

INTRODUCED: July 24, 2017

AN ORDINANCE No. 2017-149

To amend various provisions of ch. 30, art. V and § 30-1220 of the City Code for the purpose of conforming the sign regulations in the City’s zoning ordinance to controlling legal authority as decided by the Supreme Court of the United States of America.

Patrons – Mayor Stoney and Mr. Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 11 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 30-500, 30-502, 30-503, and 30-504 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-500. ~~[Intent of article]~~ Findings; purpose and intent; interpretation.

~~[The intent of this article is to provide comprehensive sign regulations which control the type, size, number and placement of signs on properties within the City in order to:~~

- ~~(1) — Promote the public health, safety, and welfare;~~
- ~~(2) — Facilitate the creation of a convenient, attractive and harmonious community;~~
- ~~(3) — Protect property values;~~

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 11 2017 REJECTED: _____ STRICKEN: _____

~~(4) — Encourage economic development opportunities;~~

~~(5) — Reduce or prevent congestion in the public streets; and~~

~~(6) — Accomplish the other purposes of this chapter by prohibiting signs which would distract, confuse, mislead, obstruct vision or create traffic hazards or other hazards or substantially detract from the appearance of the community.]~~ (a) Signs obstruct views, distract motorists,

displace alternative uses for land, and pose other problems that legitimately call for regulation.

The purpose of this article is to regulate the size, color, illumination, movement, materials,

location, height and condition of all signs placed on private property for exterior observation, thus

ensuring the protection of property values, the character of the various neighborhoods, the creation

of a convenient, attractive and harmonious community, protection against destruction of or

encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic,

while providing convenience to citizens and encouraging economic development. This article

allows adequate communication through signage while encouraging aesthetic quality in the design,

location, size and purpose of all signs. This article shall be interpreted in a manner consistent with

the First Amendment guarantee of free speech. If any provision of this article is found by a court

of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions

of this article which can be given effect without the invalid provision.

(b) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and

subordinate part of the principal use of land or building. Therefore, the intent of this article is to

establish limitations on signs in order to ensure they are appropriate to the land, building or use to

which they are appurtenant and are adequate for their intended purpose while balancing the

individual and community interests identified in subsection (a).

(c) 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.

Sec. 30-502. Definitions and calculation of permitted sign area.

(a) *Definitions.* Definitions of the various types of signs are set forth in Article XII of this chapter, together with other definitions of words and terms used in this chapter.

(b) *Calculation of area of sign.* For the purpose of calculating permitted sign area, the area of a sign shall be the smallest individual rectangle, triangle or circle or combination of not more than three contiguous rectangles, triangles or circles which will encompass all elements of the sign, provided that for a freestanding sign, such figures need not be contiguous. The area of a double-faced sign shall be construed to be the area of the largest single face of the sign, provided that the interior angle formed by the two faces does not exceed 30 degrees. When a sign is placed on a fence, wall or any other structure that serves a separate purpose other than support for the sign, the entire area of such structure shall not be computed as sign area.

(c) *Aggregate area of all signs.* When, for purposes of describing permitted sign area, the sections of this article refer to the aggregate area of all signs on a lot or the aggregate area of all signs directed toward or intended to be viewed from any street frontage, such reference shall include the sum total of the areas of all signs on the lot or the sum total of the areas of all signs directed toward or intended to be viewed from any street frontage, as the case may be, provided that such sum total shall not include the areas of signs that ~~[are specifically exempted by Section 30-503, the areas of signs that]~~ are specifically permitted in all districts by Section 30-505 or the area of any sign that is specifically permitted in addition to or is specifically excluded from

calculation of aggregate sign area by the district sign regulations. In no case shall the area of any individual sign permitted by the sign regulations for a particular district exceed the permitted aggregate sign area in that district.

(d) *Signs* [~~directed toward or intended to be viewed~~] visible from any street frontage.

When, for the purpose of describing permitted sign area, the sections of this article refer to signs [~~directed toward or intended to be viewed~~] visible from any street frontage, such reference shall include all signs on a lot which are located along a street frontage in such manner that the faces of the signs are oriented to and viewed from any point along the street providing such frontage, as well as signs located on [~~or to~~] a side of a building in such manner as to be viewed from the same street. For a lot having multiple street frontages, the area of signs that can be viewed from more than one street shall be attributed to the street frontage along which such signs have the more direct orientation and are more easily visible.

(e) *Buildings greater than one story in height.* In the case of a building greater than one story in height where permitted sign area is determined by building frontage along a street, the permitted aggregate sign area shall be calculated based on the frontage of the ground floor of the building or buildings located on the lot. Stories other than the ground floor shall not be considered to be separate buildings. The location of permitted signs on such building shall be governed by the district sign regulations and other applicable provisions of this article and shall not be limited to the ground floor of the building.

Sec. 30-503. [~~Exempted~~] Prohibited signs[~~, displays and devices~~].

[~~The following signs, displays and devices shall be exempted from the regulations contained in this article. All other signs shall be subject to this article:~~

~~(1) — The flag, emblem or insignia of a nation or other governmental unit. Any flag, emblem or insignia which does not satisfy the terms of this subsection shall be considered a sign and shall be subject to all provisions applicable to such in the district in which it is located.~~

~~(2) — Decorative flags or banners containing no commercial message, logo or name of a business or product and not displayed in connection with a commercial promotion or for purposes of attracting attention to a commercial activity.~~

~~(3) — Signs in R districts not exceeding two square feet in area and signs in other districts not exceeding four square feet in area, when such signs identify property numbers or occupants of premises or other identification of premises and when such signs have no commercial connotation and do not bear the name, logo or other identification of a commercial activity.~~

~~(4) — Legal notices, informational or directional signs, traffic signs and similar signs erected or required to be erected by a governmental unit and signs identifying public buildings or uses.~~

~~(5) — Signs erected and maintained by a public utility showing the location of underground facilities or providing other information pertaining to public safety.~~

~~(6) — Political campaign or election signs located on private property.~~

~~(7) — Signs which are not directed toward or intended to be viewed from any street, alley or adjacent property located in an R or RO district.~~

~~(8) — Temporary sale, announcement or merchandising signs as defined in Section 30-1220.~~

~~(9) — Signs constituting an integral part of gasoline pumps, vending machines, ATMs, restaurant menu boards and similar devices when the lettering and other material displayed thereon~~

~~is of such limited size as to be directed to customers utilizing such devices and is not directed toward or intended to be viewed from any street, alley or property located in an R or RO district.~~

~~(10) Any sign that is required to be maintained or restored as a result of being designated as a historic sign or a contributing feature by the National Register of Historic Places, the Virginia Landmarks Register, or the Commission of Architectural Review pursuant to Article IX, Division 4 of this chapter.]~~ The following shall be prohibited in all districts:

(1) Animated signs.

(2) Portable signs.

(3) Commercial flag signs, pennant signs, and any other attention-getting signs or devices such as streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.

(4) Vehicle or trailer signs.

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

(6) Signs that emit sound.

(7) Off-premises signs, unless specifically permitted by this chapter.

(8) Window signs whose aggregate area on a window or door exceed 25% of the total area of the window or door.

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

Sec. 30-504. General provisions to qualify, supplement or modify other provisions.

The following subsections qualify, supplement or modify, as the case may be, the district sign regulations and shall apply to signs in all districts:

(1) *Signs to be located on main buildings.* Unless specifically indicated to the contrary by this article, permitted wall signs, projecting signs and other signs attached to buildings may be attached to main buildings or may be attached to accessory buildings.

(2) *Compliance with building code.* All signs shall conform to applicable sections of the Virginia Uniform Statewide Building Code.

(3) *Illumination of signs.* Unless otherwise specified by this article, permitted signs may be illuminated, provided the source of illumination is not visible and that illumination is of such type and is located, directed or shielded so as not to shine directly on adjoining properties or streets.

(4) *Interference with traffic.* No sign shall be located, arranged, designed or illuminated in such a manner that it interferes with traffic by any of the following means:

- a. Glare;
- b. Confusion with a traffic control device by reason of its color, location, shape, or other characteristic;
- c. Similarity to or confusion with official signs, traffic signals, warning lights or lighting on emergency vehicles; or
- d. Any other means.

(5) ~~[Animated signs. Animated signs as defined in Section 30-1220 shall not be permitted in any district.~~

(6) ~~Portable signs. Portable signs as defined in Section 30-1220 shall not be permitted in any district.~~

(7) *Underclearance for projecting signs and suspended signs.* Projecting signs and suspended signs shall be provided with an underclearance of not less than eight feet.

~~[(8)]~~ (6) *Painted wall signs.* The total area of all wall signs painted on a building wall shall not exceed 25 percent of the area of such wall~~[, nor shall that portion of any such sign which advertises a product exceed 50 percent of the total area of the sign].~~

~~[(9)]~~ (7) *Wall signs facing lots in R or RO district.* No wall sign located on a lot in a UB, UB-2, B-1, B-2 or B-3 district shall face an abutting lot located in an R or RO district unless separated therefrom by an off-street parking area serving the lot in the UB, UB-2, B-1, B-2 or B-3 district.

~~[(10)]~~ (8) *Signs along alley frontages.* Any portion of the aggregate sign area permitted on a lot may be allocated to wall signs attached to a building and oriented to an alley abutting the lot, provided that no such sign adjacent to or across an alley from an R or RO district shall be illuminated.

~~[(11)]~~ (9) *Encroachment or extension beyond property lines.* No portion of any sign or its supporting structure shall extend beyond the property lines of the lot on which it is located, provided that a sign permitted by this article may extend into or project over the right-of-way of a public street, public alley or other public way when in compliance with and authorized pursuant to the encroachment policies and regulations of the City. The area of such sign shall be included in the calculation of permitted sign area under this article.

~~[(12)]~~ (10) *Service station pump island and canopy signs.* Signs displayed on service station pump islands shall not be included in the calculation of aggregate sign area permitted on a lot, provided that such signs do not exceed a total of six square feet per pump face within the pump island. Signs displayed on service station pump island canopies shall be included in the calculation of aggregate sign area permitted on a lot, shall not exceed ten square feet each in area, and not more than one such sign shall be displayed on each side of a pump island canopy.

~~[(13)]~~ (11) *Illuminated awnings and canopies.* Except as provided in Subsection ~~[(12)]~~ (10) of this section, no awning or canopy, whether or not it contains any awning or canopy sign as defined in Section 30-1220, shall be illuminated by internal or integral means or by outlining its extremities, provided that lighting external to an awning or canopy may be provided for purposes of illuminating a building or entrance thereto.

§ 2. That Chapter 30, Article V, Division 1 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 30-504.1 as follows:

Sec. 30-504.1. Maintenance and removal of signs.

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

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

(c) The building official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof.

(d) Not including any off-premises signs permitted pursuant to this article, the owner of any sign used to attract attention to a commercial use, product, service, or activity and located on a lot on which the use or business has ceased operating shall, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the lot.

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

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

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

§ 3. That sections 30-505, 30-506, 30-507, 30-507.1, 30-508, 30-509, 30-510, 30-511, 30-512, 30-513, 30-514, 30-515, 30-516, 30-517, 30-518, 30-518.1, 30-518.2, 30-518.3, 30-519, 30-520, 30-521, 30-522, and 30-523 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-505. Signs permitted in all districts.

The following signs shall be permitted in all zoning districts, and the area of such signs shall not be included in calculating the maximum permitted area of signs permitted on any lot:

(1) *Temporary [~~sale, rental or lease signs~~] sign on lot for sale or rent. [~~One~~] On any lot for sale or rent, one or more temporary signs not exceeding an aggregate area of six square feet along each street frontage of [~~a~~] such lot [~~and pertaining to the sale, rental or lease of the premises on which they are located~~], provided such signs shall not be illuminated and shall be removed when the lot is no longer being offered for sale[~~, rental~~] or [~~lease of the premises is consummated~~] rent. If [~~freestanding~~] affixed to the ground, such signs shall not be located within five feet of any street line or within 15 feet of any other property line.*

(2) *Temporary construction signs. [~~Not~~] On any building under construction, not more than [~~three~~] two temporary signs not exceeding an aggregate area of 32 square feet [~~identifying the use to be made of a building under construction on the property or identifying a contractor,~~*

~~architect, lending institution or other party involved with such construction, provided such signs shall not be illuminated and shall be removed upon completion or abandonment of construction].~~

If [~~freestanding~~] affixed to the ground, such signs shall not be located within five feet of any street line or within 15 feet of any other property line.

(3) *Subdivision development signs.* [~~One~~] At the entrance of any approved subdivision that is under development, one freestanding sign not to exceed 32 square feet in area [along each street frontage identifying an approved subdivision that is being developed on the property and advertising the sale of lots in such subdivision], provided such sign shall not be illuminated and shall not be displayed for longer than one year. [~~If freestanding, such~~] Such sign shall not be located within five feet of any street line or within 15 feet of any other property line.

(4) [~~Home occupation and live/work unit signs. One sign identifying a permitted home occupation or live/work unit, provided such sign does not exceed one square foot in area and is attached flat against the building occupied by the home occupation or live/work unit.~~

(~~5~~) *On-site traffic directional signs.* [~~Signs~~] Noncommercial signs located on private property devoted to uses other than single-family or two-family dwellings and directing and guiding traffic or persons or identifying parking on such property [~~when~~] provided such signs [~~contain no advertising matter and~~] do not exceed four square feet in area. If freestanding, such signs shall not exceed five feet in height and shall not be located within three feet of any street line or other property line.

(5) Noncommercial flags and banners. Noncommercial flags and banners containing no commercial message, logo or name of a business or product and not displayed in connection with a commercial promotion or for purposes of attracting attention to a commercial activity.

(6) Minor signs. Minor signs.

(7) Governmental signs. Signs erected by a governmental body or required to be erected by law.

(8) Signs erected and maintained by a public utility showing the location of underground facilities or providing other information pertaining to public safety.

(9) Any sign that is required to be maintained or restored as a result of being designated as a historic sign or a contributing feature by the National Register of Historic Places, the Virginia Landmarks Register, or the Commission of Architectural Review pursuant to Article IX, Division 4 of this chapter.

Sec. 30-506. R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8 districts.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8 residential districts ~~[(see Sections 30-502 through 30-504 and 30-505)]:~~

(1) ~~[Signs identifying nondwelling]~~ Nondwelling uses permitted by right. ~~[Not]~~ On any lot utilized for nondwelling uses permitted by right, not more than two wall signs not exceeding an aggregate of 16 square feet in area on each building frontage along a street and one freestanding sign not exceeding 32 square feet in area on each site shall be permitted.

(2) ~~[Signs identifying nondwelling]~~ Nondwelling uses permitted by conditional use permit. ~~[Wall]~~ On any lot utilized for nondwelling uses permitted by conditional use permit, wall signs and awning or canopy signs not exceeding an aggregate of 16 square feet in area on each lot shall be permitted. Such signs shall not be illuminated.

(3) *Signs ~~[identifying]~~ at entrance to residential neighborhoods and residential subdivisions.* One freestanding sign not exceeding 32 square feet in area at each entrance to a residential neighborhood or residential subdivision, but not more than a total of two such signs, shall be permitted.

(4) *Freestanding sign limitations.* Freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 15 feet of any other property line.

Sec. 30-507. R-43, R-48, R-53 and R-73 districts.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in R-43, R-48, R-53 and R-73 Multifamily Residential Districts [~~(see Sections 30-502 through 30-504 and 30-505)~~]:

(1) *Signs ~~[identifying uses]~~ permitted in R-1 through ~~[R-7]~~ R-8 districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 ~~[and R-7]~~ , R-7, and R-8 residential districts as set forth in Section 30-506 shall be permitted.

(2) *Signs identifying other permitted uses.* ~~[Wall]~~ On any lot utilized for any use permitted by right other than those uses set forth in Section 30-506(1), wall signs, suspended signs, awning and canopy signs and freestanding signs ~~[identifying permitted uses other than uses specified in Subsection (1) of this section]~~ shall be permitted, provided that:

- a. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed 12 square feet for street frontages of less than 100

feet, 20 square feet for street frontages of 100 feet to 300 feet, and 32 square feet for street frontages of greater than 300 feet.

b. Not more than one freestanding sign shall be permitted along each street frontage. Freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 15 feet of any other property line.

Sec. 30-507.1. R-63 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the R-63 Multifamily Urban Residential District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Signs identifying uses permitted in R-1 through ~~[R-7]~~ R-8 districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 ~~[and R-7]~~ , R-7, and R-8 residential districts as set forth in Section 30-506 shall be permitted.

(2) *Signs identifying other permitted uses.* ~~[Wall]~~ On any lot utilized for any use permitted by right other than those uses set forth in Section 30-506(1), wall signs, suspended signs and awning and canopy signs ~~[identifying permitted uses other than uses specified in Subsection (1) of this section]~~ shall be permitted, provided that: the aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed one square foot for each linear foot of building frontage along such street, nor in any case 16 square feet.

(3) *Projecting signs.* ~~[Projecting]~~ On any lot utilized for principal uses permitted only on corner lots as listed in Section 30-419.3, projecting signs shall be permitted ~~[for principal uses that are permitted only on corner lots and listed in Section 30-419.3]~~, provided that:

a. No projecting sign shall exceed six square feet in area or be located within 25 feet of another projecting sign on the same building wall.

b. No projecting sign, other than a noncommercial flag [~~or banner~~], shall project greater than three feet from the face of the building or extend above the height of the wall to which it is attached.

c. The area of projecting signs shall be included in the calculation of maximum permitted aggregate area of all signs.

Sec. 30-508. Sign regulations in the R-MH Manufactured Home District.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the R-MH Manufactured Home District [~~(see Sections 30-502, 30-503, 30-504 and 30-505)~~]:

(1) *Signs identifying uses permitted in R-1 through* [~~R-7~~] R-8 *districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 [~~and R-7~~] , R-7, and R-8 residential districts as set forth in Section 30-506 of this chapter.

(2) [~~Signs identifying manufactured~~] Manufactured home parks. [~~One~~] On any lot utilized for a manufactured home park, one wall sign or freestanding sign not exceeding 32 square feet in area shall be permitted, provided that freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 15 feet of any other property line.

Sec. 30-509. RO-1, RO-2 and RO-3 districts.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in RO-1, RO-2, and RO-3 Residential-Office Districts ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Signs identifying uses permitted in R-1 through ~~[R-7]~~ R-8 districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 ~~[and R-7]~~ , R-7, and R-8 residential districts as set forth in Section 30-506 shall be permitted.

(2) *Signs identifying other permitted uses.* ~~[Wall]~~ On any lot utilized for any use permitted by right other than those uses set forth in Section 30-506(1), wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs~~[-identifying permitted uses other than uses specified in Subsection (1) of this section,]~~ shall be permitted, provided that:

a. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed 12 square feet for street frontages of less than 100 feet, 20 square feet for street frontages of 100 feet to 300 feet, and 32 square feet for street frontages of greater than 300 feet. In addition thereto, where two or more main buildings occupied by nondwelling uses are located on a lot, each such building may be ~~[provided]~~ permitted with a wall sign not exceeding 12 square feet in area ~~[identifying the building or the occupants thereof]~~.

b. No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

c. Not more than one freestanding sign shall be permitted along each street frontage. Freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 15 feet of any other property line.

Sec. 30-510. HO district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the HO Hotel-Office District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Signs identifying uses permitted in R-1 through ~~[R-7]~~ R-8 districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 ~~[and R-7]~~ , R-7, and R-8 residential districts as set forth in Section 30-506 shall be permitted.

(2) ~~[Signs identifying other]~~ Other permitted uses. ~~[Wall]~~ On any lot utilized for any use permitted by right other than those uses set forth in Section 30-506(1), wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs~~[, identifying permitted uses other than uses specified in Subsection (1) of this section or identifying a product offered for sale on the premises,]~~ shall be permitted, provided that:

a. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage. In addition thereto, one wall sign ~~[identifying the name of a building or an occupant thereof]~~ may be located on the face of a building above a height of 100 feet when no other signs are located on such face above a height of 35 feet. The area of such sign shall not exceed 300 square feet.

b. No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

c. Not more than one freestanding sign shall be permitted along each street frontage. Freestanding signs shall not exceed 50 square feet in area or eight feet in height.

Sec. 30-511. I district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the I Institutional District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs ~~[identifying uses permitted in this district and]~~ shall be permitted subject to the restrictions set forth in this section ~~[and Section 30-504 shall be permitted]~~.

(2) *Permitted sign area.* The aggregate area of all signs ~~[directed toward or intended to be viewed]~~ visible from any street frontage shall not exceed 32 square feet. In addition thereto, where two or more main buildings are located on a lot, each building may be ~~[provided with]~~ permitted to have a wall sign not exceeding 12 square feet in area ~~[identifying the building or the use thereof]~~.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other

than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* Not more than one freestanding sign shall be permitted along each street frontage. Freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 25 feet of any lot in an R or RO district.

Sec. 30-512. UB and UB-2 districts.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the UB and UB-2 Urban Business Districts [~~(see Sections 30-502 through 30-504 and 30-505)~~]:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs located on a lot shall not exceed one square foot for each linear foot of [~~lot~~] street frontage [~~along the street~~] nor in any case 100 square feet, provided that:

a. No individual sign shall exceed the smaller of 32 square feet in area [~~, unless~~
~~a~~] or such smaller sign area [~~is~~] specified elsewhere in this [~~division~~] article.

b. For a lot having frontage on more than one street, permitted sign area shall be determined by the [~~lot~~] street frontage having the greatest dimension.

c. Where more than one main building is located on a lot, the aggregate area of all signs attached to each building shall not exceed one square foot for each linear foot

of building frontage along the street nor in any case 100 square feet for each building frontage along a street, and in addition thereto such lot shall be permitted one freestanding sign subject to the restrictions set forth in Subsection (4) of this section.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* Freestanding signs shall be permitted subject to the following:

a. One freestanding sign not exceeding 16 square feet in area or ten feet in height shall be permitted. Except as set forth in subdivision (b) of this subsection, such sign shall be included in the calculation of the permitted sign area set forth in subsection (2) of this section.

b. [~~One~~] On any lot utilized for a shopping center, one freestanding sign not exceeding 32 square feet in area or ten feet in height [~~identifying the name of a shopping center and not more than five tenants in such shopping center~~] shall be permitted on a shopping center site [~~when~~] provided no other freestanding signs are located on such [~~shopping center site~~] lot. Such sign shall not be included in calculation of the permitted sign area set forth in Subsection (2) of this section.

Sec. 30-513. B-1 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted

and the following sign regulations shall apply in the B-1 Neighborhood Business District ~~((see Sections 30-502 through 30-504 and 30-505))~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* The aggregate area of all signs located on a lot shall not exceed one square foot for each linear foot of ~~[lot]~~ street frontage ~~[along the street]~~ nor in any case 100 square feet, provided that:

a. This subsection shall not be construed to restrict any lot to less than 32 square feet of sign area.

b. For a lot having frontage on more than one street, permitted sign area shall be determined by the street frontage having the greatest dimension.

c. Where more than one main building is located on a lot, the formula for determining permitted sign area in this subsection shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* Freestanding signs shall be permitted only ~~[for identification of nondwelling uses which are permitted in R-1 through R-7 districts]~~ on lots utilized for uses set forth in Section 30-506(1) and shall be subject to the restrictions applicable to freestanding signs

~~[identifying such uses in those districts]~~ as set forth in Section 30-506. Such signs shall be included in the calculation of the permitted sign area set forth in Subsection (2) of this section.

Sec. 30-514. B-2 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-2 Community Business District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed one square foot for each linear foot of ~~[lot]~~ street frontage ~~[along the street]~~ nor in any case 250 square feet for each street frontage, provided that this shall not be construed to restrict any lot to less than 40 square feet of sign area per street frontage. Where more than one main building is located on a lot, the formula in this subsection for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* Freestanding signs shall be permitted subject to the following:

a. Not more than one freestanding sign shall be permitted along each street frontage. The total square footage attributable to a freestanding sign shall not exceed 100 square feet in area, nor shall a freestanding sign exceed 35 feet in height.

b. ~~[One]~~ On any lot less than two acres in area and utilized for a shopping center, one freestanding sign not exceeding 100 square feet in area or 35 feet in height ~~[identifying the name of a shopping center and not more than five tenants in such shopping center]~~ shall be permitted ~~[on shopping center sites of not less than two acres in area when no other freestanding signs are located on such shopping center sites]~~. On ~~[shopping center sites]~~ any such lot having multiple street frontages, one additional freestanding sign shall be permitted along each street frontage of 300 feet or more. ~~[Freestanding]~~ such freestanding signs ~~[identifying shopping center sites of not less than two acres in area]~~ shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section. ~~[For shopping center sites of less than two acres in area, one freestanding sign not exceeding 60 square feet in area or 25 feet in height identifying the name of the shopping center and not more than five tenants in such shopping center shall be permitted when no other freestanding signs are located on such shopping center sites. Freestanding signs identifying shopping center sites of less than two acres in area shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section].~~

Sec. 30-515. B-3 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted

and the following sign regulations shall apply in the B-3 General Business District [~~see Sections 30-502 through 30-504 and 30-505~~]:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs, freestanding signs and ~~[billboard]~~ off-premises signs shall be permitted, subject to the restrictions set forth in this section and Section 30-504.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 400 square feet for each street frontage, provided that this shall not be construed to restrict any lot to less than 50 square feet of sign area per street frontage. Where more than one main building is located on a lot, the formula in this subsection for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* Freestanding signs shall be permitted subject to the following:

a. Not more than one freestanding sign shall be permitted along each street frontage. The total square footage attributable to a freestanding sign shall not exceed 100 square feet in area, nor shall a freestanding sign exceed 35 feet in height.

b. ~~[One freestanding sign not exceeding 150 square feet in area or 35 feet in height identifying the name of a shopping center and not more than five tenants in such shopping center shall be permitted on shopping center sites of not less than two acres in~~

~~area when no other freestanding signs are located on such shopping center sites. On shopping center sites having multiple street frontages, one additional sign shall be permitted along each street frontage of 300 feet or more. Freestanding signs identifying shopping center sites of not less than two acres in area shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section. For shopping center sites of less than two acres in area, one freestanding sign not exceeding 100 square feet in area or 25 feet in height identifying the name of the shopping center and not more than five tenants in such shopping center shall be permitted when no other freestanding signs are located on such shopping center sites. Freestanding signs identifying shopping center sites of less than two acres in area shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section.]~~ On any lot less than two acres in area and utilized for a shopping center, one freestanding sign not exceeding 100 square feet in area or 35 feet in height shall be permitted. On any such lot having multiple street frontages, one additional freestanding sign shall be permitted along each street frontage of 300 feet or more. Such freestanding signs shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section.

(5) ~~[Billboard]~~ Off-premises signs. ~~[Billboard signs that]~~ Off-premises signs shall be permitted provided such off-premises signs are oriented towards, visible from, and located within 660 feet of the right-of-way of an interstate highway [shall be permitted], and further provided that:

- a. Such signs shall not exceed 700 square feet in area or 35 feet in height.
- b. No two structures shall be spaced less than 500 feet apart along the same side of the highway. The distance between structures shall be measured along the nearest

edge of the pavement between points marking the intersections of the edge of the pavement and perpendiculars extending from the edge of the pavement to the structures.

c. No such structure shall be located within 500 feet of an interchange. The distance from an interchange shall be measured along the nearest edge of the pavement between points marking the beginning or ending of the pavement widening at the exit ramp from or entrance ramp to the main traveled way and a point marking the intersection of the edge of the pavement and a perpendicular extending from the edge of the pavement to the structure.

Sec. 30-516. B-4 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-4 Central Business District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* Permitted sign area shall be as follows:

a. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed three square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage.

b. In addition to the permitted sign area set forth in Subsection (2)a of this section, one wall sign not exceeding 300 square feet ~~[identifying the name of a building or~~

~~an occupant thereof~~] may be located on each face of a building above a height of 100 feet when no other signs are located on such face above a height of 35 feet, provided that the permitted sign area for any building face may be increased by up to 25 percent by transferring permitted sign area from another face of the same building.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 50 square feet in area or eight feet in height shall be permitted along each street frontage, provided that a flag [~~or banner~~] shall not exceed a height of 35 feet.

Sec. 30-517. B-5 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-5 Central Business District [~~(see Sections 30-502 through 30-504 and 30-505)~~]:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs and awning and canopy signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

Sec. 30-518. B-6 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-6 Mixed Use Business Districts [~~see Sections 30-502 through 30-504 and 30-505~~]:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed one square foot for each linear foot of lot frontage along the street nor in any case 32 square feet for each street frontage. Where more than one main building is located on a lot, the above formula for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 16 square feet in area or six feet in height shall be permitted along each street frontage.

~~[(5) *Building identification signs.* In addition to other signs permitted by this section and in addition to the permitted sign area set forth elsewhere in this section, one wall sign not exceeding 16 square feet in area identifying only the name of a building shall be permitted along each street frontage.~~

~~(6) *Directory signs.* In addition to other signs permitted by this section and in addition to the permitted sign area set forth elsewhere in this section, one wall sign or projecting sign not exceeding six square feet in area providing a directory of nondwelling uses contained within the building shall be permitted along each street frontage.]~~

Sec. 30-518.1. B-7 district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-7 Mixed-Use Business District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs, freestanding signs and roof signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage. Where more than one main building is located on a lot, the above formula for determining permitted sign area shall

apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 50 square feet in area or 15 feet in height shall be permitted along each street frontage.

(5) *Roof signs.* Roof signs located on buildings [~~devoted to~~] utilized for uses permitted by Section 30-446.2(46) of this chapter, when such signs are lawfully existing on the effective date of the ordinance from which this [~~division~~] section is derived to include the property in the B-7 district, and provided that such signs shall not be included in the calculation of permitted sign area set forth in Subsection (2) of this section.

Sec. 30-518.2. RF-1 district.

~~[In addition to the regulations set forth in Sections 30-502 through 30-504 and 30-505 applicable to signs in all districts]~~ Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the RF-1 Riverfront District:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 50 square feet in area or ten feet in height shall be permitted along each street frontage of 150 feet or more, provided freestanding signs not exceeding 60 square feet in area or 12 feet in height [~~and identifying a principal entrance to a unified development complex or providing a directory of facilities shall be permitted~~] in addition to other signs permitted by this section, and shall not be included in the calculation of aggregate sign area permitted on any lot.

Sec. 30-518.3. RF-2 district.

~~[In addition to the regulations set forth in Sections 30-502 through 30-504 and 30-505 applicable to signs in all districts]~~ Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the RF-2 Riverfront District:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 50 square feet in area or ten feet in height shall be permitted along each street frontage of 150 feet or more, provided freestanding signs not exceeding 60 square feet in area or 12 feet in height [~~and identifying a principal entrance to a unified development complex or providing a directory of facilities shall be permitted~~] in addition to other signs permitted by this section, and shall not be included in calculation of aggregate sign area permitted on any lot.

Sec. 30-519. CM district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the CM Coliseum Mall District (see Sections 30-502 through 30-504 and 30-505):

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs and awning and canopy signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street or mall frontage shall not exceed two square feet for each linear foot of lot frontage along the street or mall nor in any case 300 square feet for each street frontage.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

Sec. 30-520. DCC district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the DCC Downtown Civic and Cultural District [~~see Sections 30-502 through 30-504 and 30-505~~]:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section [~~and Section 30-504~~].

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street or mall frontage shall not exceed two square feet for each linear foot of lot frontage along the street or mall.

(3) *Projecting signs.* No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag [~~or banner~~], shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

- (4) *Freestanding signs.* Freestanding signs shall be permitted subject to the following:
- a. One freestanding sign not exceeding 50 square feet in area or ten feet in height shall be permitted along each street frontage of 150 feet or more.
 - b. Uses located on a mall and outside of an enclosed building which are not otherwise entitled to any sign under ~~[Subsections]~~ Subsection (2) [and (4)a] of this section and subdivision (a) of this subsection shall be permitted one freestanding sign not exceeding 12 square feet in area.

Sec. 30-521. OS district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the OS Office-Service district ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Signs [identifying uses] permitted in R-1 through [R-7] R-8 districts.* Any sign permitted in R-1, R-2, R-3, R-4, R-5, R-5A, R-6 ~~[and R-7]~~ , R-7, and R-8 residential districts as set forth in ~~[Sections 30-504 and]~~ Section 30-506 shall be permitted.

(2) ~~[Signs identifying other]~~ *Other permitted uses.* ~~[Wall]~~ On any lot utilized for any use permitted by right other than those uses set forth in Section 30-506(1), wall signs, projecting signs, suspended signs, awning and canopy signs and freestanding signs~~[-identifying permitted uses other than uses specified in Subsection (1) of this section,]~~ shall be permitted, provided that:

- a. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed 12 square feet for street frontages of less than 100 feet, 20 square feet for street frontages of 100 feet to 300 feet, and 32 square feet for street

frontages of greater than 300 feet. In addition thereto, where two or more main buildings are located on a lot, each such building may be ~~[provided with]~~ permitted to have a wall sign not exceeding 12 square feet in area ~~[identifying the building or the occupants thereof]~~.

b. No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag ~~[or banner]~~, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

c. One freestanding sign shall be permitted. Freestanding signs shall not exceed a height of eight feet and shall not be located within five feet of any street line or within 15 feet of any other property line.

Sec. 30-522. RP district.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the RP Research Park District ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, suspended signs, awning and canopy signs and freestanding signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 200 square feet for each street frontage.

(3) *Awning and canopy signs.* Not more than one sign shall be attached to each face of an awning or canopy, and no such sign shall exceed 12 square feet in area.

(4) *Freestanding signs.* One freestanding sign not exceeding 25 square feet in area or eight feet in height shall be permitted along each street frontage, provided that:

a. On ~~[a]~~ any lot [devoted to] used as a parking lot [purposes], one freestanding sign not exceeding 12 square feet in area or eight feet in height shall be permitted along the frontage of each street from which public vehicular access is provided to the parking lot.

b. ~~[Freestanding]~~ On any lot used as a research park, freestanding signs not exceeding 60 square feet in area or 12 feet in height ~~[and identifying a research park or providing a directory of facilities within a research park]~~ shall be permitted in addition to other signs permitted by this section and shall not be included in the calculation of aggregate sign area permitted on any lot.

Sec. 30-523. M-1 and M-2 districts.

~~[In addition to the regulations set forth in this article applicable to signs in all districts]~~
Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the M-1 and M-2 Industrial Districts ~~[(see Sections 30-502 through 30-504 and 30-505)]~~:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs, freestanding signs, roof signs and ~~[billboard]~~ off-premises signs shall be permitted, subject to the restrictions set forth in this section ~~[and Section 30-504]~~.

(2) *Permitted sign area.* There shall be no sign area limitation.

(3) ~~[Billboard]~~ Off-premises signs. ~~[Billboard]~~ Off-premises signs shall be subject to the regulations applicable in the B-3 General Business District set forth in Section 30-515(5).

§ 4. That sections 30-524 and 30-525 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-524. Signs identifying nonconforming uses.

~~[One wall sign identifying]~~ On any lot utilized for a nonconforming use and located in an R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, or R-8 residential district, one wall sign shall be permitted, provided that such sign shall not exceed 12 square feet in area and shall not be illuminated. ~~[Signs identifying nonconforming uses located in districts]~~ On any lot utilized for a nonconforming use and located in any district other than an R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, or R-8 residential district, signs shall conform to the sign regulations applicable in the district in which the ~~[use]~~ lot is located.

Sec. 30-525. Nonconforming signs.

(a) A nonconforming sign as defined in Section 30-1220 ~~[shall be eliminated, made to conform or be permitted with the following restrictions and limitations:~~

(1) ~~Lighted, animated or portable signs.~~ A sign which is nonconforming due to lighting, animation or being portable or a nonconforming sign painted on a window, building wall or other surface, except a sign painted on a sign structure intended exclusively for such purpose, shall be eliminated or made to conform with this chapter within six months from the effective date of the ordinance or amendment thereto causing it to become nonconforming.

(2) ~~Nonconforming signs.~~ A nonconforming sign, other than a billboard or poster panel or a sign as specified in Subsection (1) of this section, shall be eliminated or made to conform with

~~this chapter within five years from the effective date of the ordinance or amendment thereto causing it to become nonconforming.~~

~~(3) — *Nonconforming billboards.* A nonconforming billboard or poster panel located in any district other than a business or industrial district shall be eliminated or made to conform with this chapter within five years from the effective date of the ordinance or amendment thereto causing it to become nonconforming.~~

~~(4) — *Obsolete signs.* A sign, other than a permitted billboard or poster panel, which no longer identifies a use or activity conducted or product sold on the premises shall be deemed a nonconforming sign and shall be painted out or otherwise removed from the premises or made to conform to this chapter within six months from the date of cessation of the use, activity or product to which it pertains.~~

~~(5) — *Maintenance and alteration.* A nonconforming sign may be maintained and repaired, provided that such sign shall not be moved, replaced, structurally altered, or modified as to size, shape or height except in conformity with this article. Lighting or illumination shall not be added to a nonconforming sign. The face of a nonconforming sign or the copy thereon may be changed when all other provisions of this subsection are met.~~

~~(6) — *Restoration or removal of damaged signs.* Any nonconforming sign damaged to the extent that it represents a public hazard, as determined by the building official, or any nonconforming sign damaged by fire, explosion, act of God or the public enemy to an extent exceeding 50 percent of its replacement cost shall be removed or made to conform to this article. For damage of 50 percent or less of the replacement cost of a nonconforming sign damaged by fire, explosion, act of God or the public enemy, such sign may be restored as before the damage, if such restoration is completed within six months from the date of the damage.] may remain except~~

as set forth in this section. The owner of the property shall bear the burden of establishing the nonconforming status of a sign and of the physical characteristics and location of such a sign. Upon notice from the zoning administrator, a property owner shall submit verification that the sign lawfully existed at the time of erection. Failure to provide such verification shall be cause for an order to remove the sign or to bring the sign into compliance with the current provisions of this chapter.

(b) No nonconforming sign shall be enlarged, and no any feature of a nonconforming sign, such as illumination, shall be increased.

(c) No provision of this section shall be interpreted or construed to prevent the keeping in good repair of a nonconforming sign. Nonconforming signs shall not be extended, structurally reconstructed, or altered in any manner except that a sign face may be changed if the new face is equal to or reduced in height or sign area, either or both.

(d) No nonconforming sign shall be moved any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.

(e) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50 percent of its area may be restored within two years after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding 50 percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.

(f) A nonconforming sign which is changed to becoming conforming or which is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.

(g) A nonconforming sign structure shall be subject to the removal provisions of this chapter. 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. The owner or lessee of the property shall remove such a sign structure. If the owner or lessee fails to remove the sign structure, the zoning administrator shall give the owner written notice that the sign must be removed within 15 days after the notice is given. If the owner fails to comply with this notice, the zoning administrator 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 bring the sign into compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

§ 5. That section 30-527 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 30-527. Required.

~~[Any]~~ (a) Except as provided in subsection (b) of this section, any sign permitted by this article for which a permit to erect a sign is not required by the Virginia Uniform Statewide Building Code or any other building code which may be adopted by the City shall require a certificate of zoning compliance as set forth in Article X, Division 3 of this chapter.

(b) Notwithstanding the provisions of subsection (a) of this section, the following signs, displays, and devices, shall not require a certificate of zoning compliance:

(1) Noncommercial flags and banners containing no commercial message, logo, or name of a business or product and not displayed in connection with a commercial promotion or for purposes of attracting attention to a commercial activity.

(2) Minor signs.

(3) Signs erected by a governmental body or required to be erected by law.

(4) Signs erected and maintained by a public utility showing the location of underground facilities or providing other information pertaining to public safety.

§ 6. That the definitions numbered .99, .102, and .108 within section 30-1220 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

~~.99 Sign means [a presentation of letters, numbers, figures, pictures, emblems, or insignia or any combination thereof, including borders, colors, trim and/or internal illumination, which forms an integral part of the display and which differentiates the sign from the structure against which it is placed, displayed for the purpose of information, direction or identification or to advertise or promote a business, service, activity, interest or product or any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale]~~ any object, device, display, or part thereof, visible from a public place, a public right-of-way, or any navigable body of water, which is designed and used to attract attention to an institution, organization, business, product, service, event, location, or person by any means involving words, letters, figures, symbols, fixtures, logos, colors, illumination, or projected images. The term “sign” does not include the display of merchandise for sale on the site of the display.

~~.102 Sign, [billboard]~~ commercial flag, means a sign ~~[used as an outdoor display for the purpose of advertising or promoting a business, service, activity, interest or product which is not located, offered for sale or otherwise related to the use of the premises on which such sign is situated]~~ consisting of a piece of cloth or other flexible material used to attract attention to a commercial use, product, service, or activity and generally attached by one edge to a flag pole or light pole.

~~.108 Sign, temporary [sale, announcement or merchandising], means [any sign denoting a sale or special product promotion or announcing a grand opening, new management or similar event or activity occurring on the premises, when such sign is attached flat against a building wall or located within a window and when such sign does not remain on the premises for a period exceeding 30 days. A permanently installed changeable letter panel shall not be considered a temporary sign]~~ a sign constructed of cloth, canvas, vinyl, paper, plywood, 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.

§ 7. That section 30-1220 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein new** definitions numbered .69:1, .102:1, .103:1, .103:2, .103:3, .108:1, .108:2, and .109:1, as follows:

.69:1 *Noncommercial flag* means a piece of cloth or other flexible material that only depicts the emblem or insignia of a nation, political unit, educational, charitable, religious, civic, or other similar group or is a decorative flag that does not display a commercial message, and generally attached by one edge to a flag pole or light pole.

.102:1 *Sign, feather*, means a lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which may resemble a sail, bow, or teardrop.

.103:1 *Sign, minor*, means a wall or freestanding sign not exceeding two square feet in area in a residential district and a wall or freestanding sign not exceeding four square feet in area in any other district, provided such sign is located within ten feet of the main entrance to a building if a wall sign and within ten feet of the main entrance of the lot if a freestanding sign and provided such is not used to promote, identify, or attract attention to a commercial use.

.103:2 *Sign, off-premises*, means a sign that directs attention to a business, product, service, or activity conducted, sold, or offered at a location other than the premises on which the sign is erected.

.103:3 *Sign, pennant*, means a sign consisting of lightweight plastic, fabric, or other similar material, suspended from a rope, wire, or string, usually in series, and designed to move in the wind.

.108:1 *Sign, traffic control*, means a sign solely regulating safe driving, parking, or traffic movement.

.108:2 *Sign, vehicle or trailer*, means a sign attached to or displayed on a vehicle or trailer, if the vehicle or trailer is used for the primary purpose of advertising a business, product, service, or other commercial 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 or inspection sticker, if the vehicle is inoperable, or if the sign alters the standard design of such vehicle or trailer.

.109:1 *Sign, window*, means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.

§ 8. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

4-6775

JUL 19 2017

Office of the
Chief Administrative Officer

RECEIVED

O&R REQUEST
JUL 24 2017

OFFICE OF CITY ATTORNEY

EDITION: 1

DATE: July 18, 2017

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

AS 7/24/17

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

SLG

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic
Development and Planning

PLD 7-18-17

FROM: Mark A. Olinger, Director of Planning & Development Review

WOP

RE: Amendments to City's Chapter 30, Article V of the Richmond Zoning Ordinance
Concerning Sign Regulations

ORD. OR RES. No. _____

PURPOSE: To amend and reordain Chapter 30, Article V of the City Code concerning sign regulations in the city of Richmond.

REASON: To amend Chapter 30, Article V of the City Code to comply with the United States Supreme Court decision in *Reed v. Town of Gilbert, Arizona*.

RECOMMENDATION: The City Administration recommends adoption of this ordinance.

BACKGROUND: Sign Regulations are subject to the rights and protections guaranteed under the First Amendment to the United States Constitution, and under First Amendment jurisprudence, sign regulations must be content-neutral by regulating only their time, place, and manner, but not their content.

On June 18, 2015, the United States Supreme Court in *Reed v. Town of Gilbert, Arizona*, held that the sign classifications based on the subject of the message are content-based because the differentiate signs and the regulations that apply to them by the subject of their message and, therefore violate the First Amendment in the absence of a compelling governmental interest.

On July 17, 2017, the Richmond City Planning Commission passed a Resolution of Intent (File ID# CPR.2017-056) to declare an intent to amend Chapter 30, Article V of the Zoning Ordinance

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JUL 24 2017

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to bring Chapter 30, Article V into compliance with the *Reed v. Town of Gilbert, Arizona* decision. A copy of the Resolution of Intent, along with a copy of the proposed Ordinance are attached to this O&R request.

FISCAL IMPACT / COST: The Department of Planning and Development Review does not anticipate any significant impact to the City's budget for this or future fiscal years.

FISCAL IMPLICATIONS: Staff time for processing the reports and preparation of the draft ordinance.

BUDGET AMENDMENT NECESSARY: No budget amendment is necessary if this proposed ordinance is adopted.

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 24, 2017

CITY COUNCIL PUBLIC HEARING DATE: September 11, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, September 5, 2017

AFFECTED AGENCIES: Department of Planning and Development Review, Office of the City Attorney

RELATIONSHIP TO EXISTING ORD. OR RES.: Amends City Code Chapter 30, Article V

REQUIRED CHANGES TO WORK PROGRAM(S): No changes to work programs are required.

ATTACHMENTS: Draft Amendments to City Code Chapter 30, Article V.

STAFF: Mark A. Olinger, Director of Planning and Development Review, 646-6305.



CITY OF RICHMOND

PLANNING COMMISSION

July 17, 2017

MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION

TO DECLARE AN INTENT TO AMEND CHAPTER 30, ARTICLE V OF THE ZONING ORDINANCE CONCERNING SIGN REGULATIONS

WHEREAS, in accordance with Section 15.2-2286 of the Code of Virginia an amendment to the zoning regulations or district maps may be initiated by motion of the City of Richmond Planning Commission provided any such motion or resolution of the Commission proposing an amendment to the regulations or district maps shall state the public purposes therefore; and

WHEREAS, Chapter 30, Article V, which is part of the City of Richmond Zoning Ordinance, establishes regulations pertaining to signs (the "Sign Regulations"); and

WHEREAS, the Sign Regulations are subject to the rights and protections guaranteed under the First Amendment to the United States Constitution, and under First Amendment jurisprudence, sign regulations must be content-neutral by regulating only their time, place, and manner, but not their content; and


WHEREAS, the Sign Regulations establish a number of sign classifications based on the subject of the sign's message without promoting or discouraging any particular viewpoint, an approach previously upheld by the United States Court of Appeals for the Fourth Circuit, whose jurisdiction includes the Commonwealth of Virginia, as being content-neutral; and


WHEREAS, on June 18, 2015, the United States Supreme Court in *Reed v. Town of Gilbert, Arizona* held that the sign classifications based on the subject of the message are content-based because they differentiate signs and the regulations that apply to them by the subject of their message and, therefore, violate the First Amendment in the absence of a compelling governmental interest; and

WHEREAS, in order to ensure that the Sign Regulations adhere to the rights and protections of the First Amendment as settled by *Reed v. Town of Gilbert, Arizona*, it is desired to amend City Code Chapter 30, Article V, and any other related sections of the Zoning Ordinance;

NOW, THEREFORE BE IT RESOLVED THAT for purposed of public necessity, convenience, general welfare and good practices, the City of Richmond Planning Commission hereby adopts a resolution of intent to consider amending City Code Chapter 30, Article V to achieve the purposes described herein, and to consider any other amendments to City Code Chapter 30, Article V and other related sections of the Zoning Ordinance to ensure the proper administration and implementation of the Sign Regulations; and

BE IT FURTHER RESOLVED THAT the City of Richmond Planning Commission will hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to City Council at the earliest possible date.


Rodney M. Poole
Chair, City Planning Commission


Matthew J. Ebinger
Secretary, City Planning Commission