



# TOWN OF OCCOQUAN

Town Hall, 314 Mill Street, Occoquan, VA 22125  
www.occoquanva.gov | info@occoquanva.gov | (703) 491-1918

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## ARCHITECTURAL REVIEW BOARD MEETING

May 23, 2023 | 7:30 p.m.

1. **Call to Order**
2. **Citizen Comments**
3. **Approval of Minutes**
  - a. March 28, 2023 Meeting Minutes
4. **Exterior Elevation Applications**
  - a. ARB2023-002 450 Mill Street (Siding)
5. **Action Item**
  - a. Request to Name an ARB Representative to the Mural Contest Award Committee
  - b. Request to Make a Recommendation to Town Council on Zoning Text Amendment Generally Relating to the Sign Ordinance
6. **Discussion Item**
  - a. Exterior Elevation Design Guidelines (EEDG) Updates
7. **Reports**
  - a. Town Council Report
  - b. Town Manager's Report
  - c. Planning Commission Report
  - d. Chair Report
8. **Adjournment**

Brenda Seefeldt  
Chair, Architectural Review Board



# TOWN OF OCCOQUAN

## ARCHITECTURAL REVIEW BOARD

### MEETING MINUTES

March 28, 2023

In Attendance: Brenda Seefeldt, Theo Daubresse, Darryl Hawkins, Carol Bailey, Jennifer Shown;  
Alternates: Mary Craig

Excused Absences: Merial Curren, Lisa Terry, and Rick Fitzgerald

**Call to Order-** Brenda called the meeting to order at 7:36 pm

**1. Citizen's Comments** – None

**2. Appointment of Chair**

1. Jennifer made a motion to appoint Brenda as Chair. Carol 2<sup>nd</sup>. All Approved. Brenda was renominated as Chair.
2. Brenda introduced the two new alternates to the board: Mary Craig (in attendance) and Rick Fitzgerald.

**3. Approval of Minutes**

1. February 28, 2023 Meeting Minutes – Brenda made a motion to approve. Jennifer 2<sup>nd</sup>, approved.

**4. Exterior Elevation Applications**

1. **ARB2023-001** – 1601 Sebring Court – 18-foot x 8-foot upper-level full composite deck. The applicant, Mr. Danilo Nunez was in attendance and answered questions Mr. Nunez provided a small sample for the Board to see, which the Board passed around. Carol made a motion to approve the application and Mary 2<sup>nd</sup>, Approved.

**5. Discussion Item**

1. Town Gateway Signage Discussion - Brenda segued into a discussion about the town's signage and explained that although the Town Council does not need the Board's permission for approval, they did want to inform the Board about the upcoming changes. There will be a new blue sign at the town entrance near the Mamie Davis Park, which will have a map without shop names, small holders for brochures, and will show the town's website, as well as the QR code. There will be V-shaped signs placed at Commerce Street/Route 123 and Tanyard Hill/Old Bridge Road. These will be in a "V" shape with the same wording on the back of the sign. All signs will have the Occoquan blue metal poles similar to the gaslights. The potential new design for the Corporate Limits signage will say "Welcome to Occoquan" instead of what we were presented because this is friendlier.

These would be placed at the six locations going in/out of Occoquan: two at Route 123, two at Tanyard Hill, one at Union Road, and 1 at Poplar Alley. Brenda remarked that she liked the new sign designs.

Town Manager Adam Linn stated that the goal was to get the new signage done by June, however, they need to get the permits approved first through VDOT (Virginia Department of Transportation). He stated at the end of April, the signage at the corner of Washington/Commerce Streets would be removed and replaced with a landscape concept by the oldest gardening club in Virginia.

## **6. Reports**

1. Town Council Report – Town Council Representative Theo Daubresse stated that the Council was finalizing its priorities and there was nothing to mention at this meeting that would affect the ARB (Architectural Review Board).
2. Town Manager's Report – No report.
3. Planning Commission Report - Planning Commission Representative Darryl Hawkins spoke about the new, approved construction priorities, which are to make Occoquan: a trail town, "green", and to feature public art on the foot bridge in the Occoquan Park to use it as a canvas (pending VDOT approval). All of these are early discussions.
4. Chair Report – Brenda thanked all of us for reelecting her as the Chair. She then asked the Board Members and Alternate to introduce ourselves.

## **7. Adjournment – 8:03 pm**

RECEIVED  
MAY 19 2023


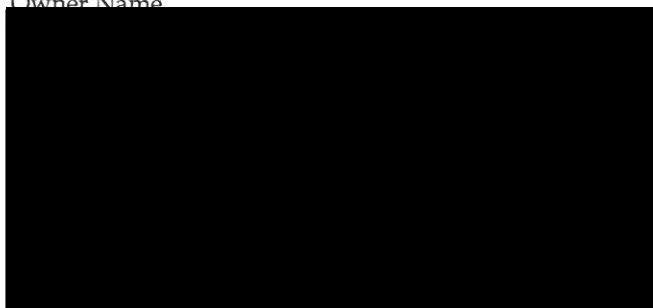


# TOWN OF OCCOQUAN ARCHITECTURAL REVIEW BOARD

## APPLICATION FOR EXTERIOR ELEVATIONS Commercial and Residential Exterior Improvements Within the Old and Historic District

All exterior changes and modifications to the exterior of structures located within the Old and Historic District must be reviewed by the Architectural Review Board (ARB) for issuance of a Certificate of Appropriateness (COA) prior to the work being performed. Applicants should review the Architectural Review Board Design Guidelines for guidance of appropriate colors, materials, designs, etc.

The ARB meets regularly on the fourth Tuesday of the month at 7:30 p.m. at Town Hall. Applications must be filed at Town Hall by close of business on the Tuesday of the week prior to the meeting. Applicants must submit supplemental materials at time of application. Additional paint and material samples, product brochures and spec sheets, renderings, architectural drawings, photographs of the structure or other supplemental materials may be requested by the ARB prior to the hearing. The applicant or a representative must be present at the meeting during which the ARB will review the application. All fees must be paid prior to scheduling for ARB consideration.

Section I: Applicant and Owner Information	
<u>CHARLES + RENI KEITH</u> Applicant Name <u>THE COLTAGE</u> Business Name (if Applicable) <u>450 MILL ST</u> Address (No., City, Address, Zip) + PO Box <u>OCCOQUAN, VA 22125</u> 	<u>CHARLES + RENI KEITH</u> Owner Name  <input type="checkbox"/> Same as Applicant Information

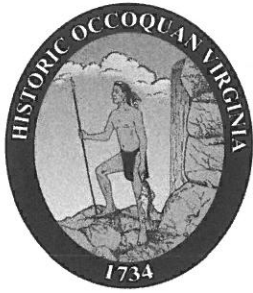
Section II: Property Information	
Project Address: Type of Use (Select One): <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Mixed-Use <input type="checkbox"/> Other: _____	Structure Style: Exterior Elevation Type (Select all that apply): <input checked="" type="checkbox"/> Improvement/Repair to Existing Structure <input type="checkbox"/> New Development/In-Fill or New Accessory Structure <input type="checkbox"/> Demolition <input type="checkbox"/> Other: _____

Brief Description of Project: INSTALL New Sheathing Board AND siding. Plywood

**Notice to Applicant/Property Owner:** Prior to construction and/or installation of improvements, it is your responsibility to determine the existence of any restrictive covenants and/or deed restrictions governing property improvements. Other permits or approvals may be required from the Town or other agencies such as Zoning Compliance Review and/or Building Permits, among others. It is your responsibility to comply with all applicable regulations and to determine any other applicable private restrictions.

<u>Charles Keith</u> Applicant Signature	<u>5/19/23</u> Date Submitted
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# TOWN OF OCCOQUAN ARCHITECTURAL REVIEW BOARD

## APPLICATION FOR EXTERIOR ELEVATIONS SUPPLEMENTAL APPLICATION

**Section V: Supplemental Application For New Builds, Improvements to Existing Structures and Combination Projects - Commercial, Residential and Mixed-Use**

**Project Address:** 450 Mill St.

**ARB Application No.:** 2023-002

Complete only the sections below that are applicable to the application. More information on each section is included in the ARB Design Guidelines available on the Town's website at [www.occoquanva.gov](http://www.occoquanva.gov). Note: Words included on any improvements constitute a sign and are not part of the Exterior Elevation review process; a separate sign application process is required.

**1. Type of Improvement(s):**  New Build  Improvements to Existing Structure(s)  Combination

**2. Additions and New Builds**

Accessory Structure: Size: \_\_\_\_\_ Location relative to Main Structure: \_\_\_\_\_

New Build: Size: \_\_\_\_\_ Location on site: \_\_\_\_\_

General Description/Use of Structure: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Rendering required  Plan showing location on site required  Architectural Plans required  
 Complete applicable sections below.

**3. Awnings**  New  Repair/Replacement

Existing Material, Color and Design: \_\_\_\_\_

Proposed Material (canvas or similar material): \_\_\_\_\_ Color: \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**4. Exterior Walls on Structure**  New  Repair/Replacement

Existing Material, Color and Pattern: DARK BROWN Ship Lap

Proposed Material:  Brick  Siding  Other: \_\_\_\_\_  Paint  Material Replacement

Material Type: \_\_\_\_\_ Color: \_\_\_\_\_ Pattern: \_\_\_\_\_

Mortar: Color \_\_\_\_\_ Joint Pattern \_\_\_\_\_

Sample Included (Type): New BAEN WOOD Exterior Weathered White

Spec Sheet Included  Photo Included

**5. Windows**  New  Repair/Replacement

Existing Material, Color and Pattern: \_\_\_\_\_

Proposed Material: \_\_\_\_\_ Grid Profile: \_\_\_\_\_

Grid Color: \_\_\_\_\_ Shutter Color: \_\_\_\_\_ Trim Color: \_\_\_\_\_

Location (identify location of windows and types - provide exhibit): \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**6. Doors**  New  Repair/Replacement

Existing Material, Color and Pattern: \_\_\_\_\_

Proposed Material: \_\_\_\_\_ Style: \_\_\_\_\_  Window (Style): \_\_\_\_\_

Door Color: \_\_\_\_\_ Trim Color: \_\_\_\_\_ Window Color: \_\_\_\_\_

Location(s) (identify location of doors and types - provide exhibit): \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**7. Roofs and Gutters**  New  Repair/Replacement

Existing Material, Color and Pattern: \_\_\_\_\_

Proposed Roof Material: \_\_\_\_\_ Roof Pitch \_\_\_\_\_

Proposed Roof Color and Style: \_\_\_\_\_

Proposed Gutter Material and Color: \_\_\_\_\_

Gutter Locations (provide exhibit): \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**8. Dormers**  New  Repair/Replacement

Existing Material, Color and Pattern: \_\_\_\_\_

Proposed Material: \_\_\_\_\_ Existing Pitch \_\_\_\_\_ New Pitch \_\_\_\_\_

Proposed Color and Style: \_\_\_\_\_ Window Color and Style: \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**9. Fences, Retaining Walls, Foundations, Decks, Porches, Screenings, Patios, Enclosures etc.**

New  Repair/Replacement Proposed Structure Type: \_\_\_\_\_

Existing Material, Color and Design: \_\_\_\_\_ Type: \_\_\_\_\_

Proposed Material: \_\_\_\_\_ Color/Stain: \_\_\_\_\_

Proposed Pattern/Design: \_\_\_\_\_ Decorative Trim/Hardware: \_\_\_\_\_

Mortar Color: \_\_\_\_\_ Joint Pattern: \_\_\_\_\_

Porch/Deck Post(s) Size: \_\_\_\_\_ Spindle Design and Color: \_\_\_\_\_

Sample Included (Type): \_\_\_\_\_

Spec Sheet Included  Photo Included

**10. Other Exterior Improvements**  New  Repair/Replacement

Existing Material, Color and Design: \_\_\_\_\_ Type: \_\_\_\_\_

Existing Material, Color and Design: \_\_\_\_\_ Type: \_\_\_\_\_

**Lighting**

Light Fixtures: Color \_\_\_\_\_ Style \_\_\_\_\_ Placement \_\_\_\_\_  Spec Sheet Included

**Ramps**

ADA Ramps: Color \_\_\_\_\_ Style \_\_\_\_\_ Location \_\_\_\_\_  Spec Sheet Included

**Chimneys**

Brick  Stone Color \_\_\_\_\_ Style \_\_\_\_\_ Location \_\_\_\_\_  Spec Sheet Included

**Other**

Material: \_\_\_\_\_ Color \_\_\_\_\_ Type \_\_\_\_\_ Location \_\_\_\_\_

**Other**

Material: \_\_\_\_\_ Color \_\_\_\_\_ Type \_\_\_\_\_ Location \_\_\_\_\_

Brief Description:

Spec Sheet Included  Photo Included

Applicant Signature

Date

5/19/23

**TOWN STAFF ONLY**

Notes:





# TOWN OF OCCOQUAN

## ARCHITECTURAL REVIEW BOARD

### Agenda Communication

<b>5. Action Items</b>	<b>Meeting Date:</b> May 23, 2023
<b>5A: Request to Name an ARB Representative to the Mural Contest Award Committee</b>	

**Attachments:** a. Contest Overview and Guidelines

**Submitted by:** Matt Whitmoyer  
Management Fellow

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#### **Explanation and Summary:**

This is a request to name a representative from the Architectural Review Board for the Rt. 123 and Commerce Street Mural Contest Award Committee.

Staff is currently working to transform the retaining wall owned by the Virginia Department of Transportation (VDOT) at the town gateway on Gordon Blvd. (Rt. 123) and Commerce Street into a significant piece of public art that will welcome residents and visitors. The goal is to create public art that will enhance the Town's gateway, recognize the Town's historic past, and incorporate the Occoquan River. As such, Town Council has approved staff to run a contest to solicit designs and install from a local artist(s). Attached is the overview document shared with contestants that outlines the review criteria and process.

In late June, an award committee will review the submissions and make a recommendation to Town Council. The Committee will consist of one member of town staff, one member of the ARB, one member of the Planning Commission, one representative from the Occoquan Business Partners, and one representative from the Workhouse Arts Center. Town Council will have final approval of the Committee's recommendations.

The named representative must be available to review proposals and meet with the Committee to make a recommendation to Town Council. This would be a commitment of approximately 5-10 hours over two weeks in June and July 2023.

**Staff Recommendation:** Recommend naming a representative.

**Cost and Financing:** N/A

**Account Number:** N/A

#### **Proposed/Suggested Motion:**

"I move to name \_\_\_\_\_ as the Architectural Review Board's representative to the Rt. 123 and Commerce Street Mural Contest Award Committee for a term starting June 1, 2023 and ending upon the Committee's final recommendation to Town Council or until replaced by the Architectural Review Board."

OR

Other action the Architectural Review Board deems appropriate.



# Route 123 and Commerce Street Mural Design Contest Overview and Guidelines

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This contest was put together to provide a space for local artists to share their talents and use them to beautify the main entryway into the Town of Occoquan. The goal is to bring more visitors into the area and create a town entrance that reflects the history and natural beauty of Occoquan. One finalist will be selected from the submissions received and funded by the Town to create their proposed design.

## **Project Details:**

### *Project*

Occoquan is currently working to transform a retaining wall at Gordon Blvd (Rt. 123) and Commerce Street owned by the Virginia Department of Transportation (VDOT) into a significant piece of public art that will welcome residents and visitors alike into the town, serving as a defining feature of the Occoquan landscape.

### *Specifications*

The maximum dimensions of the proposed mural should be no more than approximately 14 ft by 40 ft. The mural should be located on the wall immediately behind the ADA ramp as pictured below.



## Cost

The Town of Occoquan will provide the awarded muralist a \$5,000 award to design, prepare, and install the mural.

## Application Process:

Applicants can submit their personal information, proposed design (no more than 40x40 inches, if printed), 5-10 examples of past work, and all other relevant information via the proposal form found at: [www.occoquanva.gov/public-art](http://www.occoquanva.gov/public-art).

All proposals will be reviewed by a committee composed of town staff, representatives of the Town's Planning Commission and Architectural Review Board, a representative from the Workhouse Art Center, and a representative from the Occoquan Business Partners. The committee's recommendations will be submitted to the Town Council for review and determination. The Town Council, at their sole discretion, may select the awardee from the committee's recommendations or the Town Council may elect to refuse to make an award.

Please follow the guidelines and criteria as described on page 3 as you submit your application. Incomplete or late applications or applications that do not follow the instructions and guidelines will be automatically deemed ineligible for review and award.

To ask questions or to arrange a tour of the site, please contact Matt Whitmoyer at [mwhitmoyer@occoquanva.gov](mailto:mwhitmoyer@occoquanva.gov) or call (703) 491-1918.

## Submission Deadline:

The deadline for entry is June 16 at 5:00pm.

For any submissions outside the form, please email Matt Whitmoyer at [mwhitmoyer@occoquanva.gov](mailto:mwhitmoyer@occoquanva.gov).

## Timeline:

Application Period: May 1 – June 16

Review by Mural Committee: June 19 - June 30

Selection of Winner: July

Review by AARB and VDOT: July/August

Installation: August/September

Reveal Ceremony: Fall Arts and Craft Show 2023

# Contest Guidelines and Award Process

## General Guidelines:

These guidelines provide an overview of how to participate in the Town of Occoquan Mural Contest. The guidelines are designed to ensure that the awarded mural enhances the community's appearance, without causing any negative impact on public safety or welfare.

Proposals that fail to meet these guidelines will be eliminated from the competition. If the award committee or Town Council determines that none of the submissions adequately meet these guidelines, an award may not be given. The Town Council reserves the absolute right to terminate this contest and make no award at any time.

## *Mural Guidelines*

- Must be original artwork of the person(s) named on the entry form
- When possible, encourage public engagement
- No political content, it cannot be placed on public property
- Must represent a positive, pro-Occoquan message
- Happy, uplifting, inspiring and colorful in nature
- No advertisements, logos or copyrighted images
- Universal appeal – accepted and loved
- Follow the spirit of the Town's Architectural Review Board guidelines, found at: [www.occoquanva.gov/architectural-review-board/](http://www.occoquanva.gov/architectural-review-board/)
  - Neon, fluorescent, or reflective type colors are discouraged
- Keep the piece relevant to the Town of Occoquan's values, culture and people
- Some theme ideas: natural beauty of the area, Occoquan's history

## *Artist Guidelines*

- Artist must have the capacity to paint/install the designs themselves
- Artist must have the experience in this process or understand the right steps of scaling a small drawing to the mural space

For some examples of murals that the Town finds as inspiration, see the appendix.

## **Evaluation Criteria:**

In deciding on the winner of the contest, the Town will use the below criteria:

1. The aesthetic beauty of the mural design
2. The proposed design's fidelity to the general guidelines
3. The qualifications and experience of the applicant
4. The practicality of installing the design at the project location

## **Awarded Mural Details:**

### *Ownership and Maintenance*

The retaining wall is owned by VDOT, but the completed public art piece would be owned and maintained by the Town of Occoquan via an agreement with the agency.

### *Costs and Artist Responsibilities*

All work and costs involved in the creation and install of the public art piece, including materials, supplies, and labor, will be the responsibility of the successful applicant. The successful applicant will be awarded \$5,000 by the Town to defray those costs.

The artist is to make sure that all paint and supplies are properly disposed of – paint or other materials are not to be left at the mural site between working sessions.

If traveling from out of the area, housing and transportation are the artist's expense.

Artists may recruit the help of other artists to complete the mural.

Any other conditions or stipulations will be agreed to in a Memorandum of Understanding (MOU) between the successful applicant and the Town.

### *Install Procedures*

The mural surface must be prepared to assure that the mural will have a long life. This may include pressure washing and/or wall surface base painting. The successful applicant will collaborate with Town staff on what prep work and finishing work needs to be done to ensure a quality finished mural. The artist will be responsible for ensuring the completion of the prep work and finishing work.

Murals must be completed within the specified timeframe.

### *Anticipated Alterations to Proposed Design*

Since the mural will be on a state-owned property, the chosen mural design will need to receive the proper approval and permitting from the Virginia Department of Transportation (VDOT) and the Virginia Art and Architectural Review Board (AARB). Due to these regulatory requirements, the chosen mural design may need to be altered and the successful applicant must be willing to work with the Town of Occoquan to revise the design as needed. Town staff appreciates the successful applicant's flexibility in realizing their design.

# Appendix: Mural Examples

## Town Message



## History Inspired



Nature Inspired





# TOWN OF OCCOQUAN

## ARCHITECTURAL REVIEW BOARD

### Agenda Communication

<b>5. Action Items</b>	<b>Meeting Date:</b> May 23, 2023
<b>5B:</b> Request to Make a Recommendation to Town Council on Zoning Text Amendment Generally Relating to the Sign Ordinance	

**Attachments:** a. Draft Ordinance

**Submitted by:** Matt Whitmoyer  
Management Fellow

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**Explanation and Summary:**

This is a request to make recommendations on a zoning text amendment to repeal a conflicting and redundant section of code and make changes to the existing code that streamline administrative permitting and enforcement. The draft ordinance is attached.

The proposed ordinance would amend the Town Code to remove §§ 157.335-157.339 and to make changes to §§ 157.300-157.322 in order to meet the following goals:

1. Remove conflicting and erroneous sections of the signage regulations;
2. Clarify the definitions and number limits of permanent signage;
3. Consistently distinguish between temporary signs and banners;
4. Clearly define the basis on which to apply the sign regulations; and
5. Create an administrative process for the permitting of sign structures.

**Staff Recommendation:** Recommend approval of ordinance to the Town Council.

**Cost and Financing:** N/A

**Account Number:** N/A

**Proposed/Suggested Motion:**

"I move to recommend approval of the attached draft ordinances as presented."

OR

"I move to recommend approval of the attached draft ordinances with the following changes:\_\_\_\_\_."

OR

"I move to recommend disapproval of the attached draft ordinances because \_\_\_\_\_."

OR

Other action the Architectural Review Board deems appropriate.



**ORDINANCE # 0-2023-XX**

**AN ORDINANCE TO REMOVE § 157.335-157.339 AND  
AMEND § 157.300-157.322 OF THE TOWN CODE RELATING TO SIGNAGE**

**WHEREAS**, the Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town's sign ordinance provisions contained in § 157.300 - § 157.339 of the Town Code, and

**WHEREAS**, the Town Council initiated a zoning text amendment to remove § 157.335-157.339 and amend § 157.300-157.322 of the Town Code relating to signage by Resolution R-2023-10; 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**, the Town Planning Commission and Town Council have advertised and held public hearings on the proposed amendment to the Town zoning ordinance; and

**WHEREAS**, after receiving public input and the recommendation of the Planning Commission, the Town Council desires to remove § 157.335-157.339 and amend § 157.300-157.322 so to increase clarity and streamline administrative permitting and enforcement, in order to accomplish the objectives of Virginia Code § 15.2-2200 and serve the public health, safety and welfare.

**NOW, THEREFORE BE IT ORDAINED** by the Council for the Town of Occoquan, Virginia meeting in regular session this \_\_\_\_ day of \_\_\_\_\_, 2023:

1. That the Occoquan Town Council hereby amends § 157.300 - § 157.339 of the Occoquan Town Code as follows:

***SIGNS; GENERAL PROVISIONS***

**§ 157.300 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 subchapter 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 subchapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This subchapter shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this subchapter is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other

provisions of this subchapter 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 subchapter, 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 subchapter 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 division (A) above.

(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.

(1998 Code, § 66-360) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020)

***Statutory reference:***

*Outdoor advertising in sight of public highways, see VA Code §§ 33.2-1200 et seq.*

## **§ 157.301 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***A-FRAME SIGN.*** A two-faced ~~chalkboard~~-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.***

***ABANDONED SIGN.*** Any sign associated with a building, structure, or business, where the building or occupation permit or business license has expired and where the sign may be considered abandoned in accordance with the law of the Commonwealth of Virginia.

***ADVERTISING.*** Any words, symbol, color, or design used to call attention to a commercial product,

service, or activity.

**ANIMATED SIGN.** A sign or part of a sign that is designed to rotate, move, or appear to rotate or move.

**AWNING SIGN.** A sign placed directly on the surface of an awning.

**BANNER.** A temporary sign of flexible material designed to be installed with attachments at each of four corners.

**BOX SIGN.** 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.** A sign which directs attention to a product, service, or commercial activity available on the premises.

**CANOPY SIGN.** A sign attached to a canopy.

**CHANGEABLE COPY SIGN.** 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.

**COMMERCIAL SIGN.** A sign that advertises a business, product, service, or other commercial activity.

**COMPREHENSIVE SIGN PLAN.** 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.** 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.** A sign that includes lights that flash, blink, or turn on and off intermittently.

**FREESTANDING SIGN.** 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.** The maximum vertical distance from the base of the sign, including the sign structure, at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: existing grade immediately prior to construction of the sign; or 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.** Any sign erected without a required permit or which otherwise does not comply with any provisions of this subchapter.

**ILLUMINATED SIGN.** A sign that is backlit, internally lighted, or indirectly lighted, but does not

include a neon sign.

***INFLATABLE SIGN.*** Any sign which uses compressed or forced gas to provide support.

***MARQUEE.*** 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.*** 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.*** A wall, projecting, or freestanding sign, as per the tables in §§ 157.320 through 157.322 and not illuminated.

***MONUMENT SIGN.*** 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.*** A sign containing exposed tubes filled with light-emitting gas.

~~***NON-RESIDENTIAL USE PROPERTY.*** A property that at the time is being used for some purpose other than a residence, regardless of the zoning district in which the property is located.~~

***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 and which fails to conform to current standards and restrictions of this chapter.

**OFF-PREMISES SIGN.** 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.** A sign that is mounted on one or more freestanding poles.

**PORTABLE SIGN.** Any temporary sign not affixed to a building, structure, vehicle, or the ground. It does not include a flag or banner.

**PROJECTING SIGN.** Any sign, other than a wall, awning, or marquee sign, affixed to a building and supported only by the wall or a bracket on which it is mounted.

~~**PUBLIC AREA.** 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.~~

~~**RESIDENTIAL USE PROPERTY.** A property that at the time is being used as a residence, regardless of the zoning district in which the property is located.~~

**ROOF SIGN.** 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.** 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.** The portion of a sign structure bearing the message.

**SIGN STRUCTURE.** Any structure required to support the sign~~Any structure bearing a sign face.~~

**TEMPORARY SIGN.** 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. Duration of installation as per the tables in §§ 157.320 through 157.322.

**VEHICLE or TRAILER SIGN.** 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.** Any sign attached to a wall or painted on or against a flat vertical surface of a structure.

**WATERFRONT SIGN.** A sign facing the river on riverfront property.

**WINDOW SIGN.** 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.

**YARD SIGN.** A temporary sign that is not attached to a structure or improvement. (1998 Code, § 66-361) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020)

### § 157.302 SIGNS REQUIRING A PERMIT.

(A) *Permit required.* A sign permit is required prior to the display and erection of any sign and sign structure except as provided in § 157.303.

(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 this chapter 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, deny the application, or notify the applicant of deficiencies in the application within 320 business days after receipt. Any application that complies with all provisions of this chapter, the Building Code, and other applicable laws, regulations, and ordinances shall be approved.

(3) If the application is denied, the town shall provide a list of the reasons for the denial in writing. An application shall be denied for noncompliance with the terms of this chapter, the Building Code, or other applicable law, regulation, or ordinance.

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

(D) *Permit void after one year.* 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 this chapter. 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 this chapter, the Building Code, or other applicable law, regulation, or ordinance.

(E) *Signs in Old and Historic Occoquan Overlay District.* All signs in the Old and Historic Occoquan Overlay District (HOD) require compliance with Architectural Review Board (ARB) guidelines except when a sign permit is not required as provided in § 157.303.

(F) *Comprehensive sign plans approval by Town Council.* 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 this chapter. (1998 Code, § 66-362) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

(G) Basis of permitting and enforcement. All signage regulations contained in this chapter shall be applied on the following basis for each use, unless otherwise specified within this chapter:

(1) For non-residential use properties, each business per parcel will be considered individually as the basis of each use, including when calculating the maximum number of signage;

(2) For residential use properties, each tenant or homeowner per parcel will be considered individually as the basis of each use, including when calculating the maximum number of signage.

(H) Exemption from Certificate of Appropriateness. Except as listed below, all signs and sign structures regulated under this chapter are exempt from the certificate of appropriateness process as provided in §§ 157.177 through 157.182:

(1) Any sign structures with a height greater than 15 feet; and/or

(2) Any sign structure whose component parts individually have a width greater than 5 inches.

### **§ 157.303 SIGNS NOT REQUIRING A PERMIT.**

A sign permit is not required for the following:

(A) Signs erected by a governmental body or required by law;

(B) Flags up to 16 square feet in size ~~not containing any advertising~~, subject to limitations on their number contained elsewhere in this chapter; provided, that no freestanding pole shall be erected in the public right-of-way nor be within five feet of a service drive, travel lane, or adjoining street;

(C) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 157.308(E);

(D) Temporary signs as follows:

(1) For non-residential use property one sign, no more than 16 square feet in area, located on property where a building permit is active;

(2) On residential-use property, one or more temporary signs with a total area of no more than eight square feet, and which are removed within 90 days after being erected. Once removed, temporary signs may not be erected again for 30 days; and

(3) 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.

(4) On any property for sale or rent, not more than one sign with a total area of up to 16 square feet and a maximum height of six feet when the sign abuts a road with a speed limit of 25 mph or less, and when the sign abuts a road with a speed limit greater than 25 mph not more than one sign with a total area of up to 32 square feet and a maximum height of eight feet;

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

(E) Not more than four minor signs ~~per parcel~~, consistent with the tables in §§ 157.320 through 157.322. Additional minor signs are permitted in certain districts with a permit;

(F) A-frame signs not ~~inobstructing~~ the public right-of-way, consistent with the tables in §§ 157.320 through 157.322;

(G) ~~A permanent w~~Window signs, provided that the aggregate area of all window signs on each window or door does not exceed 25% of the total area of the window or door; and

(H) Box signs, consistent with the tables in §§ 157.320 through 157.322.

(I) 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 provided such lights are white, off-white, or a color commonly considered white. Lights other than white are permitted only from October 15 through February 15.

(1998 Code, § 66-363) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020)

## § 157.304 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.* General prohibitions include:



(1) Signs that violate any law of the state 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) Vending machines within the Old and Historic Occoquan District that are outside of a wholly enclosed structure; and

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

(B) *Prohibitions based on materials.* Prohibitions based on materials include:

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

(2) Animated signs;

(3) Flashing signs;

(4) Non-white colored 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 during the period October 15 through February 15;

(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 six feet in height;

(10) Feather signs;

(11) Inflatable signs;

- (12) Internally lighted signs, except for marquees and box signs; and
- (13) Neon signs.

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(C) *Prohibitions based on location.* Prohibitions based on location include:

(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 VA 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 25% of the total area of the window or door; and

(6) Commercial signs are not permitted as yard signs in business districts. (1998 Code, § 66-364) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020; Ord. O-2021-07, passed 12-7-2021) Penalty, see § 10.99

### **§ 157.305 MEASUREMENTS OF SIGN AREA AND HEIGHT.**

(A) *Supports, uprights, or structures in determining sign area.* Supports, uprights, or structures on which any sign is supported shall not be included in determining the sign area unless such supports, uprights, or structures 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) The maximum height for any sign shall be 15 feet unless otherwise specified within this chapter.

(3) Maximum sign area is 16 square feet unless otherwise specified within this chapter. (1998 Code, § 66-365) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

### **§ 157.306 MAINTENANCE AND REMOVAL.**

(A) All signs shall be constructed and mounted in compliance with the State Uniform Statewide Building Code, 13 VAC 5-63.

(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 State Maintenance Code, after such notice as is provided by law, to address any sign which, in his or her 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 92 and 150 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) 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. Any sign which constitutes a nuisance may be abated by the town under the requirements of VA Code §§ 15.2-900, 15.2-906, and/or 15.2-1115.

(1998 Code, § 66-366) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

### **§ 157.307 GENERAL REQUIREMENTS.**

(A) *Placement.* Except as otherwise permitted, all ~~freestanding~~ signs shall leave a vertical clearance over any sidewalk of at least seven 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 subchapter. 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 § 157.287. No sign shall be permitted to have an illumination spread of more than five-hundredths foot-candle at the lot line, shine into oncoming 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 §§ 157.285 through 157.288.

(C) *Waterfront signs.* See chart in §§ 157.320 through 157.322.

(D) *Banners Temporary signs.* In the Old and Historic Occoquan District, ~~bannertemporary sign~~ colors shall be consistent with the ARB guidelines.

(1) ~~A banner~~ *Temporary signs* shall not contain more than four colors.

(2) ~~BSuch~~ banners shall be attached to an existing principal structure (with a clearance of at least 12 inches 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~~ *Temporary sign* permits shall be for 20 consecutive days and no more than twice in one calendar year per ~~sign per property~~ *business per parcel*.

(4) ~~Banners~~ *Temporary signs* installed and used for special events and festivals sponsored by the town may be erected without a permit and shall be removed within two days after the event.

(E) *Flags.* In the Old and Historic Occoquan District, flags shall be attached to an existing principal structure or pole. They must not obscure architectural features of the building (such as windows, railings, or ornamentation).

(1998 Code, § 66-367) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

## § 157.308 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) (1) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign.

(2) 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 subchapter.

(E) (1) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50% of its area may be restored within two years after such destruction or damage but shall not be enlarged in any manner.

(2) If such sign is so destroyed or damaged to an extent exceeding 50%, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this subchapter.

(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 subchapter.

(G) A nonconforming sign structure shall be subject to the provisions of § 157.212. 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 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.  
 (1998 Code, § 66-368) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

**§ 157.309 NONCOMMERCIAL SIGNS.**

Wherever this subchapter permits a sign with commercial content, noncommercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height, and construction.  
 (1998 Code, § 66-369) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99

***SIGN REGULATIONS BY USE AND DISTRICT***

**§ 157.320 RESIDENTIAL DISTRICT SIGNS (R-1, R-2, R-3, R-4).**

(A) Except as otherwise prohibited in this subchapter, Table 1 below includes signs that 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.

(B) Except as provided otherwise in this subchapter, Table 2 below includes signs that are permitted as accessory to nonresidential uses in residential districts. Animated signs are prohibited as accessory uses for nonresidential uses in all residential districts.

***Table 1: Residential District Residential Use Property Signs***

<i>Type</i>	<i>Flags</i>	<i>Temporary</i>	<i>Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Minor</i>	<i>Waterfront</i>
Duration	Unlimited	90 days	Unlimited	Unlimited	Unlimited
Illumination	As required by law	None	Indirect	None	Indirect
Location	See § 157.303(B)	See § 157.303 (D)	Wall, <del>window,</del> freestanding, or affixed to mailbox	Wall, <del>window,</del> freestanding, or affixed to mailbox	Wall, <del>window,</del> freestanding, or affixed to mailbox
Max. height	15 ft	6 ft	6 ft	6 ft	6 ft



**Table 1: Residential District Residential Use Property Signs**

<i>Type</i>	<i>Flags</i>	<i>Temporary</i>	<i>Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Minor</i>	<i>Waterfront</i>
Setback	See § 157.303(B)	None	None	None	None
Size (each/total)	16 sf/no limit	16 sf/no limit	3 sf/3 sf	1 sf/4 sf	16 sf

**Table 2: Residential District Non-residential Use Property Signs**

<i>Type</i>	<i>Flags</i>	<i>Temporary</i>	<i>Variable Message Signs</i>	<i>Permanent Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Minor</i>	<i>Monument</i>	<i>Waterfront</i>
Duration	Unlimited	20 Days	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Illumination	As required by law	None	Indirect	Indirect	None	Indirect	Indirect
Materials	See flag definition	See § 157.303(D)	-	-	-	-	-
Max. height	15 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
Setback	See § 157.303(B)	None	None	None	None	None	None
Size (each/total)	16 sf/no limit	8 sf/8 sf	16 sf/16 sf	16 sf/16 sf	1 sf/4 sf	16 sf	16 sf

**§ 157.321 BUSINESS DISTRICT SIGNS (B-1).**

(A) (1) Except as prohibited in this subchapter, Table 3 below includes signs that are permitted in business districts. ~~(2) In addition, up to one minor sign per business is permitted as a wall sign.~~

(B) 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.

(C) Commercial signs are not permitted as yard signs in business districts.

~~(C)~~(D) Box signs do not count towards the maximum number of signs and flags as outlined in Table 3.

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**Table 3: Business District Property (All Uses) Signs**

<b>Type</b>	<b><i>Permanent- Box, Freestanding, Monument, Pole, Projecting, and Wall</i></b>	<b>Temporary</b>	<b>Flags</b>	<b>Minor</b>	<b>Waterfront</b>	<b><u>Marquee</u> ***</b>
Duration	Unlimited	20 days	Unlimited	Unlimited	Unlimited	Unlimited
Illumination	Indirect	None	As required by law	None	Indirect	Backlit, internally or indirectly
Location	Wall, <u>bracket</u> , <u>window-sign</u> , freestanding or affixed to mailbox	See § 157.303(D)	See § 157.303(B)	Wall, <u>bracket</u> , <u>window</u> , freestanding, or affixed to mailbox	Wall, <u>bracket</u> , <u>window</u> , freestanding, or affixed to mailbox	SUP req.
Maximum number	4 (with no flags)*	Unlimited*	4 (with no signs)*	4 signs total without a permit; up to 2 additional with a permit	Unlimited up to maximum size	1
Maximum height	6 ft	6 ft	15 ft	6 ft	Height of building	Height of building
<b>Setback</b>	<b>None</b>	<b>See <del>§ 157.303(D)</del></b>	<b>See <del>§ 157.303(B)</del></b>	<b>None</b>	<b>None</b>	<b>None</b>
Size (Each)	16 sf (except box signs, which are limited to 4.5 sf by definition)	16 sf total for commercial use property; 8 sf total for residential use property	16 sf	1 sf total	Total: 2 sf/linear foot of building riverfront width, divided into as many signs as occupant wishes	SUP req.

**Table 3: Business District Property (All Uses) Signs**

<i>Type</i>	<i>Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Temporary</i>	<i>Flags</i>	<i>Minor</i>	<i>Waterfront</i>	<i>Marquee</i>
SUP-req.	No	No	No	No	No	Yes
<p>Table notes:</p> <p>* Maximum number is a combination of signs and flags. There shall be no more than four signs and/or flags on any <del>one one property</del> <u>business per parcel</u> at a given time.</p> <p>** Commercial signs are not permitted as yard signs in business districts.</p> <p>*** SUP required prior to install.</p>						

**~~§ 157.322 HISTORIC DISTRICT SIGNS.~~**

~~(A) In the Old and Historic Ocoquan District, a certificate of appropriateness is required before erection or alteration of any structure.~~

~~(B) Repair of an existing sign, or replacement of an existing sign with like materials and colors, does not require a certificate of appropriateness. (1998 Code, § 66-393) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99~~

## ***SIGNS; ADMINISTRATION***

### **§ 157.335 SIGN PERMIT PROCEDURES.**

~~(A) *Applicability.* A sign permit shall be required for all signs erected after December 12, 1995, except for those signs specifically excluded from the sign permit requirements as provided in § 157.307.~~

~~(B) *Filing of application; fees.* Applications for sign permits shall be filed on a form provided by the town by the applicant or his or her agent. Applications for permits for signs in the Old and Historic Ocoquan District shall be subject to review and approval by the Architectural Review Board. All applications for permits for signs outside the Old and Historic Ocoquan District shall be subject to the review and approval of the Zoning Administrator, and shall contain information required in division (C) below, and shall be accompanied by a fee, as established from time to time by resolution of the Town Council.~~

~~(C) *Information required.* All applications for sign permits shall contain or have attached thereto the following information in either written or graphic form:~~

- ~~(1) Name, address, and telephone number of the sign erector and the sign owner;~~
- ~~(2) Positions of the sign in relation to adjacent lot lines, buildings, sidewalks, streets, and intersections;~~
- ~~(3) Type of sign and general description of structural design and construction materials to be used; and~~
- ~~(4) Drawings of the proposed sign, which shall contain specifications indicating the height, perimeter, and area dimensions, means of support, method of illumination, colors, and other significant aspects of the proposed sign.~~

~~(D) *Inspections.* A final inspection shall be completed after installation of approved signs. Any discrepancies between the approved sign and the sign as constructed shall be identified and may result in the halt of construction or sign removal, if so ordered by the town.~~

~~(E) *Revocations.* The town may revoke a permit or approval if it is found that there has been concealment or misrepresentation of material facts in either the application or plans. (1998 Code, § 66-401) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99~~

### ~~§ 157.336 TEMPORARY SIGN PERMIT PROCEDURES.~~

~~(A) All applications for signs requiring the issuance of a temporary sign permit, as established in § 157.302, shall contain all information requested by the town prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Temporary signs remaining after the expiration of the permit shall be removed by the applicant or property owner. If the applicant or property owner fails to do so, after a reasonable attempt to notify the property owner, the town may enter upon the property upon which the sign is located and remove the sign, with the cost of such removal chargeable to the owner of the property.~~

~~(B) All applications for banners, as established in § 157.302, shall contain all information requested by the town prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Banners remaining after the expiration of the permit shall be removed by the applicant or property owner. If the applicant or property owner fails to do so, after a reasonable attempt to notify the property owner, the town may enter upon the property upon which the banner is located and remove the banner, with the cost of such removal chargeable to the owner of the property. (1998 Code, § 66-402) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99~~

### ~~§ 157.337 EXPIRATION OF SIGN PERMITS; SIGNS NOT CONSTRUCTED.~~

~~(A) A sign permit shall expire and become null and void if the approved sign is not erected within a period of 12 months from the date the permit was originally issued. The town may grant one extension of the sign permit for a period of six months, but in no case shall a permit be valid for more than a total of 18 months. Extensions may be granted only when the proposed sign is in compliance with all current applicable regulations.~~

~~(B) A sign permit shall expire and become null and void if the sign is deemed to be an abandoned sign in accordance with the Town Code. Upon the sign being deemed abandoned the sign shall be removed by the owner of the property on which the sign is located, if notified by the town to do so. If the town has made a reasonable attempt to notify the property owner, the town may enter upon the property upon which the sign is located and remove the sign, with the cost of such removal chargeable to the owner of the property. (1998 Code, § 66-403) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020)~~

**~~§ 157.338 VARIANCES TO SIGN REGULATIONS NOT PERMITTED.~~**

~~(There is no text for this section.)~~

~~(1998 Code, § 66-404) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020)~~

**~~§ 157.339 REMOVAL OF SIGNS.~~**

~~(A) *Illegal signs.* The town may remove or order the removal of any illegal sign at the expense of the property owner.~~

~~(B) *Structurally unsafe signs.* Whenever in the opinion of the Zoning Administrator or building official, board a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, or is in need of maintenance, the Zoning Administrator shall order that such sign be made safe, repaired, or removed. Such order shall be complied with within five days of receipt of the order by the person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected.~~

~~(1998 Code, § 66-405) (Ord. passed 9-5-2017; Ord. 2020-06, passed 11-4-2020) Penalty, see § 10.99~~

2. That this ordinance is effective upon passage.

**BY ORDER OF THE TOWN COUNCIL**

Meeting Date: \_\_\_\_\_, 2023  
Town Council Meeting  
Ord No. O-2023-XX

**RE: An Ordinance to Remove § 157.335-157.339 and Amend § 157.300-157.322 of the Town Code Relating to Signage**

**MOTION:  
SECOND:  
ACTION:**

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY** \_\_\_\_\_

**Town Clerk**