PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL

The Williamsburg City Council will hold a public hearing on December 12, 2013, 2:00 p.m. in the Council Chambers of the Stryker Building, 412 North Boundary Street, to consider the following:

PCR #13-033: Revise and update the Zoning Ordinance Sign Regulations [Article VI. SIGNS]. The proposed changes include creating a new Midtown Sign District between Tribe Square and the Williamsburg Shopping Center that will allow additional flexibility and slightly larger freestanding signs, revising window sign regulations, allowing illuminated "open" signs in the Midtown Sign District, continuing the prohibition of neon signs except for "open" signs in the Midtown and Corridor Sign Districts, extending the time for grand opening signs from 10 to 30 days, allowing strings of non-flashing white lights on trees on private property in the Downtown Sign District, revising decorative flag regulations, allowing sidewalk signs in the Downtown and portions of the Midtown Sign Districts, and revising menu board regulations.

PCR #13-035: Rezone 1.74 acres at 227 Richmond Road (Williamsburg Baptist Church) from RDT Downtown Residential District to B-1 Downtown Business District. This property is designated by the 2013 Comprehensive Plan as Downtown Commercial land use (a variety of business and residential uses with a base residential density of 14 dwelling units/net acre and increased density with a special use permit). The proposed B-1 District allows a variety of business and residential uses with a base residential density of 14 dwelling units/net acre and additional density with a special use permit. The City is proposing to lease the Williamsburg Baptist Church's parking lot for use as public parking, which requires that the property be rezoned to B-1 as recommended by the Comprehensive Plan.

PCR #13-036: Amend the Zoning Ordinance by revising the membership qualifications for members of the Architectural Review Board [Sec. 21-853]. The changes are proposed to allow for a larger qualified applicant pool for appointments to the Architectural Review Board.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department (757) 220-6130, 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to the Council.

If you are disabled and need accommodation in order to participate in the public hearing, please call the City Manager's office at (757) 220-6100, (TTY) 220-6108, no later than 12:00 noon, Thursday, December 5, 2013.

Donna F. Scott
City Council Clerk

CITY OF WILLIAMSBURG
MEMORANDUM

DATE: **November 21, 2013**

SUBJECT: **PCR #13-033**
Sign Regulations Update

Williamsburg's sign regulations are contained in Article V of the Zoning Ordinance. Today's regulations date from the adoption of the new zoning ordinance in 1991, and major revisions have been made several times, most recently in 2008 when the regulations for sizes of signs in the Corridor Sign District were revised. The basic regulations pertaining to sign size are in good shape, but a number of regulations need to be updated.

Planning Commission reviewed the proposed updates at a work session on September 25 and also at the October 16 regular meeting. The Commission also referred the proposed updates to the Architectural Review Board for their review and comment, and this was done at the October 22 Architectural Review Board meeting (see attached minutes). Architectural Review Board comments are indicated in ***bold italics*** at the end of each section.

MIDTOWN SIGN DISTRICT

The City is divided into several sign districts: Residential, Colonial Williamsburg Historic Area; Downtown; and Corridor. These districts relate well to the underlying zoning districts and uses except for two areas: the Arts and Cultural District along Richmond Road (LB-2 and B-2 Districts), and the College Commercial area between the Richmond Road/Scotland Street intersection and Tribe Square/Prince George Street. The Arts and Cultural District has been designated and promoted to encourage and enhance the City's creative economy as an economic development initiative, and is now located mostly in the Downtown Sign District. The College Commercial area serves the major concentration of College students on the main campus and in nearby residential areas, as well as the City's residents and visitors, and is located in the Downtown Sign District.

To recognize the special character of this area, a new sign district is proposed – the Midtown Sign District. This replaces the existing Downtown Sign District for this area and includes the College Commercial area and most of the Arts and Cultural District from Brooks Street to Matoaka Court/Shirley Avenue. The Corridor Sign District is also extended to include the western portion of the Arts and Cultural District from the

Richmond Road/Lafayette Street intersection and Bacon Street. The following changes are proposed for the new Midtown Sign District [Sec. 21-746, pages 17-22]:

1. Freestanding sign area is increased from 12 to 18 square feet for an individual business, and from 20 to 24 square feet when the sign is used for two or more business on the same lot. ***There was no ARB consensus on this change.***
2. Illuminated "Open" signs are now allowed in this area, and can used exposed neon tubing or exposed LED lights. Size is limited to two square feet, and no sign permit or Architectural Review Board approval is required. ***This change was acceptable to ARB.***
3. Menu boards displaying a restaurant's printed menu are allowed at the main entrance or adjacent to a walkway leading to the main entrance. ***This change was acceptable to ARB.***
4. Sidewalk signs are allowed on private property for the College Commercial area, but not on public sidewalks. ***ARB did not want review authority over sidewalk signs because they are not permanent signs. ARB thought that the size, height and other regulations were acceptable, but that clear guidance on acceptable materials needed to be added. Based on ARB comments, the requirement for ARB approval was eliminated and design criteria were added.***
5. Decorative flags are allowed with an area of up to 10 square feet, and in addition to the allowed building-mounted sign area. These flags shall display only the business logo or a decorative design related to the business or the word "open." ***ARB thought the area of decorative flags should be deducted from the building mounted sign area.***
6. Banner signs announcing special exhibitions and shows for art galleries or museums are allowed, with a maximum size of 15 square feet. ***This change was acceptable to ARB.***

WINDOW SIGNS

The current regulations allow non-illuminated temporary signs attached to windows or hung behind and within three feet of a window, limited to an area of one-half of the permitted building-mounted sign area. The proposed regulations, which impact the Downtown, Midtown and Corridor Sign Districts, allow up to 50% of the window area to be taken up by signs painted on, affixed to, or hung behind windows. These signs cannot be illuminated, and do not require Architectural Review Board approval. However, signs affixed to or painted on the exterior of a window require sign permits and Architectural Review Board approval. Signs that are more than three feet behind a window are not subject to the regulations. [Secs. 21-745(2)g. – Downtown Sign District, page 12; 21-746(2)f. – Midtown Sign District, page 19; 21-747(2)a.3. – Corridor Sign District, page 27; and 21-747(2)c.3. – Corridor Sign District, page 30]. ***There was no ARB consensus on this change.***

OPEN SIGNS

Open signs are now allowed only in the Corridor Sign District [Sec. 21-747(2.1), page 30]. Only one is allowed and must be placed behind a window, with a maximum size of two square feet. Illuminated "open" signs are allowed, and neon is permitted. The proposed regulations allow illuminated "open" signs in the new Midtown Sign district, which includes the College Commercial area and the Arts and Cultural District. Illumination by exposed LED lights is also allowed. This regulation has been moved to the sections regulating window signs. [Secs. 21-745(2)g. – Downtown Sign District, page 12; 21-746(2)f. – Midtown Sign District, page 19; 21-747(2)a.3. – Corridor Sign District, page 27; and 21-747(2)c.3. – Corridor Sign District, page 30]. ***This change was acceptable to ARB.***

NEON SIGNS

Neon signs, except for the "Open" signs discussed above, are prohibited throughout the City unless they are more than three feet behind a window (e.g. Walgreens and Red, Hot and Blue) [Sec. 21-749(a)2.1, page 38]. The sign regulation revisions continue the prohibition of neon signs, with the exception of "open" signs in the Midtown and Corridor Sign Districts. If the revised sign regulations are approved with this prohibition in place, many neon window signs throughout the City will need to be removed. ***This change was acceptable to ARB.***

GRAND OPENING SIGNS

The current regulations allow building-mounted grand opening signs to be displayed for 10 days. James City County allows 30 days and York County allows 60 days. The proposed regulations allow building-mounted grand opening signs to be displayed for 30 days. [Sec. 21-748(a)(1)e., page 35]. ***This change was acceptable to ARB.***

STRINGS OF LIGHT BULBS

The current regulations do not allow the stringing of lights on light poles, shrubbery, trees and fences except for seasonal decorations between Thanksgiving and January 2. The proposed regulations allow the stringing of white non-flashing lights on trees on private property in the Downtown Sign District. This will allow the lights at Berret's/Taphouse Grill to remain. [Sec. 21-750(e), page 41]. ***This change was acceptable to ARB, with the hope that this would not become a popular option for lighting.***

BUILDING-MOUNTED DECORATIVE FLAGS

The current regulations allow wall mounted decorative flags, not to exceed 15 square feet, on buildings in the Downtown and Corridor sign districts. The flag area is deducted from the allowed building-mounted sign area. "Open," "Sale," or "Vacancy" cannot be used on decorative flags. The proposed regulations allow 10 square foot decorative

flags in the Downtown Sign District, and 15 square foot decorative flags in the Midtown and Corridor Sign Districts. The flag area is in addition to the allowed building mounted sign area, and "open" can be used on a decorative flag ("sale" and "vacancy" are still prohibited). [Secs. 21-745(6) – Downtown Sign District, page 15; 21-746(6) – Midtown Sign District, page 21; and 21-747(8) – Corridor Sign District, page 33]. ***ARB thought the area of decorative flags should be deducted from the building mounted sign area.***

POLE MOUNTED DECORATIVE FLAGS

The current regulations do not allow decorative flags on freestanding flag poles – only governmental flags or the flags of any nonprofit organization headquartered in the City are allowed, with the maximum size of the flag ranging from 45 square feet on a flagpole up to 35 feet high, and 65 square feet on a flagpole over 35 feet high. The proposed regulations allow one pole mounted corporate or decorative flag when it is displayed with two or more governmental flags, subject to the same height and area regulations. The words "open", "sale", "vacancy" or similar words or phrases related to business activity on the premises are not allowed. [Sec. 21-748(a)(2)e., page 37-38]. ***This change was acceptable to ARB, noting that a requirement on the size/proportion of the decorative flag may be needed. Based on ARB comments, a provision has been added requiring that the corporate or decorative flag match the size and proportions of the permitted governmental flags.***

SIDEWALK SIGNS

The current regulations do not allow sidewalk signs on public or private property. Menu boards for restaurants are allowed on private property, and on public sidewalks on Prince George Street between North Henry and North Boundary Streets with certain conditions. There are many sidewalk signs in the downtown area, and most of these are not allowed by the current regulations. The proposed regulations allow sidewalk signs in the Downtown Sign District [Sec. 21-745(3), pages 13-14], on public sidewalks on Prince George Street between North Henry Street and Armistead Avenue [Chapter 15, Streets and Sidewalks, Sec. 15-41(c)], and on private property in the College Commercial portion of the Midtown Sign District [Sec. 21-746(3), page 20], but do not allow sidewalk signs in the Arts and Cultural District portion of the Midtown Sign District and in the Corridor Sign District. Sidewalk signs are proposed to be subject to the following restrictions:

- One per business
- Maximum size – six square feet
- Maximum height – 42 inches
- Maximum width – two feet
- Must be non-illuminated
- Can be displayed only when the business is open
- Must be on private property, except for the public sidewalks on Prince George Street between North Henry Street and Armistead Avenue. When located on a

public sidewalk, a five-foot clear zone must be maintained on the sidewalk. Where no on-street parking is allowed, signs must be located at the curb or within one foot of the front wall of the building.

- A sign permit is required.
- Architectural Review Board approval is not required (this is recommended by ARB), but specified design standards must be met (wooden signs required, chalk boards permitted, sign colors from the approved color palette in the Design Review Guidelines – the full details are in the attached ordinance).

If the new regulations are approved, many of the existing sidewalk signs in the Downtown and Midtown Sign Districts will need to be replaced with signs that meet the new standards.

ARB did not want review authority over sidewalk signs because they are not permanent signs. ARB thought that the size, height and other regulations were acceptable, but that clear guidance on acceptable materials needed to be added. Based on ARB comments, the requirement for ARB approval was eliminated and design criteria were added, as detailed above.

The new regulations will also require related changes to the sidewalk café regulations in the City Code, Chapter 15, Streets and Sidewalks, section 15-41(b). A copy is attached for information purposes.

MENU BOARDS

The current regulations allow menu boards for restaurants on private property (except for the sidewalks on Prince George Street between North Henry and North Boundary Streets). These menu boards have evolved into more of a sidewalk sign than a menu board. With the proposed regulations for sidewalk signs, menu boards have been redefined to be signs displaying printed menus. These are allowed at the main entrance to a restaurant or along a walkway leading to the main entrance (Downtown and Midtown Sign Districts only). A maximum size of six square feet is allowed, and a menu board is in addition to a permitted sidewalk sign. No Architectural Review Board approval or sign permit is required, but menu boards are subject design standards similar to sidewalk signs (see the attached ordinance for full details). [Secs. 21-745(4) – Downtown Sign District, page 14; 21-746(4) – Midtown Sign District, page 21; Sec. 21-747(5) – Corridor Sign District, page 32]. ***This change was acceptable to ARB.***

DIRECTORY SIGNS

A new regulation has been added allowing 7½ square foot building mounted directory signs for buildings with multiple tenants in the Downtown and Midtown Sign Districts [21-745(5), page 14-15 and 21-746(4), page 21]. The shopping center directory sign regulations for the Downtown Sign District has been moved to the shopping center section [21-745(7)h., page 15-16]. ***This change was acceptable to ARB.***

HOUSEKEEPING CHANGES

There are also a number of minor housekeeping changes made throughout the sign regulations, and these are indicated in red underline.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council that the proposed revisions to Article VI, Signs, of the Zoning Ordinance, including the Sign Districts Map, and as detailed in the attached ordinance, be approved. Planning Commission also needs to consider whether any additional changes based on the comments of the Architectural Review Board should be made.

Staff also recommends that Planning Commission recommend to City Council that the proposed revisions to Chapter 15, Streets and Sidewalks, Article III, Sidewalks, Sec. 15-41(b) and (c), and as detailed in the attached ordinance, be approved. These changes deal with allowing sidewalk signs and menu boards on public sidewalks on Prince George Street between North Henry Street and Armistead Avenue, and related changes to the sidewalk café regulations for the same area.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on this request on November 20. One person spoke in favor of the revisions. Planning Commission recommended, by a vote of 5-0, that: (1) City Council approve the proposed revisions to Article VI, Signs, of the Zoning Ordinance, including the Sign Districts Map; and (2) City Council approve the proposed revisions to Chapter 15, Streets and Sidewalks, Article III, Sidewalks, Sec. 15-41(b) and (c), dealing with allowing sidewalk signs and menu boards on public sidewalks on Prince George Street between North Henry Street and Armistead Avenue, and related changes to the sidewalk café regulations for the same area. These changes are detailed in the attached ordinances.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing on this case is scheduled for December 12 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.

Reed T. Nester

Reed T. Nester, AICP
Planning Director

[PC\PCR\2013\13-033M05]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE VI. SIGNS
(PCR #13-033)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

BE IT ORDAINED that Chapter 21, Zoning, Article VI, Signs shall be amended to read as follows:

ARTICLE VI. SIGNS

Sec. 21-736. Intent.

The intent of this article is ~~to regulate all exterior signs and permanent interior window signs placed for exterior observance;~~ to establish limitations on signs to ensure that they are appropriate to the neighborhood, building or use to which they are appurtenant and are adequate, but not excessive, for their intended purpose as a means of communication without adverse impact on the visual character of the area; to ensure that signs are compatible with their surroundings; to maintain and enhance the aesthetic environment of the Colonial Williamsburg Historic Area, the city and its entrance corridors; to improve pedestrian and traffic safety; to minimize the possible adverse ~~affect~~ effect of signs on nearby public and private property; to avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, and community appearance; and to enable the fair and consistent enforcement of these sign regulations. Any display of outdoor advertising is considered inappropriate to the character and sound development of the city, and it is intended by this article that street and highway rights-of-way in the city shall not be made available for such display.

Sec. 21-736.1. Sign definitions.

(a) *Sign* means any writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, device, symbol or trademark, flag, banner, pennant or any other device, figure or character which is employed to announce, direct attention to, identify, or make known, and which is visible from a public street or sidewalk. However, this shall not include any official court or public notices. The following types of signs are more specifically defined:

(1) *Banner sign* means a sign made of fabric or any non-rigid material with no enclosing framework.

(2) *Building-mounted sign* means a sign attached to, painted on, inscribed upon or deriving its major support from a building, including a wall sign, a projecting sign or an awning sign. For the purposes of this chapter, a sign attached to or painted on a gasoline pump island canopy shall be considered a building-mounted sign. For the purposes of this chapter, permanent signs painted on or affixed to the outside of windows or doors, ~~attached to windows or doors, or~~

~~hung behind and within three feet of the windows or doors,~~ either illuminated or non-illuminated, shall be considered a building-mounted sign subject to the sign area regulations contained in this chapter. Signs located more than three feet behind a window or door shall not be considered signs for the purposes of this chapter.

(3) *Directory sign* means a subsidiary sign listing the names, uses and/or location of various businesses conducted within a building or group of buildings. ~~defined as a shopping center by section 21-2 Definitions.~~

(4) *Freestanding sign* means a sign, supported by one or more columns, uprights or braces, in or upon the ground, but not attached to any building. A sign attached to a flat surface not a part of the building, such as a fence or wall, shall be considered a freestanding sign. A monument sign, as defined below, shall also be considered a freestanding sign. For the purposes of this chapter, a freestanding sign listing two or more businesses located on a property or in a shopping center, and which is designed as one sign, shall be considered one freestanding sign.

(5) *Monument sign* means a ground mounted sign mounted on a contiguous base having a minimum width of at least 90 percent of the sign and its supporting structure, and not attached to any building. For the purposes of this chapter, a monument sign listing two or more businesses located on a property or in a shopping center, and which is designed as one sign, shall be considered one monument sign.

(6) *Outdoor advertising sign* means a freestanding or building-mounted sign bearing a message which does not pertain to the use of the property where the sign is located, and which does not identify the place of business, if any, where the sign is located as the purveyor of merchandise or services upon the property. Such signs may also be referred to as billboards or poster panels, but shall not include ~~informational signs allowed by section 21-746(a)(2)d. and e.,~~ sidewalk signs located on public sidewalks allowed by section 21-745(3)h., signs located on wide public rights-of-way allowed by section 21-749.1, or signs on contiguous properties erected pursuant to section 21-747(1)d.

(7) *Portable sign* means a sign not permanently attached to the ground or a building, including any sign attached to a vehicle for advertising purposes when the vehicle is so parked as to attract the attention of the public to the property upon which it is parked. Non-vehicular signs of this type may also be referred to as ~~"A-frame signs."~~ A-frame signs, sandwich boards or sidewalk signs.

(8) *Projecting sign* means a building-mounted sign attached to and perpendicular to the building wall.

(9) *Temporary sign* means a sign, banner, pennant, poster, or advertising display constructed of cloth, plastic sheet, cardboard, wallboard, or other like materials, displayed for not more than 30 days during a period of 365 consecutive days, and not permanently attached to a building or the ground.

(10) *Wall sign* means a building-mounted sign attached to, painted on, inscribed upon, or deriving its major support from a wall, and which projects less than 12 inches from the wall.

(b) *Sign maintenance* means the replacing or repairing of a part or portion of a sign made necessary by ordinary wear, tear or damage beyond the control of the owner.

Sec. 21-737. Sign districts.

In order to meet the intent of this article, five ~~four~~ sign districts are created to reflect the character of various areas in the city. The boundaries for these districts are delineated on the official Sign Districts map, adopted on September 13, 2007 and amended on ***[INSERT ADOPTION DATE OF ORDINANCE]***. The official sign districts map, and all notations, references and other information shown thereon, is a part of this article, and has the same force and effect as if the official sign districts map were fully set forth or described in this article. These districts are:

(1) *Residential sign district.* This district encompasses residential and non-commercial areas to ensure that signage is in keeping with the character of these areas.

(2) *Colonial Williamsburg Historic Area ~~S~~sign ~~D~~district.* This district encompasses the Colonial Williamsburg Historic Area district and is established to preserve and maintain the historic character of the Colonial Williamsburg Historic Area by ensuring that historic signage is in keeping with 18th-century precedent and modern directional signage is unobtrusive.

(3) *Downtown sign district.* This district is designed to protect and enhance the historic character of the adjoining Colonial Williamsburg Historic Area and to maintain and encourage the small scale pedestrian character of the College of William and Mary and the various older neighborhoods and businesses ~~areas~~ in the architectural preservation district, by ensuring that signage is in keeping with the character of these areas.

(4) *Midtown sign district.* This district is designed as a transition between the downtown sign district and the corridor sign district. It is intended to maintain and encourage the pedestrian character of the College of William and Mary and the adjoining commercial area along Richmond Road and Scotland Street and of the Arts and Cultural District between Brooks Street and Matoaka Court/Shirley Avenue, and to respect the residential character of the intervening section of Richmond Road. This district is also designed to offer additional flexibility in signage due to its unique character.

(5)~~(4)~~ *Corridor sign district.* This district is designed to ensure that signage in the city's entrance corridors is harmonious and compatible with the Colonial Williamsburg Historic Area, the College of William and Mary, and the various older neighborhoods in the architectural preservation district, and that the signage contributes to the improvement of the design of the city's major commercial corridors. It is also designed to ensure that signage in the areas situated between residential and commercial districts is harmonious and compatible with the character of those areas.

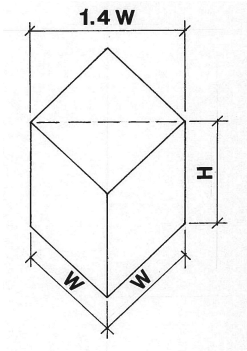
Sec. 21-738. Calculation of sign area.

(a) Sign area shall be calculated as the area within a parallelogram, triangle, circle, semicircle or other regular geometric figure including all letters, figures, graphics or other elements of the sign, together with the framework or background of the sign. The sign area shall not include decorative bar-iron cresting above the sign and/or decorative bar-iron brackets below the sign if the bar-iron is no larger than ¾-inch by 1½-inch in cross section. Double faced signs (two sign faces parallel, back to back, and not more than two feet from each other) shall be counted as one sign. V-signs (two sign faces on an angle, not parallel) with an angle greater than 60 degrees, shall be prohibited. The supporting framework of the sign shall not be included in determining sign area unless such supporting framework forms an integral part of the sign display, as determined by the zoning administrator. If the sign is located on a decorative fence or wall, when such fence or wall otherwise meets these or other ordinances or regulations and is clearly incidental to the display itself, the fence or wall shall not be included in the sign area.

(b) The sign area shall be computed as including the sign visible from any single ground position, as follows:

(1) *Cube sign:* 1.4 times the area of one sign face counted

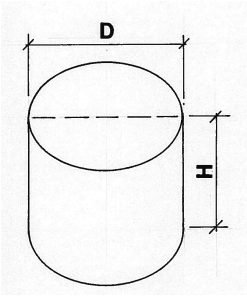
Area = 1.4W x H.



Sign Area 1

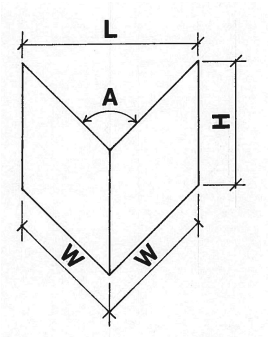
(2) *Cylindrical sign:* Sign area equals the average of one half of the circumference of the sign and of the diameter of the sign, times the height of the sign.

Area = ½(pi D/2 + D)(H) = 1.285D x H



Sign Area 2

(3) *Triangular sign:* One face counted when the three faces of the sign form an equilateral triangle. If the sign is not an equilateral triangle, the sign area shall be the area of the largest face.



Sign Area 3

(4) *"V" sign:*

a. *60-degree or lesser angle:* One face counted. (Area = W x H)

b. *Greater than 60-degree angle:* Prohibited.

Sec. 21-739. Permit required.

(a) *Compliance.* No sign, except those qualifying for permit exceptions, shall be painted, constructed, erected, remodeled, refaced, relocated, expanded or otherwise altered until a sign permit has been obtained from the zoning administrator in accordance with the provisions of this section.

(b) *Permit exceptions.* A permit shall not be required for the following signs, but they shall be subject to all other applicable provisions of this ordinance:

(1) Repainting or refacing of an existing sign without changing the wording, composition, color or material; or minor nonstructural repairs.

(2) Signs specifically excluded from permit requirements.

Sec. 21-740. Liability insurance required.

No permitted sign located on or projecting over a city right-of-way shall be erected unless an insurance policy shall have been filed for public liability with a total limit of $600,000.00 per accident/$300,000.00 per person bodily injury/$150,000.00 property damage.

(1) Such policy shall be issued by an insurance company authorized to do business in the State of Virginia and acceptable to the city manager. The policy shall name the city as a co-insured and shall require 30 days' written notice to the city before modification or cancellation.

(2) Such policy shall protect and save the city harmless from any and all claims or demands for damages by reason of any negligence of the sign hanger, contractor, property owner or occupants, or their respective agents; or by reason of defects in the construction, or damages resulting from the collapse, failure or combustion of the sign or parts thereof.

(3) Such policy shall be maintained so long as the sign in question remains erected.

Sec. 21-741. Content and advertising message; changeable messages.

(a) The content or advertising message carried by permitted signs shall pertain to the business located on the same premises as the sign; or to any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, provided that signs erected on contiguous properties pursuant to section 21-747(1)d. may pertain to a business located on any such contiguous property.

(b) For signs with changeable message panels or zip tracks, the changeable message area of the sign shall not exceed 25 percent of the total sign area, except for gasoline price signs which shall not exceed 75 percent of the total sign area. Reverse white or light-colored lettering with no white background is required. Electronic changeable message boards shall be prohibited.

Sec. 21-742. Signs located in the architectural preservation and corridor protection zoning districts.

(a) No sign, unless specifically exempted, shall be erected in the architectural preservation district AP or in a corridor protection district CP until the sign has been approved by the architectural review board in accordance with the provisions of Article IX, Architectural Review.

(b) The architectural review board may impose additional restrictions on illumination to ensure that the character of signs are harmonious with the character of the structures on which they are to be placed, provided that such restrictions are reasonably related to other conforming signs and conforming structures on the premises and in the contiguous area, do not unreasonably restrict the amount of signage allowed by this article, and are in keeping with the intent of applicable design review guidelines. Among other things, consideration shall be given to the location of signs on the structure in relation to the surrounding buildings, the use of appropriate materials, the size and style of lettering and graphics, and the type of lighting.

(c) In the downtown sign district, the architectural review board may allow a sign of greater height (not to exceed 15 feet) and may exclude framing and ornamentation relating to the business on the premises from the permitted sign area. Waivers shall not be approved unless they are found to be consistent with traditional sign design, as represented by the re-created signage in the Colonial Williamsburg Historic Area and early Colonial Revival sign design in Merchants Square.

(d) The name of a business, or information pertaining to a business, may be changed without architectural review board approval, if the sign conforms to the provisions of this article, and if the color, size, and style of lettering, and illumination of the sign, is not changed.

Sec. 21-743. Sign regulations for the residential sign district.

The following regulations shall apply in the residential sign district:

(1) *Dwelling unit identification.* One building-mounted or freestanding sign, not exceeding two square feet in area for each dwelling unit, shall be permitted. Such sign shall indicate only the name of the occupant, the name of the dwelling unit or property unit or property, and/or its location.

(2) *Multi-family building identification.* One or more building-mounted signs, not exceeding in the aggregate ten square feet per building, shall be permitted for the purpose of identifying a multi-family building.

(3) *Room rental identification.* One building-mounted or freestanding sign not exceeding two and one-half square feet in area for the purpose of identifying a dwelling unit renting rooms to roomers or visitors shall be permitted. The sign shall be in lieu of any sign permitted by section 21-743(1). Illumination shall be limited to not more than two 25 watt bulbs.

(3.1) *Studios or workshops for artists and artisans.* One building-mounted or freestanding sign not exceeding two and one-half square feet in area for the purpose of identifying permitted studios or workshops for artists and artisans on the same lot as a dwelling unit shall be permitted. The sign shall be in lieu of any sign permitted by section 21-743(1). Illumination shall be limited to not more than two 25-watt bulbs.

(4) *Home occupations.* Signs for the purpose of identifying a permitted home occupation shall not be permitted.

(5) *Decorative flags.* One wall mounted decorative flag, not to exceed 15 square feet in area, shall be allowed for a dwelling unit. Such flag shall not indicate~~d~~ the name or logo of a business or home occupation, nor a written message pertaining to a business or home occupation.

(6) *Non-residential uses.* The size of signs for non-residential use shall be regulated by section 21-745, sign regulations for the downtown sign district.

(7) *Subdivision or project identification.* Freestanding signs, with maximum total area of 24 square feet, shall be permitted for the identification of a subdivision, apartment or condominium complex, or planned development. No more than ~~one sign~~ two signs shall be permitted for each street frontage.

(8) *Additional regulations for signs allowed by this section.*

a. *Height.* Freestanding signs shall have a maximum height of five feet.

b. *Projection over property lines.* No sign shall project beyond the property line or be located on or project over a city right-of-way.

c. *Illumination.* All signs shall be non-illuminated or externally illuminated, unless otherwise specified.

Sec. 21-744. Sign regulations for the Colonial Williamsburg Historic Area sign district.

The following regulations shall apply in the Colonial Williamsburg Historic Area sign district:

(1) *Freestanding signs in the Colonial Williamsburg Historic Area sign district.*

a. *Historic signs.* Freestanding signs that are based on 18th Century precedent shall be of the type that would have existed in this area in the 18th Century, and shall be based upon satisfactory documented historical evidence provided by the applicant. The location of these signs shall be approved by the architectural review board, as well as by the city manager if the sign is located on a city right-of-way. If a sign is located on or projects over a City right-of-way, it shall not be approved unless an insurance policy is maintained accordance with section 21-740.

b. *Other freestanding signs.* All other freestanding signs shall be subject to the following:

1. *Maximum size:* 12 square feet.

2. *Maximum number of signs on one pole or supporting structure:* Two.

3. *Projection over a city right-of-way:* Permitted if the following conditions are met:
   i. Bottom of sign shall be at least eight feet above ground level.
   ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
   iii. Liability insurance policy shall be filed in accordance section 21-740.
   iv. Location on a city right-of-way. Prohibited.

(2) *Building-mounted signs in the Colonial Williamsburg Historic Area sign district.*

a. *Historic signs.* Building-mounted signs that are based on 18th Century precedent shall be of the type that would have existed in the 18th century, and shall be based upon satisfactory documented historical evidence provided by the applicant. The location of these signs shall be approved by the architectural review board. If a sign projects over a city right-of-way, it shall not be approved unless an insurance policy is maintained in accordance with section 21-740.

b. *Other signs.* All other building-mounted signs in the Colonial Williamsburg Historic Area sign district shall be subject to the following:

1. *Maximum size:* Five square feet.

2. *Projection over a city right-of-way:* Permitted if the following conditions are met:
   i. Bottom of sign shall be at least eight feet above ground level.
   ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
   iii. Liability insurance policy shall be filed in accordance section 21-740.

Sec. 21-745. Sign regulations for the downtown sign district.

For residential uses, signs shall be regulated by section 21-743, Sign regulations for the residential sign district. For all other uses, the following regulations shall apply in the downtown sign district:

(1) *Freestanding signs in the downtown sign district.*

a. *Single business on a single lot.*

1. *Number of freestanding signs permitted:* One, but where the business has a rear entrance from an adjacent parking lot, one additional freestanding sign may be placed at the rear entrance.

2. *Maximum sign area:* 12 square feet.

3. *Maximum height:* 12 feet; except for decorative bar-iron cresting above the sign which may extend above the 12-foot height to a maximum height of 15 feet, provided that the bar-iron is no larger than ¾-inch by 1½-inches in cross section.

4. *Projection over a city right-of-way:* Permitted if the following conditions are met:
   i. Bottom of sign shall be at least eight feet above ground level.
   ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
   iii. Liability insurance policy shall be maintained in accordance with section 21-740.

5. *Location on a city right-of-way.* Prohibited.

6. *Illumination:* Internally illuminated signs shall be prohibited.

7. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

b. *Two or more businesses in the same building or on the same lot or on adjoining properties under the same ownership, having shared parking lots and/or driveways.*

1. *Number of freestanding signs permitted:* One sign for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be permitted to be shared by the businesses located therein. Where one or more businesses has a rear entrance from an adjacent parking lot, one additional freestanding sign may be placed at the rear entrance.

2. *Maximum sign area:* 12 square feet for single business sign; 20 square feet for a sign shared by two or more businesses located on the same site.

3. *Maximum height:* 12 feet; except for decorative bar-iron cresting above the sign which may extend above the 12-foot height to a maximum height of 15 feet, provided that the bar-iron is no larger than ¾-inch by 1½-inches in cross section.

4. *Maximum number of signs on one pole or supporting structure:* One.

5. *Projection over a city right-of-way:* Permitted if the following conditions are met:
   i. Bottom of sign shall be at least eight feet above ground level.
   ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
   iii. Liability insurance policy shall be maintained in accordance with section 21-740.

6. *Location on a city right-of-way.* Prohibited.

7. *Illumination:* Internally illuminated signs shall be prohibited.

8. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

9. *Existing legally nonconforming signs identifying two or more businesses:*
   i. *When the sign area requirement is met.* Where signs identifying two or more businesses are mounted on one pole or supporting structure and do not meet the criteria of this section [21-745(1)b.] pertaining to height, an individual business may replace its sign face without bringing the entire sign into compliance with the regulations, provided that:
      (1) The area of the sign complies with subsection 21-745(1)b.2. above; and
      (2) The changes are approved by the architectural review board.

ii. *When the sign area requirement is not met.* Where signs identifying two or more businesses are mounted on one pole or supporting structure and do not meet the criteria of this section [21-745(1)b.] pertaining to area and height, the sign being replaced shall be brought into compliance with these regulations. The sign or signs not being replaced may remain as a nonconforming sign.

iii. *When all signage is proposed to be replaced.* In the event that all signs on the pole or supporting structure are proposed to be modified, all requirements of this section [21-745(1)b.] shall be met.

c. *Shopping centers:* See section 21-745(~~8~~7).

(2) *Building-mounted signs in the downtown sign district.*

a. *Maximum sign area:* One square foot of sign area for each lineal foot of building frontage on a public street occupied by the business, with a maximum sign area of 32 square feet. No sign area shall be required to be less than 16 square feet. If the portion of a building occupied by a business does not have public street frontage, the building width occupied by the business at its main entrance shall be used to calculate permitted sign area. Where more than one business shares a main entrance on the exterior of the building, one sign shall be permitted for all of the businesses sharing the entrance and the sign area shall be calculated based on the building width at the entrance utilized by the businesses sharing the entrance, with a maximum sign area of 32 square feet.

b. *Buildings fronting on more than one public street:* Each frontage shall be considered separately when calculating building-mounted sign area. The maximum sign area on any one side of the building shall not exceed 32 square feet.

c. *Rear entrances:* When a business has a rear entrance from an adjacent parking lot, additional building-mounted signage shall be allowed at the rear entrance as follows: one square foot of sign for each lineal foot of exterior building width occupied by the business at the rear entrance, with a maximum sign area of 32 square feet. No sign area shall be required to be less than 16 square feet.

d. *Projecting signs:* Sign area shall be deducted from the maximum sign area allowed by subsection (2)(a) above. Projection over a city right-of-way shall be permitted if the following conditions are met:

1. Bottom of sign shall be at least eight feet above ground level.
2. Edge of sign shall be at least three feet from curb line or edge of pavement.
3. Liability insurance policy shall be maintained in accordance with section 21-740.

e. *Illumination:* Internally illuminated signs shall be prohibited.

f. *Shopping centers:* See section 21-745(~~8~~7).

~~g. *Temporary signs:* Non-illuminated temporary signs attached to windows or doors, or hung behind and within three feet of the windows or doors shall be permitted. The maximum sign area for all temporary signs for an individual business shall not exceed an area of one-half of the permitted permanent building mounted sign area. The area of temporary signs shall not be counted as building mounted sign area. No dayglow or fluorescent colors shall be allowed. A temporary sign shall be displayed not more than 30 days during a period of 365 consecutive days. No sign permit shall be required. No architectural review board approval shall be required.~~

g. *Window signs*

1. *Illuminated signs.* Illuminated signs placed behind a window or door shall be prohibited.
2. *Non-illuminated signs on the inside of windows.* Non-illuminated signs painted on or affixed to the inside of, or hung behind, windows or doors shall be permitted, provided that not more than 50 percent of the window area shall be taken up by said signs. These signs shall not be counted as building-mounted sign area. No sign permit or architectural review board approval shall be required. Signs located more than three feet behind a window or door shall not be considered signs for the purpose of this section.
3. *Non-illuminated signs on the outside of windows.* Non-illuminated signs painted on or affixed to the outside of windows or doors shall be permitted, but shall be deducted from the building-mounted sign area allowed by section 21-745(2)(a). A sign permit and architectural review board approval shall be required.
4. *Open signs.* Illuminated "open" signs shall be prohibited.

~~(3) *Gasoline pump island signs.* Non-illuminated gasoline pump island signs shall be permitted subject to the following restrictions:~~

~~a. Two "self serve" or "full serve" signs per pump island not to exceed 2½ square feet each (no architectural review board approval or sign permit shall be required);~~

~~b. One fuel price or promotional information sign per fuel pump not to exceed two square feet (no architectural review board approval or sign permit shall be required).~~

~~c. Any other signs on the canopy or pump islands shall be subject to the requirements for building mounted signage in section 21-745(2).~~

~~(4) *State inspection center signs.* Official state inspection center signs for certified state inspection stations shall be permitted for service stations and automobile dealerships. These signs shall be non-illuminated and located on the building. The maximum sign area shall be eight square feet, and shall not be counted as~~

~~building mounted sign area. One such sign shall be permitted. No architectural review board approval or sign permit shall be required.~~

(3) *Sidewalk signs in the downtown sign district:* Portable freestanding sidewalk signs (also referred to as A-frame signs and sandwich boards) shall be permitted on private property if the following conditions are met. A sign permit shall be required. No architectural review board approval shall be required.

a. *Number of signs permitted:* One for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be permitted to be shared by the businesses located therein. In lieu of a single portable freestanding sign, a business may display two chalkboards with a maximum size of three square feet each, which may be mounted on or leaned against a building wall, fence or planter box.

b. *Maximum sign area:* Six square feet

c. *Maximum height:* Three and one-half feet (42 inches)

d. *Maximum width:* Two feet

e. *Illumination:* Prohibited.

f. *Time of display:* Sidewalk signs shall be displayed only when the business is open.

g. *Attachments prohibited:* No temporary posters, letters, flyers, balloons, pennants, flags or other attention-getting devices may be attached to a sidewalk sign.

h. *Location on a public sidewalk:* Prohibited except for sidewalks on Prince George Street between North Henry Street and Armistead Avenue, which is regulated by Chapter 15, Streets and Sidewalks, Article III, Sidewalks, section 15-41(c).

i. *Design criteria:* Sidewalk signs and chalkboards should look professional and be in keeping with the character of the Architectural Preservation District, and shall meet the following design criteria:

1. Signs shall be constructed of wood that presents a finished appearance. Rough-cut plywood is not acceptable. Wooden signs may have a metal frame.

2. Plastic, plastic-faced or metal signs are prohibited.

3. Chalk boards are permitted, but changeable copy with removable letters is prohibited.

4. Dry erase boards are prohibited.

5. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

6. Creative shapes are encouraged (e.g. ice cream cone, coffee cup, cupcake).

(4)~~(5)~~ *Menu boards in the downtown sign district:* ~~Portable~~ Signs displaying a restaurant's printed menu ~~items for a restaurant on the premises~~ shall be permitted if the following conditions are met (no architectural review board approval or sign permit shall be required):

a. *Number of signs permitted:* One sign ~~for~~ located at the main entrance to the restaurant or adjacent to a walkway leading to the main entrance. ~~, but where~~ Where a restaurant has a ~~rear~~ second entrance ~~from an adjacent parking lot~~, one additional menu board may be placed at the ~~rear~~ second entrance. This sign or signs are in addition to the sidewalk sign permitted in section 21-745(3).

b. *Maximum sign area:* ~~Four~~ Six square feet.

c. *Maximum height:* ~~Four~~ Five feet.

~~d. *Maximum distance of menu board from restaurant or outdoor dining area entrance:* Four feet.~~

d. ~~e.~~ *Projection over a city right-of-way:* Prohibited.

e. ~~f.~~ *Location on a city right-of-way:* Prohibited.

f. ~~g.~~ *Illumination:* Prohibited.

g. *Design criteria:* Menu boards should look professional and be in keeping with the character of the Architectural Preservation District, and shall meet the following design criteria:

1. Signs shall be constructed of wood that presents a finished appearance. Rough-cut plywood is not acceptable. Wooden signs may have a metal frame.

2. Plastic, plastic-faced or metal signs are prohibited.

3. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

(5)~~(6)~~ *Directory signs in the downtown sign district:* ~~Freestanding or~~ Building-mounted directory signs shall be permitted for ~~shopping centers~~ buildings with shared entrances for multiple tenants if the following conditions are met:

a. *Number of signs permitted:* One for each shared entrance ~~directory sign for each ten businesses in the shopping center~~.

b. *Maximum sign area:* Seven and one-half square feet.

~~c. *Maximum height for freestanding signs:* Seven and one-half feet.~~

d. *Projection over a city right-of-way:* Prohibited.

e. *Location on a city right-of-way:* Prohibited.

f. *Illumination:* Internally illuminated signs shall be prohibited.

(6)~~(7)~~ *Decorative flags in the downtown sign district:* One wall mounted decorative flag, not to exceed 10 ~~15~~ square feet in area, shall be allowed for a business. The decorative flag shall display only the logo of a business or a decorative design related to the business, or the word "open," but ~~and~~ shall not display the words ~~"open",~~ "sale", "vacancy" or similar words or phrases related to business activity on the premises. Such decorative flag shall not project above the highest point of the roof of the building, nor shall it be attached to or mounted on top of a roof. The area of the decorative flag shall be ~~deducted from~~ in addition to the building-mounted sign area allowed by section 21-745(2)(a).

(7)~~(8)~~ *Shopping centers in the downtown sign district.*

a. *Number of signs permitted:* One freestanding or building-mounted sign for each city block occupied by the shopping center. Said signs shall display only the name and/or logo of the shopping center, or of a parking facility for the shopping center, and shall be in addition to the sign allowed for individual businesses by section 21-745(1) and (2).

b. *Maximum sign area:* 20 square feet.

c. *Maximum height:* 12 feet; except for decorative bar-iron cresting above the sign which may extend above the 12-foot height, provided that the bar-iron is no larger than ¾-inch by 1½-inches in cross section.

d. *Projection over a city right-of-way:* Permitted if the following conditions are met:

1. Bottom of sign shall be at least eight feet above ground level.
2. Edge of sign shall be at least three feet from curb line or edge of pavement.
3. Liability insurance policy shall be maintained in accordance with section 21-740.

e. *Location on a city right-of-way:* Prohibited.

f. *Illumination:* Internally illuminated signs shall be prohibited.

g. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

h. *Directory signs:* Freestanding or building-mounted directory signs shall be permitted for shopping centers if the following conditions are met:

1. *Number of signs permitted:* One directory sign for each ten businesses in the shopping center.

2. *Maximum sign area:* Seven and one-half square feet.

3. *Maximum height for freestanding signs:* Seven and one-half feet.

4. *Projection over a city right-of-way:* Prohibited.

5. *Location on a city right-of-way:* Prohibited.

6. *Illumination:* Internally illuminated signs shall be prohibited.

(8)~~(9)~~ *Museum and art gallery signs in the downtown sign district.*

a. The following signs shall be permitted for buildings used primarily as a museum or art gallery, and with a floor area less than 75,000 square feet.

1. Freestanding signs shall be as allowed by section 21-745(1).

2. Banner signs announcing special exhibitions, special shows or special displays in progress within the building if the following conditions are met.
   i. Number of banners permitted: One building-mounted banner sign for each building used primarily as a museum or art gallery, provided that the banner shall be placed on the building no earlier than three days before and removed within 24 hours after the last day of the exhibition to which it pertains.
   ii. Maximum banner area: 15 square feet.

b. The following signs shall be permitted for a museum with a floor area of at least 75,000 square feet.

1. Monument signs shall be permitted if the following conditions are met:
   i. Number of signs permitted: One monument sign for each public street frontage, provided that no more than two signs may be placed facing the same public street. Signs shall display the name and/or logo of the museum, and/or announcements of special exhibitions, special shows or special displays in progress within the museum. These signs shall be in lieu of the freestanding signs allowed by section 21-745(1).
   ii. Maximum sign area: 64 square feet for each sign.
   iii. Maximum height: Five feet, provided that the height of the monument sign base shall be not more than 50 percent of the height of the sign face.
   iv. Number of signs allowed on one supporting structure: One.
   v. Projection over a city right-of-way: Prohibited.
   vi. Location on a city right-of-way: Prohibited.

2. Banner signs announcing special exhibitions, special shows or special displays in progress within the building shall be permitted if the following conditions are met:

i. Number of banners permitted: One building-mounted banner sign for each public street frontage, provided that the banner shall be placed on the building no earlier than three days before and removed within 24 hours after the last day of the exhibition to which it pertains.
ii. Maximum banner area: 100 square feet.

Sec. 21-746. Sign regulations for the midtown sign district. ~~Reserved.~~

For residential uses, signs shall be regulated by section 21-743, Sign regulations for the residential sign district. For all other uses, the following regulations shall apply in the midtown sign district:

(1) *Freestanding signs in the midtown sign district.*

a. *Single business on a single lot.*

1. *Number of freestanding signs permitted:* One, but where the business has a rear entrance from an adjacent parking lot, one additional freestanding sign may be placed at the rear entrance.

2. *Maximum sign area:* 18 square feet.

3. *Maximum height:* 12 feet; except for decorative bar-iron cresting above the sign which may extend above the 12-foot height to a maximum height of 15 feet, provided that the bar-iron is no larger than ¾-inch by 1½-inches in cross section.

4. *Projection over a city right-of-way:* Permitted if the following conditions are met:
i. Bottom of sign shall be at least eight feet above ground level.
ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
iii. Liability insurance policy shall be maintained in accordance with section 21-740.

5. *Location on a city right-of-way.* Prohibited.

6. *Illumination:* Internally illuminated signs shall be prohibited.

7. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

b. *Two or more businesses in the same building or on the same lot or on adjoining properties under the same ownership, having shared parking lots and/or driveways.*

1. *Number of freestanding signs permitted:* One sign for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be

permitted to be shared by the businesses located therein. Where one or more businesses has a rear entrance from an adjacent parking lot, one additional freestanding sign may be placed at the rear entrance.

2. *Maximum sign area:* 18 square feet for single business sign; 24 square feet for a sign shared by two or more businesses located on the same site.

3. *Maximum height:* 12 feet; except for decorative bar-iron cresting above the sign which may extend above the 12-foot height to a maximum height of 15 feet, provided that the bar-iron is no larger than ¾-inch by 1½-inches in cross section.

4. *Maximum number of signs on one pole or supporting structure:* One.

5. *Projection over a city right-of-way:* Permitted if the following conditions are met:
   i. Bottom of sign shall be at least eight feet above ground level.
   ii. Edge of sign shall be at least three feet from curb line or edge of pavement.
   iii. Liability insurance policy shall be maintained in accordance with section 21-740.

6. *Location on a city right-of-way.* Prohibited.

7. *Illumination:* Internally illuminated signs shall be prohibited.

8. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

(2) *Building-mounted signs in the midtown sign district.*

a. *Maximum sign area:* One square foot sign area for each lineal foot of building frontage on a public street occupied by the business, with a maximum sign area of 32 square feet. No sign area shall be required to be less than 16 square feet. If the portion of a building occupied by a business does not have public street frontage, the building width occupied by the business at its main entrance shall be used to calculate permitted sign area. Where more than one business shares a main entrance on the exterior of the building, one sign shall be permitted for all of the businesses sharing the entrance and the sign area shall be calculated based on the building width at the entrance utilized by the businesses sharing the entrance, with a maximum sign area of 32 square feet.

b. *Buildings fronting on more than one public street:* Each frontage shall be considered separately when calculating building-mounted sign area. The maximum sign area on any one side of the building shall not exceed 32 square feet.

c. *Rear entrances:* When a business has a rear entrance from an adjacent parking lot, additional building-mounted signage shall be allowed at the rear entrance as follows: one square foot of sign for each lineal foot of exterior building width occupied by the business at the rear entrance, with a maximum sign area of 32 square feet. No sign area shall be required to be less than 16 square feet.

d. *Projecting signs:* Sign area shall be deducted from the maximum sign area allowed by subsection (2)(a) above. Projection over a city right-of-way shall be permitted if the following conditions are met:

1. Bottom of sign shall be at least eight feet above ground level.
2. Edge of sign shall be at least three feet from curb line or edge of pavement.
3. Liability insurance policy shall be maintained in accordance with section 21-740.

e. *Illumination:* Internally illuminated signs, except for "open" signs permitted in section 21-746(2)f.4., shall be prohibited.

f. *Window signs*

1. *Illuminated signs.* Illuminated signs placed behind a window or door shall be prohibited, except for "open" signs allowed by section 21-746(2)f.4.
2. *Non-illuminated signs on the inside of windows.* Non-illuminated signs painted on or affixed to the inside of, or hung behind, windows or doors shall be permitted, provided that not more than 50 per cent of the window area shall be taken up by said signs. These signs shall not be counted as building-mounted sign area. No sign permit or architectural review board approval shall be required. Signs located more than three feet behind a window or door shall not be considered signs for the purpose of this section.
3. *Non-illuminated signs on the outside of windows.* Non-illuminated signs painted on or affixed to the outside of windows or doors shall be permitted, but shall be deducted from the building-mounted sign area allowed by section 21-746(2)(a). A sign permit and architectural review board approval shall be required.
4. *Open signs.* One illuminated or non-illuminated "open" sign placed behind a window shall be allowed for each business, not to exceed two square feet in area. When a business has a rear entrance from an adjacent parking lot, one additional "open" sign shall be allowed at the rear entrance. These signs shall not be counted as building-mounted sign area. Illumination may be internal, external, by exposed LED lights, or by one or more exposed tubular electrical discharge lamps containing neon or other similar gasses (commonly referred to as a neon sign). No sign permit or architectural review board approval shall be required.

(3) *Sidewalk signs in the midtown sign district:* Portable freestanding sidewalk signs (also referred to as A-frame signs and sandwich boards) shall be permitted on private property if the following conditions are met. A sign permit shall be required. No architectural review board approval shall be required.

a. *Number of signs permitted:* One for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be permitted to be shared by the businesses located therein. In lieu of a single portable freestanding sign, a business may display two chalkboards with a maximum size of three square feet each, which may be mounted on or leaned against a building wall, fence or planter box.

b. *Maximum sign area:* Six square feet

c. *Maximum height:* Three and one-half feet (42 inches)

d. *Maximum width:* Two feet

e. *Illumination:* Prohibited.

f. *Time of display:* Sidewalk signs shall be displayed only when the business is open.

g. *Attachments prohibited:* No temporary posters, letters, flyers, balloons, pennants, flags or other attention-getting devices may be attached to a sidewalk sign.

h. *Location on a public sidewalk:* Prohibited.

i. *Design criteria:* Sidewalk signs, chalkboards and menu boards should look professional and be in keeping with the character of the Architectural Preservation District, and shall meet the following design criteria:

1. Signs shall be constructed of wood that presents a finished appearance. Rough-cut plywood is not acceptable. Wooden signs may have a metal frame.

2. Plastic, plastic-faced or metal signs are prohibited.

3. Chalk boards are permitted, but changeable copy with removable letters is prohibited.

4. Dry erase boards are prohibited.

5. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

6. Creative shapes are encouraged (e.g. ice cream cone, coffee cup, cupcake).

(4) *Menu boards in the midtown sign district:* Signs displaying a restaurant's printed menu shall be permitted if the following conditions are met (no architectural review board approval or sign permit shall be required):

a. *Number of signs permitted:* One sign located at the main entrance to the restaurant or adjacent to a walkway leading to the main entrance. Where a restaurant has a second entrance, one additional menu board may be placed at the second entrance. This sign or signs are in addition to the sidewalk sign permitted in section 21-746(3).

b. *Maximum sign area:* Six square feet.

c. *Maximum height:* Five feet.

d. *Projection over a city right-of-way:* Prohibited.

e. *Location on a city right-of-way:* Prohibited.

f. *Illumination:* Prohibited.

g. *Design criteria:* Menu boards should look professional and be in keeping with the character of the Architectural Preservation District, and shall meet the following design criteria:

1. Signs shall be constructed of wood that presents a finished appearance. Rough-cut plywood is not acceptable. Wooden signs may have a metal frame.

2. Plastic, plastic-faced or metal signs are prohibited.

3. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

(5) *Directory signs in the midtown sign district:* Building-mounted directory signs shall be permitted for buildings with shared entrances for multiple tenants if the following conditions are met:

a. *Number of signs permitted:* One for each shared entrance.

b. *Maximum sign area:* Seven and one-half square feet.

c. *Projection over a city right-of-way:* Prohibited.

d. *Location on a city right-of-way:* Prohibited.

e. *Illumination:* Internally illuminated signs shall be prohibited.

(6) *Decorative flags in the midtown sign district:* One wall mounted decorative flag, not to exceed 15 square feet in area, shall be allowed for a business. The decorative flag shall display only the logo of a business or a decorative design related to the business, or the word "open," but ~~and~~ shall not display the words "sale", "vacancy" or similar words or phrases related to business activity on the premises. Such decorative flag shall not project above the highest point of the roof of the building, nor shall it be attached to or mounted on top of a roof. The area of the decorative flag shall be in addition the building-mounted sign area allowed by section 21-746(2)(a).

(7) *Museum and art gallery signs in the midtown sign district.*

a. The following signs shall be permitted for buildings used primarily as a museum or art gallery:

1. Freestanding signs shall be as allowed by section 21-746(1).

2. Building-mounted signs shall be as allowed by section 21-746(2).

3. Banner signs announcing special exhibitions, special shows or special displays in progress within the building if the following conditions are met:

i. Number of banners permitted: One building-mounted banner sign for each building used primarily as a museum or art gallery, provided that the banner shall be placed on the building no earlier than three days before and removed within 24 hours after the last day of the exhibition to which it pertains.

ii. Maximum banner area: 15 square feet.

Sec. 21-747. Sign regulations for the corridor sign district.

For residential uses, signs shall be regulated by section 21-743, Sign regulations for the residential sign district. For all other uses, the following regulations shall apply in the corridor sign district:

(1) *Freestanding and monument signs in the corridor sign district.*

a. *Single business on a single lot.*

1. *Number of freestanding or monument signs permitted:* One, except that when property frontage is on a street designated by the comprehensive plan as a major arterial, minor arterial, or collector, there may be one sign for each 250 feet of property frontage, not to exceed a total of two signs for the business. On corner or double frontage lots, each street frontage on a street designated by the comprehensive plan as a major arterial, minor arterial, or collector shall be calculated separately. There shall be a minimum separation between signs of 100 feet.

2. *Maximum sign area:* 32 square feet.

3. *Maximum height:* Eight feet, subject to the following:

i. For a monument sign, the height of the sign base shall not be more than 50 percent of the height of the sign face.

ii. For a freestanding sign, the distance from the ground to the bottom of the sign face shall not be more than 50 percent of the height of the sign face. A freestanding sign shall be supported by a pole or post on each end of the sign, and the area underneath the entire width of the sign face shall be landscaped. Freestanding signs supported by a single center pole or post shall not be allowed.

4. *Number of signs allowed on one supporting structure:* One.

5. *Projection over a city right-of-way:* Prohibited.

6. *Location on a city right-of-way:* Prohibited.

7. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

b. *Two or more businesses in the same building or on the same lot (except for shopping centers).*

1. *Number of freestanding or monument signs permitted:* One for each business, except that when there are three or more freestanding or monument signs on a single lot, there shall be 250 feet of property frontage on a public street for each sign, with a minimum separation between signs of 100 feet. On corner or double frontage lots, each street frontage shall be calculated separately. An individual sign may identify one or more businesses, but an individual business may be identified on only one sign.

2. *Maximum sign area:* 32 square feet.

3. *Maximum height:* Eight feet, subject to the following:
   i. For a monument sign, the height of the sign base shall not be more than 50 percent of the height of the sign face.
   ii. For a freestanding sign, the distance from the ground to the bottom of the sign face shall not be more than 50 percent of the height of the sign face. A freestanding sign shall be supported by a pole or post on each end of the sign, and the area underneath the entire width of the sign face shall be landscaped. Freestanding signs supported by a single center pole or post shall not be allowed.

4. *Maximum numbers of signs on one supporting structure:* One.

5. *Projection over a city right-of-way:* Prohibited.

6. *Location on a city right-of-way:* Prohibited.

7. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

8. *Existing legally nonconforming signs identifying two or more businesses:*
   i. *When the sign area requirement is met.* Where signs identifying two or more businesses are mounted on one pole or supporting structure and do not meet the criteria of this section [21-747(1)b.] pertaining to monument signs and height, an individual business may replace its sign face without bringing the entire sign into compliance with the regulations, provided that:
      (1) The area of the sign complies with subsection 21-747(1)b.2. above; and
      (2) The changes are approved by the architectural review board.
   ii. *When the sign area requirement is not met.* Where signs identifying two or more businesses are mounted on one pole or supporting structure and do not meet the criteria of this section [21-747(1)b.] pertaining to freestanding and monument signs, area and height, the sign being replaced shall be brought into compliance with these regulations. The sign or signs not being replaced may remain as a nonconforming sign.
   iii. *When all signage is proposed to be replaced.* In the event that all signs on the pole or supporting structure are proposed to be modified, all requirements of this section [21-747(1)b.] shall be met.

c. *Shopping centers.*

1. *Number of freestanding or monument signs permitted:*
   i. One for each 250 feet of property frontage on a public street. On corner or double frontage lots, each additional frontage on a public street shall be calculated separately. There shall be a minimum separation between signs of 100 feet, and no more than three signs may be placed on each street frontage. Signs shall display only the name and/or logo of the shopping center; one or more of the businesses in the center; or a combination of the two.
   ii. One for each freestanding building housing a single business that is adjacent to an interior driveway. The sign shall be located within ten feet of the interior driveway, and shall be located at least 150 feet from a public street right-of-way.

2. *Maximum sign area:* 32 square feet, except that:
   i. When three signs are allowed for an individual street frontage, either of the following may be allowed with a special exception approved by the board of zoning appeals in accordance with section 21-97(f), as follows:
      (1) Two signs may have a maximum area of 48 square feet in lieu of a third sign; or
      (2) One sign may have a maximum area of 32 square feet and one sign may have a maximum area of 64 square feet in lieu of a third sign.

(3) Special exception approval shall be subject to the following:

a. The board of zoning appeals shall not rule on the request for the special exception until a recommendation has been received from the architectural review board.

b. The board of zoning appeals and the architectural review board shall consider the following:

1. The size, scale, color and materials of the sign or signs, and their relationship to the size, scale, color, materials and proportions of the building.
2. The visibility of the sign or signs from the adjacent public rights-of-way.
3. The character of neighboring properties in the same zoning district or in the same vicinity.

ii. A sign for a freestanding building housing a single business that is adjacent to an interior driveway shall have a maximum sign area of 24 square feet.

3. *Maximum height:* Eight feet, subject to the following:

i. For a monument sign, the height of the sign base shall not be more than 50 percent of the height of the sign face.

ii. For a freestanding sign, the distance from the ground to the bottom of the sign face shall not be more than 50 percent of the height of the sign face. A freestanding sign shall be supported by a pole or post on each end of the sign, and the area underneath the entire width of the sign face shall be landscaped. Freestanding signs supported by a single center pole or post shall not be allowed.

iii. For a 48 or 64 square foot sign, as allowed in section 21-747(1)c.2.i., the maximum height is ten feet.

4. *Maximum number of signs on one supporting structure:* One.

5. *Projection over a city right-of-way:* Prohibited.

6. *Location on a city right-of-way:* Prohibited.

7. *Credit card and travel club signs:* Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards, shall be prohibited.

~~8.~~ ~~[*Reserved.*]~~

8. ~~9.~~ *Pole-mounted banner signs:* Non-illuminated banner signs that are affixed to light poles and advertise or promote the shopping center as a whole (by including only the shopping center name, logo, and/or seasonal or holiday identification). Banners shall be mounted such that the bottom edge of any given banner is not less than eight feet from the finished grade directly beneath it. The maximum size of a

pole-mounted banner sign shall be 24 square feet. Pole-mounted banner signs shall not project over a city right-of-way. Pole-mounted banner signs are permitted only in shopping centers, as defined in section 21-2, Definitions.

d. *Contiguous properties having shared parking lots and/or driveways.* Freestanding or monument signs shall be located on the lot on which the business is located, and contiguous properties having shared parking lots and/or driveways which are established by a recorded deed or easement approved as to form by the city attorney prior to the erection of the sign may be considered as one lot for the purpose of this subsection [Section 27-747(1)].

(2) *Building-mounted signs in the corridor sign district.*

a. *Building containing only one business.*

1. *Building-mounted sign area:*

i. Building-mounted sign area shall be based upon building setback, measured perpendicular from the property line to the center of the building frontage.

Building Setback	Sign area per lineal foot of store width	Maximum sign area
Less than 200 ft.	1.5 sq. ft.	40 sq. ft.
200 ft. but less than 300 ft.	1.5 sq. ft.	60 sq. ft.
300 ft. but less than 400 ft.	1.5 sq. ft.	80 sq. ft.
More than 400 feet	1.5 sq. ft.	100 sq. ft.

ii. When a building fronts on more than one public street, each frontage shall be considered separately when calculating building-mounted sign area.

iii. When a building has a rear entrance facing a parking area, additional building-mounted signage shall be allowed at the rear entrance.

Sign area per lineal foot of store width at the rear entrance	Maximum sign area
1.5 sq. ft.	40 sq. ft.

2. *Projecting signs:* Projecting sign area shall be deducted from the maximum sign area allowed by subsection (2)(a) above. Projection over a city right-of-way shall be prohibited.

~~3. *Awning and window signs:* Lettering and graphics permanently affixed to or painted on awnings and/or windows, and with a lettering or graphic height of six inches or less, shall not be counted toward the permitted building mounted sign area for buildings set back more~~

~~than 300 feet from a public street.~~

~~4. *Temporary signs:* Non-illuminated temporary signs attached to windows or doors, or hung behind and within three feet of the windows or doors shall be permitted. The maximum sign area for all temporary signs for an individual business shall not exceed an area of one-half of the permitted permanent building mounted sign area. The area of temporary signs shall not be counted as building mounted sign area. No dayglow or fluorescent colors shall be allowed. A temporary sign shall be displayed not more than 30 days during a period of 365 consecutive days. No sign permit shall be required. No architectural review board approval shall be required.~~

3. *Window signs*
   - i. *Illuminated signs.* Illuminated signs placed behind a window or door shall be prohibited, except for "open" signs allowed by section 21-747(2)a.3.iv.
   - ii. *Non-illuminated signs on the inside of windows.* Non-illuminated signs painted on or affixed to the inside of, or hung behind, windows or doors shall be permitted, provided that not more than 50 percent of the window area shall be taken up by said signs. These signs shall not be counted as building-mounted sign area. No sign permit or architectural review board approval shall be required. Signs located more than three feet behind a window or door shall not be considered signs for the purpose of this section.
   - iii. *Non-illuminated signs on the outside of windows.* Non-illuminated signs painted on or affixed to the outside of windows or doors shall be permitted, but shall be deducted from the building-mounted sign area allowed by section 21-747(2). A sign permit and architectural review board approval shall be required.
   - iv. *Open signs.* One illuminated or non-illuminated "open" sign placed behind a window shall be allowed for each business, not to exceed two square feet in area. When a business has additional entrances, one additional "open" sign shall be allowed adjacent to each entrance. These signs shall not be counted as building-mounted sign area. Illumination may be internal, external, by exposed LED lights, or by one or more exposed tubular electrical discharge lamps containing neon or other similar gasses (commonly referred to as a neon sign). No sign permit or architectural review board approval shall be required.

b. *Buildings containing more than one business (including shopping centers with up to 150,000 square feet of floor area).*

1. *Building-mounted sign area:*

   i. Building-mounted sign area shall be based upon building setback, measured perpendicular from the property line to the center of the building frontage. In the case of a building with multiple businesses, the setback shall be calculated from the center of the entire building frontage and shall be considered the setback for all of the individual businesses in the building.

Building Setback	Sign area per lineal foot of store width	Maximum sign area
Less than 200 ft.	1.5 sq. ft.	40 sq. ft.
200 ft. but less than 300 ft.	1.5 sq. ft.	60 sq. ft.
300 ft. but less than 400 ft.	1.5 sq. ft.	80 sq. ft.
More than 400 feet	1.5 sq. ft.	100 sq. ft.

   ii. When a business is located in a building facing more than one public street or parking area, each side facing a public street or parking area shall be considered separately when calculating building-mounted sign area.

   iii. The maximum building-mounted sign area on any one side of the building occupied by the business shall not exceed the maximum allowed based on the building setback.

   iv. Where more than one business shares a main entrance on the exterior of the building, the building-mounted sign area shall be calculated based on the building width at the entrance utilized by the businesses sharing the entrance.

2. *Projecting signs:* Projecting sign area shall be deducted from the maximum sign area allowed by subsection (2)(b) above. Projection over a city right-of-way shall be prohibited.

~~3. *Awning and window signs:* Lettering and graphics permanently affixed to or painted on awnings and/or windows, and with a lettering or graphic height of six inches or less, shall not be counted toward the permitted building mounted sign area for buildings set back more than 300 feet from a public street.~~

~~4. *Temporary signs:* Non-illuminated temporary signs attached to windows or doors, or hung behind and within three feet of the windows or doors shall be permitted. The maximum sign area for all temporary signs for an individual business shall not exceed an area of one-half of the permitted permanent building mounted sign area. The area of temporary signs shall not be counted as building mounted sign area. No dayglow or fluorescent colors shall be~~

~~allowed. A temporary sign shall be displayed not more than 30 days during a period of 365 consecutive days. No sign permit shall be required. No architectural review board approval shall be required.~~

c. *Shopping centers with more than 150,000 square feet of floor area.*

1. *Maximum building-mounted sign area:*

i. Building-mounted sign area shall be based upon building setback, measured perpendicular from the property line to the center of the building frontage. In the case of a building with multiple businesses, the setback shall be calculated from the center of the entire building frontage and shall be considered the setback for all of the individual businesses in the building.

Building Setback	Sign area per lineal foot of store width	Maximum sign area
Less than 200 ft.	1.5 sq. ft.	40 sq. ft.
200 ft. but less than 300 ft.	1.5 sq. ft.	60 sq. ft.
300 ft. but less than 400 ft.	1.5 sq. ft.	80 sq. ft.
More than 400 feet	1.5 sq. ft.	100 sq. ft.

ii. When a business is located in a building facing more than one public street, driveway, parking area and/or pedestrian plaza or open space area, each side facing a public street, driveway, parking area and/or pedestrian plaza or open space area shall be considered separately when calculating building-mounted sign area.

iii. The maximum building-mounted sign area on any one side of the building occupied by the business shall not exceed the maximum allowed based on the building setback.

iv. Where more than one business shares a main entrance on the exterior of the building, the building-mounted sign area shall be calculated based on the building width at the entrance utilized by the businesses sharing the entrance.

2. *Projecting signs:* Projecting sign area shall be deducted from the maximum building-mounted sign area allowed by subsection (2)c.1. above. Projection over a city right-of-way shall be prohibited.

~~3. *Awning and window signs:* Lettering and graphics permanently affixed to or painted on awnings and/or windows, and with a lettering or graphic height of six inches or less, shall not be counted toward the permitted building mounted sign area for buildings set back more than 300 feet from a public street.~~

~~4. *Temporary signs:* Non-illuminated temporary signs attached to windows or doors, or hung behind and within three feet of the windows or doors shall be permitted. The maximum sign area for all~~

~~temporary signs for an individual business shall not exceed an area of one-half of the permitted permanent building mounted sign area. The area of temporary signs shall not be counted as building mounted sign area. No dayglow or fluorescent colors shall be allowed. A temporary sign shall be displayed not more than 30 days during a period of 365 consecutive days. No sign permit shall be required. No architectural review board approval shall be required.~~

3. *Window signs*
   i. *Illuminated signs.* Illuminated signs placed behind a window or door shall be prohibited, except for "open" signs allowed by section 21-747(2)c.3.iv.
   ii. *Non-illuminated signs on the inside of windows.* Non-illuminated signs painted on or affixed to the inside of, or hung behind, windows or doors shall be permitted, provided that not more than 50 percent of the window area shall be taken up by said signs. These signs shall not be counted as building-mounted sign area. No sign permit or architectural review board approval shall be required. Signs located more than three feet behind a window or door shall not be considered signs for the purpose of this section.
   iii. *Non-illuminated signs on the outside of windows.* Non-illuminated signs painted on or affixed to the outside of windows or doors shall be permitted, but shall be deducted from the building-mounted sign area allowed by section 21-747(2). A sign permit and architectural review board approval shall be required.
   iv. *Open signs.* One illuminated or non-illuminated "open" sign placed behind a window shall be allowed for each business, not to exceed two square feet in area. When a business has additional entrances, one additional "open" sign shall be allowed adjacent to each entrance. These signs shall not be counted as building-mounted sign area. Illumination may be internal, external, by exposed LED lights, or by one or more exposed tubular electrical discharge lamps containing neon or other similar gasses (commonly referred to as a neon sign). No sign permit or architectural review board approval shall be required.

d. *Multiplex cinemas with four or more screens.*

1. In addition to the sign area allowed in section 21-747(2)b., a multiplex cinema with four or more screens shall be allowed the following additional signage:
   i. Each screen shall be allowed 16 square feet of sign area to be used for marquee identification of the movie playing. This total area of the marquee may be increased with a special exception from the board of zoning appeals in accordance with 21-747(2)e.
   ii. The display of movie posters shall be allowed on the same side of the building as the main entrance, with a maximum size of 12 square feet for each poster.

e. *Increase of building-mounted and multiplex cinema marquee sign area.*

1. Increases to building-mounted sign area and multiplex cinema marquee area may be allowed with a special exception approved by the board of zoning appeals in accordance with section 21-97(f), as follows:
   i. The maximum building-mounted sign area allowed shall not exceed 200 square feet, and the maximum multiplex cinema marquee area allowed shall not exceed a total of 200 square feet.
   ii. The building shall be set back more than 400 feet from a public street, measured perpendicular from the property line to the center of the building frontage.
   iii. The width of building, if a single tenant, or the width of the store, if located in a building with multiple tenants, shall be at least 100 feet.
   iv. The board of zoning appeals shall not rule on the request for the special exception until a recommendation has been received from the architectural review board.
   v. The board of zoning appeals and the architectural review board shall consider the following:
      a. The size, scale, color and materials of the sign or signs, and their relationship to the size, scale, color, materials and proportions of the building.
      b. The visibility of the sign or signs from the adjacent public rights-of-way.
      c. The character of neighboring properties in the same zoning district or in the same vicinity.

~~(2.1) *Open sign.* One illuminated or non-illuminated "open" sign placed behind a window shall be allowed for each business, not to exceed two square feet in area. This sign shall not be counted as building mounted sign area. Illumination may be internal, external, or by one or more exposed tubular electrical discharge lamps containing neon or other similar gasses (commonly referred to as a neon sign) neon tubing. No sign permit shall be required. No architectural review board approval shall be required.~~

(3) *Gasoline pump island signs.* Non-illuminated gasoline pump island signs shall be permitted subject to the following restrictions:

a. Two "self serve" or "full serve" signs per pump island not to exceed two and one-half square feet each (no architectural review board approval or sign permit shall be required);

b. One fuel price or promotional information sign per fuel pump not to exceed two square feet (no architectural review board approval or sign permit shall be required).

c. Any other signs on the canopy or pump islands shall be subject to the requirements for building-mounted signage in section 21-747(2).

(4) *State inspection center signs in the corridor sign district.* Official state inspection center signs for certified state inspection stations shall be permitted for service stations and automobile dealerships. These signs shall be non-illuminated and located on the building. The maximum sign area shall be eight square feet, and shall not be counted as building-mounted sign area. One such sign shall be permitted. No architectural review board approval or sign permit shall be required.

(5) *Menu boards in the corridor sign district:* ~~Portable~~ Signs displaying a restaurant's printed menu ~~items for a restaurant on the premises~~ shall be permitted if the following conditions are met (no architectural review board approval or sign permit shall be required):

a. *Number and location of signs permitted:* One sign ~~for~~ located at the main entrance to the restaurant, but where a restaurant has a ~~rear~~ second entrance from an adjacent parking lot, one additional menu board may be placed at the ~~rear~~ second entrance.

b. *Maximum sign area:* ~~Four~~ Six square feet.

c. *Maximum height:* ~~Four~~ Five feet.

~~d. *Maximum distance of menu board from restaurant or outdoor dining area entrance:* Four feet.~~

d. ~~e.~~ *Projection over a city right-of-way:* Prohibited.

e. ~~f.~~ *Location on a city right-of-way:* Prohibited.

f. ~~g.~~ *Illumination:* Prohibited.

g. *Design criteria:* Menu boards should look professional and be in keeping with the character of the Architectural Preservation District and Corridor Protection District, and shall meet the following design criteria:

1. Signs shall be constructed to present a finished appearance. Rough-cut plywood is not acceptable.

2. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

(6) *Drive-thru menu boards in the corridor sign district:* Drive-thru menu boards shall be located so that the information on the menu board is not visible from a public street or sidewalk.

(7)~~(6)~~ *Directory signs in the corridor sign district.* Freestanding or building-mounted directory signs shall be permitted for shopping centers if the following conditions are met:

a. *Number of signs permitted:* One directory sign for each ten businesses in the shopping center.

b. *Maximum sign area:* Ten square feet.

c. *Maximum height for freestanding signs:* Ten feet.

d. *Projection over a city right-of-way:* Prohibited.

e. *Location on a city right-of-way:* Prohibited.

(8)~~(7)~~ *Decorative flags in the corridor sign district:* One wall mounted decorative flag, not to exceed 15 square feet in area, shall be allowed for a business. The decorative flag shall display only the logo of a business or a decorative design related to the business, or the word "open," but ~~and~~ shall not display the words ~~"open",~~ "sale", "vacancy" or similar words or phrases related to business activity on the premises. Such decorative flag shall not project above the highest point of the roof of the building, nor shall it be attached to or mounted on top of a roof. The area of the decorative flag shall be ~~deducted from~~ in addition to the building-mounted sign area allowed by section 21-747(2).

(9)~~(8)~~ *Canopy signs in the corridor sign district.* Signs mounted under a canopy or covered walkway, and designed to be viewed primarily by pedestrians, shall be permitted for shopping centers if the following conditions are met (no architectural review board approval or sign permit shall be required):

a. *Number of signs permitted:* One canopy sign for each business in the shopping center. This sign shall not count toward the maximum sign area permitted by section 21-747(2).

b. *Maximum sign area:* Three square feet.

c. *Projection over a city right-of-way:* Prohibited.

(10)~~(9)~~ *Hospital freestanding or monument signs in the corridor sign district.*

a. *Number of signs permitted:* One freestanding or monument sign for each 200 feet of property frontage on a public street, with a maximum of four signs for each street. These signs shall be in lieu of the signs allowed by section 21-~~746~~747(1).

b. *Maximum sign area:* 32 square feet for each sign.

c. *Maximum height:* Eight feet, subject to the following:
   i. For a monument sign, the height of the sign base shall not be more than 50 percent of the height of the sign face.
   ii. For a freestanding sign, the distance from the ground to the bottom of the sign face shall not be more than 50 percent of the height of the sign face. A freestanding sign shall be supported by a pole or post on each end of the sign, and the area underneath the entire width of the sign face shall be landscaped. Freestanding signs supported by a single center pole or post shall not be allowed.

d. *Number of signs allowed on one supporting structure:* One.

e. *Projection over a city right-of-way:* Prohibited.

f. *Location on a city right-of-way:* Prohibited.

(11)~~(10)~~ *Monument signs for visitor centers in the corridor sign district.* Monument signs shall be permitted for a visitor center, owned and operated by a nonprofit organization, providing information, ticketing and transportation services for an historic attraction located in the City of Williamsburg and listed on the National Register of Historic Places if the following conditions are met:

a. *Number of signs permitted:* One monument sign for each 2,000 feet of property frontage on a public street, with a maximum of two signs which may be placed on the same street. Signs shall display only the name and/or logo of the visitor center. These signs shall be in lieu of the signs allowed by section 21-74~~6~~7(1), and shall be separated from any other monument or freestanding signs by a minimum distance of 500 feet (note: the separation distance would need to be reduced to 300 feet to allow the signs as proposed).

b. *Maximum sign area:* 75 square feet for each sign.

c. *Maximum height:* Eight feet, provided that the height of the monument sign base shall not be more than 50 percent of the height of the sign face.

d. *Number of signs allowed on one supporting structure:* One.

e. *Projection over a city right-of-way:* Prohibited.

f. *Location on a city right-of-way:* Prohibited.

g. *Illumination:* Internally illuminated signs shall be prohibited.

Sec. 21-748. Signs permitted in all sign districts.

(a) The following signs shall be permitted in all sign districts and shall not require a sign permit, unless otherwise indicated. Approval by the architectural review board shall not be required, unless otherwise indicated. The area of any sign shall not be included in computing the aggregate sign areas specified for individual districts.

(1) *Temporary signs.* Temporary signs, which shall not require approval by the review board, and shall be non-illuminated and limited to the following types:

a. Construction signs, which identify the architects, engineers, contractors and other individuals or firms involved with the construction. Such signs shall be removed upon issuance of a certificate of occupancy. The maximum area of such signs shall be 32 square feet, and no more than one sign shall be permitted for each street frontage. A sign permit shall be required if the sign is not included in the building permit application drawings.

b. Real estate signs, advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed. The maximum sign area shall be eight square feet in residential districts, and 16 square feet in non-residential districts.

c. Political campaign signs announcing the candidates seeking public political office and other information pertinent thereto. The maximum size of a political campaign sign shall be 32 square feet.

d. Signs advertising only the name, time, and place of any bona fide fair, festival, bazaar, horse show or similar event, when conducted by a public agency or for the benefit of any civic, fraternal, religious or charitable cause; provided that all such signs shall be removed within 24 hours after the last day of the event to which they pertain. The maximum sign area shall be 32 square feet.

e. Building-mounted grand opening signs shall be permitted in the downtown, and corridor sign districts, provided that such sign or signs shall not be displayed for more than ~~ten~~ 30 days. ~~A sign permit shall be required.~~

f. Seasonal decorations displayed between Thanksgiving and January 2nd, but excluding those prohibited by section 21-749 (Signs prohibited in all zoning districts), except that seasonal banners not exceeding ten square feet in area each shall be allowed. Such banners shall not display the name of a business or shopping center, nor the words "open," "sale," "vacancy" or other similar words or phrases related to the business activity on the premises.

g. Change of business name banners/hoods/covers over existing building-mounted and freestanding signs shall be allowed, while new signs are being manufactured, provided that such sign or signs shall not be displayed for more than eight weeks and shall not exceed the permitted sign area for that site. A sign permit shall be required.

h. Yard sale signs shall be permitted in the residential sign district, provided that such signs shall be displayed only on the day of the event and on the property holding the event. The maximum sign area shall be eight square feet.

~~i. [*Reserved.*]~~

(2) *Permanent signs.*

a. *Parking lot signs.*

1. Wall or freestanding signs to identify entrances and exits to a parking lot or driveway, but only when there is one-way traffic flow. No more than one sign shall be permitted for each driveway entrance or exit, and signs shall not exceed three square feet in area, and three feet in height. No corporate or business logos shall be permitted. Signs may be internally or externally illuminated, except that signs in the downtown sign district shall be non-illuminated. A sign permit and architectural review board approval shall be required.

2. Wall or freestanding signs in a parking lot to identify divisions of the lot into sections, and to control vehicular and pedestrian traffic within the lot provided each sign does not exceed three square feet in area, and does not exceed three feet in height. No corporate or business logos shall be permitted. Signs may be internally or externally illuminated, except that signs in the downtown sign district shall be non-illuminated. A sign permit and architectural review board approval shall be required.

b. Names of buildings, dates of erection, monumental citations, commemorative tablets, insignia of local, state or federal government, and like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure. The maximum size of such sign shall be 32 square feet. Architectural review board approval shall be required.

c. Informational signs of a public or quasi-public nature identifying or locating a hospital, public building, college, parking area, historic area, major tourist attraction or similar public or quasi-public activity; and also including signs identifying parking lots, rest rooms, or other facilities relating to such places or activities. Such signs, including their size and location, shall be approved on a case-by-case basis by the city manager, who shall take into consideration the following:

1. Functional classification and speed limit of the street on which the sign is proposed to be located.

2. Sight distances, existing vegetation and topography in the vicinity of the proposed sign.

3. Proximity of the sign to the Colonial Williamsburg Historic Area CW and the effect that the street regulations in the Colonial Williamsburg Historic Area CW have on the need for and location of such signs.

d. Freestanding signs located within 300 feet of the corporate limits of the city adjacent to highways leading into the city constructed and maintained by one or more radio stations which meet the following criteria:

1. The City of Williamsburg must be specifically included in the Federal Communications Commission area license issued to the radio station.

2. The studio and transmitter for such station must be located not more than one mile from the Williamsburg corporate limits.

3. The radio station must at least three times daily broadcast Williamsburg news including, but not limited to: information regarding meetings of and actions taken by Williamsburg City Council, Williamsburg Planning Commission and Williamsburg-James City County School Board; information regarding public hearings and public meetings to be held by the aforesaid bodies as well as other

agencies of the City of Williamsburg; public service announcements such as times, dates and purposes of various public hearings to be held by the Williamsburg City Council and Williamsburg Planning Commission; information regarding the Williamsburg Area Chamber of Commerce activities; and public information announcements on a timely basis regarding Williamsburg-James City County public school closings, traffic detours and tie ups, traffic accidents, emergencies, evacuations, bridge and tunnel closing and other problems of a public safety nature existing in the City of Williamsburg and the surrounding area.

4. Such signs may be approved on a case-by-case basis by the city manager, and shall be subject to the following limitations:
   i. No more than one sign shall be located adjacent to each highway entrance into the city.
   ii. Signs shall not exceed an area of two and one-half square feet and shall contain only the radio station call letters, frequency and notification that such station broadcasts Williamsburg news and public information.
   iii. Signs shall be erected upon private property; except that the city manager may in his discretion allow such signs to be erected on a city street right-of-way upon the receipt of proof that such signs cannot be reasonably erected on private property adjacent to the city right-of-way in such a location as to be easily seen from the roadway. Signs located on a city right-of-way shall have a liability insurance policy maintained in accordance with section 21-740.
   iv. Signs allowed hereunder shall remain only so long as the radio station owning and maintaining said signs meets all criteria set forth here above. Said permit shall not be assignable.
   v. Any sign permit issued under this subsection e. shall be subject to revocation by city council at any time with or without cause and without the requirement of prior notice to the permittee. Upon revocation of a permit, the permittee shall, within 30 days of receipt of notice of revocation, cause all signs erected under said permit to be removed. If upon passage of such 30-day period such signs have not been removed, or if for any reason notice cannot be given to the permittee within such 30-day period, then the city may cause such signs to be removed at the permittee's expense. The owner of any land upon which a sign is erected pursuant to this subsection e. shall be deemed to have given permission for the city or its authorized agents to enter the property to remove such sign in event of permit revocation.

e. Governmental flags, or the flags of any nonprofit organization headquartered in the City of Williamsburg. The height of a flagpole shall not exceed 25 feet in the RS-1 and RS-2 Districts; and for all other zoning districts the height of a flagpole shall not exceed the maximum building

height allowed for the zoning district in which it is located. The maximum size of a flag shall not exceed 25 square feet in the RS-1 and RS-2 Districts; and for all other zoning districts the maximum size of a flag shall not exceed 45 square feet when attached to a flagpole with a height of 35 feet or less, and shall not exceed 65 square feet when attached to a flagpole with a height greater than 35 feet. When there is a grouping of two or more governmental flags, one corporate or decorative flag may be added to the grouping, subject to the corporate or decorative flag matching the size and proportions of the permitted governmental flags, and provided that the corporate or decorative flag shall not display the words "open", "sale", "vacancy" or similar words or phrases related to business activity on the premises. Flags or flagpoles mounted on the roof of a building shall be prohibited. Flags attached to automobiles displayed for sale shall be prohibited. All flags shall be maintained in good condition so as to present a neat and orderly appearance, and must be displayed in a dignified and non-commercial manner. The zoning administrator may give written notice to remove or replace, within 48 hours, any flag which becomes faded or tattered, and failure to comply will be considered a violation of this chapter.

f. Hours of operation signs, credit card and travel club signs, and the like, when painted on or attached to store windows, and not exceeding a total of four square feet for each business. Such signs shall not be counted as building-mounted sign area, and shall be non-illuminated.

Sec. 21-749. Signs prohibited in all sign districts.

(a) The following types of signs are prohibited in all sign districts:

(1) Any sign that obscures a sign display by a public authority for the purpose of giving traffic instructions or directions or other public information.

(2) Any sign ~~which~~ that contains or consists of strings of light bulbs. These devices, when not part of any sign, are similarly prohibited, except as allowed by section 21-750(d).

(2.1) Any sign ~~which~~ that contains or consists of one or more exposed tubular electrical discharge lamps containing neon or other similar gasses (commonly referred to as a neon sign), or that contains or consists of exposed LED lights, except for "open" signs allowed by sections 21-746(2)f.4, 21-747(2)a.3.iv. and 21-747(2)c.3.iv. ~~21-747(2.1)~~.

(3) Any sign ~~which~~ that consists of pennants, ribbons, spinners, or other similar moving devices. These devices, when not part of any sign, are similarly prohibited.

(4) Any sign, except official notices and advertisements, ~~which~~ that is nailed, tacked, posted or in any other manner attached to any utility pole or structure or supporting wire, cable, or pipe; or to any tree on any street or sidewalk or to public property of any description.

(5) Any sign that is attached to or mounted on a roof or projects above the plane of the building façade. This shall include decorative roofs such as a mansard roof.

(6) Outdoor advertising signs.

(7) Moored balloons or other floating signs that are tethered to the ground or to a structure.

(8) Portable freestanding signs, except for sidewalk signs permitted by section 21-745(3) and menu boards permitted by sections 21-745~~(5)~~(4), 21-746(4) and 21-747(5).

(9) Time and temperature signs consisting of flashing or intermittent lights or an intermittent display that is indirectly illuminated.

(10) Banner signs, except for grand opening signs permitted by section 21-748(a)(1)e; change of business name signs as permitted by section 748(a)(1)g; decorative flags permitted by sections ~~21-743(e),~~ 21-743(5), 21-745~~(7)~~(6), 21-746(6), and 21-747(~~7~~8); pole-mounted banner signs for shopping centers as permitted by section 21-747(1)c.~~9.~~8.; special exhibition banners for museums and art galleries ~~in the downtown business district B-1 and the museum support district MS permitted by section 21-748(a)(1)(i)~~ permitted by sections 21-745(8) and 21-746(7), seasonal banners permitted by section 21-748(a)(1)f; and historic signs located in the Colonial Williamsburg Historic Area CW permitted by section~~s~~ 21-744~~(a)(1) and (b)(1)~~. This shall include signs hung in garage door bays.

(11) Separate signs attached to a freestanding sign or its supporting structure, advertising services such as, but not limited to, automobile travel clubs and credit cards.

(12) Any permanent or temporary sign affixed to, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is obviously and conspicuously parked so as to advertise the business to the passing motorist or pedestrian; and whose primary purpose is to provide additional on-site signage or is to serve the function of an outdoor advertising sign. Excluded from this section are: vehicles/equipment in operating condition, currently registered and licensed to operate on public streets with a valid inspection sticker, and actively used in the daily function of the business to which such signs relate; vehicles/equipment engaged in active construction projects; vehicles/equipment offered for rent to the general public and stored on-premises.

Sec. 21-749.1. Special provisions for freestanding, monument or parking lot signs located on wide public rights-of-way.

When the front property line of a lot abuts a city street right-of-way and such front lot line is located more than ten feet from the closest curb line or edge of pavement installed within such right-of-way, city council may grant permission for a freestanding, monument or parking lot sign to be erected on public rights-of-way within the corporate limits, subject to the following:

(1) The time period for which the sign is authorized shall be in accord with Article VII, Section 9 of the Virginia Constitution.

(2) Approval shall be for the applicant only, and shall not be transferable to any future tenant or business.

(3) The closest part of the sign shall be located at least ten feet from the back of curb or edge of pavement, or at least one foot from the back of sidewalk, whichever is greater.

(4) The sign must be located on a portion of the right-of-way between the street and the front property line of the lot to which the sign pertains.

(5) A right-of-way permit in form approved by the city manager must be issued by the city manager or his designee.

(6) No right-of-way permit shall be issued to allow erection of any sign authorized under section 21-749.1 until the city has received a certificate of insurance showing that there is in force as to such sign, commercial general liability insurance coverage on an occurrence basis insuring against all claims, loss, cost, damage, expense or liability from loss of life or damage or injury to persons or property arising out or relating to such sign. Such insurance shall be issued by an insurance company licensed to do business in Virginia acceptable to the city manager and shall include the city as an additional insured. Such certificate of insurance shall provide for 30 days advance notice to the city prior to cancellation or modification of such policy. Said insurance shall be maintained in force at all times at the permittee's expense when the sign remains on public right-of-way and shall protect and save the city harmless from any and all claims or demands for damages by reason of any negligence of the sign hanger, contractor, sign owner, as well as the owner, tenants and occupants of the property to which the sign pertains and/or their respective agents; as well as by reason of defects in the construction of such sign and the maintenance of such sign including, but not limited to, damages resulting from the collapse, failure or combination of the sign or parts thereof.

(7) Prior to the issuance of a sign permit, the owner of the sign shall post a bond with corporate surety, letter of credit or certified check, approved as to form by the city attorney, to cover the cost of the removal of the sign and its supporting structures if the sign is not removed at the expiration of the time period for which it is authorized, or if the sign is not maintained in accordance with section 21-753. The validity period for the bond with corporate surety or letter of credit shall be the same as the time period approved for the sign by city council, and shall remain in effect until released by the city.

a. Said corporate surety, letter of credit or certified check may be released with the approval of the city manager if the sign has been in place for ten or more years with no change in ownership of the business. In making a determination, the city manager shall consider any codes compliance, zoning, property maintenance or other violations of city or state code that have occurred pertaining to the sign, or any other actions that have been taken by the city to terminate the sign permit during that 10 year period.

(8) Architectural review board approval shall be required if the sign is located in an AP architectural preservation district or a CP corridor protection district.

(9) All other applicable provisions of Article VI. Signs shall be met.

Sec. 21-750. Illumination.

(a) The light from any illuminated sign shall not cause direct glare into or upon any building or property other than the building or property to which the sign may be related.

(b) No sign shall display flashing or intermittent lights, or other lights of changing degrees of intensity, brightness or color.

(c) Neither the direct nor reflected light from an illuminated sign shall be located so as to create a traffic hazard to operators of motor vehicles on public thoroughfares.

(d) The outlining of all or a portion of the exterior of a building, or building windows, with lights or neon tubing shall be prohibited. ~~The stringing of lights or neon tubing on-site features, including but not limited to light poles, shrubbery, trees and fences shall be prohibited. Seasonal decorations displayed between Thanksgiving and January 6, and which are not visible from the Colonial Williamsburg Historic Area CW, shall be exempt from this requirement.~~

(e) The stringing of lights or neon tubing on site features, including but not limited to light poles, shrubbery, trees and fences shall be prohibited, except that the stringing of white non-flashing lights on trees on private property in the downtown sign district shall be allowed. Seasonal decorations displayed between Thanksgiving and January 2, and which are not visible from the Colonial Williamsburg Historic Area CW, shall be exempt from this requirement.

Sec. 21-751. Nonconforming signs.

(a) Signs which do not conform to the regulations prescribed by this article, but which were erected in accordance with all applicable regulations in effect at the time of their erection shall be considered to be nonconforming signs. Nonconforming signs shall not be enlarged, extended, modified, reconstructed or structurally altered except in accordance with this article. Nonconforming signs shall not be repainted or refaced when this changes the wording, composition, color or material of the sign, unless such a change is specifically authorized.

(b) No new signage for a business shall be approved until all nonconforming freestanding and building-mounted signs pertaining to that business, are removed or modified to comply with all the regulations prescribed by this article.

(c) No nonconforming sign shall be moved on the same lot or building or to another lot or building unless the sign as relocated is modified to comply with all requirements of this article.

(d) If a nonconforming sign is damaged to an extent greater than 50 percent of its current replacement cost, it shall not be rebuilt.

Sec. 21-752. Abandoned signs.

A sign, including its supporting structure or brackets, shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer on the premises. Such sign, if not removed within 30 days from the termination of occupancy by such business shall be considered to be in violation of this chapter, and shall be removed at the owners expense.

Sec. 21-753. Dilapidated signs.

All signs shall be maintained in good working condition so as to present a neat and orderly appearance. The zoning administrator may give written notice to remove or repair, within 30 days, any sign which shows gross neglect or which becomes dilapidated. Failure to comply shall be considered a violation of this chapter.

Sec. 21-754. Hardship cases.

(a) Whenever the location, topography or configuration of any lot on which any permitted use is conducted is such as will cause a hardship by the limitations placed on the signs permitted by this article due to sight distances, existing vegetation, location of buildings on adjacent lots, insufficient area to locate a monument sign or a freestanding sign supported by a pole or post on each end of the sign, and/or the topography of the parcel, the board of zoning appeals may grant a special exception, in accordance with section 21-97(f), to either allow one additional freestanding sign, or to increase the amount of building-mounted sign area by not more than 25 percent.

(b) No additional signage shall be approved by the board of zoning appeals unless it is found:

(1) That the strict application of this section would cause undue hardship.

(2) That such hardship is not shared generally by other properties in the same vicinity.

(3) That the issuance of the permit will not be of substantial detriment to adjacent property and that the character of the area will not be changed by the granting of the permit for additional signage.

(c) Any additional signage approval shall be limited to the applicant only, and shall not only apply to any future tenant or business.

(d) Any freestanding sign approved in lieu of a required monument sign or freestanding sign supported by a pole or post on each end of the sign shall be limited in height to ten feet.

Secs. 21-755—21-775. Reserved.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-033OD1]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE AMENDING CHAPTER 15, STREETS AND SIDEWALKS, ARTICLE III. SIDEWALKS, PERTAINING TO SIDEWALK CAFES AND SIDEWALK SIGNS (PCR #13-033)

WHEREAS, it is desired to consolidate the regulations for sidewalk cafes and sidewalks signs on Prince George Street as a part of Chapter 15, Streets and Sidewalks.

THEREFORE, BE IT ORDAINED that Chapter 15, Streets and Sidewalks, Article III, Sidewalks, Secs. 15-41(b) *Sidewalk cafes* shall be amended and Sec. 15-41(c) *Sidewalk signs* shall be added, both to read as follows:

CHAPTER 15. STREETS AND SIDEWALKS
ARTICLE III. SIDEWALKS

Sec. 15-41. Encroachments leaving less than seven feet clear on or above sidewalk.

(a) It shall be unlawful for any merchant or other person to encroach upon any sidewalk within the limits of the city so as to prevent a clear and open passageway of at least seven feet on the sidewalks in front of their stores, houses or places of business, by placing thereon or suspending in any way above, at a less height than seven feet, any wares, goods, merchandise, sign or other thing for sale, display or other purpose.

(b) *Sidewalk cafes.* Notwithstanding ~~the above~~ section 15-41(a), portions of the sidewalks along the section of Prince George Street lying between North Henry Street on the east and ~~North Boundary Street~~ Armistead Avenue on the west may be used by businesses abutting the sidewalks for sidewalk cafes, subject to the following:

(1) *Use of sidewalk area.* Each business which occupies a store space abutting such sidewalk and which sells prepared foods and beverages for consumption on such premises may, upon obtaining the permit provided for in paragraph (2) below, use the portion of the public sidewalk immediately abutting such premises to provide seating for the consumption of prepared foods, drinks and related food items which are sold on such premises. ~~One non-illuminated menu board may be displayed within the permit area, limited to a sign area of not more than six square feet.~~ The area to be used shall be limited to that which lies between the ground-level interior walls of such premises adjacent to the front wall, and extending out from the front wall between parallel lines to a point not closer than seven feet from the back of the street curb closest to such premises. Additional limitations may be imposed by the city manager or by the city manager's designee based on proximity to street trees and lighting fixtures, and on the need to provide an adequate width walking area for pedestrians. Allowed signage on the sidewalk area is governed by section 15-41(c) below.

(2) *Permit.* The owner of each business which wishes to occupy the portion using the sidewalk for the purposes set forth in (1) above, shall first obtain a permit from the city manager or the city manager's designee, which shall be valid for a period of one year from date of issuance. The permit application shall include plans to scale showing in detail the types and locations of tables, chairs, menu board and other furnishings and equipment and a description of any proposed fencing to be erected to define the subject area. The application shall also include color pictures or renderings of all chairs, tables, equipment andfencing proposed by the applicant. ~~No permit shall be issued~~

~~unless the design of the area to be used, including fencing, furniture, menu board and other equipment, is compatible with the design and character of the Prince George Street area.~~ The city manager or the city manager's designee may impose conditions upon the applicant which are deemed necessary to protect the sidewalk surface, street furniture and appurtenances; and which are necessary to prevent encroachment onto the sidewalk outside of the permit area. No permit shall be issued unless the design of the area to be used, including fencing, furniture and other equipment, is compatible with the design and character of the Prince George Street area and has been approved by the architectural review board.

(3) *Area maintenance.* Each permit holder shall at all times be responsible for keeping the permit area and the portion of the sidewalk between the permit area and the street curb clear of trash and debris and in a clean and sanitary condition. The failure of the permit holder to (a) maintain the furnishings, equipment and fencing installed in accordance with the permit in good repair and in a clean and sanitary condition; (b) keep the permit area and/or the abutting sidewalk in front of the permit area in a clean and sanitary condition; or (c) operate its business within the permit area in accordance with all applicable laws, ordinances and regulations, shall be cause for revocation of the permit upon ten days written notice if such failure has not been satisfactorily remedied within such period.

(4) *Insurance.* No permit shall be issued hereunder until the applicant has presented to the city a certificate insurance showing that there is in force, as to such sidewalk area and the public sidewalk lying between such area and the back of the nearest curb a commercial general liability insurance coverage of at least $1,000,000.00 on an occurrence basis insuring against all claims, loss, cost, damage, expense or liability from loss of life or damage or injury to persons or property arising out or relating to the use and occupancy of the permit area and the portion of the public sidewalk lying between the permit area and the nearest curb line. Such insurance shall be issued by an insurance company licensed to do business in Virginia acceptable to the city manager or the city manager's designee and shall include the city as an additional insured. Such certificate of insurance shall provide for 30 days' advance notice to the city prior to cancellation or modification of such policy. Said insurance shall be maintained in force at all times at the permittee's expense during the duration of the permit.

(5) *Bond.* Prior to the issuance of a permit, the business shall post a bond with corporate surety, letter of credit or certified check, ("performance guarantee") approved as to form by the city attorney, to cover the cost of the removal of any improvements within the permit area if they are not removed upon expiration or revocation of the permit. The performance guarantee shall be irrevocable and shall remain in force until the city issues written certification that all improvements have been timely and satisfactorily remove by the permitee and that the permit area has been left in a clean and sanitary condition.

(c) *Sidewalk signs and menu boards.* Notwithstanding section 15-41(a), portions of the sidewalks along the section of Prince George Street lying between North Henry Street on the east and Armistead Avenue on the west may be used by businesses abutting the sidewalks for the display of portable freestanding sidewalk signs (also referred to as A-frame signs and sandwich boards). No architectural review board approval shall be required. Approval by the city manager or the city manager's designee and the issuance of a sign permit shall be required. Approval shall be for the applicant only, and shall not be transferrable to any future tenant or business. The following conditions shall be met:

(1) *Number of signs permitted:* One for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be permitted to be shared by the businesses located therein. In lieu of a single portable freestanding sign, a business may display two chalkboards with a maximum size of three square feet each, which may be mounted on or leaned against a building wall, fence or planter box.

(2) *Maximum sign area:* Six square feet

(3) *Maximum height:* Three and one-half feet (42 inches)

(4) *Maximum width:* Two feet

(5) *Illumination:* Prohibited.

(6) *Time of display:* Sidewalk signs shall be displayed only when the business is open.

(7) *Attachments prohibited:* No temporary posters, letters, flyers, balloons, pennants, flags or other attention-getting devices may be attached to a sidewalk sign.

(8) *Location*:

a. Where there are no parking or loading areas adjacent to the curb, sidewalk signs shall be placed either at the back of curb or not more than one foot from the front building wall. The sign placement shall not cause the unobstructed, clear-path of the sidewalk or walkway to be less than five feet in width.

b. Where there are parking or loading areas adjacent to the curb, sidewalk signs shall be placed so as not to obstruct pedestrian movement and safety. The sign placement shall not cause the unobstructed, clear-path of the sidewalk or walkway to be less than five feet in width.

c. No sign shall be located within five feet of any driveway or curb cut access ramp.

d. Signs shall not be anchored to the sidewalk or attached or chained to poles, trees or other structures or appurtenances.

e. Signs shall be located within the frontage of the associated business.

f. A liability insurance policy shall be maintained in accordance with section 15-41(b)(4) above.

(9) *Menu boards:* In addition to a permitted sidewalk signs, a sign displaying a restaurant's printed menu shall be permitted if the following conditions are met (no architectural review board approval or sign permit shall be required):

a. *Number of signs permitted:* One sign located at the main entrance to the restaurant. This sign is in addition to the sidewalk sign permitted in section 15-41(c)(1), and shall either be permanently attached to the building wall or located not more than one foot from the front building wall.

b. *Maximum sign area:* Six square feet.

c. *Maximum height:* Five feet.

d. *Illumination:* Prohibited.

e. *Time of display:* Menu boards shall be displayed only when the business is open unless they are permanently attached to the building wall.

f. *Attachments prohibited:* No temporary posters, letters, flyers, balloons, pennants, flags or other attention-getting devices may be attached to a menu board.

(10) *Design criteria:* Sidewalk signs, chalkboards and menu boards should look professional and be in keeping with the character of the Architectural Preservation District, and shall meet the following design criteria:

a. Signs shall be constructed of wood that presents a finished appearance. Rough-cut plywood is not acceptable. Wooden signs may have a metal frame.

b. Plastic, plastic-faced or metal signs are prohibited.

c. Chalk boards are permitted, but changeable copy with removable letters is prohibited.

d. Dry erase boards are prohibited.

e. Permitted sign colors shall be from the approved color palette in the City of Williamsburg Design Review Guidelines, Chapter VII –Signs.

f. Creative shapes are encouraged (e.g. ice cream cone, coffee cup, cupcake).

(11) *Additional conditions:* Additional conditions may be imposed by the city manager or the city manager's designee if they are deemed necessary for public safety purposes.

(12) *Maintenance:* Signs shall be maintained in a neat and clean condition, and shall not have peeling paint, chipped corners, rust, mud, graffiti, broken parts and pieces and other unsightly conditions .

(13) *Enforcement:* The city manager or the city manager's designee may give written notice to remove or repair, within 24 hours, any signs which do not meet the requirements of this section, which do not comply with permit conditions imposed by the city, which constitute a hazard or danger to the public, and/or which have fallen into a state of disrepair. If said signs have not been removed or repaired within 24 hours, the city manager or the city manager's designee may remove the signs from the sidewalk and/or revoke the sign permit.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

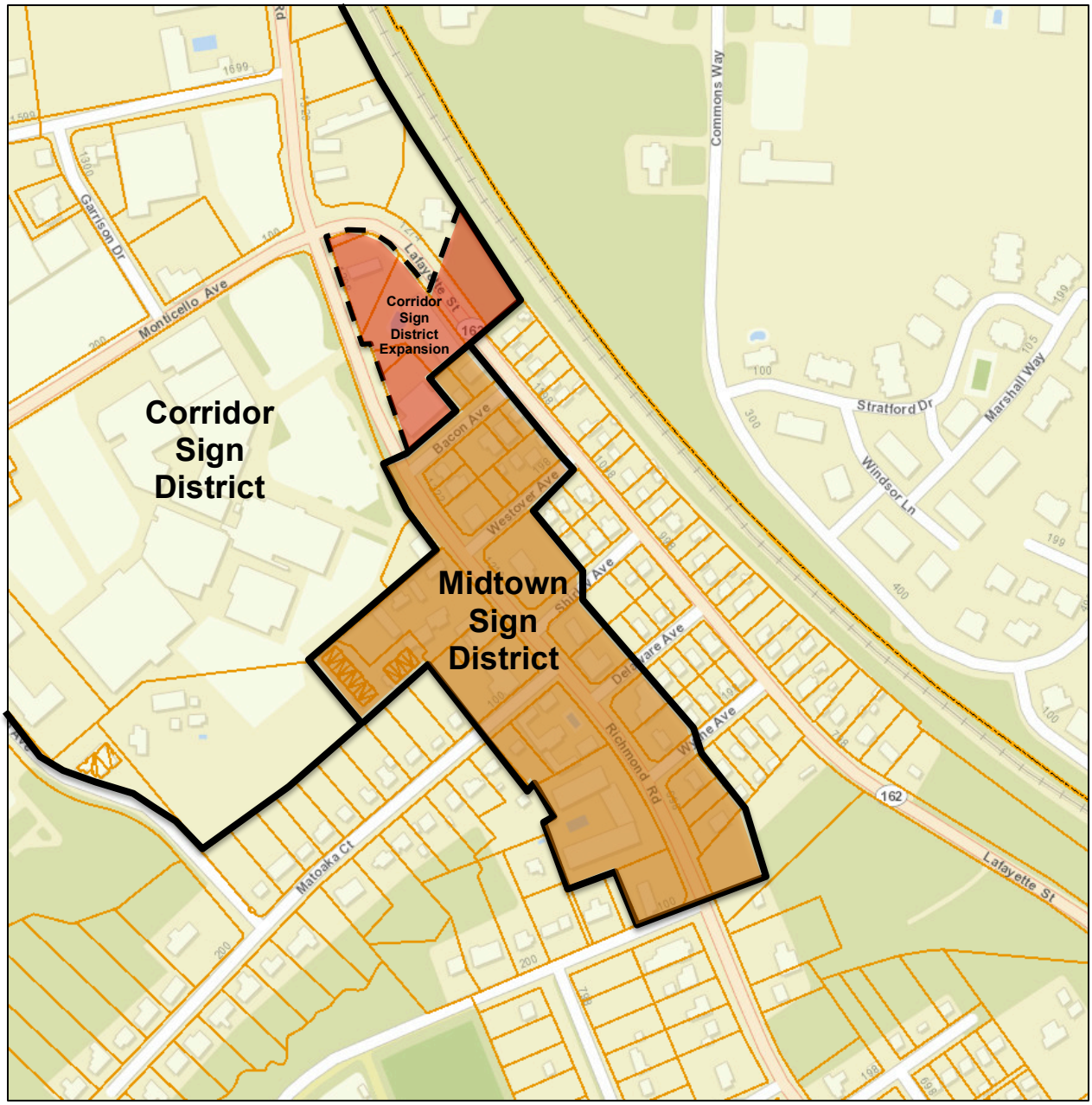
Adopted: _____

_____

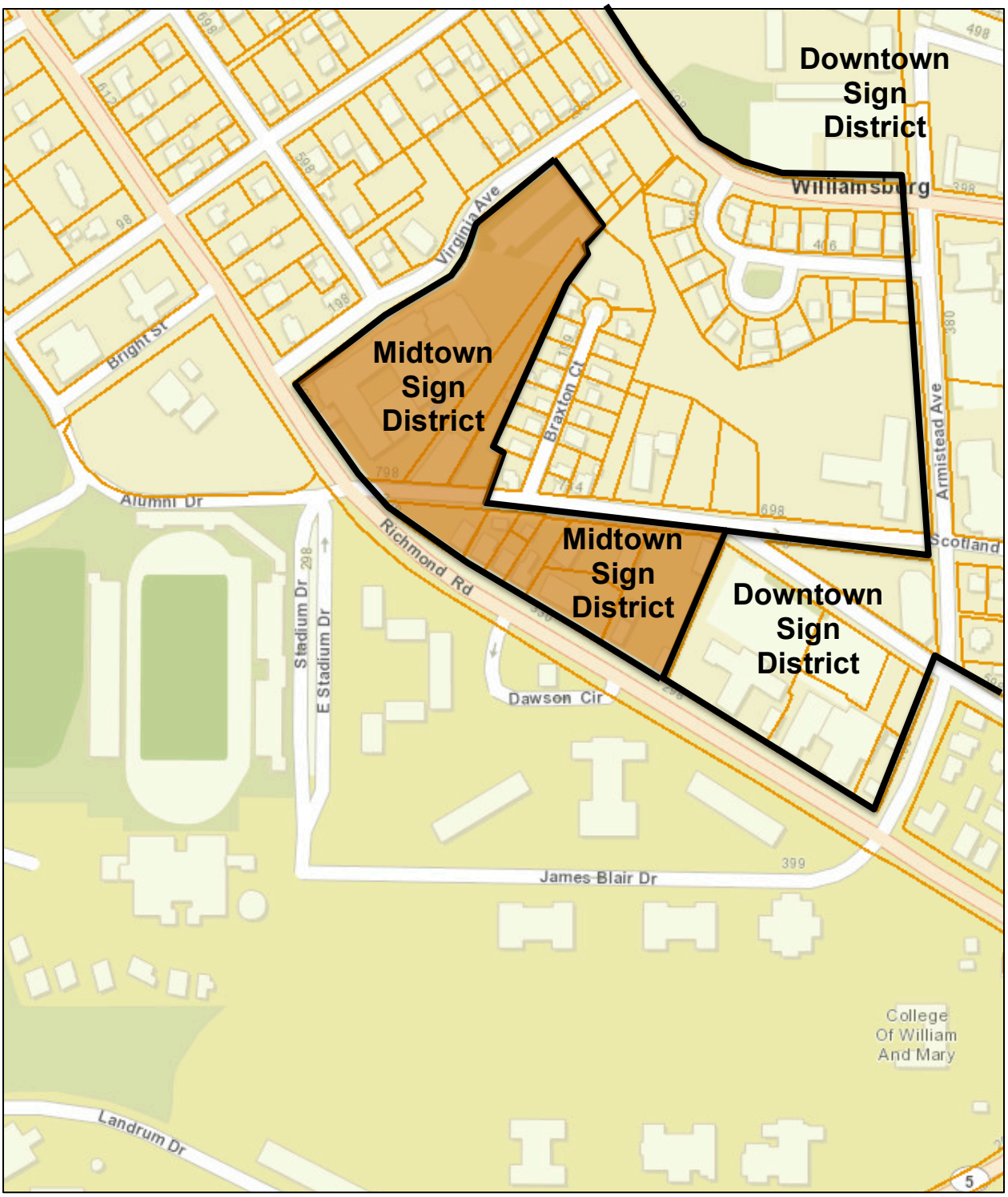
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-033OD2]



PCR #13-033
PROPOSED MIDTOWN SIGN DISTRICT
ARTS AND CULTURAL DISTRICT AREA



PCR #13-033
PROPOSED MIDTOWN SIGN DISTRICT
COLLEGE COMMERCIAL AREA

The Colonial Williamsburg Foundation

"THAT THE FUTURE MAY LEARN FROM THE PAST"

October 11, 2013

In care of:
Mr. Reed T. Nester, AICP
Planning Director
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185

Dear Members of the Planning Commission:

The Colonial Williamsburg Foundation supports the changes to the Downtown Sign District proposed by the Planning Director. We agree with allowing limited use of temporary signs and believe that their regulation is important to avoid cluttering the streetscape. The proposal strikes a good balance that allows a festive character to continue on Prince George St. while not overwhelming the area with signage.

Sincerely,

Marina

Marina Ashton
Director Commercial Properties
The Colonial Williamsburg Foundation

Post Office Box 1776, Williamsburg, Virginia 23187-1776, Telephone: (757) 229-1000

>>> Robin McNamara <patrioticshop@aol.com> 9/24/2013 3:48 PM >>>

Carolyn, I understand that you are having a meeting this evening and I would like to make the following suggestions in regards to Prince George Street:

1. There is a need for a bike rack somewhere on the street. I have seen several people tying their bikes to the trees and they are taking a beating from it.

2. I would like to see the A frame signs either eliminated or some type of standards put into place. We have to have the signage on our stores reviewed but we have no standards for the A frame signs being used. There are several on the street that are hand painted or very old looking.

3. There is also a need to keep business owners from having pots of dead flowers sitting in front of their businesses.

4. Tables should not be allowed to be placed in front of stores except for special events or sidewalk sales.

5. Sculptures should not be allowed in front of businesses.

6. Flags and or awnings that are faded should be replaced.

7. Any outside painting on the buildings and or railings should be maintained.

8. Art should not be placed in the street planters.

>>> Robin McNamara <patrioticshop@aol.com> 9/24/2013 4:19 PM >>>

Sorry, I had to finish on a separate email.

9. The new flower pots on the street are not being properly maintained. The flowers need to be trimmed so that they bloom more frequently and look better. I maintain the one in front of my store and it looks amazing.

10. I would like to see synthetic materials used in the porch boxes on the buildings. They look so much like wood and they are very easy to maintain.

11. I am not in favor of neon signs in the historic area. If allowed every store will have a neon open sign in their window.

Thank you for giving me the opportunity to voice my opinion. I want the historic area to be the best it can be. I am very gratefully to be here! Sincerely, Robin McNamara Stars and Stripes Forever

PS I was not referring to the restaurant tables in my previous email.

CITY OF WILLIAMSBURG
MEMORANDUM

Date: **November 21, 2013**

Subject: **PCR #13-035**
Rezoning of 1.74 acres at 227 Richmond Road from RDT to B-1

The City of Williamsburg is nearing the conclusion of an agreement with the Williamsburg Baptist Church, 227 Richmond Road, to lease their rear parking lot to provide additional public parking in the College Commercial area. The agreement should be considered by City Council at the November City Council meeting. The Williamsburg Baptist Church is now zoned RDT Downtown Residential District, and the zoning needs to be changed to B-1 Downtown Business District to be used for public parking.

COMPREHENSIVE PLAN

The 2013 Comprehensive Plan designates this area as Downtown Commercial land use, which is defined by the Plan as follows:

> *The Downtown Commercial land use category is intended to promote a variety of business uses in the Downtown Planning Area, and includes Merchants Square and other predominantly retail business areas adjacent to the Colonial Williamsburg Historic Area and the College of William and Mary. Continued use*

and adaptation of residential dwellings is supported in the Downtown area, and residential uses are allowed at a base density of 14 dwelling units/net acre, with increased density allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project relates to its immediate surroundings and to the Downtown Planning Area as a whole. This category is implemented by the B-1 zoning district, and by the PDC District for student dwellings with up to four unrelated persons per dwelling unit.

The implementation chapter of the 2013 Comprehensive Plan recommends that the zoning for this property (Williamsburg Baptist Church) be changed from RDT Downtown Residential District to B-1 Downtown Business District in conjunction with development or redevelopment of the property.

EXISTING ZONING

This property (Williamsburg Baptist Church) is zoned RDT Downtown Residential District. It abuts PDC Planned Development College District to the west, RDT Downtown Residential District to the east, WM William and Mary District to the south, and B-1 Downtown Business District to the north.

The Statement of Intent for the RDT District reads:

This district is established to promote harmonious development and redevelopment in the downtown residential areas adjacent to the Colonial Williamsburg district and the College of William and Mary. The regulations are designed to maintain and encourage the existing small scale pedestrian character of this area, and to encourage a harmonious mixture of residential uses.

PROPOSED ZONING

The proposed zoning for this property is B-1 Downtown Business District. The B-1 District allows a variety of business and residential uses with a base residential density of 14 dwelling units/net acre and additional density with a special use permit.

The Statement of Intent for the B-1 District reads:

This district is established to promote harmonious development and redevelopment in the downtown business areas adjacent to the Colonial Williamsburg district and the College of William and Mary. The regulations are designed to maintain and encourage the existing small scale pedestrian character of this area, and to encourage a harmonious mixture of commercial, residential, office and institutional uses.

ANALYSIS

The proposed leasing of the Williamsburg Baptist Church parking lot by the City for public parking in the *College Commercial* area is consistent with the 2013 Comprehensive Plan. The Commercial and Economic Development Plan in the Comprehensive Plan has its second item:

> Encourage business to locate adjacent to the College of William and Mary. These businesses will serve the needs of the 8,200 students at the College, as well as those of residents and visitors. They should be located adjacent to the College, primarily on Richmond Road and Prince George Street between Armistead Avenue and Scotland Street….

The Comprehensive Plan goes on to describe this area in detail:

> The *College Commercial* area is located on Richmond Road, Scotland Street and Prince George Street between the Richmond Road/Scotland Street intersection and Armistead Avenue. This area, as demonstrated by its existing restaurants, Wawa convenience store and Tribe Square, has the ability to serve the major concentration of college students across Richmond Road on the main campus of William & Mary and in nearby residential areas, as well as the City's residents and visitors. In addition to the existing commercial uses, Prince George Commons, a mixed-use development with 9,800 square feet of commercial floor area and seven apartments, has been approved on the northeast corner of Armistead Avenue and Prince George Street. The Triangle Building on the opposite side of Armistead Avenue, owned and managed by the Williamsburg Redevelopment and Housing Authority, has potential for attracting new tenants to the area. Because of its historic character, great care needs to be taken in the design of new commercial buildings and the reuse of existing buildings in the College Commercial area. As stated in the Architectural Review Board's Design Review Guidelines, the proper balance must be maintained between preserving buildings that make important contributions to the history and character of the City and surrounding neighborhoods, and allowing for new development.

The provision of adequate parking is important to this area. The revisions that were made to the Downtown Parking District do not require the provision of parking for non-residential uses. The use of this lot will supplement the existing off-street parking provided by businesses, the existing on-street parking and the parking provided in the nearby Prince George Parking Garage.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council that 227 Richmond Road (Williamsburg Baptist Church) be rezoned from RDT to B-1, as detailed in the attached ordinance.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on this request on November 20. One person spoke at the public hearing. Planning Commission recommended, by a vote of 5-0, that 227 Richmond Road (Williamsburg Baptist Church) be rezoned from RDT to B-1, as detailed in the attached ordinance.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing on this case is scheduled for December 12 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.

Reed T. Nester

Reed T. Nester, AICP
Planning Director

[PC\PCR\2013\13-035M03]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE TO REZONE 1.74 ACRES AT 227 RICHMOND ROAD FROM RDT DOWNTOWN RESIDENTIAL DISTRICT TO B-1 DOWNTOWN BUSINESS DISTRICT (PCR #13-035)

WHEREAS, this rezoning is recommended by the 2013 Williamsburg Comprehensive Plan and carries out the purpose and intent of Chapter 21, Zoning, as stated in Sec. 21-1, Purpose and Intent; and

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning 1.74 acres located at 227 Richmond Road from RDT Downtown Residential District to B-1 Downtown Business District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning 1.75 acres at 227 Richmond Road from RDT Downtown Residential District to B-1 Downtown Business District. This property is identified as Williamsburg Tax Map No. 465-0A-00-46, and is further described by Exhibit A.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

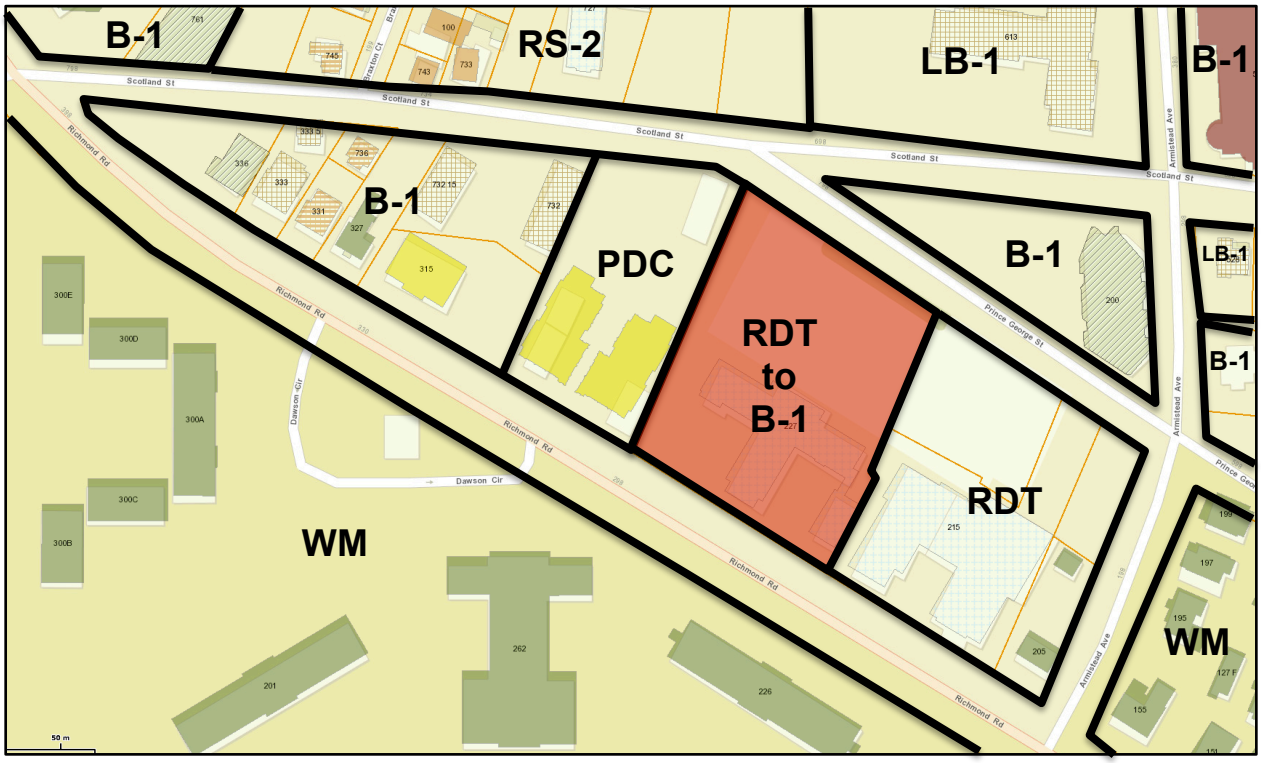


EXHIBIT A

[PC\PCR\2013\13-035OD1]

CITY OF WILLIAMSBURG
MEMORANDUM

DATE: **November 21, 2013**

SUBJECT: **PCR #13-036**
Architectural Review Board Membership

City Council discussed the membership requirements for the Architectural Review Board at their retreat on October 5, and requested that staff review the Architectural Review Board membership requirements and to consider changes that would allow for a larger qualified applicant pool for appointments to the Architectural Review Board.

The current membership requirements are:

1. Seven residents of the City (unless otherwise specified), with a demonstrated interest, competence or knowledge in historic preservation.
2. One member shall be a licensed architect, who may be a resident of James City County or the Bruton District of York County with an office in the City.
3. One member shall have a degree in architectural history or historic preservation.
4. One shall be a member of Planning Commission.
5. One shall have professional training or equivalent experience in: architecture, history, architectural history, archaeology or planning.
6. At least two shall reside in or operate a business in the AP or CP District.
7. It is recommended that one member have professional training or equivalent experience in: real estate, building construction or engineering.

Staff has examined the state code and Certified Local Government requirements. The City is currently approved as a Certified Local Government by the Virginia Department of Historic Resources. Based on this review, the following membership requirement changes are recommended, and are detailed in the attached ordinance.

The proposed membership requirements are:

1. Seven residents of the City (unless otherwise specified), with a demonstrated interest, competence or knowledge in historic preservation.
2. One member shall be a licensed architect, who may be a resident of James City County or the Bruton District of York County with an office in the City.
3. One member shall be an architectural historian, professional historian, archaeologist, landscape architect or professional planner.
4. One or more members may have professional training or equivalent experience in: architectural history, history, archaeology, landscape architecture, planning, real estate, building construction or engineering.
5. One shall be a member of Planning Commission.
6. At least two shall reside in or operate a business in the AP or CP District.

This change has more flexibility in the two professional positions (a licensed architect and an architectural historian, professional historian, archaeologist, landscape architect or professional planner) compared to the current requirement (a licensed architect, a member with a degree in architectural history or historic preservation, and a member with professional training or experience in architecture, history, architectural history, archaeology or planning). The proposal is for two "must have" professional positions instead of the three currently required.

The remaining qualifications require that one or more members may have professional training or equivalent experience in architectural history, history, archaeology, landscape architecture, real estate, building construction or engineering. The requirement that one member be a member of Planning Commission remains, as does the requirement that two members shall reside in or operate businesses in the AP or CP Districts. City Council is also given the option to appoint a member to up to three consecutive four-year terms.

The revised qualifications will give City Council more flexibility in making appointments to the Architectural Review Board, and will also ensure that the Architectural Review Board continues to meet the requirements for a Certified Local Government (CLG). The CLG program was created by the National Historic Preservation Act of 1966 (as amended in 1980), and establishes a partnership between local governments, the federal historic preservation program, and each state's State Historic Preservation Office (SHPO), which in the case of Virginia is the Department of Historic Resources (DHR). The program allows DHR to recommend for certification local governments that have put key elements of a sound local preservation program in place in their communities. Designation as a CLG gives local governments a way to participate more formally in the state and national historic preservation programs. General requirements for certification are identified in the federal program; specific requirements for the Virginia program have been established by DHR.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council that the membership requirements for the Architectural Review Board be revised as detailed in the attached ordinance.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on this case on November 20. No one spoke at the public hearing. Planning Commission recommended to City Council, by a vote of 5-0, that the membership requirements for the Architectural Review Board be revised as detailed in the attached ordinance.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing on this case is scheduled for December 12 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.

Reed T. Nester, AICP
Planning Director

[PC\PCR\2013\13-036M03]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE IX. ARCHITECTURAL REVIEW, SEC. 21-853 ARCHITECTURAL REVIEW BOARD (PCR #13-036)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

BE IT ORDAINED that Chapter 21, Zoning, Article IX, Architectural Review Board, Sec. 21-853 Architectural Review Board, subsection (a) shall be amended to read as follows:

ARTICLE IX. ARCHITECTURAL REVIEW BOARD

Sec. 21-853. Architectural review board.

(a) An architectural review board is hereby established, hereafter referred to as the review board. The review board shall consist of seven residents of the city (unless otherwise specified), who shall be appointed by city council, and who shall have a demonstrated interest, competence or knowledge in historic preservation. ~~One member shall be a licensed architect, who may be a resident of James City County or the Bruton District of York County and who is employed and has an office in the city; one member shall have a degree in architectural history or historic preservation; one shall be a member of the planning commission; and one shall have professional training or equivalent experience in any of the following disciplines: architecture, history, architectural history, archaeology, or planning. At least two of the members of the board, exclusive of the planning commission member, shall reside in or operate businesses in the architectural preservation or corridor protection district. It is recommended that one member have professional training or equivalent experience in any of the following disciplines: real estate, building construction, or engineering.~~

(1) One member shall be a licensed architect, who may be a resident of James City County or the Bruton District of York County and who is employed and has an office in the city.
(2) One member shall be an architectural historian, professional historian, archaeologist, landscape architect or professional planner.
(3) One or more members may have professional training or equivalent experience in any of the following disciplines: architectural history, history, archaeology, landscape architecture, planning, real estate, building construction, or engineering.
(4) One member shall be a member of the planning commission.
(5) At least two of the members of the board, exclusive of the planning commission member, shall reside in or operate businesses in the architectural preservation or corridor protection district.

Each member, other than the member of the planning commission shall serve a term of four years. Each member may be reappointed at the discretion of city council but shall serve no more than ~~two~~ three consecutive four-year terms. The term of the city planning commission member shall be coextensive with the term on the planning commission.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-036OD1]