

ACTIONS
Board of Supervisors Meeting of March 16, 2005

March 17, 2005

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 6:00 p.m. by the Chairman, Mr. Rooker. All BOS members were present. Also present were Bob Tucker, Larry Davis, and Debi Moyers. 	
<p>4. From the Public: Matters Not Listed on the Agenda.</p> <p><u>Lance Fjeseth:</u></p> <ul style="list-style-type: none"> Distributed a letter to Board members from William E. West and spoke about late night disturbances occurring at the Waffle House on Route 29. Has spoken to police on multiple occasions. Mr. Bowerman said he will speak with Chief Miller and then meet with Mr. Fjeseth and his neighbors. 	
<p>5.1 Set public hearing on 2005-09 Housing Choice Voucher Five-Year Plan and FY 2005-06 Annual Plan.</p> <ul style="list-style-type: none"> SET public hearing for April 20, 2005. 	<u>Clerk:</u> Advertise and schedule on April 20, 2005 agenda.
<p>5.2 Acquisition of Conservation Easements (ACE) appraisals for the Year 2003-04 applicant pool.</p> <ul style="list-style-type: none"> APPROVED staff's recommendation to reject appraisals for the Hill and Page properties and authorized the reappraisal of all four properties in that applicant pool. 	<u>Ches Goodall:</u> Proceed as directed.
<p>6. SP-2004-060. Second Bank & Trust-Southside.</p> <ul style="list-style-type: none"> APPROVED SP-2004-060, by a vote of 6:0, subject to the three conditions recommended by the Planning Commission. 	<u>Clerk:</u> Set out conditions of approval. (Attachment 1)
<p>7. ZMA-2004-016. Glenwood Station (Sign #60).</p> <ul style="list-style-type: none"> APPROVED ZMA-2004-016, by a vote of 5:0 (Mr. Bowerman abstained). 	
<p>8. SP-2004-061. Glenwood Station (Sign #69).</p> <ul style="list-style-type: none"> APPROVED SP-2004-061, by a vote of 5:0 subject to the two conditions recommended by the Planning Commission. (Mr. Bowerman abstained). 	<u>Clerk:</u> Set out conditions of approval. (Attachment 1)
<p>9. ZTA 2004-010. Civil Penalties.</p> <ul style="list-style-type: none"> ADOPTED the ordinance by a vote of 6:0, effective March 16, 2005. 	<u>Clerk:</u> Forward signed copy of Ordinance to County Attorney's Office. Copy to Louise Wyatt, Community Development (Attachment 2)
<p>10. ZTA 2004-005 – Signs.</p> <ul style="list-style-type: none"> ADOPTED the ordinance by a vote of 6:0, effective March 16, 2005. 	<u>Clerk:</u> Forward signed copy of Ordinance to County Attorney's Office. Copy to Amelia McCulley, Community Development (Attachment 3)
<p>11. From the Board: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> None 	
<p>12. Adjourn to March 21, 2005, 1:00 p.m., Room 235.</p> <ul style="list-style-type: none"> The meeting was adjourned at 7:15 p.m. 	

/djm

Attachment 1 – Planning Actions

Attachment 2 – Ordinance No. 05-18(3)

Attachment 3 – Ordinance No. 05-18(4)

ATTACHMENT 1

SP-2004-060. Second Bank & Trust-Southside. **Public hearing** on a request to allow drive-in window to serve bank in accord w/Sec 25.2.2.4 of the Zoning Ord, which allows for drive-in windows serving or associated w/permitted uses. (Site plan SDP-2004-103 is currently under review for this proposed development.) Property contains approx 1.34 acs. Znd PDSC & EC. Loc on S side of Rt 1150 (Mill Creek Dr) approx 240 ft E of intersec w/Rt 742 (Avon St Extd) adj to the Mill Creek Exxon. Scottsville Dist.

1. The site shall be constructed in general accordance with the preliminary site plan entitled "Proposed Site Plan and Special Use Permit, Second Bank & Trust - Southside Branch", last revised December 27, 2004;
2. The furthest lane from the building shall be maintained free of any obstructions and limited to bypassing traffic; and
3. Signage and pavement markings shall be provided at the entrance and exit points of the drive-through lane, subject to Current Development Division engineering approval to ensure appropriate and safe travel patterns.

SP-2004-061. Glenwood Station (Sign #69). **Public hearing** on a request to allow dvlpmnt of drive-thru window as part of financial institution to include total of 3 lanes, with one being dedicated to an ATM in accord w/Sec 20A.6b.1 of the Zoning Ord which allows for drive-through windows serving or associated w/permitted uses in NMD. TM 61, P 129F. Loc on S side of E Rio Rd, directly across from Rio E Court & between Fashion Square Mall & Squire Hill Apartments, Rt 631, approx 1,600 ft from intersec of Rt 29 & Rio Rd E. Rio Dist.

1. The outside lane is dedicated to bypass traffic only; and
2. The drive-through window as part of a financial institution shall be limited to three (3) lanes that follow through to the teller windows and the ATM machine.

ORDINANCE NO. 05-18(3)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE V, VIOLATION AND PENALTY, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article IV, Violation and Penalty, is hereby amended and reordained as follows:

By Amending:

Sec. 37.2 Civil penalty

Chapter 18. Zoning

Article V. Violation and Penalty

Sec. 37.2 Civil penalty.

Any person, whether owner, lessee, principal, agent, employee or otherwise, who violates any provision of this chapter, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or structure or uses any building, structure or land in violation of this chapter or any site plan or other detailed statement or plan submitted by him and approved under the provisions of this chapter, shall be subject to the following:

- A. *Schedule of violations subject to one hundred dollar (\$100.00) civil penalty for first violation.* Any violation of the following provisions of this chapter shall be subject to a civil penalty of one hundred dollars (\$100.00) for the first violation, and a civil penalty of two hundred fifty dollars (\$250.00) for each subsequent violation arising from the same set of operative facts:
1. Each use of a lot, including the use of any structure thereon, not authorized either as a matter of right or by special use permit by the zoning regulations applicable to the district in which the lot is located, in violation of, as applicable, sections and subsections 10.2, 12.2, 13.2, 14.2, 15.2, 16.2, 17.2, 18.2, 19.3, 20.3, 20.4, 20.5, 20.6, 21.2, 22.2, 23.2, 24.2, 25.2, 25A.2, 26.3, 27.2, 28.2, 29.2, 30.2.4, 30.3.05, 30.3.06, 30.4.02, 30.5.5 or 30.6.3.
 2. The location of a structure or improvement in an area other than a building site, in violation of subsection 4.2.3.1.
 3. The location of a structure or improvement or engaging in land disturbing activity on slopes of twenty-five percent or greater, in violation of subsection 4.2.3.2.
 4. The cutting of trees in violation of section 4.3.
 5. The placement, allowance of, erection or maintenance of a material impediment to visibility so as to restrict sight distance in violation of section 4.4.
 6. Any violation of section 4.10, which regulates the height of buildings and other structures, except as provided in subsection (B)(1).

7. Any violation of section 4.12, which regulates off-street parking.
8. Any violation of section 4.15, which regulates permanent and temporary signs, except as provided in subsection (F).
9. Any violation of section 4.17, which regulates outdoor lighting.
10. Any violation of section 5, which establishes supplementary regulations for certain uses authorized in the several zoning districts. (Amended 2-13-02)
11. Any violation of sections 31.2.1, 31.2.2 or 31.2.3, which regulate use and occupancy when building permits, certificates of occupancy, and zoning compliance clearance are required, respectively. (Added 2-13-02)
12. Any violation of section 32, which regulates site plans and development pursuant thereto. (Amended 2-13-02)
13. Any violation of a proffer, or a planned development application plan, special use permit, variance, site plan, certificate of appropriateness or any condition related thereto. (Amended 2-13-02)

B. *Schedule of violations subject to fifty dollar (\$50.00) civil penalty for first violation. Any violation of the following provisions of this chapter shall be subject to a civil penalty of fifty dollars (\$50.00) for the first violation, and a civil penalty of two hundred fifty dollars (\$250.00) for each subsequent violation arising from the same set of operative facts:*

1. The construction, erection or location of an accessory building in a residential district in violation of subsection 4.10.3.4.
2. Any violation of section 4.11, which regulates uses and structures permitted in required yards.
3. The use of a major recreational vehicle in violation of subsection 4.13.1.2.
4. The parking of a truck with a gross vehicle weight of twelve thousand (12,000) pounds or more or a dual-wheeled recreational vehicle in a residential district in violation of subsection 4.13.3. Each such truck or dual-wheeled recreational vehicle parked in a residential district in violation of subsection 4.13.3 shall constitute a separation violation.
5. Any violation of section 4.18, which regulates noise.
6. The failure to maintain or replace recreational equipment in violation of subsection 4.16.3.2.
7. Any violation of section 6, which regulates nonconformities. (Amended 2-13-02)

C. Each day during which a violation is found to exist shall be a separate offense. However, the same scheduled violation arising from the same operative set of facts may be charged not more than once in a ten (10) day period, and the total civil penalties from a series of such violations arising from the same set of operative facts shall not exceed five thousand dollars (\$5,000.00).

- D. Any person summoned for a scheduled violation may elect to pay the civil penalty by making an appearance in person or in writing by mail to the department of finance prior to the date fixed for trial in court. A person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. A signature to an admission of liability shall have the same force and effect as a judgment of court. However, such an admission shall not be deemed a criminal conviction for any purpose. If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. A finding of liability shall not be deemed a criminal conviction for any purpose.

- E. The designation of a particular violation in section 37.2(A) or (B) shall be in lieu of any criminal penalty and, except for any violation resulting in injury to persons, such a designation shall preclude the prosecution of the particular violation as a criminal misdemeanor, but shall not preclude any other remedy available under this chapter.

- F. The designation of a particular violation in section 37.2(A) or (B) shall not be construed to allow the imposition of civil penalties: (i) for activities related to land development within the meaning of Virginia Code § 10.1-603.2; or (ii) for violation of any provision of the zoning ordinance relating to the posting of signs on public property or public rights-of-way.

- G. Any reference herein to a section of this chapter shall include all subsections and paragraphs of that section.

(Ord. 00-18(5), 6-14-00; Ord. 02-18(3), 2-13-02; Ord. 05-18(3), 3-16-05)

State law reference – Va. Code § 15.2-2209.

ORDINANCE NO. 05-18(4)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE II, BASIC REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article II, Basic Regulations, of the Code of the County of Albemarle are amended and reordained as follows:

By Amending:

- Sec. 4.15.2 Definitions
- Sec. 4.15.6 Signs exempt from the sign permit requirement
- Sec. 4.15.7 Prohibited signs and sign characteristics
- Sec. 4.15.16 Regulations applicable to certain sign types
- Sec. 4.15.22 Sign maintenance

Chapter 18. Zoning

Article 2. Basic Regulations

Sec. 4.15.2 Definitions

The following definitions shall apply in the interpretation and implementation of this section 4.15:

(1) *Advertising vehicle.* The term “advertising vehicle” means a motor vehicle, trailer or semi trailer (collectively, “vehicle”) having a permanent or temporary sign affixed, painted on or placed upon it, including a sign that alters the vehicle’s manufacturer’s profile; provided that a temporary sign affixed to an employee’s private vehicle during his or her working hours is not an advertising vehicle.

(1.1) *Agricultural product sign.* The term “agricultural product sign” means a sign or signs identifying the produce, crops, animals or poultry raised or quartered on the property.

...

(7) *Banner.* The term “banner” means a temporary sign that is not a pennant, consisting of a piece of fabric or other flexible material, suspended from a fixed structure, rope, wire, string or cable.

...

(20) *Farm sign.* The term “farm sign” means a sign that identifies the name of a property in agricultural or forestal use.

...

(22) *Flag.* The term “flag” means a sign consisting of a piece of fabric or other flexible material attached to a flag pole, except as otherwise authorized. A flag representing the official symbol of a national, state or local government is not a sign for the purposes of section 4.15 (for federal law pertaining to flying the flag of the United States of America, see 4 U.S.C. § 5 *et seq.*). A “commercial flag” is a flag that contains commercial speech. A “noncommercial flag” is a flag that contains no commercial speech, such as decorative, hospitality, and seasonal flags containing no advertising, words or logos related to a specific business, product or service, and does not represent the official symbol of a national, state or local government.

...

(37) *Pennant.* The term “pennant” means a series of two (2) or more sections of a piece of fabric or other flexible material that is generally triangular and tapering, suspended from a fixed structure, rope, wire, string or cable and designed to move in the wind and including, but not limited to, streamers and tinsel.

...

(39) *Portable sign.* The term “portable sign” means a temporary sign that is not permanently affixed to the ground or to a permanent structure, or a sign that can be moved to another location including, but not limited to, a sign erected on a trailer, a sign with attached wheels, or a sign consisting of A-shaped or T-shaped frames. See Figure I following this section.

...

(42.1) *Rare gas illumination:* The term “rare gas illumination” means a sign using a rare gas such as neon, argon, helium, xenon or krypton in a glass tube for illumination.

...

(47) *Sign.* The term “sign” means any object, device or structure, or any part thereof including the sign face and the sign structure, visible from beyond the boundaries of the lot on which it is located, which exists primarily to advertise, identify, display, or direct or attract attention to a structure, object, person, institution, organization, business, product, service, event, issue or location by any means, including letters, figures, designs, devices, pictures, projected images, symbols, fixtures, colors, logos, emblems, or insignias or any part or combination thereof.

...

(51) *Temporary sign.* The term “temporary sign” means a sign that is displayed for only a limited period of time authorized in section 4.15.4(D), that describes or identifies participants in a seasonal, brief or particular event or activity to be or being conducted upon a lot.

...

(55) *Window sign.* The term “window sign” means a permanent or temporary sign affixed to the interior or exterior of a window or door, or within three (3) feet of the interior of the window or door; provided that the display of goods available for purchase on the premises is not a window sign.

Sec. 4.15.6 Signs exempt from the sign permit requirement

The following signs are exempt from the sign permit requirement set forth in section 4.15.4 provided that they comply with the regulations set forth below and all other applicable regulations of this section 4.15:

- (1) *Agricultural product sign.* One or two agricultural product signs that do not exceed an aggregate of thirty-two (32) square feet in sign area.
- (2) *Auction sign.* An auction sign that does not exceed four (4) square feet in sign area, and which is posted for a total of thirty (30) days or less in a calendar year. Such an auction sign shall be removed within seven (7) days after date of the auction.
- (3) *Commemorative plaque.* A commemorative plaque that does not to exceed four (4) square feet in sign area.
- (4) *Construction sign.* A construction sign that does not exceed thirty-two (32) square feet in sign area. Such a construction sign shall be removed within seven (7) days after issuance of a certificate of occupancy.
- (5) *Estate sign.* An estate sign that does not exceed four (4) square feet in sign area.
- (6) *Farm sign.* A farm sign that does not include commercial identification and does not exceed four (4) square feet in sign area.
- (7) *Home occupation class B sign.* A home occupation class B sign that does not exceed four (4) square feet in sign area.
- (8) *Incidental sign.* An incidental sign that does not exceed four (4) square feet in sign area.

- (9) *Political sign.* One or more political signs that do not exceed the maximum sign area allowed for the physical type of the sign (e.g., freestanding, wall) within the applicable zoning district.
- (10) *Private drive sign.* A private drive sign that does not exceed four (4) square feet in sign area, limited to one such sign per entrance.
- (11) *Public sign.* A public sign.
- (12) *Residence sign.* A residence sign that does not exceed four (4) square feet in sign area.
- (13) *Residential sign.* One or more residential signs that are not illuminated signs and do not exceed thirty-two (32) square feet in cumulative sign area.
- (14) *Special decorative display.* A special decorative display used for holidays or public events, and which is displayed for a total of sixty (60) days or less in a calendar year. Such a display shall be removed within seven (7) days of said event.
- (15) *Temporary directional sign.* A temporary directional sign that is erected no closer than five (5) feet from a front lot line and does not exceed four (4) square feet in sign area.
- (16) *Real estate sign.* A real estate sign that does not exceed thirty-two (32) square feet in sign area. Such a real estate sign shall be removed from the site within seven (7) days of sale, lease or rental.
- (17) *Warning sign.* A warning sign that is erected by a private landowner and does not exceed four (4) square feet in sign area.
- (18) *Window sign.* A permanent window sign, provided that it does not exceed twenty-five percent (25%) of the total area of the window or door on which it is located, and 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 and door; and further provided that if a permanent window sign will be on a structure within the entrance corridor overlay district and the window sign is visible from an entrance corridor overlay street, that the aggregate area of all window signs shall not exceed nine (9) square feet per business and that a certificate of appropriateness for the window sign is obtained as provided in section 4.15.15.
- (19) *Commercial flag.* A commercial flag, subject to the following: (i) not more than one (1) flag may be flown on a lot, provided that if the lot is four (4) acres or larger, then one (1) additional flag may be flown; (ii) the flag shall not exceed twenty-four (24) square feet in size; and (iii) the flag shall be flown on a flag pole and, if two (2) flags may be flown, they may either be on the same or on separate flag poles.
- (20) *Noncommercial flag.* A noncommercial flag, subject to the following: (i) the flag shall not exceed twenty-four (24) square feet in size; (ii) on commercial, institutional and industrial lots, the flag shall be displayed only on privately owned light posts and shall be installed in a manner so that it remains taut and flapping and movement is minimized; (ii) on residential and agricultural lots, the flag shall be displayed from a mount on a dwelling unit or other permitted primary or accessory structure, a flag pole, a mast, or suspended from a fixed structure, rope, wire, string or cable.
- (21) *Advertising vehicle.* An advertising vehicle in which none of the prohibited conditions delineated in section 4.15.7(c)(2)(ii) or (iii) exist that is: (i) used as transportation for the business; and (ii) parked in an approved parking space or parking area that serves the advertised business, or temporarily parked at another business to actively receive or provide goods or services, such as to load or unload goods, provide on-site services, receive vehicle maintenance and repair, or obtain food for the driver and passengers.

(12-10-80; 7-8-92, § 4.15.04; Ord. 01-18(3), 5-9-01; Ord 05-18(4), 3-16-05)

State law reference – Va. Code § 15.2-2280.

Sec. 4.15.7 Prohibited signs and sign characteristics

Notwithstanding any other provision of this section 4.15, the following signs and sign characteristics are prohibited in all zoning districts:

- a. *Signs that violate state or federal law.* Signs that violate state or federal law, including but not limited to:
 1. A sign that violates any law of the Commonwealth of Virginia related to outdoor advertising, including but not limited to Virginia Code §§ 33.1-351 to 33.1-381, inclusive, and 46.1-174.
 2. A sign that violates any law of the United States related to the control of outdoor advertising, including but not limited to 23 U.S.C. § 131.
 3. A sign that violates any state or federal law related to Virginia byways or scenic highways.
 4. A sign that violates the building code or the fire code.
- b. *Signs with characteristics that create a safety hazard or are contrary to the general welfare.* Signs whose construction, design, location or other physical characteristic create a safety hazard or are contrary to the general welfare, as follows:
 1. *Sign that is attached to another thing.* A sign, other than a public sign or a warning sign, that is nailed, tacked, painted or in any other manner attached to any tree, cliff, fence, utility pole or support, utility tower, rack, curbstone, sidewalk, lamp post, hydrant, bridge or public property of any description.
 2. *Sign that casts illumination off-site.* A sign that casts illumination, directly or indirectly, on any street, or on any adjacent property within a residential district.
 3. *Floating sign.* A sign that is a moored balloon or other type of tethered floating sign.
 4. *Lighting that illuminates outline.* Lighting that outlines any structure, window, sign structure, sign or part thereof using rare gas illumination or other light.
 5. *Sign that imitates a traffic sign or signal or a road name sign.* A sign that imitates an official traffic sign or signal or a road name sign, or conflicts with traffic safety needs due to its location, color, movement, shape or illumination.
 6. *Sign using rare gas illumination.* A sign that uses exposed, bare or uncovered rare gas illumination having a brightness that exceeds thirty (30) milliamps; provided that a sign within the entrance corridor overlay district that is visible from an entrance corridor overlay street that uses exposed, bare or uncovered rare gas illumination in clear, rather than frosted, tubing, regardless of brightness, is also prohibited.
 7. *Sign that obstructs vision.* A sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle, or pedestrian traffic due to its location, shape, illumination or color; and window signs whose aggregate area on a window or door exceed twenty five percent (25%) of the total area of the window or door.
 8. *Pennants, ribbons, spinners streamers.* Pennants, ribbons, spinners, streamers or similar moving devices, whether or not they are part of a sign.
 9. *Sign erected in public right-of-way.* A sign, other than a public sign, erected on or over a public right-of-way unless the sign is authorized under section 4.15.5.

10. *Sign that contains or consists of searchlight, beacon or strobe light.* A sign, other than a public sign, that contains or consists of a searchlight, beacon, strobe light, or similar form of illumination.
11. *Sign that produces sound.* A sign that produces sound for the purpose of attracting attention regardless of whether the sign has a written message content.
12. *Sign that contains or consists of strings of light bulbs.* A sign that contains or consists of one (1) or more strings of light bulbs that is not part of a decorative display.
13. *Sign with unsafe illumination.* A sign that is illuminated so as to be unsafe to vehicular or pedestrian traffic.
14. *Sign erected in unsafe location.* A sign that is erected in a location so as to be unsafe to vehicular or pedestrian traffic.
15. *Sign determined by official to create safety hazard.* A sign whose characteristics, including but not limited to its construction, design or location, are determined by a fire official, the building official, or a law enforcement officer to create a safety hazard.
16. *Window sign above the first floor, exception.* A commercial window sign affixed to a window or door above the first floor of the structure unless the business to which the sign pertains does not occupy any first floor space.

c. *Certain sign types.* Signs that are:

1. Animated signs, including signs using rare gas illumination, that give the appearance of animation.
2. Advertising vehicles, where the: (i) the vehicle is parked so as to be visible from a public right-of-way in a parking space or parking area not authorized by section 4.15.6(20); (ii) the vehicle is inoperable; or (iii) the vehicle is incapable of moving on its own or is not self-propelled.
3. Banners, except as an authorized temporary sign under section 4.15.4(d).
4. Billboards.
5. Flashing signs.
6. Moving signs, including signs using rare gas illumination, that give the appearance of movement, but not including flags that meet the requirements of sections 4.15.6(18) or 4.15.6(19).
7. Roof signs.

(12-10-80; 7-8-92, § 4.15.06; Ord. 01-18(3), 5-9-01; Ord. 05-18(4), 3-16-05)

State law reference – Va. Code § 15.2-2280.

Sec. 4.15.16 Regulations applicable to certain sign types

In addition to all other regulations set forth in this section 4.15, the following regulations apply to the sign types identified herein:

- a. *All sign types.* The following regulations shall apply to all signs, including exempt signs: (i) no sign shall be erected within the applicable minimum setback area or within the sight distance

- triangle; and (ii) the area of the sign face shall not exceed two hundred (200) percent of the sign area.
- b. *Anchor signs.* In each shopping center exceeding one hundred thousand (100,000) square feet in gross floor area: (i) one (1) freestanding anchor sign shall be permitted for each one hundred thousand (100,000) square feet in gross floor area, not to exceed four (4) anchor signs at the shopping center; and (ii) each anchor sign shall not exceed six (6) square feet in sign area.
 - c. *Canopy signs.* A canopy sign shall not extend above or below the edge of the canopy's fascia.
 - d. *Freestanding signs.* The following regulations shall apply to freestanding signs: (i) the maximum combined size of a freestanding sign and its support structure shall not exceed two and one-half (2.5) times the maximum allowable sign size; and (ii) a lot with less than one hundred (100) feet of frontage, on which there is erected a freestanding sign on the date of the adoption of this regulation, shall be permitted one (1) freestanding sign.
 - e. *Gasoline service station fuel price signs.* Gasoline service stations shall be permitted additional sign area for the exclusive purpose of displaying fuel prices. This sign area shall be calculated at a maximum of fifty (50) percent of the principal sign area to which it is attached or sixteen (16) square feet, whichever is less.
 - f. *Menu signs.* An outdoor menu sign shall be permitted as a directory sign only on a lot with a permitted drive-through use and shall not be visible from any street.
 - g. *Off-site signs.* An off-site sign shall count toward the signage allowed on the lot on which the sign is located.
 - h. *Projecting signs.* A projecting sign shall not be mounted on the fascia of a canopy and shall not be mounted such that the projecting sign extends, in whole or in part, above the top of the wall structure.
 - i. *Wall signs.* In order to be eligible to have a wall sign, the establishment shall have an exterior wall.
 - j. *Signs using rare gas illumination.* Signs using exposed rare gas illumination, and signs within the entrance corridor overlay district visible from an entrance corridor overlay street that use rare gas illumination covered by a transparent material, shall not have a brightness that exceeds thirty (30) milliamps. Brightness shall be determined by the zoning administrator, who shall consider information provided by the sign manufacturer, the rated size of the sign's transformer, and any other relevant information deemed appropriate.

(12-10-80; 7-8-92, § 4.15.12; Ord. 01-18(3), 5-9-01; Ord. 05-18(4), 3-16-05)

State law reference – Va. Code § 15.2-2280.

Sec. 4.15.22 Sign maintenance

Each sign, including the sign structure, shall be maintained at all times in a safe structural condition, and in a neat and clean condition, and shall be kept free from defective or missing parts. If the sign is illuminated, all lighting fixtures and sources of illumination shall be maintained in proper working order.