this definition, “nearly parallel” means having an internal angle between its two faces of no more than 45 degrees.



- (11) *Flags*. Cloth or similar flexible fabric attached to a pole at one end such that the material can bend or flutter from the point (s) of attachment.



- (12) *Flashing sign*. Any illuminated sign on which there is light which is not stationary or constant in intensity or color at all times when such sign is in use. For the purposes of this article, a sign that has a change rate or dwell time of four (4) seconds or longer is not a flashing sign.
- (13) *Freestanding sign*. Sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure, or a monument form without separate supporting elements.

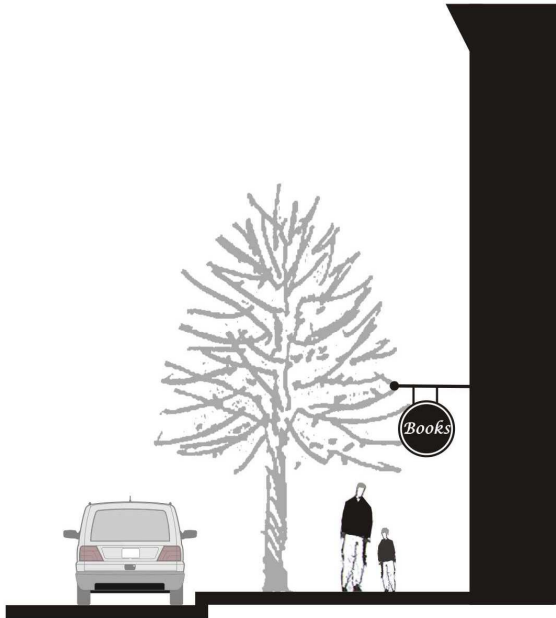


- (14) *Government sign.* Government signs that are approved by the town council or installed for the public benefit by a branch, department, or authority of a local, state, or federal government..
- (15) *Hanging house or address numbers.* House numbers hanging from a lamppost or similar structure.
- (16) *Hanging sign.* (see Projecting sign)
- (17) *Illuminated sign.* A sign illuminated in any manner by a light source, whether internally or externally lit. Externally illuminated signs are those that have a light source projecting onto the face of the sign either by downlighting or indirectly with fluorescent, halogen or a source that gives off light. Internally illuminated signs are those that have a light source inside or behind the sign structure or sign face which projects lights through or from the sign face.
- (18) *Individual letter sign.* A sign made up of letters only that are attached directly to the building.



Individual Letter Sign

- (19) *Inflatable sign.* Any display capable of being expanded by air or other gas and used on a temporary or permanent basis.
- (20) *Location.* A lot, parcel, building site or tenant space.
- (21) *Marquee sign.* See canopy sign.
- (22) *Menu sign.* (see directory sign)
- (23) *Minor sign.* A wall or freestanding sign with a sign face not exceeding one (1) square foot in area, not exceeding four feet in height, and not illuminated.
- (24) *Moving or Rotating Sign* - An environmentally activated sign or other display with mechanical motion or the appearance of motion powered by natural, manual, mechanical, electrical or other means, including but not limited to pennant strings, streamers, spinners, propellers, and search lights. It does not include a flag or a hand held sign; see Portable Sign.
- (25) *Neon sign.* A sign that uses light-emitting gas to convey a message in a form such as letters, numbers, and figures.
- (26) *Off-premise sign.* A sign which directs attention to a commercial business, product, service or establishment conducted, sold or offered at a location other than the premises on which the sign is erected.
- (27) *Painted sign.* Any sign painted on the exterior surface of a building; includes a mural sign.
- (28) *Political sign.* A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election. Political signs are regulated the same as other temporary signs.
- (29) *Portable sign.* Any temporary sign not affixed to a building, structure or the ground. It does not include a flag or banner sign.
- (30) *Projecting sign.* (Also Hanging Sign) A sign attached to a building, approximately perpendicular to the building wall.



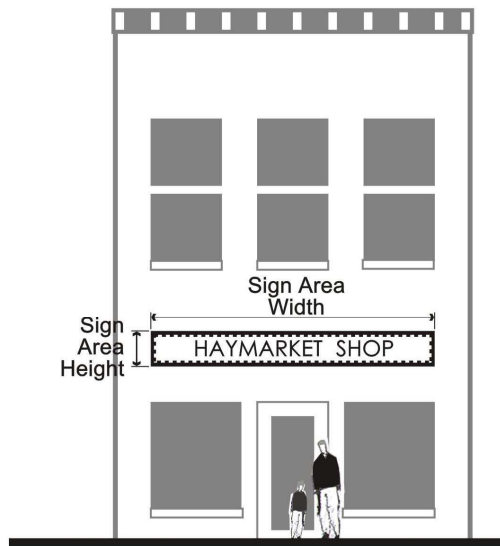
Projecting/Hanging Sign

- (31) *Real estate sign.* A temporary sign that advertises the property on which it is located, for sale, rent, or lease, regulated the same as other temporary signs.
- (32) *Roof sign.* Any sign which extends above the lower edge of the roof of the building to which it is attached.



Roof Sign (Not Permitted)

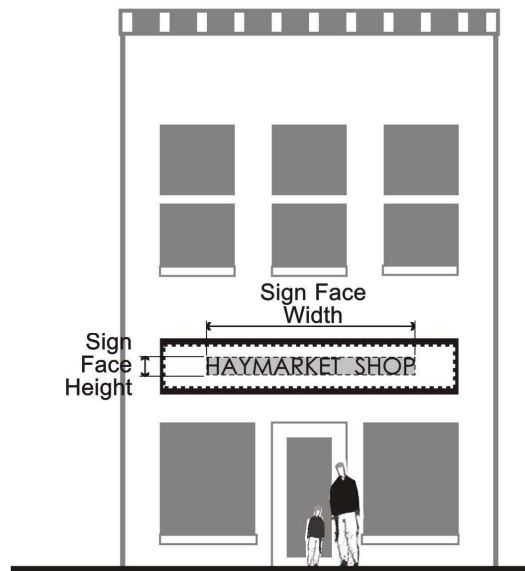
- (33) *Sign.* Any device (writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, symbol or trademark, flag, banner or pennant or any other device, figure or character) visible to and designed to communicate information to persons in a public place, public right-of-way, or parking area or travel area open to the general public. The term "sign" also does not include the display of merchandise for sale on the site of the display.
- (34) *Sign area.* The entire face of a sign, including the advertising surface and any framing, trim or molding, but not including the supporting structure. Sign area is calculated by standard mathematical formulas such as height times width for rectilinear signs, πr^2 for circular signs, and the applicable standard mathematical formula for other geometrical shapes.



Sign Area

For area calculation, see definition in ordinance.

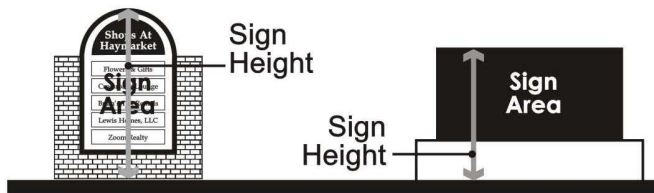
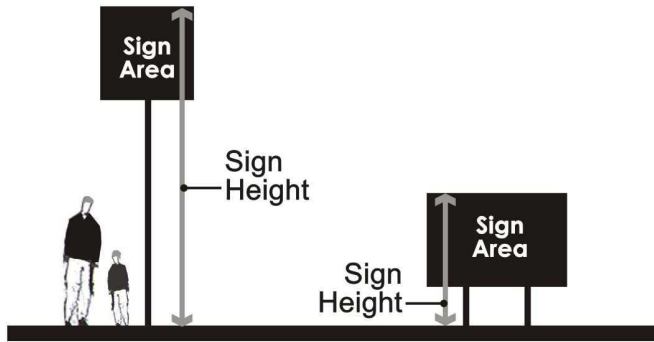
- (35) *Sign face*. The area or display surface used for the message, not including any framing, trim or molding, or the support structure. Face area is calculated using the same mathematical formulas as for sign areas.



Sign Face

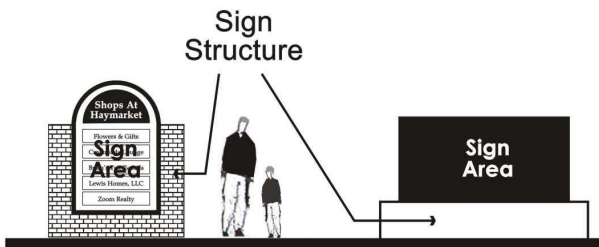
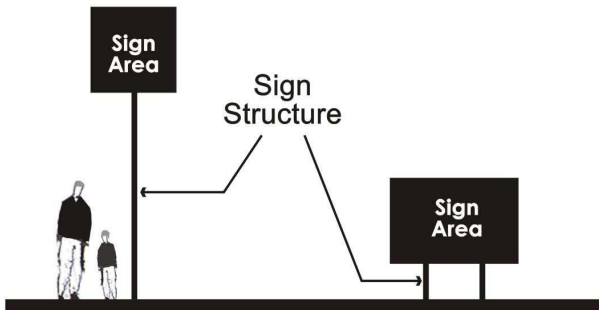
For area calculation, see definition in ordinance.

- (36) *Sign height*. Distance measured in feet and inches from the ground below the sign to highest point of sign to include sign structure, or in the case of wall signs on upper floors, from the floor level immediately below the sign to the highest point of the sign. Artificially increasing the height of the sign by berming or mounding dirt or other material at the sign base is prohibited.



Sign Height

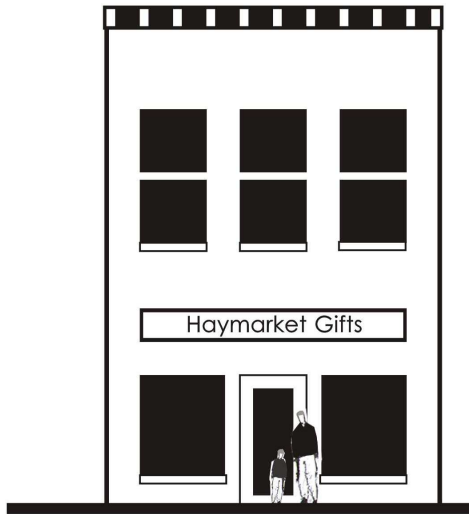
- (37) *Sign structure.* Sign structure includes the supports, uprights, bracing, and framework of any structure, be it single-faced, double-faced, V-type, or otherwise exhibiting sign.



Sign Structure

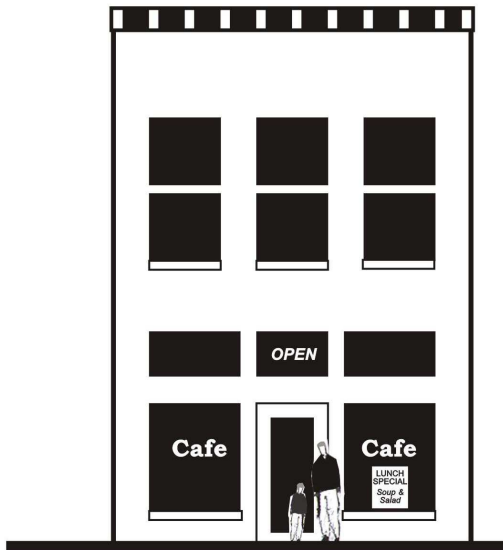
- (38) *Temporary sign.* A sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, or other lightweight material not well suited to provide a durable substrate or, if made of some other material, is neither permanently installed in the ground nor permanently affixed to a building or structure which is permanently installed in the ground

- (39) *Vehicle sign, parked.* A sign placed, affixed or painted on a motor vehicle or trailer parked with the primary purpose of providing signage not otherwise allowed by this article. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.
- (40) *Wall sign.* Any signs or lettering, projecting not more than eight inches, which are placed against or attached to the front, rear, or side wall of a building, but shall not include painted or mural signs, or roof signs as defined herein.



Wall Sign

- (41) *Window sign.* A sign visible outside the building and attached to or within 18 inches in front of or behind the surface of a window or door

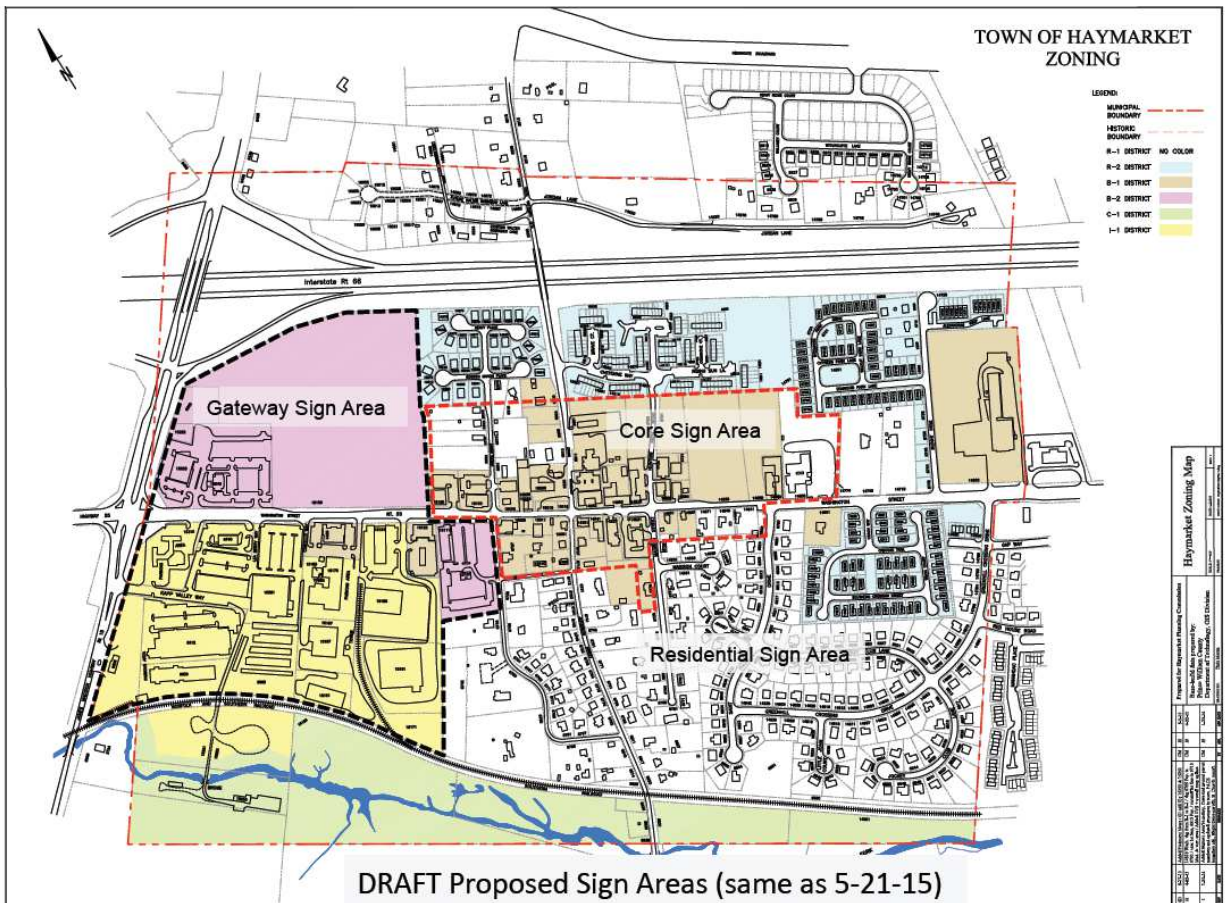


Window Sign

- (42) *Yard sale sign.* A temporary sign advertising private sales of personal property (such as garage sales or rummage sales), regulated the same as other temporary signs.
- (43) *Advertise* means to call attention to a commercial product, service, or activity.

- (44) *Nonconforming sign* means any sign which was lawfully erected in compliance with applicable regulations of the Town and maintained prior to the effective date of this ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.
- (45) *Parked vehicle sign*: see Vehicle sign, parked.
- (46) *Sign Style*. With regard to wall and freestanding signs, this term refers to one of the following historical/colonial types: Classic banner, classic tablet, contemporary oval, contemporary tablet, Hyde Park, and the traditional circular and rectangular type signs.

Sign Area Map



THIS ORDINANCE IS EFFECTIVE UPON ADOPTION.

Done this 6th Day of June, 2016.

TOWN OF HAYMARKET, VIRGINIA

ATTEST:

Jennifer Preli, Town Clerk

Motion to approve:

Second:

Voting Aye:

Voting Nay:

Absent:

Abstaining: