

Issue Analysis Form

Date: January 12, 2021

Item: Proposed County Sign Ordinance Amendment

Department: Community Development - Planning

Contact Person: Horace Wade, Planner II



Description and Current Status

The Board of Supervisors held a public hearing for the proposed sign ordinance amendment on July 9, 2019. The Board requested the Planning Commission review and make corrections to the proposed sign ordinance amendment. The Planning Commission developed a Sub-committee, which reviewed and proposed changes to the sign ordinance amendment in February 2020. The Planning Commission reviewed the new proposed Sign Ordinance Amendment and held a public hearing on November 19, 2020 after input from businesses.

The proposed sign ordinance purpose is to: (1) eliminate "content" based sign rules, and (2) provide enhanced sign standards for signage per Comprehensive Plan Goal.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		November 19, 2020 Recommended
Does this require Planning Commission action?	<input checked="" type="checkbox"/> Yes	Approval 5-0
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	January 12, 2021
Does this require a Public Hearing?	<input checked="" type="checkbox"/> Yes	January 12, 2021
If so, before what date?	n/a	

Fiscal Impact Statement

The proposed Sign Ordinance would encourage both higher quality sign standards and better design features, which could potentially increase commercial taxation revenues.

County Impact

Prince George County would continue to have better commercial signage design in our major corridors and gateway areas into the County allowing for better site development.

Notes

**Sign Ordinance Amendment
Board of Supervisors Public Hearing
January 12, 2021**

Staff and the Planning Commission Subcommittee identified areas of improvement in the draft ordinance presented to the Board of Supervisors in June 2019. Staff and the Subcommittee reviewed the 2019 draft ordinance and a model sign ordinance, and made recommendations to improve the ordinance.

On November 5, 2020, Economic Development staff assisted Planning staff by holding a virtual open house to present the proposed sign ordinance, receive input, and answer questions from the business community. An e-mail about the meeting was sent from our Economic Development Department to 204 businesses and also posted to the County's FaceBook page.

The Planning Commission held a public hearing and recommended approval of the Sign Ordinance Amendment 5-0 on November 19, 2020.

The purpose of revising the ordinance for signage is to:

1. Remove current content based restrictions on signage as an outcome of the United States Supreme Court verdict of the Reed v. Town of Gilbert; and
2. Provide enhanced standards for signage per:

Land Use Goal: To achieve a balanced land use system that provides sufficient and compatible land areas for all community land use needs, while protecting sensitive natural environments and important local historic and cultural resources.

Objective 4: Adopt and maintain appropriate land use ordinances and voluntary programs designed to guide and implement the provisions of this comprehensive plan.

Schedule for adoption:

BOS Public Hearing – January 12, 2021

SIGN ORDINANCE PUBLIC HEARING

Prince George County Board of Supervisors
January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Timeline

- ▣ February 2020 – Planning Commission Subcommittee Meetings
- ▣ July/ August 2020 - Planning Commission Review
- ▣ September 2020 – Board Work Session
- ▣ November 2020 – Virtual Open House for Businesses
- ▣ November 2020 – Planning Commission Public Hearing
- ▣ January 2021 – Board Public Hearing

January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Proposed Sign Ordinance Purpose

1. Eliminate "Content" based sign rules
 - Words used to describe different types of signs such as church signs or business signs required to be removed from Zoning Ordinance
2. Provide enhanced standards for signage per Comprehensive Plan Goal and to consolidate sign regulations into one section of the Zoning Ordinance

January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Content Based Language Removed

1. Business Sign
2. Directional Sign
3. General Advertising Sign
4. Home Occupation Sign
5. Location Sign
6. Church Bulletin and Identification Sign
7. Nonbusiness Directional Sign

January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

New Sections related to Signage

1. Definitions	7. Sign Setbacks and Lighting
2. General Description and Intent	8. Building Mounted Signs
3. Prohibited Signage	9. Freestanding Signs
4. Sign Permits	10. Additional Signs
5. Signs not requiring permits	11. Limited Duration Signs
6. General Regulations	12. Nonconforming Signs

January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Not Affected by Sign Ordinance

1. Christmas and Holiday Decorations
2. Traffic and Public Safety Signage
3. Public Art and Large Wall Murals
4. Window Displays
5. Scoreboards



January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Sign Ordinance Prohibits:

1. New Billboards
2. Vehicles as Signs
3. People as Signs
 - Reviewed again with the Planning Commission as requested



January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Existing Permitted Signs Are Considered Legal Nonconforming



January 12, 2021

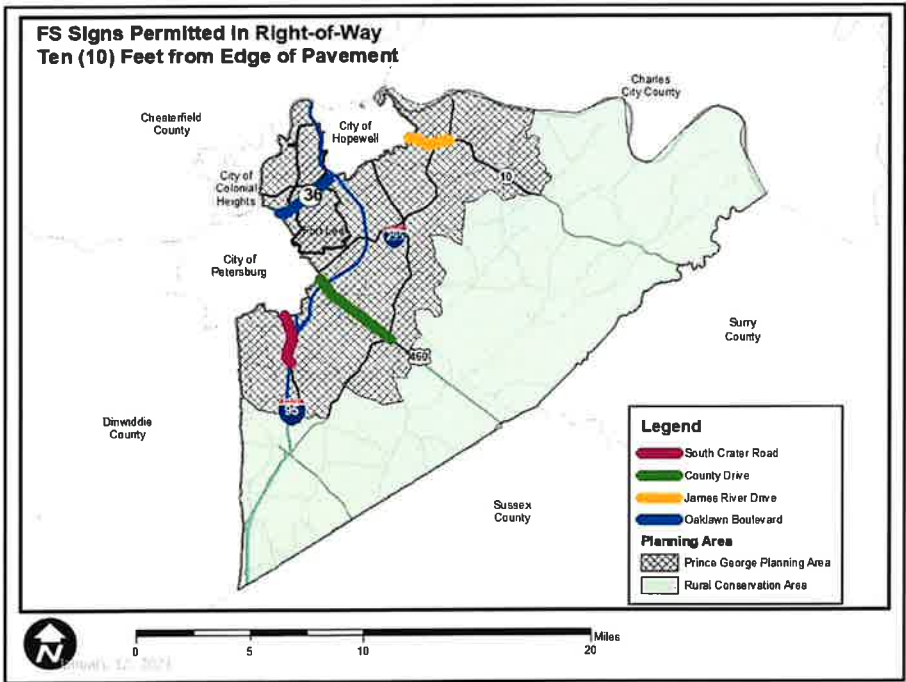
DRAFT SIGN ORDINANCE AMENDMENT

Freestanding Signage Setbacks

- ❑ Current Setbacks - 20 feet from Right-of-way
- ❑ Proposed Setbacks
 - 10 feet from Right-of-way
 - 10 feet from pavement in special areas



January 12, 2021



DRAFT SIGN ORDINANCE AMENDMENT


Other Proposed Changes

- ❑ Electronic Message Center (EMC) Signs
- ❑ Sign Design:
Monument Style Base for all new signs and
Sign Reface requirements with a new use

January 12, 2021

DRAFT SIGN ORDINANCE AMENDMENT

Questions?



January 12, 2021

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 12th day of January, 2021:

Present:

Floyd M. Brown, Jr., Chairman
Marlene J. Waymack, Vice Chair
Alan R. Carmichael
Donald R. Hunter
T. J. Webb

Vote:

On motion of _____, seconded by _____, which carried a vote _____, the following Ordinance was adopted in order to further public necessity, convenience, general welfare and good zoning practice:

ORDINANCE TO AMEND THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA, BY DELETING §§ 90-12, AND 90-1036, AND BY AMENDING §§ 90-1, 90-52, 90-53, 90-56, 90-102, 90-103, 90-106, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, 90-1036, AND 90-1039, AND TO CONSOLIDATE THE REQUIREMENTS FOR SIGNS BY ADDING ARTICLE XIII, "SIGNS" TO CHAPTER 90, "ZONING," §§ 90-591 THROUGH 90-600 SO AS TO REVISE LOCAL SIGN REQUIREMENTS TO BE CONSISTENT WITH CURRENT LAW AND TO CREATE A CLEAR AND A CONSISTENT SET OF REGULATIONS PERTAINING TO SIGNS.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That §90-1 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:

Sec. 90-1. - Definitions.

Sign means any display of any letters, words, numerals, figures, devices, emblems, pictures or any parts or combinations thereof by any means whereby such are made visible for the purpose of making anything known, whether such display is made on, attached to or is a part of a structure, surface or any other thing, including but not limited to the ground, any rock, tree or other natural object, which display is visible beyond the boundaries of the parcel of land on which the display is made. A display of less than one square foot in area is excluded from this definition. The term "sign" is further defined as follows:

- (1) **Business** means a sign which directs attention to a product or commodity available on the premises. Such signs shall be limited, in the aggregate, to a maximum of 300 square feet per business. Where four or more businesses occupy the same site, an additional 300 square feet of signage is permitted on a unified basis for identification of a shopping center.
- (2) **Directional** means a sign, one end of which may be pointed or on which an arrow may be painted, indicating the direction to which attention is called, four square feet or less in area, giving the name only of the farm or business responsible for the erection of the sign.
- (3) **General advertising** means a sign which directs attention to a product, commodity or service not necessarily available on the premises. Such sign shall not exceed 672 square feet in size at each location with an additional ten percent extension.
- (4) **Home occupation** means a sign not exceeding four square feet in area directing attention to a product, commodity or service available on the premises. Such product, commodity or service shall clearly be a secondary use of the dwelling.
- (5) **Location** means a sign which directs attention to the approximate location of an establishment from which the advertised product may be obtained.

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

Sign, temporary, means a sign applying to a seasonal or other brief activity such as but not limited to summer camps, horse shows, auctions or sales of land. Temporary signs shall conform in size and type to directional signs.

A-Frame Sign: A two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four (4) feet high.

Automobile: Motorized vehicle designed primarily to transport passengers and/or light cargo on its own structure. The term automobile shall include, but not be limited to, passenger car, pickup truck, panel truck, van and motorcycle, but shall not include a motor vehicle or tractor trailer.

Awning: Permanent roof-like structure covered with a flexible material which provides protection from rain or sun or is used as an architectural accent.

Banner: A type of limited duration sign consisting of a piece of fabric or other flexible material, other than a flag or pennant and secured so as to not be a moving sign.

Fascia: Flat horizontal band located at the base of a pitched roof, between architectural moldings near or at the top of a wall, extending out from a building wall as a separate wall panel, or as the outside edge of a canopy, which provides a visible location to mount signage.

Flag, commercial: Sign consisting of a piece of cloth or other flexible material, used to attract attention to a commercial use or activity and attached to a flag or light pole. A commercial flag shall be included in the calculation of freestanding signage on the property.

Flag, noncommercial: Sign consisting of a piece of cloth or other flexible material that only depicts the emblem or insignia of a nation, political unit, educational, charitable, religious, civic or similar group, or is a decorative flag that does not display a commercial message. A noncommercial flag shall not be included in the calculation of signage on the property.

Motor Vehicle: Motorized vehicle, other than an automobile or tractor trailer, which is primarily designed to transport passengers and cargo on its own structure; or to perform a function such as plowing, earth moving or equipment moving. The term motor vehicle shall include, but not be limited to, a bus and stake truck.

Outparcel: Site for a freestanding building or use within a nonresidential community.

Parapet Wall: Wall that extends above the top of a flat roof.

Pennant: Lightweight plastic, fabric or other similar material, suspended from a rope, wire or string, usually in a series and designed to move in the wind. A pennant may or may not contain copy.

Refacing: Replacement of a sign face with a new face of equal size to that of the original that does not alter any other aspect of the sign.

Roofline: Top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

Sign: Display of figures or copy visible to the public for the purpose of making anything known or attracting attention. The term sign includes the sign structure and commercial flags, but excludes works of art or architectural features that do not include or imply a commercial message.

Sign Box: Structure that encloses the sign face and other components.

Sign Copy: Any graphic, word, numeral, symbol, insignia, text, sample, model, device or combination which is primarily intended to advertise, identify, or notify.

Sign, Building Mounted: Permanently attached sign, erected or painted on the outside wall, roof, door or window of a building. Building mounted signs do not include freestanding signs.

Sign, Changeable Copy: Sign upon which copy can be changed or altered, except for scoreboards. Changeable copy signs include the following:

Manual: Sign with copy that can be changed or altered by manual means.

Electrical: Sign with copy that can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Electrical signs include the following:

Fixed message electronic: Sign with copy that has been preprogrammed to include time, temperature and date and does not operate in a flashing, traveling or rolling fashion.

Computer Controlled, Variable Electronic Message Center (EMC): Sign with copy that can be changed or altered by means of computer-driven electronic impulses, excluding fixed message electronic signs.

Sign, Freestanding: Sign supported by a fence, wall, upright structural members or braces that are on, or in, the ground. Freestanding signs do not include building mounted signs.

Sign, Illuminated: Sign with an artificial internal or external light source that illuminates the sign.

Sign, Limited duration: Temporary sign or banner permitted for a limited time period.

Sign, Outdoor Advertising: Sign or structure used as an outdoor display for the purpose of making anything known, when the matter advertised or displayed is not related to the premises where such sign is located. Outdoor advertising signs do not include the off-site signs specifically permitted in this chapter.

Sign, Permanent: Sign attached to the ground or a structure, intended to exist for the life of the structure or use and which cannot be easily removed.

Sign, Projecting: Sign, attached to a building wall, projecting at an angle and extending more than eighteen (18) inches from the building wall face.

Sign, Structure: An assembly of materials used to support a sign, including the exterior form and finishes that define sign copy area.

Sign, Temporary: Sign, not permanently affixed to the ground or a structure, designed or constructed such that it can be moved or relocated without requiring any structural or support changes.

Sign, Traffic Control: Sign solely regulating safe driving, parking or traffic movement.

Sign, Under Canopy: Sign mounted perpendicular to a building face located under, and attached to, the ceiling of a building mounted canopy.

Sign, Window: Sign attached to a door or window that is legible from the exterior of the building.

Tractor Trailer: Truck with a cab, equipped with a coupling device to pull trailers, tankers or semi-trailers. The term tractor trailer shall include the truck with a cab and if connected a trailer, tanker or semi-trailer. The term tractor trailer shall include, but not be limited to, tractor truck or semi-trailer.

Ultimate Right-of-Way: The future planned existence of the right-of-way for a given road, in terms of location and width, based on the comprehensive plan, or as otherwise determined based on the road classification as defined on the VDOT Functional Classification Map and the minimum right-of-way widths for those classifications as defined in Section 70-738.

(2) That §90-12 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended by amending §§90-12, 90-52, 90-53, 90-56, 90-102, 90-103, 90-106, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, 90-1039, and re-codified to read as follows:

~~Sec. 90-12.—Spacing of general advertising signs.~~

~~The distance between general advertising signs shall be not less than 1,200 feet on the same side of a right-of-way, but in no case shall a sign be closer than 700 feet to another sign on either side of a right-of-way.~~

ARTICLE II. – GENERAL AGRICULTURAL DISTRICT

Sec. 90-52. - Uses and structures permitted by right.

In the A-1 general agricultural district, structures may be erected or land may be used for one or more of the following uses:

~~(11) General store with business sign~~

Sec. 90-53. A-1 Uses and structures permitted by special exception.

The following uses and structures are permitted by special exception in the A-1 general agricultural district:

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

Sec. 90-56. A-1 Setback regulations.

~~(a) ...and signs advertising the sale or rent of property may be erected up to the property line.~~

ARTICLE III. - R-A RESIDENTIAL AGRICULTURAL DISTRICT

Sec. 90-102 R-A Uses and structures permitted by right.

The following uses and structures are permitted by right in the R-A residential agricultural district:

~~(10) General Store with business sign~~

Sec. 90-103 R-A Uses and structures permitted by special exception.

The following uses and structures are permitted by special exception in the R-A residential agricultural district:

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

Sec. 90-106. Setback regulations.

~~(a) ...and signs advertising the sale or rent of property may be erected up to the property line.~~

ARTICLE V. - R-1 LIMITED RESIDENTIAL DISTRICT

Sec. 90-202 R-1 Permitted uses.

In the R-1 limited residential district, structures to be erected or land to be used shall be one or more of the following uses:

~~(7) Business signs only to advertise the sale or rent of the premises upon which erected.~~

~~(8) Church bulletin boards and identification signs.~~

~~(9) Nonbusiness directional signs.~~

ARTICLE VI. - R-2 LIMITED RESIDENTIAL DISTRICT

Sec. 90-242 R-2 Permitted uses.

In the R-2 limited residential district, structures to be erected or land to be used shall be for one or more of the following uses:

~~(8) Business signs only to advertise the sale or rent of the premises upon which erected.~~

~~(9) Church bulletin boards and identification signs.~~

~~(10) Nonbusiness directional signs.~~

ARTICLE VII. - R-3 GENERAL RESIDENTIAL DISTRICT

Sec. 90-292 R-3 Permitted uses.

In the R-3 general residential district, structures to be erected or land to be used shall be for one or more of the following uses:

~~(13) Church bulletin boards and identification signs.~~

~~(14) Directional signs.~~

~~(15) Home occupation signs.~~

Sec. 90-295 R-3 Setbacks

~~Signs advertising the sale or rent of the property may be erected up to the property line.~~

ARTICLE VIII. - MHR MOBILE HOME RESIDENTIAL DISTRICT

Sec. 90-342 MHR Permitted uses.

In the mobile home residential district MHR, structures to be erected or land to be used shall be for one or more of the following uses:

~~(3) Business signs only to advertise the sale or rent of the premises upon which erected.~~

(4) Nonbusiness directional signs.

ARTICLE IX. - B-1 GENERAL BUSINESS DISTRICT

Sec. 90-392 B-1 Uses and structures permitted by right.

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

~~(23) Business signs.~~

~~(24) General advertising signs.~~

~~(25) Location signs.~~

Sec. 90-395 B-1 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE X. - M-1 LIMITED INDUSTRIAL DISTRICT

Sec. 90-442 M-1 Permitted uses.

In the M-1 limited industrial district, any structure to be erected or land to be used shall be for one or more of the following uses:

~~(16) Business signs.~~

~~(17) General advertising signs.~~

~~(18) Location signs.~~

Sec. 90-446 M-1 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE XI. - M-2 GENERAL INDUSTRIAL DISTRICT

Sec. 90-492 M-2 Permitted uses.

In the M-2 general industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

~~(16) Business signs.~~

~~(17) General Advertising signs.~~

~~(18) Location signs.~~

Sec. 90-496 M-2 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE XII. - M-3 HEAVY INDUSTRIAL DISTRICT

Sec. 90-546 M-3 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE XXIII. - MISCELLANEOUS PROVISIONS

~~Sec. 90-1036 Sign Setback requirements.~~

~~Notwithstanding any other provision of this chapter, a sign shall be located 20 feet or more from any street or road right of way or easement; this shall be known as the setback line. There shall be excepted from this setback requirement residential identification signs, signs advertising the sale or rent of the premises and signs in which the lowest portion of the advertising area is a minimum of ten feet above the ground surface, which signs may be erected up to the property line. No sign shall be required to be setback from the street or road right of way or easement a distance greater than the setback of the existing main structure on the lot.~~

Sec. 90-1039 PUD Planned unit developments.

~~(5) Signage. Signs shall comply with the requirements set forth in Sections 90-1 and 90-1036 of the County zoning ordinance. Signage shall be compatible with the architecture of the building and are limited to monument signs, building mounted signs placed at a consistent height, signs in shop windows and hanging signs.~~

(3) That The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended by adding Art XIII, "Signs," §§90-591 through 90-600, as follows:

ARTICLE XIII. SIGNS

Sec. 90-591 General description and intent.

The purpose and intent of sign standards are to regulate publicly visible displays or graphics, protect and enhance the character of roads and surrounding areas, prevent diminishing property values due to excessive signage, safeguard the public use and nature of roads, and minimize motorist distractions.

The standards are specifically designed to promote maximum sign legibility, to prevent over-concentration of signs as well as excessive height, bulk and area of signs, promote safety by requiring that signs not create a hazard due to collapse, fire, collision, decay or abandonment, obstruct firefighting or police surveillance, nor create traffic hazards by confusing or distracting motorists or by impairing a driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs; and to identify a destination.

Sec. 90-592 Prohibited Signs.

The following shall be prohibited:

1. Moving signs intended to attract attention, regardless of whether or not the sign has a written message or whether all or part of it moves by means including, but not limited to, rotating, fluttering or being set in motion by the movement of the atmosphere. This sign prohibition includes pennants, but does not include commercial or noncommercial flags, the routine operation of the hands of a clock or computer controlled, variable electronic message center (EMC) signs.
2. Internally lighted awnings or canopies constructed of translucent material.
3. Commercial signs held or carried to attract attention, persons dressed in costumes and acting to attract attention to a commercial activity, and sound or smoke producing signs.
4. Attention getting devices such as pennants, streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.
5. Signs with flashing lights, intermittent lights or lights with changing degrees of intensity; and excluding computer controlled, variable electronic message center (EMC) signs.
6. Commercial signs on a parked automobile, motor vehicle, tractor trailer or trailer when used primarily for the purpose of, and serving the function of, a sign; except when parked in the operator's driveway, when loading or unloading or when parked to the side or rear of a nonresidential building and not visible from the adjacent roads. 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 or inspection sticker, if the vehicle is inoperable, or if the sign alters the standard design of such vehicle or trailer.

7. Signs greater than 48 square inches on a parked automobile, motor vehicle, tractor trailer or trailer, which display a commercial message that is unrelated to an activity or enterprise of the owner or operator of the vehicle or trailer.
8. Signs obstructing an opening intended to provide light, air, or building ingress or egress.
9. Freestanding signs overhanging any portion of a building.
10. Signs unreasonably obstructing the view of other signs from roads.
11. Signs posted on trees, utility poles or traffic control devices.
12. Sign position, shape and color interfering with, obstructing the view of, or causing confusion with, a traffic sign, traffic signal or other traffic control device.
13. Sign lighting impairing a driver's vision, obstructing police surveillance, or causing direct glare into or upon, property other than that on which the sign is located.
14. Signs obstructing firefighting access.
15. Outdoor advertising signs.

Sec. 90-593 Sign Permits.

A. General.

1. Signs Requiring a Sign Permit.

A sign permit shall be required for any sign, originally built or enlarged to be in excess of eight (8) square feet, and any enlargement, structural alteration or modification of these signs. Applications shall include all required information deemed necessary by the Zoning Administrator to ensure compliance with this chapter.

B. Application for permit.

1. An application for a sign permit shall be filed with the Community Development and Code Compliance Department on forms furnished by the department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the erection and removal of the sign.
2. The Zoning Administrator or designee shall promptly process sign permit applications. Person(s) submitting sign permit application(s) shall be notified of the approval or disapproval of the submitted application(s) to include any deficiencies in the application within 20 business days after receipt of the application.

3. If the application is rejected, the County shall provide the applicant a written list of the reasons for the rejection within three (3) days of the rejection.

C. Permit fee.

A nonrefundable fee, as set forth in the uncodified fee schedule adopted by the County, shall accompany all sign permit applications.

D. Duration and revocation of permit.

If a sign is not installed within six months following the issuance of a sign permit (or within 30 days in the case of a temporary sign permit), the permit shall be void. The permit for temporary sign shall state its duration, not to exceed 30 days unless another time is provided in the Zoning Ordinance. The County may revoke a sign permit in accordance with any of the following circumstances:

1. The County determines that information in the application was false or misleading;
2. The sign installed does not conform to the sign permit application;
3. The sign violates the Zoning Ordinance, building code, or other applicable law, regulation, or ordinance.

Sec 90-593.1 Signs not requiring permits.

A sign permit is not required for:

1. Signs erected by a governmental body or when required by law.
2. Signs posted solely for traffic control, public safety, or hazard warnings.
3. Flags up to 16 square feet in size not containing any commercial advertising; provided, that no freestanding pole shall be erected in the public right-of-way nor be within five (5) feet of a service drive, travel lane or adjoining street.
4. Limited Duration Signs.
5. A-frame signs more than fifty (50) feet from the nearest public right-of-way, unless otherwise permitted in this chapter.
6. Pavement markings. Any sign applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface.

Sec. 90-594 General Regulations.

A. Signs Generally.

Unless otherwise provided, the following regulations shall apply to all signs and are in addition to other regulations contained herein:

1. Except as otherwise specified in this chapter, commercial signs shall be related to the premises.
2. A noncommercial message may be substituted, in whole or part, for the message displayed on any sign which conforms to this chapter without consideration of message content. Such substitution of message may be made without any additional approval, permitting, registration or notice. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring any particular noncommercial message over any commercial message. Whenever a property has not used all of its permissible sign area, then the unused portion may be used for the display of signs displaying noncommercial messages. Any on-site commercial message may be substituted, in whole or part, for any other on-site commercial message.
3. Signs shall be structurally safe and maintained in good condition.
4. For signs requiring a sign permit, a survey prepared by a registered civil engineer or surveyor certifying the location, height, and area of the sign shall be submitted prior to the erection of the sign, if requested by the Zoning Administrator.
5. Unless otherwise specified in this chapter, signs shall be considered permanent.
6. Within sixty (60) days of the previous land use vacating the property, all signs shall either be refaced through a Sign Permit or shall have the existing sign panel reversed or a blank sign panel inserted into the sign box.
7. Within sixty (60) days of the previous land use vacating the property, all existing temporary signs shall be removed from the premises for compliance.

B. Comprehensive Sign Package for Nonresidential Communities.

Prior to the first site plan approval for a nonresidential community, a complete, comprehensive sign package for all proposed signs shall be submitted to the Zoning Administrator for approval. The sign package shall include information necessary to ensure compliance with this chapter such as, but not limited to, conceptual sign renderings or descriptions with the sizes, lighting, and general locations of all signage.

All signs shall conform to the following:

1. Letter style and graphic display of all signs shall be similar;
2. Area, location, and material of signs shall substantially conform to the building and site designs;

3. Freestanding sign structures shall be similar to each other;
4. A single type of building mounted display shall be used on all buildings;
5. Background colors of sign boxes shall be similar; and
6. Other than the primary sign, signs for each individual use shall have the same background color which shall be one of the colors of the primary sign.

C. Sign Area and Measurements.

Each property shall be permitted a maximum area of three hundred (300) square feet of sign area. For each four (4) or more nonresidential uses occupying the same property, an additional three hundred (300) square feet of sign area is permitted for nonresidential communities.

1. Building Mounted. The calculated area of building mounted signs shall be determined as follows:
 - a. Projecting Sign. The area of a rectangle or square encompassing the extreme limits of each individual sign face, including all background visible from any direction at any one time;
 - b. Canopy or Awning Sign. The area of the surface upon which the sign copy is located;
 - c. Individually Mounted or Painted Copy Sign. If the copy is not emphasized by an architectural or painted element of the building, the sum of the area within a series of rectangles or squares encompassing each individual figure. If the copy is emphasized by an architectural or painted element of the building, the area shall be determined in accordance with the requirements for Other Building Mounted Signs as outline below; and
 - d. Other Building Mounted Signs. The area of a rectangle, square, circle, triangle or combination thereof encompassing the extreme limits of copy.
2. Freestanding.
 - a. Area. The area of a sign shall be that of a rectangle, square, circle, triangle or combination thereof encompassing the extreme limits of copy. The area of a two (2) or more sided sign, where the interior angle between sides exceeds 90 degrees, shall be the sum of the area of the copy on all sides.
 - b. Height. Except as stated herein, sign height shall be the vertical distance from grade to the top of the sign copy; the height of a sign installed on an artificially created berm, mound or similar feature shall include the height of such feature; or the height of sign adjacent to (on a property beside) a road and installed below the grade of the

nearest travel lane shall be the vertical distance from such lane grade to the top of the sign copy.

Sec. 90-595 Sign Setbacks and Lighting.

A. Signs Permitted in the VDOT Right-of-Way.

In addition to the signs outlined in B, the following signs may be placed within the right-of-way, if approved by the Virginia Department of Transportation (VDOT): signs posted by, on behalf of, or with permission of, a governmental agency or public utility provider.

B. Road Setbacks.

Except where expressly stated, signs shall meet the following requirements:

1. Road Setbacks. Except as outlined herein, setbacks shall be measured from the edge of existing right-of-way. If a sign is permitted to be located within an ultimate right-of-way shown in the comprehensive plan, or an existing right-of-way, the owner shall be responsible for relocating the sign to conform to the setback requirements at such time that the road is widened in the future.

Signs shall conform to the following setbacks:

- a. Except as outlined in b, signs shall be setback as follows: ten (10) feet from the property line, as applicable.
- b. Along the following roads, signs may be located within the right-of-way if a permit is obtained from VDOT, as may be applicable, provided the signs are setback ten (10) feet from the edge of the pavement or from the face of the curb, as applicable:
 - i. James River Drive (SR 10) between the Hopewell corporate limits and Jordan Point Road (SR 106/156)
 - ii. Oaklawn Boulevard (US 36) between the Petersburg corporate limits and the Hopewell corporate limits
 - iii. County Drive (US 460) between the Petersburg corporate limits and Prince George Drive (SR 156)
 - iv. South Crater Road (US 301) between the Petersburg corporate limits and east side of Interstate 95 at Exit 45

C. Sign Lighting.

1. Generally. Lighting shall be arranged and installed so that the light source is not visible from adjacent roads, adjacent R or MHR property, or adjacent A-1 or R-A property designated in the Comprehensive Plan for Residential Use.
2. External Lighting. External lighting shall be limited to white or amber lighting in spots or floods which are concealed or screened from view from the public right-of-way. If external lighting is used incidental building lighting shall not be considered external sign lighting.
3. Internal Lighting. Internal lighting shall be contained within translucent copy or internally illuminated sign boxes. Sign box internal lighting shall be restricted to the sign face. If internal lighting is used, external lighting shall not be permitted.

Sec. 90-596 Building Mounted Signs.

A. Nonresidential Use - Signs Generally.

1. If the side or rear lot line adjoins R or MHR property or A-1 or R-A property as designated in the Comprehensive Plan for residential use, no building mounted sign shall be visible from such property unless the sign is located a minimum of fifty (50) feet from such property.
2. Sign raceway colors shall match that of the building face on which the sign is mounted and as provided within the overall comprehensive sign package.
3. Building mounted signs shall not project above the building's roofline or parapet wall. A roofline or parapet wall shall not be artificially extended to accommodate signage on the building.
4. A projecting sign shall not extend more than thirty six (36) inches from the building, roof, or canopy to which it is attached, exceed a face-to-face thickness of eight (8) inches, or exceed the height of the fascia or parapet wall. The sign shall be attached so as to maintain a minimum clearance of eight (8) feet above grade.
5. Permitted building mounted signage may be placed on a drive-through canopy fascia. The area of a drive-through canopy fascia shall be included in determining total building mounted signage unless the color of the fascia is one of the following colors, excluding the color of any sign copy: black, white, or a significant color or significant accent color of the building.

B. Other Nonresidential Use Building Mounted Signage.

The following signs shall be permitted and shall not be included in the permitted aggregate area of building mounted signs:

1. Door and Window Signs. Signs mounted on, or externally visible through, a door or window, not to exceed the lesser of fifteen (15) square feet or twenty-five (25) percent of

the total door or window area on the face of the building through which the sign is visible, shall be permitted, provided the view into the establishment from the bottom half of the door or window is not obstructed.

2. Under Canopy Signs. One (1) under canopy sign not to exceed eight (8) square feet shall be permitted in front of each tenant's main entrance.

C. Residential Use - Signs Generally.

1. Building mounted signs shall not project above the building's roofline or parapet wall. A roofline or parapet wall shall not be artificially extended to accommodate signage on the building;
2. Single family dwelling units or multifamily units with individual exterior entrances shall be permitted one (1) square foot of signage for each unit; and
3. Multifamily units sharing a common exterior entrance shall be permitted four (4) square feet of signage for each common entrance.

Sec. 90-597 Freestanding Signs.

A. Generally.

1. Sign Structure. Except for limited duration signs, freestanding sign structures shall be either covered with a material as a monument-style base having a similar color and finish to the principal building, be covered with a material and color used elsewhere on the sign, or be an architectural detail such as a column or a decorative wall.
2. Number. Except as permitted in elsewhere, properties or projects shall be limited to one (1) free standing sign.
3. Mixed Use and Nonresidential Community properties having frontage exceeding 600 linear feet along a principal arterial road and more than one (1) entrance from such road, the permitted freestanding signage along such road may be shared among two (2) freestanding signs provide signs are separated a minimum of 200 linear feet and placed at or near separate entrances.
4. Property fronting two (2) or more principal arterial or two (2) or more collector roads shall be permitted along each road one (1) freestanding sign.
5. Area of Changeable Copy. Permitted sign area may be increased by twenty five (25) percent for the purpose of including covered changeable copy, provided the area of the changeable copy is limited to one-half or less of the total area of the sign face; and where possible, should be covered to avoid being altered through vandalism.

6. Freestanding Sign Landscaping. The base area of the freestanding sign shall be landscaped with groundcover consisting of native flowers and shrubs that is also consistent with the site landscaping and it shall be irrigated on a regular basis.
- B. Except as otherwise permitted in this chapter, the following Freestanding Signs shall not exceed the square footage in area and the sign height as outlined below:
1. Mixed Use Community. One hundred (100) square feet in area and a height of twenty (20) feet.
 2. Nonresidential Community. One Hundred (100) square feet in area and a height of twenty (20) feet.
 3. Outparcel in a Nonresidential Community. Thirty-two (32) square feet in area and a height of eight (8) feet.
 4. Property Outside of a Nonresidential Community. One Hundred (100) square feet in area and a height of twenty (20) feet.
 5. Property in A-1, R-A, R, MHR with a Nonresidential Use, excluding a Farm Use, twenty (20) square feet in area and a height of eight (8) feet. Properties along primary arterials are permitted fifty (50) square feet in area and a height of fifteen (15) feet.
 6. Property in A-1 or R-A with a Farm Use. Thirty-two (32) square feet in area and a height of eight (8) feet. The sign square footage may be displayed in more than one (1) sign provided the total area of all signs does not exceed the permitted square footage and the signs may be limited duration signs for temporary events.
 7. Residential Community Entrance. Thirty-two (32) square feet in area and a height of eight (8) feet. One (1) such sign shall be permitted for each road entrance into the community, provided that two (2) signs shall be permitted if each sign is attached to a decorative fence or wall located on opposite sides of the entrance, with each sign being limited to thirty-two (32) square feet in area.
 8. Property in A-1, R-A, R, MHR with a Residential Use. Thirty-two (32) square feet and a height of eight (8) feet. Noncommercial signage may be provided in more than one (1) sign, provided that the aggregate area of all such signs shall not exceed thirty-two (32) square feet; with a maximum of one (1) such sign as a commercial sign not to exceed twenty (20) square feet and they may be limited duration signs.

Sec. 90-598 Additional Signs.

The signs in this section shall be in addition to other signs permitted in this chapter.

- A. Freestanding Sign at Entrances to Properties in B and M Districts. Two (2) on-site signs, each not to exceed four (4) square feet and a height of five (5) feet, shall be permitted at

each road entrance to a property. Signs shall be limited to two (2) colors, one for lettering and one for background. Lighting shall be limited to internal means.

- B. Freestanding Signs at Entrances to Properties in B and M Districts Located Outside a Nonresidential Community that Share Access to a Road. Where two (2) establishments are required by VDOT to share access to a road, each establishment shall be allowed one (1) sign, either on or off-site, along the shared access. Each sign shall not exceed four (4) square feet and a height of five (5) feet.
- C. Freestanding Off-Site Signs for Specific Public and Semi-Public Places. Assembly uses exceeding 10,000 gross floor area, hospitals on greater than twenty-five (25) acres, transit uses or other public uses without a direct entrance to a road shall be permitted one (1) off-site sign; and such sign shall not exceed seven (7) square feet and a height of seven (7) feet.
- D. Drive-through Facility Stacking Lane Signs. Adjacent to each stacking lane, two (2) signs shall be permitted provided they are not legible from off-site. Signs shall be limited to fifty (50) total square feet in area and a height of six (6) feet.
- E. Establishments Accommodating Orders from Parking Spaces or Fueling Stations. One (1) sign not to exceed four (4) square feet shall be permitted adjacent to each parking space or fueling station. The sign shall be attached to columns supporting a canopy. The color of the sign box shall match the color of the column on which the sign is mounted.
- F. Fuel Dispenser Mounted Signs. Eight (8) square feet of signage, attached to, or immediately above, each fuel dispenser shall be permitted.

Sec. 90-599 Limited Duration Signs.

The signs in this section shall be in addition to other signs permitted in this article.

- A. Limited Duration Signs in B and M Districts, and in A-1 and R-A Districts Designated in the Comprehensive Plan for Nonresidential Use.
 - 1. Noncommercial Freestanding Signs. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) noncommercial signs. Each sign shall not exceed thirty-two (32) square feet and eight (8) feet in height. Each sign shall be displayed for no longer than ninety (90) consecutive days. The display of such signs on each community or property shall be limited to a total of one hundred eighty (180) days within any calendar year.
 - 2. Commercial Freestanding Signs on Occupied Property. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of eight (8) feet. Display of each sign shall be limited to sixty (60) consecutive days. Display of such signs by an individual tenant or owner shall be

limited to a total of one hundred twenty (120) days within any calendar year. The Zoning Administrator may approve time extensions on property with vacancies or real estate for sale.

3. **Building Mounted Banners on Nonresidential Community.** A nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet, per season; with seasonal cycles being January to March, April to June, and July to September and October to December. Display of the banner shall be limited to ninety (90) consecutive days.
4. **Building Mounted Banners on Property Outside of a Nonresidential Community or Outparcel within a Nonresidential Community.** A property outside of a nonresidential community or outparcel within a nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet. Display of such banner shall be limited to a total of one hundred twenty (120) days within any calendar year.
5. **Commercial Signs on Vacant Property.** A vacant property shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of eight (8) feet. A property fronting two (2) roads shall be permitted one (1) sign as described above on each road. Signs shall be removed at such time that the activity which it advertises ceases or directed by the Zoning Administrator for compliance purposes.

B. Limited Duration Signs in R or MHR Districts, and in A-1 and R-A Districts Designated in the Comprehensive Plan for Other than Nonresidential Use.

1. **Noncommercial Signs at Residential Community Entrances.** At each entrance into a residential community, one (1) noncommercial sign, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. Display of each sign shall be limited to sixty (60) days. Display of such signs on each community shall be limited to one hundred twenty (120) days within any calendar year.
2. **Banners for Nonresidential Use on Property not Occupied by a Residential Use.** On a property not occupied by a residential use, one (1) banner, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted such signage along each road. Display of each banner shall be limited to sixty (60) consecutive days. Display of such banners on each property shall be limited to one hundred twenty (120) days within any calendar year.
3. **Commercial Signs on Vacant Property.** On a vacant property, one (1) sign, not to exceed sixteen (16) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Signs shall be removed at such time that the activity which it advertises ceases or as directed by the Zoning Administrator for compliance purposes.
4. **Noncommercial Signs on Vacant Property.** On a vacant property, one (1) sign not to exceed sixteen (16) square feet and a height of eight (8) feet shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Display of

each sign shall be limited to one hundred twenty (120) consecutive days. Display of such signs shall be limited to one hundred twenty (120) days within any calendar year.

5. Off-Site for Commercial Use of Limited Duration. Three (3) off-site signs, each not to exceed six (6) square feet and a height of eight (8) feet, shall be permitted for a commercial use lasting for three (3) or fewer days on an R or MHR property or on A-1 or R-A property designated in the comprehensive plan for other than nonresidential use. One (1) such sign shall be displayed on a property. Display of signs shall be limited to forty-eight (48) hours prior to commencement, and forty-eight (48) hours after cessation, of the use or activity advertised.

Sec. 90-600 Nonconforming signs.

- A. Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. 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 shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- C. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- D. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.
- E. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its area 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.
- F. A nonconforming sign, which is changed to become conforming or is replaced by a conforming sign, shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.
- 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 (2) years or more. Such sign structure 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 thirty (30) 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.

**PUBLIC NOTICE
COUNTY OF PRINCE
GEORGE**

Public Notice is hereby given to all interested persons regarding the following public meeting:

The Prince George County Board of Supervisors will hold a public hearing on Tuesday, January 12, 2021 beginning at 7:30 p.m. concerning the following request:

ORDINANCE AMENDMENT OA-20-04 Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," by deleting §§ 90-12, and 90-1036, and by amending §§ 90-1, 90-52, 90-53, 90-56, 90-102, 90-103, 90-106, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, and 90-1039, and to consolidate the requirements for signs by adding Article XIII, "Signs" to Chapter 90, "Zoning," §§ 90-591 through 90-600 so as to revise local sign requirements to be consistent with current law and to create a clear and a consistent set of regulations pertaining to signs.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m. - 5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearing in person or electronically by Zoom.

Public comments can be submitted prior to 5:00 p.m. January 12, 2021. Information on accessing this meeting electronically and Public Comment submittal forms are available at <https://www.princegeorgecountyva.gov/>.

Percy C. Ashcraft
County Administrator