

AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE, ENTITLED "ZONING," ARTICLE 3, SECTION 3-403; ARTICLE 6, SECTION 6-2206; ARTICLE 7, SECTIONS 7-512 AND 7-513; ARTICLE 10, SECTION 10-402 AND 10-452; ARTICLE 11, SECTIONS 11-803 AND 11-1114; ARTICLE 12, SECTIONS 12-605, 12-606, AND 12-708; ARTICLE 13, SECTIONS 13-605 AND 13-1402; ARTICLE 14, SECTIONS 14-104, 14-206 AND 14-700 THROUGH 14-710; ARTICLE 16, SECTION 16-105; ARTICLE 19, SECTION 19-403; ARTICLE 20, SECTION 20-202 AND ENACTING ARTICLE 14, SECTION 14-703.1, TO AMEND THE PROVISIONS REFERENCING SIGNS TO BE IN COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS AND TO AMEND OTHER SECTIONS TO UPDATE REFERENCES TO MAINTAIN CONSISTENCY.

PHASE 2: AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE, ENTITLED "ZONING," ARTICLE 14, ENTITLED "ACCESSORY USES AND STRUCTURES," SECTIONS 14-703, 14-703.1, 14-704, 14-705, 14-706, 14-707 AND 14-708; TO DELETE CONTENT-BASED SIGN NAMES AND REPLACE WITH CONTENT-NEUTRAL NAMES TO COMPLY WITH CONSTITUTIONAL REQUIREMENTS.

WHEREAS, the Council of the City of Chesapeake finds the public necessity, convenience, general welfare and good zoning practice so requires;

BE IT ORDAINED by the Council of the City of Chesapeake, Virginia that Appendix A of the City Code, entitled "Zoning," Article 14, entitled "Accessory Uses and Structures," Sections 14-703, 14-703.1, 14-704, 14-705, 14-706, 14-707 and 14-708; be amended and reordained, as follows:

Section 14-703. - Definitions.

Abandoned sign.

- a. A sign located on a site where ~~which identifies or provides information for~~ a business, lessee, service, owner, product or activity ~~which~~ has not operated on the lot for 180 consecutive days.
- b. A sign structure which has functioned solely as a support for a sign and on which no sign graphic has been displayed, ~~identifying or providing information for a business,~~ lessee, service, owner, product or activity for a period of 180 consecutive days.

~~*Agricultural directional sign.* A sign providing information to locate crops. The purpose of this sign is to permit those persons growing agricultural products for sale to place temporary directions on private property (provided that owner's permission is granted) during harvest time.~~

Banner sign. A sign constructed of plastic or fabric of any kind that is attached to supports, a framework or a flat surface.

Billboard sign. A detached or attached sign, including the supporting sign structure, which directs the attention of the general public to an establishment, business, profession, product, service, message, entertainment, or attraction sold, offered, created, furnished, or conducted at a location other than the premises on which the sign is erected. Billboard signs were formerly referred to as "outdoor advertising signs" by this Code.

Community entrance sign. A freestanding sign located at the vehicular entrance to a community from an offsite public street.

Development, construction and sales signs. A freestanding sign located on development, construction and sales sites that are under active construction. For purposes of this definition, active construction shall include sites for which a final certificate of occupancy has not been issued.

~~*Construction sign.* A freestanding sign giving the name or names of the principal contractors, subcontractors, architects, lending institutions and other firms and information related to the construction and marketing of the site.~~

~~*Directional sign.* A permitted sign displaying sign graphics designed to provide direction to establishments, lots or activities.~~

Erect. To build, construct, attach, hang, place, or suspend a sign; or to modify a sign in a manner which alters its structural dimensions or its sign graphics. This term includes any

painting of a sign which alters its sign graphics, but it shall not apply to the changing of sign graphics ~~copy~~, as defined below, on a message board or billboard.

Festoons. Materials or devices, whether or not they contain printed material, which are attached to real or personal property with the purpose or effect of attracting public attention to an object or site. Festoons include ~~flags~~, pennants, balloons, ribbon, tinsel, inflatables, and other similar materials, regardless of size. Festoons are deemed to be signs.

Flag sign. Any generally rectangular or triangular sign or part of a sign made of fabric or other pliant material attached to a flagpole only along one side and which predominately displays distinctive colors, images, shapes, or designs rather legible words, letters, numbers, or other linguistic characters.

Freestanding sign. A sign which is attached to the ground and which is not attached to or supported by a building or other independent structure shall be considered a freestanding sign. Freestanding signs shall include monument and ground mounted signs and all such signs shall have the following characteristics:

- a. The sign either has no space between the sign face and the ground or is supported by a base, the width of which is at least two-thirds (2/3) the width of the sign face.
- b. If the sign face is supported by a base, the sign face sits directly on the base or is separated from the base by a space of not more than eighteen (18) inches.

Gas pump sign. A sign affixed to a functional gasoline pump.

~~*Ground mounted sign.* A type of freestanding sign which has the following characteristics:~~

- ~~a. The sign either has no space between the sign face and the ground or is supported by a base, the width of which is at least two-thirds (2/3) the width of the sign face.~~
- ~~b. If the sign face is supported by a base, the sign face sits directly on the base or is separated from the base by a space of not more than eighteen (18) inches.~~

Ground sign. A freestanding sign, other than a monument sign, located at the entrance of a multi-family use or commercial establishment placed upon or supported by the ground independently of any other structure.

Illegal sign. A sign which was erected without a required permit or which otherwise does not meet the requirements of this Ordinance and which has not received legal nonconforming status.

~~*Identification sign.* A sign which identifies or otherwise describes the name, ownership or location of the lot, parcel or establishment on which it is situated. Identification signs include the following:~~

- ~~a. *Agricultural crop identification sign.* A sign that identifies crop origin or related agricultural information (e.g., fertilizer.)~~
- ~~b. *Business establishment identification sign.* A sign that identifies a business establishment (defined above), whether zoned for or carrying on a business, office, institutional or industrial use.~~
- ~~c. *Commercial/industrial center identification sign.* A sign that serves to identify a commercial/industrial center, as defined above.~~
- ~~d. *Commercial/industrial park identification sign.* A sign that serves to identify a commercial/industrial park, as defined above.~~
- ~~e. *Residential identification sign.* A sign on a premises containing a dwelling unit, that announces the name, owner or location thereof.~~
- ~~f. *Residential development/subdivision identification sign.* A sign that identifies a residential development or subdivision.~~

~~*Menu board.* A permitted sign designed as an outdoor means to communicate advertising orders for food and beverages, containing only items of information which are not legible from~~

~~any public right of way and which provide on-site information for drive-in service and not additional advertisements.~~

~~*Outdoor advertising sign.* A detached or attached sign which advertises or directs the attention of the general public to a profession or business conducted or to a commercial commodity, service, activity or entertainment sold or offered off the premises on which the sign is located.~~

~~*Political sign.* A sign which provides a statement, information, or image relating to a local, state or national election, referendum or similar public vote.~~

~~Portable sign. Any sign designed and intended to be transported or movable, including but not limited to:~~

- ~~a. Signs with wheels or with wheels removed.~~
- ~~b. Signs with chassis or support constructed without wheels.~~
- ~~c. Signs designed to be transported by trailer, wheels, or boats.~~
- ~~d. Signs attached temporarily to the ground, structures, or other signs.~~
- ~~e. Signs mounted on a motor vehicle or boat parked off the public right-of-way or shore,
except when the motor vehicle or boat is being used in the normal, routine operations
of the business.~~
- ~~f. Signs mounted on, attached to or held by a person; provided that such signs may be
permitted in the right of way if the person holding or transporting the sign is lawfully
in the right of way pursuant to City Code Section 66-17 and other applicable laws and
ordinances.~~

~~*Real estate sign.* A sign which provides information concerning the rent, lease or sale of the real estate upon which it is located. Such sign may include the name of the real estate agent and company and their telephone numbers.~~

Roof sign. An attached sign which is erected to project upward above the roof of the building, unless the sign is located on a parapet wall that is no less than two-thirds (2/3) of the frontage of the building.

Sandwich board sign. A sign consisting of two sign faces placed together at an angle of ninety (90) degrees or less to form an "A" shape which tapers from a wide base to a narrow top. Such signs shall be made primarily of wood, wood composite or metal and have a weather resistant finish. Incorporated inserts must contain a fixed message or be made out of chalkboard, dry eraser board, or similar material.

Seasonal decorations. Displays related to and erected on a seasonal basis in observance of religious, national, or state holidays which are not intended to be permanent in nature.

Sign. Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, any navigable body of water, or any adjoining property, which is designed and used to announce, direct attention to, identify, advertise or otherwise make anything know in relation to an institution, organization, business, product, message, service, event or location by any means involving of any letter, word, numeral, figure, device, emblem, logo, pictorial presentation, illustration or decoration, symbol or trademark, flag, festoon or banner or any combination thereof which: (a) is used to announce, direct attention to, identify, advertise or otherwise make anything known; and (b) is visible from the public right-of-way or from adjoining property.

Unless the context clearly indicates otherwise, the term "sign" as used in this Ordinance shall be deemed to include the components of such sign, including: the sign graphics; the sign area; the sign face; the placard, device, structure or fixture on which the display appears; and any support structure constructed for the purpose of supporting the display, regardless of whether any display is on the structure. ~~The term "sign" is not intended to include independent works of~~

~~art, such as sculpture, statuary or paintings, unless such works contain words, symbols or images associated with a service or product being offered, produced or conducted at the site or on another site.~~

Sign area. That area within a line which forms a complete geometric shape which encompasses the outer extremities of all the sign graphics of an individual sign or that area within a line which encompasses the outer extremities of the sign framework or background on which the sign graphics appear, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, a building or part thereof, shall not be included in the sign area and shall not be used to provide information or identification. When two (2) sign faces are back to back and not more than twenty four (24) inches from each other at all points and when the sign graphics are identical on both sign faces, only one face shall be included in the computation of sign area; otherwise, each sign face shall be included in the computation of sign area. The sole exceptions shall be in the cases of (a) temporary signs, in accordance with section 14-704(H)(3) below; and (b) outdoor advertising billboard signs, for which sign area computation shall be governed by section 14-706(C) below, ~~and (c) certain real estate signs, which shall be governed by section 14-705(C) below.~~

Sign face. Any side of a sign which contains sign copy or sign graphics ~~information or identification.~~

Snipe sign. A sign of any material whatsoever that is attached in any way to a communication tower, utility pole, fence post, tree, city traffic sign post, signal cabinet, mast arms or a similar object located or situated on public or private property.

Temporary sign. A sign not permanently mounted to a building or into the ground. To be deemed permanently mounted, a sign must be (a) attached or secured by bolting, welding, molding, nailing, concrete or similar mechanisms; and (b) made of materials enabling the sign

to maintain its structural integrity and the clarity of its graphics through the passage of time and weather, over a period exceeding one year. Signs attached by rope, string, chain, tape, paste and similar mechanisms; signs not rigidly attached to a supporting structure; signs made of paper, cloth and similar materials; and signs that are pushed, hammered or similarly put in the ground are presumed to be temporary signs. No such signs shall be permitted in any public right-of-way.

~~*Time/temperature.* A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.~~

Yard sign. A temporary sign placed upon or supported by the ground independently of any other structure on property zoned or used for residential purposes. Yard signs shall not include sandwich board signs.

Section 14-703.1. – Classification of sign types.

The following table describes and classifies each of the sign types defined in the chapter which meet more than one definition.¹

<u>Freestanding sign</u>	<u>Temporary sign</u>	<u>Wall sign</u>	<u>Offsite sign</u>
<u>Ground sign</u>	<u>Banner</u>	<u>Attached sign</u>	<u>Billboard sign</u>
<u>Monument sign</u>	<u>Flag sign</u>	<u>Projecting sign</u>	<u>Directory sign</u>
<u>Public service sign</u> <u>(when freestanding)</u>	<u>Snipe Sign</u>	<u>Roof sign</u>	<u>Residential</u> <u>development/subdivision</u> <u>sign (when offsite)</u>
<u>Ground sign</u>	<u>Festoons</u>	<u>Public service sign</u> <u>(when fastened to a</u> <u>wall)</u>	

<u>Community entrance sign</u>	<u>Portable sign</u>	<u>Gas pump sign</u>	
<u>Development, construction and sales signs</u>	<u>Sandwich board sign</u>		
	<u>Public service sign</u>		
	<u>Temporary window sign</u>		
	<u>Yard sign</u>		
	<u>Signs located on property zoned or used for agricultural purposes only at test plot locations under cultivation</u>		

1. Depending on available technology, many of the sign types identified in this table may also meet the definition of flashing signs or illuminated signs.

Section 14-704. - General requirements.

General requirements apply to all signs and are in addition to the regulations contained elsewhere in this ordinance.

- F. Establishments having one or more drive-through lanes. ~~Menu boards.~~ In addition to other permitted signs, establishments~~businesses~~ having one or more drive-through ~~food service~~ lanes may have one (1) ~~menu board~~ freestanding sign per service lane,

regardless of whether those lanes later merge into each other at the service windows, provided that the following provisions are met:

1. The area of the freestanding sign ~~menu board~~ does not exceed sixteen (16) square feet when located in a front yard.
2. The area of the freestanding sign ~~menu board~~ does not exceed fifty-seven (57) square feet in a side or rear yard.
3. The maximum height in a front yard is six (6) feet for a freestanding sign and is in accordance with the table of basic design elements for wall or projecting signs.
4. The maximum height in a rear and side yard is nine (9) feet for a freestanding sign and is in accordance with the table of basic design elements for wall or projecting signs.

Section 14-705. - Special situations.

A. *Commercial/industrial centers and parks.* Each commercial/industrial center and park shall be permitted the following:

1. Types of signs. Commercial/industrial center or park sign may be a freestanding sign, a wall sign or a projecting sign.
 - a. ~~Commercial/industrial centers less than five (5) acres in size. The identification sign (or signs, in the case of multiple street frontages) for such centers may be up to a maximum of twelve feet (12') in height.~~
 - b. ~~Commercial/industrial centers five (5) or more acres in size. The identification sign (or signs, in the case of multiple street frontages) for such centers may be up to a maximum of sixteen feet (16') in height.~~
 - e. ~~A commercial/industrial center sign may be a freestanding sign, a wall sign or a projecting sign.~~

2. *Signage for establishments within a commercial/industrial center or park.*

- a. Each establishment having an exclusive and direct public entrance within a commercial/industrial center or park shall be permitted to have wall signs or projecting signs, complying with the table of design elements, along the building frontage where the public entrance exists, but shall be prohibited from having freestanding signs. All other establishments within the center or park shall not have exterior signage.
- b. ~~Movie theaters within a commercial center may have a sign as part of the message board permitted in section 14-704(A)(1)(d) above. In the alternative, a~~ A movie theater having a wall which faces a street may erect a message board as a wall sign, with a maximum sign area of one hundred twenty (120) square feet.
- c. Freestanding, detached buildings located within an overall commercial/industrial center or park plan, but which (1) contain an independent and physically separated parking lot, (2) are developed under a separate site plan, and (3) have frontage directly bordering a public street, shall not be considered part of a commercial/industrial center or park for signage purposes and may erect freestanding, wall and projecting signs in accordance with the other terms of this Ordinance.

3. ~~*Directory Signs within a commercial/industrial center or park. One (1) directory sign, identifying one or more establishments within the center and providing directions to these establishments, shall be permitted for commercial/industrial centers or parks of five (5) acres or more in size. In addition, offsite directional signs may be placed at*~~

each intersection within the center or park; provided that all directional signs must be uniform in design and materials. The directory ~~Such~~ a sign shall be a freestanding ground-based sign and shall comply with the following requirements:

- a. The sign shall have no less than two points of contact with the ground.
- a. ~~The sign area does not exceed sixteen (16) square feet;~~
- b. ~~The sign height does not exceed six (6) feet;~~
- b e. The sign is oriented to traffic internal to the center.
- c. For commercial /industrial centers or parks of five (5) acres or more, the sign area shall not exceed sixteen (16) square feet and be no more than six (6) feet in height.
For commercial/industrial centers or parks of five (5) acres or more, the sign shall have a maximum sign area of sixty-four (64) square feet and a maximum sign height of twelve (12) feet.

4. Unless otherwise specified above, the sign area for the above-referenced signs within a commercial/industrial center or park shall be determined in accordance with the provisions of the table of basic design elements.

B. Gas pump signs ~~Gasoline supply station~~. Signs for gasoline supply stations shall comply with the following requirements:

1. Signs ~~Product information displayed~~ on top of pumps shall be permitted, provided that the sign area does not exceed one (1) square foot.
2. Gasoline supply stations which are authorized to perform state safety and/or emission control inspections may display a sign, not to exceed ten (10) square feet in sign area, ~~reflecting such authorization~~. Such sign may be either building-mounted or attached to an existing authorized freestanding sign structure.

~~C. Real estate signs. Each establishment is allowed one real estate sign in addition to other permitted signs, provided that the following provisions are met:~~

~~1. Sign area:~~

~~a. Residential/agricultural/conservation zones. The sign area on which the real estate graphics are displayed may consist of the following:~~

~~(1) The primary sign area, which shall not exceed four (4) square feet in area.~~

~~(2) Up to two (2) rider panels, arranged on the same vertical plane as the primary sign, with any such rider panel not exceeding two (2) square feet in area.~~

~~b. All other zones. The sign area on which the real estate graphics are displayed may be up to a maximum of thirty two (32) square feet in area. Where the real estate sign is a freestanding sign, one window sign, not exceeding two (2) square feet in size, shall also be allowed. The permitted locations of such signs shall be as follows:~~

~~(1) If a freestanding sign of not more than eight (8) square feet in sign area and four (4) feet in height is used, it may be placed anywhere on the site, without any setback requirements.~~

~~(2) If a freestanding sign exceeding either the sign area or sign height limits of subsection (1) above is used, it shall be attached to the freestanding sign on the site, if any, or shall be placed in the same vertical plane as the freestanding sign.~~

~~(3) If there is no freestanding sign on the site, then such real estate sign may be placed anywhere on the site where it meets the setback requirements for freestanding signs.~~

2. ~~Signs which display real estate graphics shall be removed within two (2) calendar days of the date of settlement, for sale of a property, and within two (2) calendar days of ratification of the rental/lease agreement, for the rental or lease of property. For the purposes of this section, settlement shall mean the delivery of a fully executed deed to the buyer, and ratification shall mean the signing of a written rental/lease agreement or the occupancy of the dwelling in the case of an oral agreement.~~
3. ~~A sign permit is not required to erect, alter, repair or relocate any real estate sign displayed in accordance with the provisions of this Ordinance.~~
4. ~~The following "open house" real estate signs are also allowed, provided that they are displayed only during the hours that the real estate agent is in the house to show it to the public:~~
 - a. ~~One (1) additional sign on the property stating that the house is open for inspection by the public; and~~
 - b. ~~Four (4) additional signs providing direction to the property, placed off-site on private property with the permission of the owner of the property on which it is placed. Where a house is open to public entry, but no agent is present, the permitted open house sign shall be limited to one sign on the property.~~
 - e. ~~Two (2) signs in addition to those mentioned in subparagraph (b) above shall be permitted where the location of the open house is more than two miles from an arterial public highway.~~

~~All open house signs shall be a maximum of four (4) square feet in sign area and four (4) feet in height. In instances where such signs have an A-frame or sandwich board shape, only one sign face will be used to calculate the sign's sign area, regardless of the distance separating the sign faces.~~

5. ~~In the case of a residential development where model dwelling units are open for sales purposes, the following signs may be utilized in conjunction with such models:~~
 - a. ~~One sign, not exceeding four (4) square feet in sign area, identifying an area as the location of the model units;~~
 - b. ~~One sign, not exceeding three (3) square feet in sign area, located on the site of each different model unit and identifying that model unit;~~
 - c. ~~One sign, not exceeding three (3) square feet in sign area, identifying the sales office for the development.~~
6. ~~Real estate tract signs shall be permitted in accordance with the table of basic design elements.~~

C D. Development, and construction and sales signs. ~~Signs located on dDevelopment, and construction and sales graphic signs sites that are under active construction~~ shall be allowed in addition to other permitted signs, provided that the following provisions are met:

1. Signs located on fFuture sites—signs. A sign not exceeding sixty-four (64) square feet in sign area and eight (8) feet in height may be erected at one entrance on each street frontage of a nonresidential site ~~to announce a future development activity at the site, at any time after the submittal of a final construction plan approval of preliminary site plans~~ for such project. Such sign shall be set back a minimum of fifteen (15) feet from the right-of-way bordering the site. Such sign shall be removed within five (5) days of the issuance of a certificate of occupancy for any activity on the site or immediately upon the erection of a residential development/subdivision n-identification sign for the site.
2. Signs located on cConstruction sites—signs. Each contractor, subcontractor, architect/engineer, financing institution and other related entity involved in the

construction of a building or buildings may erect a ~~construction~~ sign on the site as follows:

- a. *Residential developments and subdivisions— ~~Construction~~ Signs at entrances.*
Individual ~~construction~~ signs, not exceeding sixteen (16) square feet in sign area and eight (8) feet in sign height, may be erected at one entrance on each street frontage of a residential subdivision or development. All such signs shall be located together within an area not more than thirty (30) feet long and twenty (20) feet wide. Allowed sign areas may be combined into fewer, larger signs, not exceeding sixty-four (64) square feet in sign area and eight (8) feet in height, to identify various contractors and other entities involved in the project. After certificates of occupancy are issued for eighty percent (80%) of the dwelling units authorized under existing final site plans or subdivision plats within the residential development or subdivision, only one ~~construction~~ sign, not exceeding one hundred twenty (120) square feet in sign area and eight (8) feet in height, shall be permitted at each such entrance. Such sign may be maintained until the last certificate of occupancy is issued for the construction authorized under existing approved final site plans or subdivision plats for the development or subdivision.
- b. *Residential developments and subdivisions— ~~Construction~~ Signs at individual construction sites.* No additional ~~construction~~ signs shall be permitted within the site of a residential development when the development does not involve construction on individually subdivided parcels. In the case of developments having individually subdivided parcels, ~~construction~~ signs, not exceeding four (4) square feet in sign area and four (4) feet in height, may be erected on each such parcel for which a building permit has been issued. All such signs shall be located

together within an area not more than twenty (20) feet long and fifteen (15) feet wide. Allowed sign areas may be combined into fewer, larger signs, not exceeding twelve (12) square feet in sign area and four (4) feet in height, ~~to identify various contractors and other entities involved in construction on the site.~~ Such sign may be maintained until a certificate of occupancy is issued for the building.

- c. *Nonresidential developments.* Individual ~~construction~~ signs, not exceeding thirty-two (32) square feet in sign area and eight (8) feet in height, may be erected at one entrance on each street frontage of a nonresidential development. All such signs shall be located together in an area not more than forty (40) feet long and thirty (30) feet wide. Allowed sign areas may be combined into fewer, larger signs, not exceeding sixty-four (64) square feet in sign area and eight (8) feet in height, ~~to identify various contractors and other entities involved in the project.~~ After the first certificate of occupancy is issued for any establishment within such project, only one (1) ~~construction~~ sign, not exceeding sixty-four (64) square feet in sign area and eight (8) feet in height, shall be permitted at each such entrance. Such sign may be maintained until a certificate of occupancy is issued for the last establishment authorized under the existing approved final site plan for the site.

3. Signs located on Sales Sites. In a residential development where model dwelling units are open for sales purposes, the following signs may be utilized in conjunction with such models:

- a. One sign, not exceeding four (4) square feet in sign area, erected in the location of the model units;
- b. One sign, not exceeding three (3) square feet in sign area, located on the site of each different model unit and identifying that model unit;

- c. One sign, not exceeding three (3) square feet in sign area, located at the sales office for the development.

D. F. *Portable signs displayed on motor vehicles.* Signs displayed on motor vehicles normally shall be permitted, provided that the following requirements are met:

1. The vehicle must be licensed according to state and local requirements.
2. The primary use of the vehicle shall not be used primarily to transport tangible items and/or people. as an advertising display.
3. The vehicle shall not be parked/stored in any required yard adjacent to a street, with the following exceptions:
 - c. Vehicles on which the sign graphic attached or painted upon it ~~which~~ does not exceed an area of four (4) square feet parked in commercial districts.
 - d. ~~Vehicles for which no alternative parking space can be made available on the site.~~

E. G. *Residential development/subdivision ~~identification~~ signs.*

1. ~~Identification~~ Signs in for residential developments and subdivisions shall ~~may~~ be installed on private property included in the subdivision or development, provided that the signs are approved and installed as required by the ~~Public Works~~ Director of Development and Permits, or designee, as part of the subdivision and development review and approval process. No building permit shall be required for such signs, provided that they are installed and maintained in compliance with the requirements of this Ordinance. In no event shall any such sign be placed in a public water or sewer utility easement without the express written consent of the Director of Public Utilities, or designee.
2. Notwithstanding anything to the contrary in this Ordinance, the Zoning Administrator may issue a permit for the placement of a residential development and subdivision

~~identification~~ sign on private property located outside of the boundaries of the development or subdivision, provided that the following criteria are met:

g. No more than two (2) such ~~off-site~~ offsite signs shall be permitted for any single residential development or subdivision.

~~3. The Public Works Director shall have the authority to approve the placement of identification signs in the public right of way through a permit process, with the issuance of such permit being subject to such conditions as the Directors of Public Works and Public Utilities may prescribe in order to ensure the safety and maintenance of the right of way and public utilities located therein. Such conditions at a minimum shall include provisions for the ongoing maintenance of the sign and of any landscaping proposed to accompany the sign. In addition, all such signs must be placed at least 7.5 feet from the centerline of an existing or proposed water or sewer main or service lateral. Any approval for such a sign shall be subject to the City's right to require the removal and possible relocation of the sign and related landscaping at no cost to the City when such is deemed appropriate for the operation, expansion, widening, improvement, or maintenance of the affected right of way or utilities located therein.~~

3 4. The City reserves the unilateral right to require the removal, relocation, repair or replacement of any residential ~~identification~~ sign and accompanying landscaping approved under this subsection ~~14-705(G)~~ when deemed necessary due to government action, such as repair, relocation, expansion, widening or improvement of streets, reservation areas and/or public utilities, or due to the sign having been damaged, destroyed or allowed to fall into a state of disrepair. The City shall not bear any costs

associated with such removal, relocation, repair or replacement, regardless of the cause.

H. ~~Signs in for commercial/industrial parks.~~

1. ~~A commercial/industrial park may have one directory sign, meeting the requirements for directory signs in commercial/industrial centers as set out in section 14-705(A)(3) above. In addition, off-site directional signs may be placed at each intersection within the park for the purpose of identifying by name and directional arrow one or more business establishments located on the intersecting streets. Application for an off-site directional sign shall be made to the Department of Public Works. Upon approval of the sign, and payment of all installation fees by the applicants, the City shall install, or have installed in accordance with standards approved by the Department of Public Works, the sign in the public right-of-way, or within an easement granted by one or more of the applicants to the City for this purpose, provided that the sign is placed in a location that does not compromise public safety. The City shall be responsible for the design, installation, maintenance, alteration, removal and replacement of each off-site directional sign, including maintenance of the grounds on which the sign is placed, with all costs and fees associated with same to be borne equally by the business establishments having their names displayed on such sign. All directional such signs shall be freestanding monument style signs having no less fewer than two points of contact with the ground and having a maximum sign area of sixty-four square feet and a maximum sign height of twelve feet. All directional signs within a commercial/industrial park must be uniform in design, materials and graphics. The City shall adopt reasonable regulations governing the design, manufacture, placement, use, maintenance, alteration, removal and replacement of off-site directional signs and~~

~~providing for the equitable assessment of all fees and costs incurred in the design, manufacture, installation, maintenance, alteration, replacement and removal of off-site directional signs upon all business establishments obtaining signage thereon.~~

- ~~2. In addition to the signs permitted in subsection 1. above, the Planning Commission may approve the location and configuration of additional directory signs in such a park, either as part of a site plan review or as a separate Planning Director's item not requiring public hearing.~~

F. I. Signs in ~~for~~ commercial/industrial centers or parks, assembly uses and business establishments two (2) or more acres in size, when located in residential or agricultural zones.

1. Where a business establishment, assembly use or commercial/industrial center or park is located in a residential or agricultural zone and is two (2) or more acres in size, the sign area, the sign height and setback requirements for the freestanding signs on the site shall be those that are set out in the table of basic design elements, subject to such other provisions of this ordinance as may be applicable. The planning commission, as part of a site plan review or site plan revision, may approve greater sign area and sign height for such signs, up to the maximum allowed for such signs when located in business, office and institutional and industrial zones, subject to the setback requirements for such signs in those zones. The commission, in approving such greater sign area and sign height, may require other modifications to the site plan to reduce the impact of the larger signs on surrounding properties, including such provisions as requiring greater setbacks from the street or adjacent property, specifying the

approved location for such signs and specifying certain limitations on the design, color or illumination of such signs.

2. No proposed increase in sign area or sign height on such a site shall be approved unless the planning commission finds that factors unique to the property are such that the sign area and height limitations imposed for properties located on agricultural and residential land would create a substantial hardship for the owner or operator of the site, significantly reducing or eliminating the capacity of the sign to provide meaningful communication to persons off of the property.
3. In determining the appropriate increased sign area and sign height for such a sign, and the appropriate limitations on such a sign, such as setback, design, color, and illumination, the Planning Commission shall consider the following factors:
 - a. The compatibility and scale of such sign with surrounding uses and properties.
 - b. The relationship of such sign to the adjoining right-of-way.
 - ~~e. The relationship between the proposed sign and the scale and appearance of the activities to which the sign relates.~~
 - c ~~d~~. The topography or layout of the site and/or neighboring sites.
 - d ~~e~~. The location of trees and other vegetation on the site and/or neighboring sites that might affect the visibility of any such sign. (TA-Z-93-09)
4. An applicant who has been denied a request for an increased sign area or height by the Planning Commission under the provisions of this section may appeal such determination by filing a written notice of appeal with the City Council within ten (10) days of such action by the Planning Commission. A hearing on such

application shall be scheduled for the next available meeting, and the City Council shall consider the factors set forth in subsection 3-, {above,} in its deliberations.

G J. *Freestanding signs where two or more detached public buildings occupied for different purposes are located on one parcel of land.* Notwithstanding anything to the contrary herein, where two or more detached public buildings are occupied for different purposes and are located on one parcel of land, a maximum sign area of sixty four (64) square feet per street frontage shall be permitted for freestanding signs. This maximum sign area may be allocated between no more than two (2) freestanding signs per street frontage, provided that each freestanding sign on the site is separated from any other by a distance equal to at least one-half of the length of the frontage on which the sign is placed. As used in this subsection, the term "occupied for different purposes" may include two (2) or more types of schools; however, the term shall not include detached buildings used in the operation of a single complex or developed under a single site plan. All other regulations in this Ordinance, such as setback requirements and height restrictions for freestanding signs, shall apply.

H N. *Directional sSign where City realigns a thoroughfare causing a property to lose frontage on a through street.* One (1) directional sign, which belongs to identifying one or more establishments which ~~were existing~~ existed prior to the re-routing of a public thoroughfare and providing directions to such establishment, shall be permitted onsite or on offsite private property provided that the following requirements are met; ~~subject to approval as outlined below, in the off site unimproved public right of way.~~ Such a sign shall ~~comply with the following requirements:~~

- a. ~~If the sign is to be placed in the unimproved public right of way, said sign must be approved in writing by the Director of Public Works or designee prior to being placed~~

~~in the public right of way. To gain such approval, the Director of Public Works or designee must find that the sign will not impair vehicular sight visibility or pose any other danger to public safety.~~

~~a~~ b. The sign must be a freestanding, non-illuminated sign.

~~b~~ e. The sign area shall not exceed eighteen (18) square feet.

~~c~~ d. A permit for the sign must be issued by the Director of Development and Permits or designee in accordance with section 14-710 of this Ordinance.

I O. Utility pole snipe signs. Signs for City events, activities or City-related projects.

a. The overall size and dimensions of an authorized utility pole snipe sign permitted for ~~City events, activities or City-related projects~~ shall be no greater than sixty (60) inches in length and thirty (30) inches in width. ~~The name of the sponsor shall be limited to no more than twenty-six (26) inches in width and fifteen (15) inches in length. The remainder of the sign shall be reserved to depict the City event, activity or City-related project.~~

c. A revocable license agreement, approved by the City Council, shall also be required of any person, group, entity or organization that desires to install a utility pole snipe sign in addition to the requirements of the Chesapeake City Code, Zoning Ordinance and the administrative regulations referenced in subsection b. above.

I P. Off-site directional Offsite signs near access roads along the Dominion Boulevard Corridor where the city has realigned the thoroughfare causing the property to lose frontage on Dominion Boulevard or re-routed its sole access road which formerly connected with Dominion Boulevard. One (1) ~~directional~~ sign, for identifying one or more establishments which were existing prior to the re-routing of Dominion Boulevard ~~and providing directions to such establishment~~, shall be permitted off-site, ~~in the public right-~~

~~of way~~, near access roads along the Dominion Boulevard Corridor, and subject to the following requirements:

- f. The overall size and dimensions of the sign shall be no greater than twelve (12) feet in height and sixty-four (64) square feet. Individual name blades may be forty-two (42) inches in length and nine (9) inches in width. Lettering on the sign shall be no greater than six (6) inches in height. ~~Logos, graphics or designs shall be prohibited.~~

Section 14-706. - ~~Outdoor advertising~~ Billboard signs.

A. ~~Outdoor advertising~~ Billboard signs permitted through conditional use permit.

1. ~~Outdoor advertising~~ Billboard signs within the City may be approved through the granting of a conditional use permit by City Council in accordance with the provisions of Article ~~4~~ VII of the Zoning Ordinance. Any such permit may specify a termination date for the permit, after which the use permit shall become void unless renewed by new application and approval by City Council. This subsection shall not apply to ~~advertisements~~ billboards approved by Hampton Roads Transit (HRT) and located on a bus shelter owned and operated by HRT if the ~~advertisement~~ billboard complies with the requirements of subsection 14-706.D or to ~~advertising~~ billboards on property owned by the Chesapeake School Board in accordance with subsection 14-706.E of this Ordinance. For ~~outdoor advertising~~ billboard signs using light-emitting diode (LED) displays, provisions may be included with the approval of a conditional use permit allowing the City to utilize the sign to communicate public information in the event of an emergency. All applications for a conditional use permit to install a LED display shall include an inventory of the applicant's ~~outdoor advertising~~ billboard signs in the City to include location, size and number of sign faces and means of illumination.

2. Any ~~outdoor advertising~~ billboard sign erected under this subsection (A) shall comply with the following standards, in addition to any requirements of the conditional use permit approved by City Council. The Council may impose more or less restrictive standards than those set out below as conditions of the use permit.
 - d. No ~~outdoor advertising~~ billboard sign shall be located within one thousand (1,000) feet of any other ~~outdoor advertising~~ billboard sign which is located on the same side of the street or right-of-way or within three hundred (300) feet, measured in every direction, of any property zoned or used for residential purposes.
 - e. An ~~advertising~~ billboard sign approved under this subsection (A) shall not be located on the same lot where a building is located, and a building shall not be constructed on a lot where such a sign is located.
3. Each conditional use permit application for a billboard ~~an outdoor advertising~~ sign shall include a proposed landscape plan for the sign. Specific landscaping provisions for the sign shall become a condition of the conditional use permit granted.

B. *Existing nonconforming ~~outdoor advertising~~ billboard signs.*

1. All lawfully existing ~~outdoor advertising~~ billboard signs located within the City on February 12, 1991, shall be nonconforming signs.
2. Notwithstanding the nonconforming status of ~~outdoor advertising~~ billboard signs located in the City on February 12, 1991, any such sign which is subsequently involuntarily removed, destroyed, or damaged beyond fifty (50) percent of the original cost of erecting the sign may be reconstructed or restored, on its original lot or on another lot, without the requirement of a conditional use permit, provided that such reconstruction or restoration complies with the requirements set out below. For purposes of this section, involuntary removal shall be deemed to include, but not be

limited to, loss of a site for a sign due to termination of the lease for the site by the site owner or similar action beyond the control of the sign owner; provided, however, that the sign owner shall be required to provide to the Zoning Administrator documented proof of such involuntary loss of the site.

i. No ~~outdoor advertising~~ billboard sign shall be relocated to a lot where a building exists nor shall a building be constructed on a lot where such a sign exists. If a lawfully nonconforming ~~outdoor advertising~~ billboard sign was lawfully constructed on a lot where a building exists, the sign may remain on the lot unless and until the building is demolished or renovated in a manner that expands the footprint of the building by twenty-five (25) percent. A conditional use permit may be sought in accordance with paragraph A above for a lawfully existing ~~outdoor advertising~~ billboard sign to remain on the same lot as a proposed building or an expansion beyond twenty-five (25) percent of the footprint of an existing building.

j. No ~~outdoor advertising~~ billboard sign shall be located within one thousand (1,000) feet of any other ~~outdoor advertising~~ billboard sign which is located on the same side of the street or right-of-way or within three hundred (300) feet, measured in every direction, of any property zoned or used for residential purposes.

3. A conditional use permit may be sought for the proposed voluntary reconstruction or relocation of a nonconforming ~~outdoor advertising~~ billboard sign. Any reconstruction or relocation for which a use permit is granted shall at a minimum comply with all of the above provisions of subsection (A) above. Furthermore, a conditional use permit shall be required for the installation and use of a light-emitting diode (LED) display, except for the installation and use of a LED display on an existing lawful ~~outdoor~~

~~advertising~~ billboard sign if the sign faces an interstate highway or Route 58 and remains in the same location and no other sign using a LED display is located within one thousand (1,000) feet as measured on the same side of the interstate or Route 58 and facing the same direction as the subject ~~outdoor advertising~~ billboard sign unless the subject ~~outdoor advertising~~ billboard sign is located within three hundred (300) feet, as measured in every direction, of any property zoned or used for residential purposes in which case a conditional use permit shall be required. Notwithstanding the foregoing, in the event that a subject sign is located within three hundred (300) feet of any property zoned or used for residential purposes as provided above, no conditional use permit shall be required if the subject sign is separated from property used for residential purposes by an interstate highway or a railroad right-of-way and is set back at least the three hundred (300) feet as measured from the principal residential structure; the subject sign shall not be subject to any setback requirement from property zoned but not used for residential purposes.

C. *General provisions for all ~~outdoor advertising~~ billboard signs.*

1. Any lot on which an existing ~~outdoor advertising~~ billboard sign is located may be subdivided to create a lot containing only the ~~outdoor advertising~~ billboard sign, for purposes of ensuring conformity with this Ordinance. Any such lot shall be a minimum of fifteen thousand (15,000) square feet in size, and the sign shall be set back from the street or right-of-way it faces by a minimum of thirty-five (35) feet and shall have side and rear yard setbacks of twenty-five (25) feet.
2. The sign area for an ~~outdoor advertising~~ a billboard sign shall be calculated on the basis of one sign face, regardless of whether the message on each sign face is identical, provided that: (a) if the sign faces are parallel, they are not separated from each other

by more than four (4) feet; and (b) if the sign faces are not parallel, the angle formed by the two sign faces is not greater than 22½ degrees.

3. The normal changing of sign graphics, ~~including sign copy~~, on any ~~outdoor advertising billboard~~ sign will not require a permit as a result of this Ordinance, and such changing of sign graphics will not jeopardize the nonconforming status of an ~~outdoor advertising billboard~~ sign.
4. All ~~outdoor advertising billboard~~ signs located adjacent to interstate and federal-aid primary highways shall be subject to the provisions of section 33.2-1200 et seq. 33.1-370, Code of Virginia, 1950, as amended, and related statutes.

D. *Hampton Roads Transit bus shelter signs.* ~~advertising.~~ Advertisements Signs may be placed on bus shelters owned and operated by Hampton Roads Transit (HRT) upon compliance with the following:

1. Each ~~advertisement~~ sign must be contained in a secure ~~advertisement~~ display panel securely connected to an HRT bus shelter. Each ~~advertisement~~ display panel may contain back lighting when necessary to illuminate the ~~advertisement~~ sign subject to the restriction contained in section 14-707(6).
2. No more than two ~~advertisement~~ display panels shall be located at any point of passenger arrival and departure, at any location where bus shelters are located for use by the public and at any location where bus shelters are visible to a public right-of-way.
3. Each ~~advertisement~~ display panel shall not display ~~an advertisement~~ a sign larger than 70" in height and 50" in width.
4. Each display panel must be approved by the Zoning Administrator in accordance with section 14-704; and be approved by the Director of Public Works or designee for

adequate visibility clearance along public streets. The Zoning Administrator and the Director of Public Works or designee may issue one (1) permit for each bus shelter containing an ~~advertisement~~ display panel that complies with all of the listed requirements of ~~section 14-706.(D)~~.

5. HRT and the owner of each ~~advertisement~~ sign must execute an indemnification agreement before a permit is issued by the Zoning Administrator that indemnifies and agrees to defend the City against all claims and all liability arising out of or in connection with any ~~advertisement~~ display panel and ~~advertisement~~ sign located on an HRT bus shelter in a public right-of-way including, but not limited to, claims and liability resulting from intentional torts and criminal activity.

Execution of an agreement as required by ~~section 14-707-(10)-(a)-(iv)~~ shall satisfy this requirement. HRT and the owner of multiple ~~advertisements~~ signs may execute one indemnification agreement to cover all corresponding display panels and signs ~~advertisements~~.

6. If any ~~advertisement~~ display panel will be, or becomes, located in a public right-of-way, whether or not improved, the ~~advertisement~~ display panel must be approved by the Department of Public Works in accordance with ~~section 66-121.1-(b)~~ of the City Code. Approval of the display panels shall constitute approval of the location of each ~~advertisement~~ sign contained in the display panels.
7. HRT must approve the location of the sign ~~advertisement~~. Nothing in this Ordinance shall be construed to authorize HRT to regulate the content of any sign~~advertisement~~.
8. ~~All provisions regarding the placement of advertisements signs on bus shelters owned and operated by HRT shall expire on March 1, 2007, unless readopted before March~~

~~1, 2007.~~

E. Signs on Scoreboards. ~~advertising.~~

1. ~~Advertising~~ Signs on a scoreboard that ~~is~~ are visible from a public right of way may occur in accordance with the following requirements:
 - a. The ~~advertising~~ sign shall only be placed on a scoreboard permanently attached to property owned and operated by the Chesapeake School Board located in the Urban Overlay District.
 - b. The public right of way from which the ~~advertising~~ sign is visible shall be designated by the Master Transportation Plan as an eight lane arterial street. ~~Advertising~~ Signs visible from any right of way not designated to be an eight lane arterial street by the Master Transportation Plan ~~is~~ are prohibited.
 - c. Only one scoreboard per school may contain ~~advertising~~ signs visible to the public right-of-way.
 - d. ~~Advertising~~ Signs shall not exceed seven hundred and fifty (750) square feet in area ~~and shall not advertise more than one product, service or business or trade name approved in accordance with the Chesapeake School Board's partnership and sponsorship policy.~~
 - e. No direct or internal illumination shall illuminate the sign. ~~advertising.~~ Indirect illumination may occur during sporting events while the scoreboard is being used.
 - f. Nothing in this section shall authorize the Chesapeake School Board to regulate the content of any sign advertisement or exclude any sign advertisement on the basis of the content of a sign ~~n advertisement~~.

- F. *Limited to public and private toll facilities.* As an exception to the normal requirement of a conditional use permit, one ~~outdoor advertising~~ billboard sign with a static or LED display may be permitted by the Zoning Administrator for each direction of travel at the

South Norfolk Jordan Bridge, the Route 168 Bypass and Dominion Boulevard toll facilities only in accordance with the following:

- c. Each sign may be designated for use by the City to communicate public information that serves a legitimate governmental interest, including without limitation, inclement weather notices, hurricane evacuation notifications, traffic advisories, and notices of public events.

Section 14-707. - Prohibited signs.

All signs which do not comply with the requirements of this Ordinance and are not legally nonconforming signs are prohibited. The following signs are specifically prohibited within the City:

1. Abandoned signs (as described in section 14-703).
2. ~~Festoons, including flags, streamers and all other fluttering, spinning or similar type devices either wind-propelled or propelled by mechanical means are prohibited. However, the following flags may be displayed and will not be included as part of the authorized sign area for the site:~~
 - a. ~~National flags and flags of political subdivisions of the United States, of bona fide civic, charitable, fraternal and welfare organizations, as provided for in section 14-704(I)(2) above.~~
 - b. ~~Temporary display as part of a sale or other special event, as provided for in section 14-704(H)(1).~~
 - e. ~~Official flags of legal entities, subject to the following requirements: only one (1) such flag per establishment; only the official logo may be displayed on the flag; the flag may not be more than twenty-four (24) square feet in area, nor may it be higher than twenty-six (26) feet in height.~~

~~d. Up to three (3) flags may be flown as part of a residential subdivision or multifamily development. Only one such flag may be a flag identifying the development, with the others being those permitted under subsection (a) above. All such flags shall comply with the size limitations set out in subsection (e) above.~~

23. Snipe signs, unless specifically permitted by this Ordinance. ~~(as described in section 14-703) except as provided for in subsection 14-705 M. and signs approved by the Zoning Administrator in connection with City events and activities and City-related projects that promote public memorials, historical landmarks, educational facilities and similar public purposes, as further described in subsection 14-705 O. The City Council, or designee, shall determine City events and activities and City-related projects for which snipe signs may be permitted.~~

34. Signs erected or maintained which copy, imitate or in any way approximate an official highway sign.

45. Signs erected which display flashing or intermittent lights/LEDs or lights/LEDs of changing degrees of intensity unless specifically allowed in this Ordinance ~~, except a sign indicating time or temperature except those signs with alternating changes of not less than a five second cycle when such time or temperature sign does not, in the judgment of the Zoning Administrator, constitute a public safety or traffic hazard.~~

56. Illuminated signs in residential districts shall be prohibited except for the following:

a. Signs located at the entrance to residential developments and subdivisions ~~entrance signs~~ may be illuminated by indirect lighting which does not shine onto any adjacent street or property. Lighting commonly known as internal illumination is prohibited.

b. All signs associated with lawful nonresidential development in residential zoning districts may be illuminated by indirect lighting upon specific approval in a conditional use permit. Illumination of all other signs in residential zoning districts ~~signs associated with home occupations~~ is prohibited. Lighting commonly known as internal illumination is prohibited.

~~67.~~ Signs erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form shape or manner as to interfere with any opening required for legal ventilation.

~~78.~~ Signs or illumination that cause any direct glare into or upon any building other than the building to which the sign may be accessory.

~~9.~~ ~~Signs which advertise an activity, business, product or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises is seeking a new tenant, such signs may remain in place for not more than one hundred eighty (180) days from the date of vacancy.~~

~~8~~ ~~10.~~ Signs located ~~in~~ on any public right-of-way, except those permitted by other sections of the City Code. ~~this Ordinance or provided for in subsection a. below:~~

~~a.~~ ~~Signs may be reconstructed, relocated or allowed to remain in unimproved City-owned public right-of-way.~~ Unimproved public right-of-way shall mean public right-of-way that contains no improvement of sidewalk or pavement, provided that each of the following are met:

(i) ~~The sign was lawfully erected but has been rendered nonconforming due to the adjacent property owner's voluntary sale of the right-of-way to the city or other governmental entity for public improvements;~~

- (ii) ~~The department of public works verifies that the proposed public improvements to the right of way have not been funded and are not otherwise anticipated in the near future;~~
- (iii) ~~The owner of the sign executes a written agreement to be recorded in the clerk's office of the circuit court of the city providing that the sign will be relocated outside the right of way in conformance with applicable setbacks, at the sole expense of the owner or successor in interest, within sixty (60) days of notice from the city;~~
- (iv) ~~The owner of the sign executes an agreement indemnifying and agreeing to defend the city from all claims and liability arising out of or in connection with the construction, condition, location, content maintenance or removal of the sign including, but not limited to, claims and liability resulting from intentional torts and criminal activity;~~
- (v) ~~The owner of the sign maintains the grass and other vegetation in the public right of way in the general vicinity of the sign;~~
- (vi) ~~The sign does not encroach on any governmental or public service company easement or utility facility, without written permission from the owner of the easement;~~
- (vii) ~~The Department of Public Works issues a permit under section 66-121.1.(b) of the City Code.; and~~
- (viii) ~~The sign adheres to all size, height and similar sign regulations in this chapter.~~

~~The zoning administrator may issue a permit for a sign in unimproved public right of way upon satisfaction of all of the foregoing criteria. Any permit so issued shall be~~

~~revocable by the zoning administrator at any time, with or without cause, after the expiration of sixty (60) days from the date the zoning administrator sends notice to the owner of the sign. Such revocation shall result in the automatic revocation of any permit issued under the authority of section 66-121.1(b)(2) of the city code.~~

~~11.~~ Roof signs.

~~9~~ 12. Signs that violate any law of the Commonwealth relating to billboard signs.

~~Outdoor advertising signs, except as provided for in section 14-706.~~

~~10~~ 13. Any sign that projects beyond a lot line, unless expressly permitted by the Development Criteria of a Planned Unit Development.

~~11~~ 14. Any sign that overhangs and has a minimum clearance less than ten (10) feet above a walkway or fifteen (15) feet above a driveway, alley or travel lane, unless a lower clearance is specifically approved by the Zoning Administrator.

~~12~~ 15. Any sign which by reason of its location, position, size, shape or color may obstruct, impair, obscure, interfere with the view of or be confused with any traffic control sign, signal or device erected by a public authority or where it may interfere with, mislead or confuse traffic. Any such sign is subject to immediate removal and disposal by the City Manager, or designee, as a nuisance if it constitutes an immediate threat to the public's health, safety or welfare. To those ends, no sign shall use the word "stop," "slow," "caution," "yield," "danger," "warning" or "go," when such sign may be confused with a traffic control sign used or displayed by a public authority.

~~13~~ 16. Any ~~off-site directional~~ offsite sign, unless specifically allowed elsewhere in this Ordinance.

14. Signs attached to natural vegetation.

15. Vehicle or trailer signs except as permitted portable signs.

16. Signs hanging from supports, except against the face of a building.
17. Any sign displayed without complying with all applicable regulations of this chapter.
18. Prohibited signs based on materials.
 - a. Signs painted directly on a building, except those that meet the requirements of a permitted wall sign.
 - b. Signs that are designed to rotate, move or appear to rotate or move. This subsection does not apply to flags expressly permitted under this Ordinance.
 - c. Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three (3) months per year.
 - d. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
 - e. Signs that emit sound.
19. Prohibited signs based on location.
 - a. Off-premises signs, unless specifically permitted by this ordinance.
 - b. Roof signs that project upward above the roof of a building, excepting any such sign located on a parapet wall that is no less than two-thirds (2/3) of the frontage of the building.
 - c. Any sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle or pedestrian traffic due to its location.
 - d. Window signs whose aggregate area on a window or door exceed twenty-five percent (25%) of the total area of the window or door panel.

Section 14-708. - Nonconforming signs.

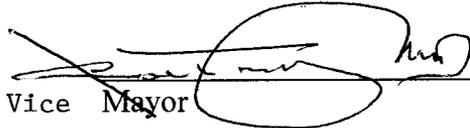
A. *Changes to conform with Ordinance; exceptions.* A nonconforming sign shall conform to all requirements of this Ordinance when it is erected, enlarged, extended, structurally altered, reconstructed or relocated, provided that:

1. a. When only the graphics of a nonconforming sign are altered, only the new graphics will be required to conform to the applicable requirements for graphics and sign area described in the table of basic design elements or as otherwise specified elsewhere in this Ordinance, and no alteration of any other aspect of the sign shall be required. In particular, such graphics shall not occupy an area greater than the maximum sign area specified for such a sign in this Ordinance, regardless of the size of the sign face. This limitation on the permitted area for new graphics shall not apply to the graphics on ~~outdoor advertising~~ billboard signs or on message boards, where the graphics are normally changed on a regular basis; those signs may continue to use the entire existing sign face. b. Each panel of a multifaceted sign shall be considered separately for the purposes of this subsection.

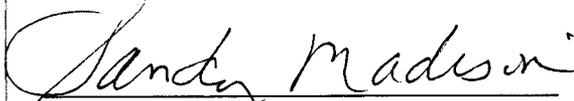
B. *Damaged or destroyed nonconforming signs.* Any damaged or destroyed nonconforming sign requiring repairs valued at fifty (50) percent or more of the original cost of the sign shall be removed or brought into conformity with this Ordinance. ~~Outdoor advertising~~ Billboard signs shall be governed by section 14-706 above.

ADOPTED by the Council of the City of Chesapeake, Virginia, this 23rd day of
January, 2018.

APPROVED:


Vice Mayor

ATTEST:


Clerk of the Council