

COUNTY OF ALBEMARLE



MEMORANDUM

TO: Albemarle County Board of Supervisors

FROM: Greg Kamptner, Deputy County Attorney

DATE: November 30, 2015

RE: *Section-by-Section Summary of the Proposed Sign Ordinance*

This memorandum provides a section-by-section summary of the contents of the proposed sign ordinance.

Sec. 4.15.1 Purpose and intent: This section states the purposes for regulating signs, the most common of which are preserving aesthetics, promoting traffic safety, and protecting property values. This section also articulates the compelling governmental interest in regulating a limited number of noncommercial signs by their content; *e.g.*, address signs, warning signs, and certain directional signs.

Sec. 4.15.2 Applicability: This section provides that the sign regulations apply to outdoor signs and window signs, and informs the readers that non-exempt signs in the entrance corridor overlay district are subject to the entrance corridor overlay district's applicable regulations.

Sec. 4.15.3 Definitions and qualifications: This section defines terms used in the sign regulations. Many definitions have been added, many have been amended to improve clarity, and many have been deleted, particularly those that defined classes of noncommercial signs based on their content or otherwise. This section also includes many qualifications for certain signs that were scattered in various sections of the current sign regulations.

Sec. 4.15.5 Permanent signs for which sign permit is required; signs exempt from obtaining a sign permit: This section establishes the procedure for reviewing and acting on a sign permit application, which is not materially changed from the current procedure. The types of permanent signs that are not required to obtain a sign permit have been moved from a remote section to the permitting section to make the regulations more user friendly and easier to administer.

Sec. 4.15.6 Signs for which temporary sign permit is required; temporary exempt from obtaining temporary sign permit: This section accomplishes for temporary signs the same thing that section 4.15.5 accomplishes for permanent signs.

Sec. 4.15.7 Signs authorized by special use permit; off-site directional signs, off-site bundle signs, signs in a public right-of-way, electric message signs: This section consolidates the sign classifications that are allowed only by special use permit in a single section. The current standards to qualify for a special use permit and the relevant factors to be considered for these signs are not changed.

Sec. 4.15.8 Prohibited signs and sign characteristics: This section lists numerous signs (*e.g.*, private signs that look like public traffic warning signs) and sign characteristics (*e.g.*, flashing signs, moving signs) that are prohibited. The list is not materially changed from the current list, other than to update references to other laws.

Sec. 4.15.9 Maximum sign number, area, height, and minimum sign setback in the RA, MHD, VR, R-1, R-2, R-4, R-6, R-10, R-15, and PRD zoning districts: This section is composed of a table delineating the maximum number, area, and height and the minimum setbacks, for the agricultural and residential zoning districts, and relevant standards from various sections in the current sign regulations have been consolidated in the text that follows the tables.

Sec. 4.15.10 Maximum sign number, area, height, and minimum sign setback in the PUD, DCD, and NMD zoning districts: This section is composed of a table delineating the maximum number, area, and height and the minimum setbacks, for the mixed use (residential and nonresidential) planned districts, and relevant standards from various sections in the current sign regulations have been consolidated in the text that follows the tables.

Sec. 4.15.11 Maximum sign number, area, height, and minimum sign setback in the C-1, CO, PD-SC, PD-MC, HI, LI, and PD-IP zoning districts: This section is composed of a table delineating the maximum number, area, and height and the minimum setbacks, for the commercial and industrial districts, and relevant standards from various sections in the current sign regulations have been consolidated in the text that follows the tables.

Sec. 4.15.12 Maximum freestanding sign size; sign face; measuring sign area: This section establishes the maximum size of a freestanding sign and its support structure, the maximum area of a sign face in relation to the sign area, and explains what is included and excluded when measuring the sign area.

Sec. 4.15.13 Measuring sign height: This section explains how a sign's height is measured.

Sec. 4.15.14 Measuring sight distance triangle; signs prohibited therein: This section prohibits signs being erected in the sight distance triangle, an area of land at street corners where a sign's placement would create a driving hazard. This section also explains how the sight distance triangle is measured.

Sec. 4.15.15 Measuring permitted wall signage based on structure frontage: This section establishes how a structure's frontage is calculated, which is the basis for determining how much wall sign area is allowed in the mixed use planned districts (section 4.15.10) and the commercial and industrial districts (section 4.15.11).

Sec. 4.15.16 Measuring sign setback; signs prohibited therein: This section prohibits locating signs within a setback and explains how the setback is measured.

Sec. 4.15.17 Sign Illumination: This section requires that sign illumination comply with the outdoor light regulations, establishes the brightness standard for signs using rare gas (*e.g.*, neon) illumination, and requires that all internally illuminated signs in the entrance corridor overlay district have an opaque background.

Sec. 4.15.18 Sign maintenance: This section requires that signs be maintained in a safe structural condition and illuminated signs be kept in proper working order.

Sec. 4.15.19 Sign alteration, repair, or removal; when required: This section establishes when signs must be repaired or removed.

Sec. 4.15.20 Nonconforming signs: This section establishes how nonconforming (signs that were lawfully established at the time, but the regulations have changed and the sign no longer complies with the current sign regulations) are regulated and the conditions under which changes may be made to such a sign.