

Article 10:
SIGN REGULATIONS

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A. Purpose and Intent:

The purpose of this article is to regulate the size, location, height and construction of all signs for public observance; to protect the public health, safety, convenience and general welfare; to facilitate the creation of a convenient, attractive and harmonious community, to protect property values; and to further the urban design and economic development objectives. To these ends, these regulations are intended to promote signs that are:

1. Compatible with the landscape/streetscape and architecture of surrounding buildings, including historic sites and structures;
2. Legible and appropriate to the activity to which they pertain;
3. Not distracting to motorists;
4. Constructed and maintained in a structurally sound and attractive condition; and
5. Pertaining to use or business that is in operation on the premises.

B. Sign Permit Requirement:

Except as provided hereinafter, no sign shall be erected, installed, used, altered, painted, relocated, replaced or reconstructed until a Sign Permit has been issued by the Administrator and approved by the Board of Historic and Architectural Review if applicable, and a building permit has been issued by Isle of Wight County. For the purpose of this Ordinance, all signs are considered accessory uses and, unless specifically qualified, shall be located on the same lot with the principal use to which they pertain.

(Ord. of 9-5-2000)

C. Sign Permit Procedures:

1. **Applicability:** A Sign Permit shall be required for all signs.

2. **Filing of Application and Fees:** Applications for Sign Permits shall be filed on a form provided by the Planning and Zoning Administrator, shall contain information required herein, and shall be accompanied by a fee to be established by the Town Council.

3. **Information Required:** All applications for Sign Permits shall be submitted on standard Town application forms and the applicant shall provide additional written or graphic exhibits to incorporate the following information:
 - a. Name, address, and telephone number of the sign erector, sign owner, and property owner.
 - b. Position of the sign with distances in relation to adjacent lot lines, buildings, sidewalks, setbacks, streets and intersections shown on a legal plat produced by a licensed surveyor or engineer.
 - c. Landscaping plan for proposed detached signs. Refer to Article 10, Section E, paragraph 6.
 - d. Type of sign and general description of structural design and construction materials to be used.
 - e. Purpose of the proposed sign.
 - f. Drawings of the proposed sign which shall contain specifications indicating the height, perimeter and area dimensions, means of support, method of illumination, colors, and any other significant aspect of the proposed sign.
 - g. Any other information requested by the Planning and Zoning Administrator in order to carry out the purpose and intent of these regulations.

(Ord. of 9-5-2000)

D. Sign Definitions:

For the purpose of this article, certain terms and words pertaining to signs are hereby defined. The general rules of interpretation contained in this article are applicable to these definitions.

1. **Abandoned Sign.** An existing sign that advertises a business that is no longer in operation.

2. **Accessory Sign.** A sign relating only to the uses of the premises on which the sign is located or products sold on the premises on which the sign is located, or indicating the name or address of a building, the occupants or management of a building on the premises where the sign is located.

3. **A-Frame Sign (Sandwich Board).** A sign which is made of an a-frame shaped structure, that is no greater than forty-eight inches (48") in height and thirty inches (30") in width and is not considered permanent signage for the purposes of this ordinance. A-frame signs can be permitted as temporary signs as per Article 10:G; 1, or they can be permitted for on-going use as per Article 10:G; 2.
4. **Animated Sign.** A sign utilizing any form of movement, including, but not limited to, animation, revolution, vertical or horizontal motion, whether electrical, mechanical, windblown, or through change in lighting.
5. **Awning Sign.** A sign painted or printed on, attached flat or sewn onto valance or body of any awning.
6. **Banner.** A piece of cloth, plastic or other flexible material on which words, letter, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display, or direction and which is suspended for display, typically from buildings or poles.
7. **Billboard Sign.** A sign used as an outdoor display for the purpose of advertising or promoting a business, service, activity or products which is not located on the premises on which a sign is situated.
8. **Canopy Sign.** A sign attached to or displayed on a canopy. For the purpose of this Article, a canopy is a permanent, roof-like structure of rigid materials either supported by and extending from a building or free-standing, including marquee or porte cocheres.
9. **Changeable Copy Sign.** A sign or part of a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.
10. **Construction Sign.** A temporary sign which identifies the character of facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction, or alteration of such facilities.
11. **Detached Sign.** An on-site free-standing sign not attached to a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall that is not a part of a building shall be considered a detached sign.

12. **Directional Sign.** An on-premises sign giving directions, instructions, and/or facility information, but containing no advertising copy (e.g., parking, exit, or entrance signs).
13. **Directory Boards.** A subsidiary sign listing the names, uses, and/or location of various businesses conducted within a building or group of buildings.
14. **Double-Faced Sign.** A sign with two parallel, or nearly parallel, faces, back to back, and located no more than 24 inches from each other.
15. **Externally Illuminated Sign.** A sign which does not produce artificial light from within itself but which is opaque and illuminated by spotlights or floodlights not a part of or attached to the sign itself.
16. **Festoons.** A string of ribbons, tinsel, small flags, pennants, pinwheels, or similar devices.
17. **Flashing Sign.** An illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.
18. **Flat Sign.** A sign painted, on panels or individual letters mounted to a wall or cornice on exterior walls of a building and is supported throughout its length by such wall or building, not extending more than 18 inches from the building or wall.
19. **Gasoline Station Signs.** Signs for buildings and premises in which the primary source of revenue is the retail dispensing of motor fuels. This information must be verified by applicant prior to the issuance of sign permits.
20. **General Advertising Sign.** Any sign which is not an accessory sign or which is not specifically limited to a special purpose by these regulations.
21. **Internally Illuminated Sign.** Any sign designed to give forth artificial light from within itself.
22. **Marquee.** A permanent structure, awning or canopy projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.
23. **Marquee Sign.** Any sign attached to or hung from a marquee.

24. **Off Premises Directional Sign.** A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of use, but which does not otherwise qualify as an advertising sign.
25. **Off Premises Directional Open House Sign.** A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers.
26. **Political Sign.** A temporary sign which pertains to an issue or candidate in a pending election.
27. **Projecting Sign.** A sign which is attached to and projects more than 18 inches from the face of a wall of a building.
28. **Realty Sign.** A temporary sign which advertises the sale, lease, rental, or display of the lot or building upon which such sign is displayed.
29. **Roof Sign.** A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.
30. **Sign.** An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution, or business.
31. **Sign Area.** That area which outlines the outer extremities of all letters, figures, characters, and delineations, or within an area including the outer extremities of the framework or background of the sign, whichever includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area. Only one side of a double-faced sign shall be included in a computation of sign area, if the faces are not more than 24 inches apart. For other signs with more than one face which are more than 24 inches apart, each side shall be included in a computation of sign area. The area of a cylindrical or spherical sign shall be computed by multiplying one-half of the circumference by the height of the sign.
32. **Sign Height.** The vertical distance from the street grade or the average lot grade at the front setback line, whichever produces the greater vertical distance, to the highest point of the sign.
33. **Temporary Sign.** A sign, banner, A-Frame, pennant, poster, or advertising display constructed of cloth, plastic, sheet, cardboard, wallboard, or other materials, intended to

be displayed for a limited period of time, and not permanently attached to a building or the ground.

34. **Wall Area.** The area of a structure that measures from the roof soffit to the ground. The roof of a structure, if on a different plane than the wall, shall not be included in the calculations of the wall area.

35. **Window Sign.** A sign painted onto or physically affixed to a building window including upper floor windows and the glazing of doors or signs legible from any vehicular public right-of-way through a building window, limited to 10 percent of the total glass area of the window in which they are placed.
(Ord. of 9-5-2000; Ord. of 5-4-2004; Ord. of 11-3-2009)

E. General Requirements for All Signs:

The following regulations shall apply generally to all signs and are in addition to the regulations that apply to signs in each district:

1. **Sign Information and Sign Erection:** All signs shall be erected within sixty (60) days from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required. Each sign requiring a permit shall be clearly marked with the permit number and name of the person or firm placing the sign on the premises. Fees for sign permits shall be in accordance with this article or as may be otherwise amended from time to time by the Town Council.

2. **Number of Signs:** Except as otherwise provided, these regulations shall be interpreted to permit one sign of each permitted type, in accordance with applicable regulations, for each street frontage, for each permitted use on the premises. For the purpose of this regulation, sign types are flat, detached, A-frame, projecting and marquee signs.

3. **Responsibility:** The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violation of these regulations. Where a sign has been erected in accordance with these regulations, the sign company shall be relieved of further responsibility under these regulations after final approval of the sign by the Administrator.

4. **Maintenance:** All signs shall be maintained in good condition and appearance. Lights for illuminated signs shall be maintained in good working order. After due notice has

been given as provided below, the Administrator may cause to be removed any sign which shows gross neglect or becomes dilapidated, at the owner's expense.

5. **Removal:** The Administrator shall remove or cause to be removed any sign erected or maintained in conflict with these regulations if the owner or lessee of either the site or the sign fails to correct the violation within 30 days after receiving written notice of violation from the Administrator. Removal of a sign by the Administrator shall not affect any proceedings instituted prior to removal of such sign.

6. **Landscaping:** All landscaping plans for any proposed detached signs shall be prepared by a qualified landscaped designer, nurseryman, horticulturalist or Certified Landscape Architect. Qualifications and/or certification shall be shown on the site plan or plat and must include the name, address and phone number of the person(s) that prepared the landscaping plan. The landscaping plan shall be submitted before any sign permit is issued. All landscaping shall be completed within sixty (60) days from the date of issuance of the sign permit. A landscaped planting area shall be provided around the base of any detached sign. The planting area shall contain a minimum of 2 times the area of the sign, be a minimum of 4 feet in width, be protected from vehicular encroachment, the detached sign shall be located approximately in the center of the planting area, and be landscaped with a combination of low-growing shrubs and groundcovers (other than grass), including a minimum of 4 shrubs. The quality and type of all new plant materials installed on a site shall be in accord with the specifications of the American Association of Nurserymen, provided that the transplanting of trees and shrubs may be done in accordance with accepted horticultural and silvicultural practices. The planting and placement of trees shall be done in accord with the standardized landscape specifications of the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects. The landscaping shall be maintained in good condition and appearance.

7. **Changeable Message Signs:** For permanent 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.

8. **Structural and Safety Characteristics:** Structural and safety features and electrical systems shall be in accordance with the requirements of the applicable codes and ordinances. No sign shall be approved for use unless the structural plans have been reviewed, a permit has been issued, and the plans are in compliance with all the requirements of this Ordinance and applicable technical codes. All signs which are

electrically illuminated shall require a separate electrical permit and inspection by the Isle of Wight County Building Office.

(Ord. of 9-5-2000; Ord. of 11-3-2009)

F. Exempt Signs:

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code.

1. **Traffic Signs and Signals.** Signs erected and maintained pursuant to and in discharge of any federal, state, or county government function, or as may be required by law, ordinance, or governmental regulation including official traffic signs and signals, warning devices, and other similar signs.
2. **Changing of Message Content.** Changing a copy on a bulletin board, poster board, display encasement, marquee or changeable copy sign.
3. **Temporary, Non-Illuminated Window Signs.** Temporary, non-illuminated window signs in display windows in a business district, limited to 10 percent of the total glass area of the window in which they are placed.
4. **Temporary, Non-Illuminated Real Estate Signs.** Temporary, non-illuminated real estate signs advertising real estate for sale or lease shall be exempt from obtaining a sign permit with the following restrictions:
 - a. All real estate signs advertising commercial property or a residential subdivision of 10 lots or more shall be a maximum of 32 square feet and shall not exceed 24 months in use.
 - b. All real estate signs advertising single-family residential lots for sale or lease shall not exceed 4 square feet and be limited to one per lot.
 - c. There shall be no more than one real estate sign per road frontage and must be located on the property.
 - d. Off premises open house real estate signs advertising the sale, lease or rental of property shall be displayed only when the residential unit is open for public viewing, shall be limited to 4 square feet in size, and shall not be displayed for more than three (3) days in any seven (7) day period.

5. **Non-Illuminated Signs Identifying Official State Automobile Inspection Stations.** Non-illuminated signs identifying official state automobile inspection stations and the inspection number which is due, provided that such signs shall not exceed 10 square feet in area and shall be limited to one sign for each street frontage. Such signs shall not be included in any computation of sign area. "A-frame" designs shall be considered as a single sign for the purposes of computing sign area.
6. **Temporary, Non-Illuminated Construction Signs.** Temporary non-illuminated signs not more than 32 square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
7. **Non-Illuminated Signs Warning Trespassers.** Non-illuminated signs warning trespassers or announcing property as posted, without limitations on number or placement, limited in area to two square feet.
8. **Mounted or Painted Sign On A Vehicle.** Mounted or painted signs on a truck, bus, or other vehicle shall be permitted while in use in the normal course of business and at the driver's residence.
9. **Directory Boards.** Directory boards which are detached or flat and designed as a outdoor means of providing information concerning the location of individual establishments or offices within an office, retail, or industrial complex, provided that such signs are not legible from any public right-of-way and do not exceed 16 square feet with a maximum width of 2 feet provided that only one such sign shall be permitted per building. (Ord. of 9-5-2000; Ord. of 5-4-2004)

G. Temporary Signs:

1. The Planning and Zoning Administrator may issue temporary sign permits or banner permits for the following signs and banners, when in his opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property. The fee for a temporary sign or banner shall be \$10.00. This fee shall be waived for bonafide non-profit organizations. Temporary signs or banners listed in (a), (b) and (d), below, may be erected for no more than fourteen (14) days prior to the special event and must be removed no later than seven (7) days after the special event has concluded; and may be erected for a maximum of thirty (30) consecutive days, but the temporary sign or banner must then be removed for at least a thirty (30) consecutive day period and shall not be erected for more than a maximum of 3 months of any

calendar year. For temporary signs listed in (c), below, the Zoning Administrator shall prescribe regulations and restrictions as deemed appropriate.

- (a) Signs or banners not exceeding 32 square feet advertising a special civic or cultural event such as a fair, exposition, play, concert, or meeting, sponsored by a governmental, civic, non-profit, or charitable organization.
- (b) Special decorative displays used for holidays, public demonstrations, or promotion for nonpartisan civic purposes.
- (c) Signs displayed at recreational ball fields not exceeding 32 square feet per sign. The back of the sign shall be the same color as prescribed by the Zoning Administrator. The sign(s) shall be displayed only during the regular season of the individual sport.
- (d) Banners when used in conjunction with a special sales promotion in a district where such sales are permitted, the opening of a new business, a special one-time auction of real or personal property in estate or bankruptcy sales, or an establishment going out of business in any commercial or industrial district. Limit one banner.
- (e) Temporary portable signs, such as A-Frame signs, not exceeding 32 square feet in area, which are intended to identify or display information pertaining to an establishment for which permanent free-standing signage is on order as evidenced by presentation of a copy of an executed order form for such permanent signage to the Administrator. Such permit shall expire and the portable sign shall be removed upon the arrival of the permanent sign or 30 days, whichever shall occur first.
- (f) Banners when used to announce the grand opening and initiation of sales or leasing of lots and/or dwelling units within a newly developing residential project have at least 10 lots or units. The cumulative area of all such banners erected for any single residential project shall not exceed forty (40) square feet. Banners shall not be illuminated. The duration of such permit shall not exceed thirty (30) days.
- (g) Political or campaign signs and posters shall not be placed on any public property, public right-of-way, or Virginia Department of Transportation right-of-way. Political signs can only be placed on private property and cannot create any sight distance problems for motorists.

2. A-frame signs (For on-going use)
 - a. It shall be unlawful for any person to cause an A-frame sign to be placed in any right-of-way, sidewalk or other public property of the town without first obtaining an encroachment permit.
 - b. Upon determination that an A-frame sign will not materially or unreasonably interfere with the use of any public right-of-way, sidewalk or other public property or constitute a hazard, the town council or its designee may issue an encroachment permit for an A-frame sign subject to the following conditions (A-frame signs to be placed on private property are subject to the same conditions):
 - 1) A-frame signs shall only be permitted in D, Downtown, HR-C, Highway Retail Commercial, PS-C, Planned Shopping Center, R-O, Residential Office, I-1, Light Industrial and I-2, Heavy Industrial Districts.
 - 2) Two sign faces shall be permitted per A-frame sign.
 - 3) A-frame signs shall be positioned to allow a five-foot clear sidewalk area for pedestrians. The sign shall be placed in the right-of-way, sidewalk, other public property or private property in a manner that shall meet all ADA standards.
 - 4) A-frame signs shall only be permitted on the right-of-way, sidewalk, other public property or private property in front of the business which holds the permit.
 - 5) There shall only be one A-frame sign allowed per business.
 - 6) Colors shall blend with and compliment the overall color scheme of the street and shall not consist of obtrusive colors such as neon or day-glo. A-frame signs shall be non-illuminated.
 - 7) The material for changeable messages may be chalk board or wipe down board.
 - 8) The sign must be durable, sturdy and stable and shall be weighted sufficiently to withstand wind gusts or weather conditions. The sign must be constructed of substantial and quality materials.
 - 9) The total size of an A-frame sign shall not exceed forty-eight inches (48") in height and thirty inches (30") in width.
 - 10) A-frame signs must be removed from the right-of-way, sidewalk, other public property or private property at the end of each business day.
 - 11) Notwithstanding the above, the Zoning Administrator shall have the authority to order that A-framed signs shall be removed in any case

where the signage may produce distractions to motorists, threats to public safety, violent contrasts of materials or colors and intense and lurid colors or patterns, or details inconsistent with the ordinance or with the prevailing character of the surrounding neighborhood, the Historic District or the Entrance Corridor Overlay District.

(Ord. of 9-5-2000; Ord. of 5-4-2004; Ord. of 11-3-2009)

H. Prohibited Signs:

1. Off-premises signs, including billboards, unless otherwise specified in this ordinance.
2. Permanent pennants, banners, festoons, streamers, balloons and all other flutter, spinning, inflatable or similar type signs and advertising devices are prohibited except for the following: national flags, flags of a political subdivision of the United States and 2 decorative house flags per household. Flags of a bona fide civic, charitable, fraternal, and welfare organizations, during nationality recognized holiday periods, or during a special civic event, may be displayed by temporary permit as provided above in this Article, and further provided that the Administrator may approve special flags and flag poles when, in his opinion, they form an integral design feature of a building or group of buildings and not an ordinary advertising device.
3. Permanent advertising signs attached to fences in recreation areas are prohibited in all residential districts.
4. No sign which is not an integral part of the building design shall be fastened to and supported by or on the roof of a building and no projecting sign shall extend over or above the roof line or parapet wall of a building.
5. No sign shall be constructed erected, used, operated, or maintained which displays intermittent lights resembling, or seeming to resemble, the flashing lights customarily associated with danger or such as are customarily used by police, fire, or ambulance vehicles, or for navigation purposes.
6. No flashing signs shall be permitted in any district.
7. No sign shall be constructed, erected, or operated, or maintained which is so located and so illuminated as to provide a background of colored lights blending with traffic signal

lights which may confuse a motorist when viewed from normal approaching position of a vehicle at a distance of 25 to 300 feet.

8. No sign shall be attached to trees, utility poles, or any other unapproved supporting structure.
9. No signs shall project over public right-of-way without express permission of the Town Council except for permitted flat signs which may project not more than 18 inches.
(Ord. of 5-4-2004)

I. Nonconforming Signs:

Any sign which was lawfully in existence at the time of the effective date of this Ordinance which does not conform to the provisions herein, and any sign which is accessory to a lawful nonconforming principal use, shall be deemed a lawful nonconforming sign, and may remain, subject to the following:

1. Permitted signs for a conforming business or industrial use in a residential district shall consist of those signs permitted in the HR-C, Highway Retail Commercial District.
2. A nonconforming sign must be kept in good repair and condition. However, any sign which is declared to be unsafe or unlawful by any authorized Town official because of its physical condition may not be restored, repaired or rebuilt, but must be removed.
3. In any zoning district, where any sign does not comply with the provisions of this ordinance, such sign and any supporting structures may be maintained in their existing condition. Nonconforming signs can be repainted or refaced so long as the height and landscaping requirements are met in the underlying zoning district. Nonconforming signs in the Historic District are still subject to review by the Board of Historic and Architectural Review. Nonconforming signs may not be enlarged, extended, moved, modified, reconstructed or structurally altered except in accordance with this section. No nonconforming sign shall be enlarged, extended, moved, modified, or structurally altered without first obtaining the necessary permits from the Town of Smithfield and Isle of Wight County.
4. A nonconforming sign must be removed if the structure, building or use to which it is accessory is destroyed, or demolished to an extent exceeding 50 percent of the appraised value of the principal structure, building or use.

5. A nonconforming sign which is destroyed or damaged to an extent exceeding 50 percent of its appraised value may not be altered, replaced, or reinstalled unless it is in conformance with this Article unless such restoration, repair, or replacement and use is approved as a special exception by the Planning Commission. If the damage or destruction is 50 percent or less of the appraised value, the sign may be restored within 60 days of the damage, but shall not be enlarged in any manner.

6. Applications for unusual signs or displays which give rise to questions of interpretation of these regulations may be referred by the Administrator to the Board of Zoning Appeals for the purpose of interpretation by the Board and recommendation for action on the application by the Administrator. If, in the opinion of the Board, the application is not adequately covered by these regulations, the Board may make recommendations for amendment of this Ordinance.

7. Supporting structures for nonconforming signs may continue in use for a conforming sign if said supporting structures comply in all respects to the applicable requirements of this ordinance and other ordinances of the Town of Smithfield.
(Ord. of 9-5-2000)

J. Abandoned Signs:

A sign, or message portion of the sign, including its supporting structure, anchors, brackets, or similar components, shall be removed or replaced with a blank "shell" of the same material as the rest of the sign by the property owner upon which the sign is located when the business it advertises is no longer on the premises. Such sign, if not removed or properly replaced with a blank "shell" within sixty (60) days from the termination of occupancy by such business shall be considered to be in violation of this section, and the Planning and Zoning Administrator may cause the abandoned sign to be removed at the property owner's expense.
(Ord. of 9-5-2000)

K. Sign Requirements in Zoning Districts:

The following sign regulations shall apply to permitted signs in the respective zoning districts:

1. Permitted signs in Residential Districts:

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|------------|-----------------------------------|
| C-C | Community Conservation District |
| N-R | Neighborhood Residential District |

S-R	Suburban Residential District
DN-R	Downtown Neighborhood Residential District
A-R	Attached Residential District
MF-R	Multi-Family Residential District

The following accessory non-illuminated or externally illuminated signs shall be permitted in the Town's residential districts as listed hereinabove:

- a. Signs limited to 32 square feet in area for a church bulletin board or identifying a church, school, park, playground, library, museum, or other permitted public or semi-public use, recreational use or club. In the case of a detached sign, an additional area not exceeding 24 square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.
- b. Detached signs shall:
 - (1) Have a maximum height of 8 feet; and not be located within 10 feet of any street right-of-way, other property line, alley or driveway intersecting a street.
 - (2) One detached sign per street entrance identifying a residential subdivision or manufactured home park, limited in area to 18 square feet. Two (2) such signs are permitted if erected in conjunction with a media (formal gateway entrance) and approved as part of the plan of development or subdivision application.
 - (3) A name plate or directional sign, limited in area to two square feet, to identify the owner or occupant of a dwelling or building or a permitted home occupation.
 - (4) One sign not exceeding 32 square feet in area identifying a multi-family development, single-family attached development site, nursing home, day care centers, lodging house and similar permitted uses in the district. Such sign shall be attached flat against a main building or may be detached.
 - (5) Be landscaped in accordance with Section E.6 of this Article.

- c. Historic Preservation District (HP-O). In the HP-O District, the Board of Historic and Architectural Review shall approve the design compatibility of all signs in accordance with Article 10. All signs must meet the underlying zoning district sign regulations. The Board of Historic and Architectural Review may authorize an alternative signage plan or additional requirements that does not strictly adhere to the area, number, height and location criteria within the HP-O District if it is determined that the design is more consistent with the architectural character of the building to which it relates and other surrounding properties and as guided by the Town of Smithfield's Historic District Guidelines for signs.

2. Permitted Signs in the R-O, Residential Office District:

The following accessory illuminated or non-illuminated signs shall be permitted in the R-O, Residential Office District.

- a. Non-illuminated signs permitted in all residential districts, provided that signs identifying uses which are permitted in the residential districts shall be subject to the regulations set forth in that section.
- b. One non-illuminated or externally illuminated detached sign for identification of a bank, office building, funeral home, studio, or its occupants or similar uses permitted in the R-O district. Such sign shall meet the following conditions:
 - (1) The detached sign shall be limited in area to 32 square feet.
 - (2) No detached sign shall exceed a height of 10 feet.
 - (3) No detached sign shall be located within the area of a lot comprised of 30% of the total width or depth of the lot lying adjacent to a residential use.
 - (4) No detached sign shall be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Landscaping in accordance with Section E.6 of this Article.
- c. A group of two or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses and the combined sign shall:
 - (1) Not exceed 50 square feet, with a maximum of 32 square feet of sign area per business;

- (2) Not exceed a height of 10 feet;
 - (3) Be constructed of the same material for all businesses advertised; and
 - (4) Not be within 10 feet of any street right-of-way, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- d. Flat signs shall be limited to 10 percent of the wall area on which the sign is located. No one sign shall exceed 18 square feet.
 - e. Projecting awning, canopy or marquees sign, if they are not detached signs, limited to one for each business on the premises, with sign area limited to 12 square feet non-illuminated or externally illuminated. Projecting signs which extend over a public sidewalk shall be limited in area to 9 square feet.
 - f. Directional signs limited in area to 4 square feet shall be permitted as accessory signs and not included in any computation of sign area. One per entrance not to exceed 3 feet in height nor located within 5 feet of any street right-of-way line.
 - g. One A-frame sign shall be allowed per business. A-frame signs (Sandwich boards) shall be limited to forty-eight inches (48") in height and thirty inches (30") in width and shall not be illuminated. A-frame signs must be removed from the right-of-way, sidewalk or other public property at the end of each business day.

3. Permitted Signs in the D, Downtown District

The following accessory illuminated or non-illuminated signs shall be permitted in the D, Downtown District:

- a. Non-illuminated signs permitted in all residential districts, provided that signs identifying uses which are permitted in the residential districts shall be subject to the regulations set forth in that section.
- b. One detached sign is permitted. Such sign shall:
 - (1) Have a maximum area of 16 square feet;
 - (2) Have a maximum height of 8 feet; and
 - (3) Not be located within 5 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (4) Be landscaped in accordance with Section E.6 of this Article.

- c. A group of two or more contiguous stores or businesses per building shall combine permitted detached signs to provide a single detached sign advertising the businesses. Such sign shall:
- (1) Have a maximum area of 32 square feet;
 - (2) Have a maximum height of 10 feet;
 - (3) Be constructed of the same material for all businesses advertised; and
 - (4) Not be located within 5 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- d. Flat signs shall be limited to 10 percent of the wall area on which the sign is located. No one sign shall exceed 72 square feet. Signs on residential buildings used for commercial purposes shall not exceed 18 square feet.
- e. One non-illuminated or externally illuminated projecting awning, canopy, or marquee sign per business on the premises if there are no detached signs. Such sign shall not exceed 12 square feet. Projecting signs which extend over a public sidewalk shall be limited to a maximum area of 9 square feet.
- f. Directional signs limited in area to 4 square feet shall be permitted as accessory signs and not included in any computation of sign area. One per entrance not to exceed 3 feet in height nor located within 5 feet of any street right-of-way line.
- g. Historic Preservation District (HP-O). In the HP-O District, the Board of Historic and Architectural Review shall approve the design compatibility of all signs in accordance with Article 10. All signs must meet the underlying zoning district sign regulations. The Board of Historic and Architectural Review may authorize an alternative signage plan or additional requirements that does not strictly adhere to the area, number, height and location criteria within the HP-O District if it is determined that the design is more consistent with the architectural character of the building to which it relates and other surrounding properties and as guided by the Town of Smithfield's Historic District Guidelines for signs.
- h. One A-frame sign shall be allowed per business. A-frame signs (Sandwich boards) shall be limited to forty-eight inches (48") in height and thirty inches (30") in width and shall not be illuminated. A-frame signs must be removed from the right-of-way, sidewalk or other public property at the end of each business day.

4. **Permitted Signs in the Highway Retail, HR-C, Commercial Industrial, C-I, and Planned Shopping Center, PS-C, Districts.**

The following accessory illuminated or non-illuminated signs shall be permitted in the HR-C, the C-I and the PS-C Districts:

- a. Non-illuminated signs permitted in all residential districts, provided that signs identifying uses which are permitted in the residential district shall be subject to the regulations set forth in that section.
- b. One detached sign is permitted. Such sign shall:
 - (1) Have a maximum area of 32 square feet;
 - (2) Have a maximum height of 15 feet;
 - (3) Not be located within 50 feet of any residential district; and
 - (4) Not be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- c. Flat signs, if there are no projecting signs, shall have a total area not more than 10 percent of the wall area on which the sign is located. No one sign shall exceed 150 square feet. Illuminated, neon or painted window signs inside of show windows shall be included in the computation of sign area, and in addition, shall be limited to 10 percent of the total glass area of the window in which they are placed.
- d. Projecting signs, if there are no awning, canopy, marquee or flat signs, shall have a maximum sign area of 16 square feet. Projecting signs which extend over a public sidewalk shall be limited to a maximum area of 9 square feet. One projecting sign allowed per business on the premises.
- e. Marquee, canopy, or awning signs, if there are no projecting signs, one for each business on the premises, with a maximum sign area of 32 square feet.
- f. Directional signs limited in area to 4 square feet shall be permitted as accessory signs and not included in any computation of sign area. One per entrance not to exceed 3 feet in height nor located within 5 feet of any street right-of-way line.

- g. A group of two or more contiguous stores or businesses per building shall combine permitted detached signs to provide a single detached sign advertising the businesses. Such sign shall:
- (1) Have a maximum area of 100 square feet, or a maximum of 32 square feet of sign area per business, whichever is less;
 - (2) Have a maximum height of 15 feet;
 - (3) Be constructed of the same material for all businesses advertised; and
 - (4) Not be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- h. Additional regulations for individual stores within shopping centers.
- (1) Individual tenants within a shopping center of 25,000 square feet or more of gross leasable area shall be subject to the following restrictions:
 - (2) Individual tenants shall combine permitted detached signs to provide a single detached sign advertising the shopping center. One detached sign shall be allowed per street frontage. Such sign shall:
 - (a) Have a maximum sign area of 150 square feet;
 - (b) Have a maximum height of 15 feet;
 - (c) Advertise the name of the shopping center only; and
 - (d) Not be located within 20 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (3) Individual free-standing signs for individual shopping center tenants shall not be permitted. For the purposes of this section, lawfully subdivided outparcels which have been depicted on the approved shopping center site plan shall be considered as separate parcels and may be signed as such.
 - (4) Each individual tenant within a shopping center of 25,000 square feet or more of gross leasable area shall be permitted one marquee or canopy sign provided that such sign area shall not exceed a maximum area of 6 square feet.
 - (5) Each individual tenant within a shopping center of 25,000 square feet or more of gross leasable area shall be permitted a flat sign provided that

the cumulative sign area, including the marquee signs, shall not exceed the maximum sign area allowable in the district.

- i. Additional regulations for gasoline stations: Automobile gasoline station signs must meet the following additional conditions:
 - (1) Types of signs permitted shall be flat, canopy, detached, and pump island.
 - (2) Gasoline Pump Island signs are subject to the following additional conditions:
 - a. Two non-illuminated "self-serve" or "full-serve" signs per pump island not to exceed 2 square feet each; and
 - b. One fuel price or promotional information sign per fuel pump not to exceed two square feet.
 - c. Changeable area of the changeable message gasoline price signs shall not exceed seventy-five (75) percent of the total sign area.
 - d. A maximum of two canopy signs per gas station, not to exceed a total of 18 square feet.
 - c. See regulations for this zoning district for size requirements for flat and detached signs.
- j. One A-frame sign shall be allowed per business. A-frame signs (Sandwich boards) shall be limited to forty-eight inches (48") in height and thirty inches (30") in width and shall not be illuminated. A-frame signs must be removed from the right-of-way, sidewalk or other public property at the end of each business day.

5. Permitted Signs in the I-1, Limited Industrial District:

The following illuminated or non-illuminated signs shall be permitted in the I-1, Limited Industrial District:

- a. Non-illuminated signs permitted in all residential districts, provided that signs identifying uses which are permitted in the residential district shall be subject to the regulations set forth in that section.
- b. One detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of 50 square feet;
 - (2) Have a maximum height of 20 feet;

- (3) Not be located within 50 feet of any residential district; and
 - (4) Not be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- c. A group of two or more contiguous stores or businesses per building shall combine permitted detached signs to provide a single detached sign advertising the businesses. Such sign shall:
- (1) Have a maximum area of 150 square feet, or a maximum of 50 square feet of sign area per business, whichever is less;
 - (2) Have a maximum height of 20 feet;
 - (3) Be constructed of the same material for all businesses advertised; and
 - (4) Not be located within 20 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- d. Flat signs, if there are no projecting signs, shall have a total area not more than 10% of the wall area on which the sign is located. No one sign shall exceed 150 square feet. Illuminated, neon or painted window signs inside of show windows shall be included in the computation of sign area, and in addition, shall be limited to 10% of the total glass area of the window in which they are placed.
- e. One directional sign per entrance with a maximum area of 24 square feet and 8 feet in height. No directional sign shall be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
- f. One industrial subdivision sign with a maximum area of 50 square feet and a maximum height of 15 feet giving the name and/or address or management of a planned industrial subdivision.
- g. One A-frame sign shall be allowed per business. A-frame signs (Sandwich boards) shall be limited to forty-eight inches (48") in height and thirty inches (30") in width and shall not be illuminated. A-frame signs must be removed from the right-of-way, sidewalk or other public property at the end of each business day.

6. Permitted Signs in the I-2, Heavy Industrial District:

The following accessory illuminated or non-illuminated signs shall be permitted in the I-2, Heavy Industrial District:

- a. Non-illuminated signs permitted in all residential districts, provided that signs identifying uses which are permitted in the residential district shall be subject to the regulations set forth in that section.
- b. One detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of 75 square feet;
 - (2) Have a maximum height of 20 feet;
 - (3) Not be located within 50 feet of any residential district; and
 - (4) Not be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- c. A group of two or more contiguous stores or businesses per building shall combine permitted detached signs to provide a single detached sign advertising the businesses. Such sign shall:
 - (1) A maximum area of 150 square feet, with a maximum of 75 square feet of sign area per business;
 - (2) A maximum height of 20 feet;
 - (3) Be constructed of the same material for all businesses advertised; and
 - (4) Not be located within 20 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.
 - (5) Be landscaped in accordance with Section E.6 of this Article.
- d. Flat signs, if there are no projecting signs, shall have a total area not more than 10 percent of the area of the wall on which the sign is located. No one sign shall exceed 150 square feet. Illuminated, neon or painted window signs inside of show windows shall be included in the computation of sign area, and in addition, shall be limited to 10 percent of the total glass area of the window in which they are placed.
- e. One directional sign per entrance with a maximum area of 24 square feet and 8 feet in height. No directional sign shall be located within 10 feet of any street right-of-way line, other property line, alley or driveway intersecting a street.

- f. One industrial subdivision sign with a maximum area of 50 square feet and a maximum height of 15 feet giving the name and/or address or management of a planned industrial subdivision.
- g. Historic Preservation District (HP-O). In the HP-O District, the Board of Historic and Architectural Review shall approve the design compatibility of all signs in accordance with Article 10. All signs must meet the underlying zoning district sign regulations. The Board of Historic and Architectural Review may authorize an alternative signage plan or additional requirements that does not strictly adhere to the area, number, height and location criteria within the HP-O District if it is determined that the design is more consistent with the architectural character of the building to which it relates and other surrounding properties and as guided by the Town of Smithfield's Historic District Guidelines for signs.
- h. One A-frame sign shall be allowed per business. A-frame signs (Sandwich boards) shall be limited to forty-eight inches (48") in height and thirty inches (30") in width and shall not be illuminated. A-frame signs must be removed from the right-of-way, sidewalk or other public property at the end of each business day.

(Ord. of 9-5-2000; Ord. of 5-4-2004; Ord. of 11-3-2009; Ord. of 6-1-2010)

L. Special Sign Exceptions:

1. **Cause for Exceptions:** In order to provide for adjustments in the relative locations of signs of the same or different classifications, to promote the usefulness of these regulations as instruments of fact finding, interpretation, application and adjustment, and to supply the necessary elasticity to their efficient operation, special sign exceptions may be granted by the Planning Commission, as permitted by the terms of these regulations, after notice and a public hearing as provided for in this ordinance.
2. **Considerations for Exceptions:** In considering an application for a special sign exception, the Planning Commission shall give due regard to the specific guidelines and standards of this Section and those listed elsewhere in this Ordinance, and in general to the nature and condition of adjacent uses and structures, and probable effect upon them of the proposed exception. The Planning Commission shall also take into account the special characteristics, design, location, construction, method of operation, effect on nearby properties, or any other aspects of the particular sign that may be proposed by the applicant.

3. **Adverse Effect:** If it should find, after the hearing, that the proposed sign will not adversely affect the health, safety, or welfare of persons residing or working on the premises or in the neighborhood, will not unreasonably impair the character of the district or adjacent districts, nor be incompatible with the general plans and objectives of the official Comprehensive Plan of the Town of Smithfield, nor be likely to reduce or impair the value of buildings or property in surrounding areas, but that such sign will be in substantial accordance with the general purpose and objectives of this Ordinance, then the Planning Commission may grant the exception and authorize the issuance, of a special sign exception permit.

4. **Conditions for Mitigation:** In those instances where the Planning Commission finds that the proposed sign may be likely to have an adverse effect as above, the Planning Commission shall determine whether such effect can be avoided by the imposition of any special requirements or conditions with respect to location, design, construction, equipment, maintenance or operation, in addition to those expressly stipulated in this Ordinance, and may grant a special sign exception subject to such reasonable conditions and limitations as the case may require, including but not limited to limitation as to size, type, color, graphic design, location or illumination.

5. **Application Fee:** A fee of \$150.00 shall be required of the applicant for a special sign exception.

6. **Appeal:** Appeal of any decision of the Planning Commission to the Board of Zoning Appeals can be made by filing with the Zoning Administrator a written request within 10 days of the decision of the Planning Commission. Such appeal shall not suspend the decision of the Planning Commission. The appeal shall proceed under the procedure as the original application to the Planning Commission with respect to notice of public hearing.