ORDINANCE # O-2016-03

AN ORDINANCE TO ADOPT A COMPREHENSIVE REVISION OF ARTICLE VIII OF CHAPTER 66 OF THE TOWN CODE, GENERALLY RELATING TO REGULATION OF SIGNS THROUGH THE ZONING ORDINANCE, AND TO MAKE RELATED CHANGES THROUGHOUT THE ZONING ORDINANCE

WHEREAS, the Occoquan Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town's sign ordinance provisions contained in Chapter 66, Article VIII of the Town Code, and

WHEREAS, by authority granted in §15.2-2286(A)(7) of the Code of Virginia, the Town Council may in such cases amend, supplement, or change the zoning regulations, and

WHEREAS, On June 18, 2015, the U.S. Supreme Court in the case of *Reed v. Town of Gilbert* created a new more stringent test of when a sign regulation is content based, and

WHEREAS, On September 1, 2015, the Town Council adopted an interim sign ordinance to address the *Reed v. Town of Gilbert* decision and to clean up miscellaneous issues while it prepared a permanent sign ordinance, and

WHEREAS, The Town's staff and Architectural Review Board have drafted a comprehensive sign ordinance to address *Reed v. Town of Gilbert* and court opinions issued in its wake, and to address issues of enforcement, the creation of an attractive and harmonious community, and proper balancing of the need for expression with the desire not only to protect the atmosphere of the Town generally but also to limit signage's impact on the historic areas of the Town, and

WHEREAS, the Town Planning Commission and Town Council have held a public hearing on the draft comprehensive sign ordinance revision and have considered the views of the public;

NOW, THEREFORE, BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in Regular session this 1st day of November, 2016:

1. That the Occoquan Town Council hereby repeals the following portions of the Occoquan Town Code: Sections 66-63, 66-93, 66-113, 66-121, and 66-143, and Article VIII of Chapter 66, as amended on September 1, 2015, consisting of Code Sections 66-360 through 66-405.

2. That the Occoquan Town Council adopts new Article VIII of Chapter 66 of the Occoquan Town Code as follows:

DIVISION 1. - GENERAL PROVISIONS

Sec. 66-360. Findings, purpose and intent; interpretation.

Sec. 66-361. Definitions.

Sec. 66-362. Signs which require a sign permit.

Sec. 66-363. Signs allowed without a sign permit.

Sec. 66-364. Prohibited signs.

Sec. 66-365. Measurements of sign area and height.

Sec. 66-366. Maintenance and removal.

Sec. 66-367. General requirements.

Sec. 66-368. Nonconforming signs.

Sec. 66-369. Non-commercial signs.

Secs. 66-370 – 390. Reserved.

DIVISION 2. – SIGN REGULATIONS BY USE AND DISTRICT

Sec. 66-391. Residential district signs (R-1, R-2, R-3, R-4).

Sec. 66-392. Commercial district signs (B-1).

Sec. 66-393. Historic district signs.

ARTICLE VIII. SIGNS

DIVISION 1. GENERAL PROVISIONS

Sec. 66-360. 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 allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. 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.

(g) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Sec. 66-361. Definitions.

A-Frame sign means a two-faced chalk board sign with supports that are connected at the top and separated at the base, forming an "A" shape. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."

Advertising means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

Animated sign means a sign or part of a sign that is designed to rotate, move or appear to rotate or move.

Awning sign means a sign placed directly on the surface of an awning.

Banner means a temporary sign of flexible material designed to be installed with attachments at each of four corners.

Box Sign means a sign contained in a box, transparent on one side, which is not more than four and a half square feet in area and not more than one foot deep.

Business sign means a sign which directs attention to a product, service or commercial activity available on the premises.

Canopy sign means a sign attached to a canopy.

Changeable copy sign means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

Comprehensive sign plan means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities, with Special Use Permit (SUP) from Town Council.

Feather sign. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole. The physical structure may resemble a sail, bow, or teardrop.

Flag means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.

Flashing sign means a sign that includes lights that flash, blink, or turn on and off intermittently.

Freestanding Sign means a non-portable sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.

Height, means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

(1) Existing grade immediately prior to construction of the sign; or

(2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

Illegal sign means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

Illuminated sign means a sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

Inflatable sign means any sign which uses compressed or forced gas to provide support.

Marquee means a permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Marquee sign means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.

Minor sign means a wall or freestanding sign, as per Division 2 tables and not illuminated.

Monument sign means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.

Neon sign means a sign containing exposed tubes filled with light-emitting gas.

Nonconforming sign. Any sign which was lawfully erected in compliance with applicable regulations of the Town and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.

Off-premises sign means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.

Pole sign means a sign that is mounted on one (1) or more freestanding poles.

Portable sign means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.

Projecting sign means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.

Public area means any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.

Roof sign means a sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

Sign means any device (writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, device, 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 area. However, the term "sign" does not include architectural features, except those that identify products or services or advertise a business use. The term "sign" also does not include the display of merchandise for sale on the site of the display.

Sign face means the portion of a sign structure bearing the message.

Sign structure means any structure bearing a sign face.

Temporary sign means a sign constructed of cloth, canvas, vinyl, paper, 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.

Vehicle or trailer sign means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. 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.

Wall Sign means any sign attached to a wall or painted on or against a flat vertical surface of a structure.

Waterfront Sign means a sign facing the river on riverfront property.

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

Sec. 66-362. Signs which require a sign permit.

(a) *In general.* A sign permit is required prior to the display and erection of any sign except as provided in Section 66-363 of this Article.

(b) *Application for permit.*

(1) An application for a sign permit shall be filed with the Town on forms furnished by the Town. 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 Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within 20 business days after receipt. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.

(3) If the application is rejected, the Town shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, building code, or other applicable law, regulation, or ordinance.

(c) *Permit fee.* A nonrefundable fee as set forth in the uncodified fee schedule adopted by the Town Council shall accompany all sign permit applications.

(d) *Duration and revocation of permit.* If a sign is not installed within one year following the issuance of a sign permit (or within 20 days in the case of a temporary sign permit), the permit shall be void. The permit for a temporary sign shall state its duration, not to exceed 20 days unless another time is provided in the zoning ordinance. The Town may revoke a sign permit under any of the following circumstances:

(1) The Town determines that information in the application was materially false or misleading;

(2) The sign as installed does not conform to the sign permit application; or

(3) The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.

(e) *Overlay district regulations.* All signs in the Historic Overlay District (HOD) require compliance with Architectural Review Board (ARB) guidelines except when a sign permit is not required as provided in §66-363.

(f) *Special exceptions.* The Town Council shall approve Comprehensive sign plans in the B-1 district. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the

total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the Zoning Ordinance.

Sec. 66-363. Signs allowed without a sign permit.

A sign permit is not required for:

(1) Signs erected by a governmental body or required by law.

(2) Flags up to 16 square feet in size not containing any 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.

(3) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 66-368 (e).

(4) Temporary signs as follows:

a. One (1) sign, no more than sixteen (16) square feet in area, located on property where a building permit is active.

b. On any property for sale or rent, not more than one sign with a total area of up to sixteen (16) square feet and a maximum height of six (6) feet when the sign abuts a road with a speed limit of 25 miles per hour or less, and when the sign abuts a road with a speed limit greater than 25 miles per hour not more than one sign with a total area of up to thirty-two (32) square feet and a maximum height of eight (8) feet.

c. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.

d. On residential use property, one or more temporary signs with a total area of no more than eight (8) square feet, and which are removed within 90 days after being erected. Once removed, temporary signs may not be erected again.

e. On residential use property, window signs, provided that the total extent of window signs do not obstruct more than 25% of the total area of all windows on each building façade.

(5) Not more than four minor signs as per Division 2 tables per parcel. Additional minor signs are permitted in certain districts with a permit.

(6) A-frame signs not in the public right of way as per Division 2 tables

(7) A permanent window sign, provided that the aggregate area of all window signs on each window or door does not exceed twenty-five percent (25%) of the total area of the window or door.

(8) Box signs as per Division 2 tables

66-364. Prohibited signs.

In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

(a) General prohibitions.

(1) Signs that violate any law of the Commonwealth relating to outdoor advertising.

(2) Signs attached to natural vegetation.

(3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized town official as a nuisance.

(4) Vehicle or trailer signs.

(5) Freestanding signs more than 15 feet in height.

(6) Any sign displayed without complying with all applicable regulations of this chapter.

(b) Prohibitions based on materials.

(1) Signs painted directly on a building, driveway or road, except where expressly permitted by this chapter.

(2) Animated signs.

(3) Flashing signs.

(4) Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three months per year or not to exceed 60 consecutive days.

(5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.

(6) Signs that emit sound.

(7) Any electronic sign that is generated by a series of moving images, such as a-TV, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit.

(8) Strings of flags (two or more connected together) visible from, and within 50 feet of, any public right-of-way.

(9) Pole signs less than 6 feet in height.

(10) Feather signs.

(11) Inflatables signs.

(12) Illuminated signs, except for Box Signs.

(13) Neon signs

(c) Prohibitions based on location.

(1) Off-premises signs.

(2) Signs erected on public land other than those approved by an authorized 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.

(3) Signs on the roof surface or extending above the roofline of a building or its parapet wall.

(4) Any sign which obstructs visibility for motorists or pedestrians at an intersection.

(5) Window signs whose aggregate area on a window or door exceed twenty-five percent (25%) of the total area of the window or door.

Sec. 66-365. Measurements of sign area and height.

(a) Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the preceding provisions.

(b) *Sign area.*

(1) Sign area is calculated under the following principles:

a. With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or overlapping rectangles that enclose the sign face.

b. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.

c. For projecting signs with a thickness of four inches or more, the sign area also includes the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.

(2) *Maximum height.* The maximum height for any sign shall be 15 feet unless otherwise specified within this chapter.

(3) Maximum Sign Area – 16 square feet unless otherwise specified within this chapter.

Sec. 66-366. Maintenance and removal.

(a) All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code.

(b) All signs and components thereof shall be maintained in good repair and in a safe, neat and clean condition.

(c) The building official may take action under the Virginia Maintenance Code, after such notice as is provided by law, to address any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in chapters 10 and 30 of this Code.

(d) Where the use or business has ceased operating, the owner of the sign or property owner shall remove the sign within 60 days of the cessation of use or business operation, or remove/replace the sign face with a blank face until such time as a new use or business has resumed operating on the property.

(e) Sign condition, safety hazard, nuisance abatement, and abandonment.

(1) Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.

(2) Any sign which constitutes a nuisance may be abated by the Town under the requirements of Virginia Code §§ 15.2-900, 15.2-906, and/or 15.2-1115.

Sec. 66-367. General requirements.

(a) *Placement.* Except as otherwise permitted, all freestanding signs shall leave a vertical clearance over any sidewalk of at least seven (7) feet and shall not overhang any vehicular right-of-way.

(b) *Illumination.* All permitted signs may be indirectly lighted, unless such lighting is specifically prohibited in this article. Box signs may be internally lighted.

(1) In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. However, Wall Signs shall be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the sign to minimize

glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the sign.

(2) Internal illumination shall be limited to the illumination standards for outdoor lighting in Town Code § 66-352. No sign shall be permitted to have an illumination spread of more than .05 foot candle at the lot line, shine into on-coming traffic, affect highway safety, or shine directly into a residential dwelling unit. In no event shall the illumination of any sign resulting from any internal or external artificial light source exceed 100 lumens. All lighting fixtures used to illuminate a sign shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky.

(3) All illumination for signs shall comply with provisions of Article VII of this Chapter 66.

(c) Waterfront signs – see chart in Division 2.

(d) Banners - In the Historic District, banner colors shall be consistent with the ARB guidelines.

(1) A banner can contain no more than four colors.

(2) Such banners shall be attached to an existing principal structure (with a clearance of at least 12" from the edge of the store or building) or sign pole. They must not obscure architectural features of the building (such as windows, railings or ornamentation) and shall not exceed 16 square feet in total area. They may be hung in a horizontal or vertical manner and shall be attached at all four corners in a taut manner.

(3) Banner permits shall be for 20 consecutive days and no more than twice in one calendar year per property.

(4) Banners installed and used for special events and festivals sponsored by the Town of Occoquan may be erected without a permit and shall be removed within two days after the event.

Sec. 66-368. 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 becoming 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 subject to the provisions of section 66-238. In addition, 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 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 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. 66-369. Non-commercial signs.

(a) *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.

DIVISION 2. - SIGN REGULATIONS BY USE AND DISTRICT

Sec. 66-391. Residential district signs (R-1, R-2, R-3 & R-4).

(a) Except as otherwise prohibited in this Article, the following signs are permitted as accessory to residential uses in residential districts. Animated signs and electronic message signs are prohibited on residential properties in all residential districts.

TYPE	Flags	Temporary	Permanent (Box, Freestanding, Monument, Pole, Projecting, & Wall)	Minor	Waterfront
Size (each/total)	16 s.f./no limit	16 s.f./16 s.f. 1 total	3 s.f./3 s.f.	1 s.f./ 4 s.f.	16 s.f.
Illumination	As required by law	None	Indirect	None	Indirect
Setback	See 66-363 (2)	None	None	None	None
Max.Height	15 ft.	6 ft.	6 ft.	6 ft.	6 ft
Location	See 66-363 (2)	See 66-363 (4)	Wall, window sign, freestanding or affixed to mailbox	Wall, window sign, freestanding or affixed to mailbox	Wall, window sign, freestanding or affixed to mailbox.
Duration	Unlimited	90 days	Unlimited	Unlimited	Unlimited

(b) Except as provided otherwise in this Article, the following signs are permitted as accessory to non-residential uses in residential districts. Animated signs are prohibited as accessory uses for non-residential uses in all residential districts.

Type	Flags	Temporary	Changeable Message Signs	Permanent (Box, Freestanding, Monument, Pole, Projecting, & Wall)	Minor	Monument	Waterfront
Size (each/total)	16sf/ no limit	8sf/8sf	16sf/16sf	16sf/16sf	1 sf ea./ 4 sf total	16 s.f.	16 s.f.
Illumination	As required by law	None	indirect	Indirect	none	Indirect	Indirect
Setback	See 66-363 (2)	None	None	None	None	None	None
Max. Height	15ft	6ft	6ft	6ft	6ft	6ft	6ft
Materials	See flag definition	See 66-363 (4)					
Duration	Unlimited	20 Days	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited

Sec. 66-392. Commercial district signs (B-1).

(a) *Generally.* Except as provided otherwise in this Article, the following signs are permitted as accessory uses in commercial districts. In addition, up to one minor sign per business is permitted as a wall sign.

Type	Permanent (Box, Freestanding, Monument, Pole, Projecting, & Wall	Temporary	Flags	Minor	Waterfront	Marquee
Size (each)	16 s.f. (except box signs, which are limited to 4.5 s.f. by definition)	16 s.f. total for commercial use property; 8 s.f. total for residential use property	16 s.f.	1 s.f. total	Total: two square feet per linear foot of the building's riverfront width, divided into as many signs as occupant wishes	SUP Req.
Location	Wall, window sign, freestanding or affixed to mailbox	See 66-363(4)	See 66-363(2)	Wall, window sign, freestanding or affixed to mailbox	Wall, window sign, freestanding or affixed to mailbox	SUP Req.
Maximum Number	4	unlimited	N/A	/ 4 signs total without a permit; up to 2 additional with a permit	Unlimited up to maximum size	1
Illumination	Indirect	None	As required by law	None	Indirect	Backlit, internally or indirectly
Setback	None	See 66-363(4)	See 66-363(2)	None	None	None
Maximum Height	6ft	6ft	15ft	6ft	Height of building	Height of building
Duration	Unlimited	20 days	Unlimited	Unlimited	Unlimited	Unlimited
SUP Req.	No	No	No	No	No	Yes

(b) *Window signs.* Window signs are permitted up to 25% of the area of a window and count toward the maximum square footage of wall signs. Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the window sign is displayed.

Sec. 66-393. Historic District signs.

In the Old and Historic Occoquan District, a certificate of appropriateness is required before erection or alteration of any structure. Repair of an existing sign, or replacement of an existing sign with like materials and colors, does not require a certificate of appropriateness.

3. This Ordinance shall take effect upon adoption.

Date: 11/1/2016
Regular Meeting
Ord. No. O-2016-03

MOTION: Councilmember Dawson

SECOND: Councilmember Drakes

RE: AN ORDINANCE TO ADOPT A COMPREHENSIVE REVISION OF ARTICLE VIII OF CHAPTER 66 OF THE TOWN CODE, GENERALLY RELATING TO REGULATION OF SIGNS THROUGH THE ZONING ORDINANCE, AND TO MAKE RELATED CHANGES THROUGHOUT THE ZONING ORDINANCE

ACTION: Adopted Ordinance O-2016-03

Votes: Approved, 4-0
Ayes: Councilmembers Dawson, Drakes, Fithian, and McGuire
Nays: None.
Absent from Vote: Vice Mayor Sivigny
Absent from Meeting: Vice Mayor Sivigny

CERTIFIED COPY _____
Christopher Coon, Town Clerk