

Article 10:
SIGN REGULATIONS

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A. Purpose and Intent:

The purpose of this Article is to regulate through content-neutral and nondiscriminatory measures 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 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 buildings, 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 a use or business that is in operation on the premises.

(Ord. of 2020-08-04)

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 (BHAR) and/or the Planning Commission, if applicable, and a building permit has been issued by Isle of Wight County, if necessary. For the purposes of this Ordinance, all signs are considered accessory uses, and, unless specifically qualified, shall be located on the same parcel as the principal use to which they pertain.

(Ord. of 2020-08-04)

C. Sign Permit Procedures:

1. **Applicability:** Unless otherwise noted, 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 Administrator, contain the information required herein, and be accompanied by a fee to be established by the Town Council. A fee schedule for sign

permits and special sign exceptions is on file in the Community Development and Planning Department.

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 incorporating the following information:
 - a. The names, addresses, email addresses, and telephone numbers of the sign erector, sign owner, and property owner.
 - b. The position of the sign on the property, with distances in relation to adjacent lot lines, buildings, sidewalks, setbacks, streets, and intersections shown on a legal plat produced by a Virginia-licensed land surveyor and/or civil engineer.
 - c. A landscaping plan for proposed detached signs.
 - d. The type of sign proposed, including a general description of structural design and construction materials to be used.
 - e. The 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 Administrator in order to carry out the purpose and intent of these regulations.

(Ord. of 2020-08-04)

D. Sign Definitions:

For the purposes 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. The following definitions are intended to distinguish the most basic sign types:

Abandoned Sign: An existing sign that draws attention to a purpose that is no longer extant, or which has become neglected and dilapidated.

Awning Sign: A sign painted, printed, cut, or sewn onto a valance or awning.

Canopy Sign: A sign attached to or displayed on a canopy. For the purposes of this Article, a canopy is a permanent, roof-like structure of rigid materials either supported by and extending from a building or freestanding (i.e. marquees or porte cocheres).

Detached Sign: A sign not attached to a building, which is affixed to the ground. A sign permanently 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.

Directional Sign: A sign that draws attention to general site information, instructions, directives, or restrictions that are primarily oriented towards pedestrians and motor vehicle operators who have entered or are passing a property from the right-of-way (ROW). These signs shall not draw attention to any commercial purpose.

Flat Sign: A sign painted on or mounted to a wall or cornice on an exterior wall of a building and supported throughout its length by such wall or building, not extending more than eighteen inches (18") from the building or wall.

General Advertising Sign: A sign which draws attention to a product, commodity, or service not necessarily available on the premises. Such a sign may be referred to as a billboard.

Projecting Sign: A sign which is attached to and projects more than eighteen inches (18") from the face of a wall of a building.

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.

Temporary Sign: A sign which is not permanently attached to a building or the ground. A temporary sign typically draws attention to brief activities such as grand openings, promotions of products and services, special and seasonal sales, and special civic or cultural events such as fairs, plays, concerts, and meetings. Such a sign may be referred to as an A-frame, balloon, banner, feather, festoon, flag, inflatable, pennant, pinwheel, ribbon, streamer, tinsel, or vehicular sign. National and state flags, and flags belonging to any political subdivision thereof, are excluded from this definition.

Window Sign: A sign painted onto or physically affixed to the window of a building, including upper floor windows and the glazing of doors, or signs legible from the ROW through a building window.

2. The following definitions are intended to distinguish features which may be present in multiple sign types:

Animation: Any form of movement, including (but not limited to) digital animation, revolution, and/or vertical or horizontal motion, through electrical, mechanical, and/or windblown means, or through changes in lighting.

Changeable Copy: A 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.

Double-Faced: A sign with two (2) parallel or nearly parallel faces, oriented back to back, and located no more than two feet (2') from each other.

External Illumination: Artificial light originating from spotlights or floodlights not attached to the sign itself and directed towards the sign.

Internal Illumination: Artificial light originating from within the sign itself.

3. The following definitions are general and technical in nature and apply to most (if not all) sign types:

Sign: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. This includes sign faces as well as any supporting structure.

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 (1) side of a double-faced sign shall be included in the computation of sign area, but only if the faces are not more than two feet (2') apart. For other signs with more than one (1) face and which are more than two feet (2') apart, each side shall be included in the computation of sign area. The area of a cylindrical or spherical sign shall be computed by multiplying one-half (1/2) of the circumference of the sign by its height.

Sign Height: The vertical distance from grade at the ROW, or the average lot grade at the front setback line, whichever produces the greater vertical distance, to the highest point of the sign.

Wall Area: The area of a vertical building plane, calculated by multiplying the width of the plane by its height. The height of this plane shall be measured from average finished grade to the highest soffit present. The roof of a structure, if on a different plane than the wall, shall not be included in the calculation of wall area.

(Ord. of 2020-08-04)

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 ninety (90) days from the date of issuance of the sign permit; otherwise, the sign permit shall become null and void and a new sign permit shall be required. Each sign requiring a sign permit shall be clearly marked with the sign 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 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 (1) 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, roof, and projecting 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 working condition and appearance. Lights for illuminated signs shall be maintained in good working order.
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 thirty (30) days after receiving a written notice of violation from the Administrator. Removal of a sign by the Administrator shall not affect any proceedings instituted prior to the 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 Virginia 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) who 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 of 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 two (2) times the area of the sign, be a minimum of four feet (4') in width, be protected from vehicular encroachment, the detached sign shall be located approximately in the center of the planting area, and the detached sign must be landscaped with a combination of low-growing shrubs and groundcovers (other than grass), including a minimum of four (4) shrubs. The quality and type of all new plant materials installed on a site shall be in accordance 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 accordance 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 twenty-five percent

(25%) of the total sign area, except for gasoline price signs which shall not exceed seventy-five percent (75%) of the total sign area.

8. **Structural and Safety Characteristics:** Structural features, 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 applicable requirements of this Ordinance and related technical codes. All signs which are electrically illuminated shall require a separate electrical permit and inspection by the Isle of Wight County Building Official.
9. **Residential District Signage:** Non-illuminated signs permitted in all residential districts shall be permissible in any other zoning district, provided that signs drawing attention to uses which are permitted in the residential districts shall be subject to the regulations set forth in that Subsection. For the purposes of this regulation, the more restrictive language in the more intensive zoning district shall be applied.
10. **Window Signs:** Limited to fifty percent (50%) of the total glass area of the window in/on which they are placed.
11. **External Illumination Standards:** External lighting shall be limited to light fixtures utilizing white, not colored, lighting and shall not be blinking, fluctuating, or moving. Concealed and/or screened spotlights or floodlights shall provide external lighting. Spotlighting of signs shall be restricted to not more than one (1) 150-watt light per sign faces up to forty (40) square feet and no more than two (2) 150-watt lights per sign faces over forty (40) square feet. Light fixtures shall be concealed, and in the case of detached signs, the sign base and/or proposed landscaping shall be designed to shield the light from on-coming motorists and to conceal the light fixture.
12. **Internal Illumination Standards:** Internal lighting shall be limited to an internal white light contained within translucent letters and internal illuminated sign boxes, provided the background or field on which the copy and/or logos are placed, is opaque. The illuminated area shall be restricted to the sign face only.

(Ord. of 2020-08-04)

F. Exempt Signs:

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

1. **Government Signs and Signals:** Signs erected and maintained pursuant to and in the discharge of any federal, state, county, or Town 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, or changeable copy sign.
3. **Non-Illuminated Signs Warning Trespassers:** Non-illuminated signs drawing attention to the warning of trespassers or the posting of the property, without limitations on number or placement, limited in area to two (2) square feet.
4. **Signs Mounted or Painted on Vehicles:** Signs mounted or painted on trucks, buses, trailers, or other vehicles shall be permitted while in use in their normal courses of business and at the drivers' residences.
5. **Directional Signs:** Detached or flat signs located outside of the Downtown (D) district, and designed as outdoor means of drawing attention to information concerning the location of individual establishments or offices within an office, retail, multifamily residential, or industrial complex, provided that such signs do not exceed six (6) square feet in area.
6. **Operation Signs:** Any sign that is no larger than nine (9) square feet in area, typically illuminated, animated, and/or flashing, for the purpose of drawing attention to the availability of the business' goods and/or services.
7. **Sign Collections:** Signs that are permanently installed, not visible from the ROW or adjacent properties, and are a part of a collection belonging to a sign collector.

(Ord. of 2020-08-04)

G. Temporary Signs:

1. With the exception of recurring signage, temporary sign permits are only required for signage that conflicts with the standards contained in this Section- the Administrator reserves the right to deny the applicant such permit if, in his opinion, the proposed

signage may endanger private or public property, health, safety, welfare, and/or the character of the community. Temporary signs not visible from the ROW are exempt from this Section.

2. For the purposes of this Section, certain terms and words pertaining to temporary signs are hereby defined. The general rules of interpretation contained in this Section are applicable to these definitions. The definitions contained in Section D of this Article are also applicable to this Section.

A-Frame Signs: Signs consisting of two (2) faces that are joined at the top and typically installed in front of (or on the sidewalk in front of) businesses.

Agricultural Signs: Signs drawing attention to the seed company, variety, and/or dealer used in the raising of crops or to produce, utensils, or other agricultural products and services for sale.

Dealership Signs: Signs typically installed at automobile, boat, recreational vehicle and/or trailer dealerships, and drawing attention to the products and services offered on the premises.

Event Facility Signs: Signs installed at event facilities and which draw attention to events to be held on the premises such as fairs, plays, concerts, conferences, weddings, meetings, parties, and other similar events.

Personal Expression Signs: Signs that draw attention to an opinion, interest, position, or other non-commercial message.

Recurring Signs: Temporary signs erected periodically throughout the year and drawing attention to non-commercial purposes such as charities, heritage tours, humanitarian events, and other similar purposes.

Short-Term Sign: Signs permissible only on properties that are under construction and/or for sale or lease, and which draw attention to the construction activities taking place on the premises and/or the sale or leasing of the property on which they are located.

Temporary Window Signage: Papers, posters, and other forms of signage that are temporarily secured in/on a window.

3. The following regulations shall apply generally to all temporary signs and are in addition to the regulations that apply to specific temporary sign types:
 - a. Temporary signs shall not be internally or externally illuminated.
 - b. With the exception of A-frame signs, temporary signs shall not be located within any ROW.

- c. Temporary signs shall not be attached to trees, utility poles, road or highway signage, or any other unapproved supporting structure.
 - d. Unless otherwise noted, temporary signs may not be erected for a continuous or cumulative period of six (6) months in any calendar year.
 - e. Temporary signs on private property may be removed by the Administrator if the violation is not corrected within seven (7) days of the date of written notice sent to the violator.
4. The following sign regulations shall apply to the assorted temporary signs defined above:
- a. A-Frame signs shall:
 - (1) Not exceed twelve (12) square feet in area.
 - (2) Not obstruct pedestrian travel on the sidewalk to such an extent that the Town Engineer shall find the sign's placement unsafe.
 - (3) Be located directly in front of the business to which they pertain.
 - (4) Be constructed of durable materials to prevent displacement by wind.
 - (5) Be removed from their positions at the conclusion of each business day.
 - (6) Be permissible off-premises following the sign owner's submittal to the Administrator written consent of the property owner on whose property they are placed. In the case where A-frame signs are placed on sidewalks in front of establishments other than those to which they belong/pertain, written consent of the owner/operator of that establishment must be submitted by the sign owner to the Administrator-however, the Administrator reserves the right to deny the sign owner the ability to place such sign on the sidewalk if he finds such sign's placement detrimental to public safety.
 - b. Agricultural signs shall:
 - (1) Not exceed thirty-two (32) square feet in area.
 - (2) Be located immediately adjacent to an active farming operation.
 - (3) Be located on or immediately adjacent to a farmers' market.
 - c. Dealership signs shall:
 - (1) Not exceed two-hundred (200) square feet of cumulative sign area.
 - d. Event facility signs shall:
 - (1) Not exceed six (6) square feet in area.
 - (2) Be located on event facility property.
 - (3) Not exceed one (1) sign per road frontage, regardless of the number of events, and regardless of the event to which a sign pertains.

- (4) Not be erected for a period earlier than six (6) days prior to the event to which they pertain, and must be removed within one (1) day following the event's conclusion- no sign may be erected for a period exceeding seven (7) days. The seven (7) day time period may be extended following a written request to the Administrator, showing reasonable cause.
 - (5) Be exempt from these standards if erected by event facilities operating on Town property.
- e. Personal expression signs shall:
- (1) Not exceed thirty-two (32) square feet in area.
 - (2) Not be erected on vacant lots.
 - (3) Be exempt from these standards for the months of August through November.
- f. Recurring signs shall:
- (1) Not exceed six (6) square feet in area.
 - (2) Be permitted following the issuance of a temporary sign permit, after the filing of a temporary sign permit application with the Administrator- such application shall include an illustration of the proposed signs, the proposed locations of all signs, the written consent and contact information of the owner(s) or their representatives of the properties on which they are to be located, and the dates the signs will be erected.
- g. Short-term signs shall:
- (1) Be permissible only on properties that are under construction and/or for sale or lease.
 - (2) Not exceed thirty-two (32) square feet in area on commercial properties or residential subdivisions (exceeding nine (9) lots) for sale, and in such cases, shall not be erected for a period exceeding two (2) years.
 - (3) Not exceed ten (10) square feet in area for single-family residential lots under construction and/or for sale or lease.
 - (4) Not exceed one (1) sign per road frontage.
- h. Temporary window signage shall:
- (1) Not obscure more than fifty percent (50%) of the total glass area of the window in/on which they are placed.
 - (2) Not cause the cumulative obscuration of the window to exceed fifty percent (50%) in the case where permanent signage is already present in/on the window.

5. Temporary sign permits are required for the erection of temporary signs located off-premises from the purposes to which they pertain. Such permits must include written documentation that the property owner(s) has/have consented to the sign's placement on their property. However, off-premises temporary sign permits are not required for posting on properties fronting on certain intersections located within the Town, so long as the following conditions are met:
 - a. The applicant furnishes the Administrator with the name, mailing address, telephone number, and email address of the owner(s) or their representative(s) of the property on which the temporary sign is to be located.
 - b. Consent is given by said party to the applicant.
 - c. No existing permanent signage is obstructed by the proposed temporary signs.
 - d. The proposed temporary signs do not adversely impact traffic sight distances.
 - e. The proposed temporary signs are installed at any of the following intersections:
 - (1) Battery Park Rd & Nike Park Rd
 - (2) Battery Park Rd, Holt St & S Church St
 - (3) Bennis Church Blvd & Turner Dr
 - (4) Bennis Church Blvd & S Church St
 - (5) Courthouse Hwy & Waterworks Rd
 - (6) Route 10, W Main St & Main St

(Ord. of 2020-08-04)

H. Prohibited Signs:

1. Off-premises signs, including billboards, unless otherwise specified in this Ordinance.
2. Permanent signs attached to fences in private recreational areas are prohibited in all residential districts.
3. Roof and/or projecting signs which extend over or above the ridgeline, roof line, or parapet wall of a building.
4. 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.
5. No flashing signs shall be permitted in any district.

6. No sign shall be constructed, erected, operated, or maintained which is so located and so illuminated as to provide a background of colored lights blending with traffic signal lights, or which may confuse a motorist when viewed from a normal approaching position of a vehicle at a distance of twenty-five feet (25') to three-hundred feet (300').
7. No sign shall be attached to trees, utility poles, road or highway signage, or any other unapproved supporting structure.
8. Unless otherwise provided in this Article, no signs shall be located in or project over the ROW without the express permission of the Town Council, except for permitted flat signs, which may project no more than eighteen inches (18").
9. With the exception of outparcels depicted on approved shopping center site plans, separate detached signs for individual shopping center tenants within shopping centers of 25,000 square feet or more of gross leasable area shall not be permitted.

(Ord. of 2020-08-04)

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 legal 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 Highway Retail Commercial (HRC) 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 or County official because of its physical condition must be removed and may not be restored, repaired, or rebuilt.
3. In any zoning district where any sign does not comply with the provisions of this Article, 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 HPO are still subject to review by the BHAR. Nonconforming signs may not be enlarged, extended, moved, modified, reconstructed, or structurally altered except in accordance

with this Article. No nonconforming sign shall be enlarged, extended, moved, modified, or structurally altered without first obtaining a sign permit from the Town and County, if applicable.

4. A nonconforming sign must be removed if the structure, building, or use to which it is accessory is demolished to an extent exceeding fifty percent (50%) of the appraised value of the principal structure, building, or use.
5. A nonconforming sign which is damaged (and not willfully destroyed) to any extent may be repaired, replaced, or reinstalled to its identical preexisting nonconforming condition.
6. Applications for unusual signs or displays which give rise to questions related to the interpretation of these regulations may be referred by the Administrator to the Board of Zoning Appeals (BZA) for the purpose of interpretation by the BZA and recommendation for action on the application by the Administrator. If, in the opinion of the BZA, the application is not adequately covered by these regulations, the BZA may make recommendations on the amendment of this Article.
7. Supporting structures for nonconforming signs may continue in use for conforming signs 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 2020-08-04)

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 owner of the property upon which the sign is located when the use affiliated with the sign is no longer on the premises. Such sign, if not removed or properly replaced with a blank "shell" within sixty (60) days of the termination of such use, shall be considered to be in violation of this Section, and the Administrator may cause the abandoned sign to be removed at the property owner's expense.

(Ord. of 2020-08-04)

K. Sign Requirements in Zoning Districts:

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

1. The following accessory non-illuminated or externally illuminated signs shall be permitted in the Town's residential districts (Attached Residential (AR), Community Conservation (CC), Downtown Neighborhood Residential (DNR), Multifamily Residential (MFR), Neighborhood Residential (NR), and Suburban Residential (SR)):
 - a. Signs drawing attention to a church, school, park, playground, library, museum, or other permitted public or semi-public use, recreational use, or club are limited to thirty-two (32) square feet in area.
 - b. Detached signs shall be subject to the following standards:
 - (1) Signs shall be no taller than eight feet (8'), and shall not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.
 - (2) One (1) sign drawing attention to a residential subdivision or manufactured home park shall be permitted per ROW entrance, limited in area to eighteen (18) square feet. Two (2) of such signs are permitted if erected in conjunction with a formal gateway entrance and approved as a part of a subdivision plan.
 - (3) A name plate or directional sign shall be permitted, limited in area to two (2) square feet, and drawing attention to the owner or occupant of a dwelling, building, or permitted home occupation.
 - (4) One (1) sign not exceeding thirty-two (32) square feet in area and drawing attention to a multifamily development, single-family attached residential development, nursing home, daycare center, lodging house, or similar permitted uses in the districts shall be permitted.
 - (5) An additional area not exceeding twenty-four (24) square feet may be devoted to architectural elements which serve as supports or bases for such sign and which are not a part of the message portion of the sign.
 - c. One (1) flat sign attached to a principal building, not exceeding thirty-two (32) square feet in area, and drawing attention to a multifamily development, single-family attached residential development, nursing home, daycare center, lodging house, or similar permitted uses in the districts shall be permitted.
2. The following accessory illuminated or non-illuminated signs shall be permitted in the Residential Office (RO) district:

- a. One (1) non-illuminated or externally illuminated detached sign drawing attention to a bank, office building (or occupants thereof), funeral home, studio, or similar uses permitted in the RO district shall be permitted. Such signs shall:
 - (1) Be limited in area to thirty-two (32) square feet.
 - (2) Not exceed a height of ten feet (10').
 - (3) Be located within the area of a lot comprised of thirty percent (30%) of the total width or depth of the lot, if such lot is adjacent to a residential use.
 - (4) Not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.

 - b. A group of two (2) or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses. The combined sign shall:
 - (1) Not exceed an area of fifty (50) square feet, with a maximum area of thirty-two (32) square feet per business.
 - (2) Not exceed a height of ten feet (10').
 - (3) Be constructed of the same material for all businesses advertised.
 - (4) Not be within ten feet (10') of any ROW, property line, alley, or driveway intersecting a ROW.

 - c. Flat signs shall be limited to ten percent (10%) of the wall area on which the sign is located. No one (1) sign shall exceed an area of eighteen (18) square feet.

 - d. One (1) non-illuminated or externally illuminated projecting, awning, or canopy sign is permissible for each business on the premises, with sign area limited to twelve (12) square feet. No projecting sign may extend over a public ROW unless expressly permitted by the Town Council- such signs shall be limited to nine (9) square feet in area.
3. The following accessory illuminated or non-illuminated signs shall be permitted in the Downtown (D) district:
- a. One (1) detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of sixteen (16) square feet.
 - (2) Have a maximum height of eight feet (8').

- (3) Not be located within five feet (5') of any ROW, property line, or driveway intersecting a ROW.
 - b. A group of two (2) or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses. The combined sign shall:
 - (1) Have a maximum area of thirty-two (32) square feet.
 - (2) Have a maximum height of ten feet (10').
 - (3) Be constructed of the same material for all businesses advertised.
 - (4) Not be located within five feet (5') of any ROW, property line, or driveway intersecting a ROW.
 - c. Flat signs shall be limited to ten percent (10%) of the wall area on which the sign is located. No one (1) sign shall exceed seventy-two (72) square feet. Signs on residential buildings that have been rehabilitated for commercial purposes shall not exceed eighteen (18) square feet.
 - d. One (1) non-illuminated or externally illuminated projecting, awning, or canopy sign is permissible for each business on the premises, with sign area limited to twelve (12) square feet. Projecting signs no larger than nine (9) square feet in area may extend over a public sidewalk, so long as no part of the sign extends beyond the face of the curb, and the bottom of the sign is at least eight feet (8') above the surface of the sidewalk.
 - e. Detached or flat directional signs limited to four (4) square feet in area shall be permitted as accessory signs and not included in any computation of sign area. One (1) such sign no taller than three feet (3') is permissible per building or vehicle entrance, and shall not be located within five feet (5') of any ROW, property line, or driveway intersecting a ROW.
4. The following accessory illuminated or non-illuminated signs shall be permitted in the Commercial/Industrial (CI), Highway Retail Commercial (HRC), and Planned Shopping Center (PSC) districts:
 - a. One (1) detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of thirty-two (32) square feet.
 - (2) Have a maximum height of fifteen feet (15').
 - (3) Not be located within fifty feet (50') of any residential district.

- (4) Not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.
- b. A group of two (2) or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses. The combined sign shall:
 - (1) Have a maximum area of one-hundred (100) square feet, or a maximum of thirty-two (32) square feet of area per business, whichever is less.
 - (2) Have a maximum height of fifteen feet (15').
 - (3) Be constructed of the same material for all businesses advertised.
 - (4) Not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.
- c. Flat signs, if there are no projecting signs, shall have a total area of not more than ten percent (10%) of the wall area on which the sign is located. No one (1) sign shall exceed 150 square feet. Illuminated, neon, or painted signs located in/on windows shall be included in the computation of sign area.
- d. One (1) projecting sign not exceeding sixteen (16) square feet in area is permissible for each business on the premises if there are no awning or canopy signs present. No projecting sign may extend over a public ROW unless expressly permitted by the Town Council- such signs shall be limited to nine (9) square feet in area.
- e. One (1) canopy and/or awning sign not exceeding thirty-two (32) square feet in area is permissible for each business on the premises if there are no projecting signs present. No awning or canopy sign may extend over a public ROW unless expressly permitted by the Town Council.
- f. The following are additional regulations for individual stores within shopping centers of 25,000 square feet or more of gross leasable area:
 - (1) Individual tenants shall combine permitted detached signs to provide a single detached sign advertising the shopping center. The combined sign shall:
 - (a) Have a maximum area of 150 square feet, or a maximum of thirty-two (32) square feet of area per business, whichever is less.

- (b) Have a maximum height of fifteen feet (15').
 - (c) Be constructed of the same material for all businesses advertised.
 - (d) Advertise the name of the shopping center.
 - (e) Not be located within twenty feet (20') feet of any ROW, property line, or driveway intersecting a ROW.
 - (2) Each individual tenant shall be permitted one (1) awning, canopy, or projecting sign, provided that such signs' areas shall not exceed six (6) square feet, and that all tenants utilize the same sign type.
 - (3) Each individual tenant shall be permitted one (1) flat sign provided that the cumulative sign area shall not exceed the maximum flat sign area allowable in the CI, HRC, and PSC districts.
- g. The following are additional regulations for gasoline sales establishments:
- (1) Pump islands may feature as many signs as deemed necessary by the Administrator, so long as none exceed three (3) square feet in area.
 - (2) Two (2) canopy signs no larger than eighteen (18) square feet in area each shall be permitted.
5. The following accessory illuminated or non-illuminated signs shall be permitted in the Limited Industrial (L1) district:
- a. One (1) detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of fifty (50) square feet.
 - (2) Have a maximum height of twenty feet (20').
 - (3) Not be located within fifty feet (50') of any residential district.
 - (4) Not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.
 - b. A group of two (2) or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses. The combined sign shall:
 - (1) Have a maximum area of 150 square feet, or a maximum of fifty (50) square feet of area per business, whichever is less.

- (2) Have a maximum height of twenty feet (20').
 - (3) Be constructed of the same material for all businesses advertised.
 - (4) Not be located within twenty feet (20') of any ROW, property line, or driveway intersecting a ROW.
 - c. Flat signs, if there are no projecting signs, shall have a total area of not more than ten percent (10%) of the wall area on which the sign is located. No one (1) sign shall exceed 150 square feet. Illuminated, neon, or painted signs located in/on windows shall be included in the computation of sign area, and in addition, shall be limited to ten percent (10%) of the total glass area of the window in/on which they are placed.
 - d. One (1) industrial subdivision sign with a maximum area of fifty (50) square feet and a maximum height of fifteen feet (15') and drawing attention to the name, address, and/or management of a planned industrial subdivision shall be permitted.
6. The following accessory illuminated or non-illuminated signs shall be permitted in the Heavy Industrial (I2) district:
- a. One (1) detached sign shall be permitted. Such sign shall:
 - (1) Have a maximum area of seventy-five (75) square feet.
 - (2) Have a maximum height of twenty feet (20').
 - (3) Not be located within fifty feet (50') of any residential district.
 - (4) Not be located within ten feet (10') of any ROW, property line, or driveway intersecting a ROW.
 - b. A group of two (2) or more contiguous stores or businesses per building shall combine permitted detached sign area to provide a single detached sign advertising the businesses. The combined sign shall:
 - (1) A maximum area of 150 square feet, with a maximum of seventy-five (75) square feet of sign area per business, whichever is less.
 - (2) A maximum height of twenty feet (20').
 - (3) Be constructed of the same material for all businesses advertised.
 - (4) Not be located within twenty feet (20') of any ROW, property line, or driveway intersecting a ROW.

- c. Flat signs, if there are no projecting signs, shall have a total area of not more than ten percent (10%) of the wall area on which the sign is located. No one (1) sign shall exceed 150 square feet. Illuminated, neon, or painted signs located in/on windows shall be included in the computation of sign area, and in addition, shall be limited to ten percent (10%) of the total glass area of the window in/on which they are placed.

- d. One (1) industrial subdivision sign with a maximum area of fifty (50) square feet and a maximum height of fifteen feet (15') and drawing attention to the name, address, and/or management of a planned industrial subdivision shall be permitted.

(Ord. of 2020-08-04)

L. Sign Requirements in Zoning Overlays:

The following sign regulations shall apply to all signs in their respective zoning overlays:

- 1. In the Historic Preservation Overlay (HPO), the Administrator may permit any sign permitted in a residential district and any non-illuminated flat sign not exceeding thirty-two (32) square feet in area in a business or industrial district, if, in the opinion of the Administrator, such sign will not impair the character of the district. The BHAR shall approve the design compatibility of all illuminated signs, or any sign exceeding thirty-two (32) square feet in area. The Administrator reserves the right to refer any application for new signage to the BHAR for review and decision. All signs must meet the underlying zoning district sign regulations. The BHAR may authorize an alternative signage plan or additional requirements that do not strictly adhere to the area, number, height, and location criteria within the HPO 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, as guided by the Smithfield Historic District Design Guidelines.

- 2. Accessory illuminated or non-illuminated signs in the Entrance Corridor Overlay (ECO) shall be subject to the following standards:
 - a. The Administrator may permit any sign permitted in a residential district and any sign not exceeding 150 square feet in area in a business or industrial district, if, in the opinion of the Administrator, such sign will not impair the character of the district. The Planning Commission shall approve the design compatibility of all signs exceeding 150 square feet in area, as guided by the Smithfield Entrance Corridor Design Guidelines. The Administrator reserves the right to refer any

application for new signage to the Planning Commission for review and decision. All signs must meet the underlying zoning district sign regulations.

- b. Signs shall not obstruct any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any building or structure.
- c. No sign shall be higher than the roofline or parapet wall of any building for which the sign is proposed. A sign may be attached to the fascia of a pitched roof or structure, but may not be located so as to extend above the upper edge of the fascia of said roof. Also, a sign may be attached to the fascia (or located on the sloping roof of) a structure, but may not be located so as to extend more than four feet (4') above the lower edge of said sloping roof.
- d. Detached signs shall be encased within a structure that is architecturally related to and compatible with the primary building and overall architectural design of the development.
- e. A unified system of signage and graphics shall be required for each individual development within the ECO. The establishment of an integrated signage system for existing development within the ECO is strongly encouraged. These systems shall be reviewed for materials, colors, shapes, sizes, and compatibility with architecture, letter style, graphic display, and establishment of unity of design for the development.
- f. Materials, colors, and shapes of proposed signs shall be compatible with the related building(s) of the development in which they are located. Size and proportions shall not be a dominant feature of the site and shall be judged by sizes and proportions of signs on adjacent and nearby properties that are compatible with Town character.
- g. If applicable, prior to the erection of any sign, a comprehensive sign plan shall be submitted to the Administrator or the Planning Commission, for review and decision- the plan shall provide the location and size of all proposed signage within the development, as well as proposed colors, sizes, lighting, location, etc.

(Ord. of 2020-08-04)

M. 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 (SSEs) may be granted by the Planning Commission, as permitted by the terms of these regulations, and after notice and a public hearing as provided for in this Ordinance.
2. **Consideration of Exceptions:** In considering an application for an SSE, the Planning Commission shall give due regard to the specific guidelines and standards of this Section and those listed elsewhere in this Ordinance, the general nature and condition of adjacent uses and structures, and the probable effect upon them of the proposed SSE. 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, unreasonably impair the character of the district or adjacent districts, be incompatible with the general objectives of the Smithfield Comprehensive Plan, 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 an SSE sign 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 noted 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 an SSE subject to such reasonable conditions and limitations as the case may require, including but not limited to, limitations on size, type, color, location, or illumination.
5. **Application Fee:** A fee to be established by the Town Council shall be required of the applicant for an SSE.
6. **Appeal:** An appeal of any decision of the Planning Commission to the BZA can be made by filing a written request to the Administrator within ten (10) days of the decision of the

Planning Commission. Such appeal shall not suspend the decision of the Planning Commission. An SSE appeal shall proceed to the BZA under the same procedure as the original application to the Planning Commission with respect to public notice and the requirement of a public hearing.

(Ord. of 2020-08-04)