

ORDINANCE NO. 15-18()

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, is hereby amended and reordained as follows:

By Amending:

- Sec. 4.15.4A Signs authorized by temporary sign permit
- Sec. 4.15.12 Regulations applicable in the C-1, CO and HC zoning districts
- Sec. 4.15.13 Regulations applicable in the PD-SC and PD-MC zoning districts
- Sec. 4.15.14 Regulations applicable in the HI, LI and PD-IP zoning districts

Chapter 18. Zoning

Article II. Basic Regulations

Sec. 4.15.4A Signs authorized by temporary sign permit

A permit shall be required for each temporary sign (hereinafter, a “temporary sign permit”), prior to its erection, alteration, replacement or relocation, as provided herein:

- a. *Application.* An application for a temporary sign permit shall be submitted to the department of community development, together with payment of the fee required for the application pursuant to section 35.1, and comply with the application requirements of subsection 4.15.4(a).
- b. *Application review and permit issuance.* A temporary sign permit application shall be reviewed and acted upon by the zoning administrator only as provided herein:
 - 1. *Action on application.* Within seven (7) days after receipt of a complete application, the zoning administrator shall either: (i) approve the application; (ii) deny the application; or (iii) refer the application to the applicant for more information as may be required by section 4.15.4(a)(3). An application shall be denied only if the proposed temporary sign is a prohibited sign or does not comply with the regulations set forth in this section 4.15. If the application is denied, the reasons shall be specified in writing.
 - 2. *Failure to timely act.* If the zoning administrator fails to take one of the actions described herein within seven (7) days after receipt of a complete sign application for a temporary sign, the permit shall be deemed approved as received.
- c. *Administration.* The following regulations shall apply to the administration of temporary sign permits:
 - 1. *Number of permits.* No more than six (6) temporary sign permits shall be issued by the zoning administrator to the same establishment, or lot not containing an establishment, in any calendar year, provided that a temporary sign erected to replace a permanent sign as provided in subsection (c)(2)(b) shall not count toward this limit.
 - 2. *Period of validity.* Each temporary sign permit shall be valid for the following periods:

- (a) *Generally.* Except as provided in subsection (c)(2)(b), for a period not to exceed fifteen (15) consecutive days after the erection of the sign, provided that a temporary sign permit issued while a permanent sign is being made may be valid for longer than fifteen (15) days until the permanent sign is erected.
 - (b) *Within limits of VDOT construction project during construction; where existing permanent sign removed.* For the period between the date the sign is erected, which shall be on or after the date the Virginia Department of Transportation (“VDOT”) issues a notice to proceed for a VDOT construction project, until the date of project construction completion as evidenced by the date that is thirty (30) days after the date VDOT issues a form C-5 or makes an equivalent written determination, or until a permanent sign to replace the removed permanent sign is installed at the establishment or on the lot, whichever occurs first, provided that: (1) the temporary sign is erected to replace a permanent sign on a lot abutting a primary arterial or other public street within the project limits of the construction project that includes the primary arterial; and (2) the permanent sign was required by VDOT to be removed in conjunction with the construction project.
 - (c) *Within limits of VDOT construction project during construction.* For the period between the date the sign is erected, which shall be on or after the date the Virginia Department of Transportation (“VDOT”) issues a notice to proceed for a VDOT construction project, until the date of project construction completion as evidenced by the date that is thirty (30) days after the date VDOT issues a form C-5 or makes an equivalent written determination, provided that: (1) not more than one (1) sign authorized by this subsection per lot may be erected; (2) the lot has an existing primary use or a structure for a pending primary use is under construction; (3) the lot abuts a primary arterial or other public street within the project limits of the construction project that includes the primary arterial; (4) the lot is within a zoning district subject to sections 4.15.12, 4.15.13, or 4.15.14; and (5) the sign area of the sign shall not exceed either thirty-two (32) square feet if the sign identifies three (3) or fewer establishments, or forty-eight (48) square feet if the sign identifies four (4) or more establishments, where the establishments identified on the sign may be those located on the lot on which the sign is located and any lot that abuts the lot on which the sign is located, provided that the abutting lot is also within the project limits of the construction area and does not abut a primary arterial or other public street.
3. *Aggregate duration for temporary signs in calendar year.* Temporary signs shall not be erected at an establishment for more than sixty (60) days, in the aggregate, in a calendar year, provided that this limit shall not apply to a temporary sign ~~erected to replace a permanent sign as provided in~~ authorized by subsections (c)(2)(b) and (c)(2)(c).
4. *Portable signs; stabilization.* A temporary sign that is a portable sign shall be stabilized so as not to pose a danger to public safety. Prior to the sign being erected, the zoning administrator shall approve the method of stabilization.
- d. *Exemptions.* A temporary sign permit is not required for a sign exempt from the sign permit requirement under section 4.15.6 or nonconforming signs subject to section 4.15.24.

(Ord. 12-18(2), 3-14-12)

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

Sec. 4.15.12 Regulations applicable in the C-1, CO and HC zoning districts

The following regulations pertaining to the number of signs permitted per lot or establishment, the sign area, sign height, and setback requirements shall apply to each sign for which a sign permit is required within the Commercial (C-1), Commercial Office (CO) and Highway Commercial (HC) zoning districts:

Sign Type	Number of Signs Allowed	Sign Area (Maximum)	Sign Height (Maximum)	Sign Setback (Minimum)
<i>Directory</i>	1 or more per establishment, as authorized by zoning administrator	24 square feet, aggregated	6 feet	5 feet
<i>Freestanding</i>	1 per street frontage, or 2 per entrance, per lot with 100 or more feet of continuous street frontage plus 1 per lot if the lot is greater than 4 acres and has more than 1 approved entrance on its frontage	32 square feet, aggregated, plus bonus tenant panels as provided in section 4.15.16(b); if more than 1 sign at an entrance, no single sign shall exceed 16 square feet	12 feet	5 feet
<i>Projecting*</i>	1 per street frontage	32 square feet	30 feet, but not to exceed the top of the fascia or mansard	Not applicable
<i>Temporary**</i>	1 per street frontage per establishment	32 square feet	12 feet, if freestanding sign; 30 feet if wall sign, but not to exceed the cornice line	5 feet
<i>Wall*</i>	As calculated pursuant to section 4.15.20	In the C-1 and CO zoning districts, 1.5 square feet per 1 linear foot of establishment structure frontage, not to exceed 100 square feet; in the HC zoning district, 1.5 square feet per 1 linear foot of establishment structure frontage, not to exceed 200 square feet	Not to exceed the cornice line	Same as that applicable to structure

*Each establishment may have both a projecting sign and a wall sign. If the establishment has both such signs, the allowed sign area of the wall sign shall be reduced by the sign area of the projecting sign (which may not exceed thirty-two (32) square feet).

**Temporary signs within the limits of Virginia Department of Transportation construction projects may have a sign area of up to forty-eight (48) square feet as provided in section 4.15.4A(c)(2)(c).

(12-10-80; 7-8-92, § 4.15.12.5; Ord. 01-18(3), 5-9-01; Ord. 12-18(2), 3-14-12; Ord. 12-18(5), 9-12-12)

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

Sec. 4.15.13 Regulations applicable in the PD-SC and PD-MC zoning districts

The following regulations pertaining to the number of signs permitted per lot or establishment, the sign area, sign height, and setback requirements shall apply to each sign for which a sign permit is required within the Planned Development-Shopping Center (PD-SC) and Planned Development-Mixed Commercial (PD-MC) zoning districts:

Sign Type	Number of Signs Allowed	Sign Area (Maximum)	Sign Height (Maximum)	Sign Setback (Minimum)
<i>Directory</i>	1 or more per establishment, as authorized by zoning administrator	24 square feet, aggregated	6 feet	5 feet

Freestanding	1 per street frontage, or 2 per entrance, per lot with 100 or more feet of continuous street frontage plus 1 per lot if the lot is greater than 4 acres and has more than 1 approved entrance on its frontage	32 square feet, aggregated, plus bonus tenant panels as provided in section 4.15.16(b); if more than 1 sign at an entrance, no single sign shall exceed 16 square feet	16 feet	5 feet
Projecting*	1 per street frontage	32 square feet	30 feet, but not to exceed the top of the fascia or mansard	Not applicable
Temporary**	1 per street frontage per establishment	32 square feet	12 feet, if freestanding sign; 30 feet if wall sign, but not to exceed the cornice line	5 feet
Wall*	As calculated pursuant to section 4.15.20	1.5 square feet per 1 linear foot of establishment structure frontage, not to exceed 200 square feet	Not to exceed the cornice line	Same as that applicable to structure

*Each establishment may have both a projecting sign and a wall sign. If the establishment has both such signs, the allowed sign area of the wall sign shall be reduced by the sign area of the projecting sign (which may not exceed thirty-two (32) square feet).

**Temporary signs within the limits of Virginia Department of Transportation construction projects may have a sign area of up to forty-eight (48) square feet as provided in section 4.15.4A(c)(2)(c).

One (1) sandwich board sign is permitted for each establishment, subject to the requirements of section 4.15.16(i).

(12-10-80; 7-8-92, § 4.15.12.6; Ord. 01-18(3), 5-9-01; Ord. 12-18(2), 3-14-12)

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

Sec. 4.15.14 Regulations applicable in the HI, LI and PD-IP zoning districts

The following regulations pertaining to the number of signs permitted per lot or establishment, the sign area, sign height, and setback requirements shall apply to each sign for which a sign permit is required within the Heavy Industry (HI), Light Industry (LI) and Planned Development-Industrial Park (PD-IP) zoning districts:

Sign Type	Number of Signs Allowed	Sign Area (Maximum)	Sign Height (Maximum)	Sign Setback (Minimum)
Directory	1 or more per establishment, as authorized by zoning administrator	24 square feet, aggregated	6 feet	5 feet
Freestanding	1 per street frontage, or 2 per entrance, per lot with 100 or more feet of continuous street frontage plus 1 per lot if the lot is greater than 4 acres and has more than 1 approved entrance on its frontage	32 square feet, aggregate, plus bonus tenant panels as provided in section 4.15.16(b); if more than 1 sign at an entrance, no single sign shall exceed 16 square feet	16 feet	5 feet
Projecting*	1 per street frontage	32 square feet	30 feet, but not to exceed the top of the fascia or mansard	5 feet
Temporary**	1 per street frontage per establishment	32 square feet	12 feet, if freestanding sign; 30 feet if wall sign, but not to exceed the cornice line	5 feet
Wall*	As calculated pursuant to section 4.15.20	1.5 square feet per 1 linear foot of establishment structure frontage, not to exceed 200 square feet	Not to exceed the cornice line	Same as that applicable to structure

*Each establishment may have both a projecting sign and a wall sign. If the establishment has both such signs, the allowed sign area of the wall sign shall be reduced by the sign area of the projecting sign (which may not exceed thirty-two (32) square feet).

**Temporary signs within the limits of Virginia Department of Transportation construction projects may have a sign area of up to forty-eight (48) square feet as provided in section 4.15.4A(c)(2)(c).

Within the PD-IP zoning district, one (1) sandwich board sign is permitted for each establishment, subject to the requirements of section 4.15.16(i).

(12-10-80; 7-8-92, § 4.15.12.7; Ord. 01-18(3), 5-9-01; Ord. 12-18(2), 3-14-12)

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

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	Aye	Nay
Mr. Boyd	_____	_____
Ms. Dittmar	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Sheffield	_____	_____