

**AN ORDINANCE OF THE COUNCIL FOR THE TOWN OF
ABINGDON, VIRGINIA AMENDING CHAPTER 44. ARTICLE 8.
SECTION 8-4-3, 8-4-4, 8-4-6, AND 11-1-2 ADDING LANGUAGE
CONCERNING WINDOW SIGNAGE**

WHEREAS, pursuant to the Code of Virginia § 15.2-2283, zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of planning to facilitate the creation of a convenient, attractive, and harmonious community; and

WHEREAS, pursuant to the Code of Virginia § 15.2-2240, every locality shall adopt an ordinance to assure the orderly subdivision of land and its development; and

WHEREAS, the Town Council has determined to amend the Town's zoning ordinance and subdivision ordinance to ensure compliance with state regulations, promote good economic development and zoning practices, and to streamline and reorganize for improved readability and understanding; and

WHEREAS, the Planning Commission held a public hearing on September 26, 2023, after notice in accordance with Section 15.2-2204 of the Code of Virginia, during which during which the public had the opportunity to speak regarding the proposed amendments to the Zoning and Subdivision Ordinance; and

WHEREAS, pursuant to the Code of Virginia § 15.2-2223, the Planning Commission finds that the proposed draft of the will promote the health, safety, or general welfare of the public and assure the orderly subdivision of land and its development, and **RECOMMENDED APPROVAL**; and

WHEREAS, the Town Council held a public hearing on October 3, 2022, after notice in accordance with Section 15.2-2204 of the Code of Virginia, during which the public had the opportunity to speak regarding the proposed amendments to the Zoning and Subdivision Ordinance; and

WHEREAS, the Town Council finds that the proposed amendment of the Town of Abingdon Zoning and Subdivision Ordinance will promote the health, safety, or general welfare of the public and assure the orderly subdivision of land and its development, in accordance with the Code of Virginia.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 44. Article 8. Section 8-4-3, 8-4-4, 8-4-6, and 11-1-2

Section 8-4-3 Exemptions.

(a) Signs not requiring permit.

(1) The following signs are allowed and do not require a permit:

- a. Window signs on the interior of the window otherwise known as “hours of operation” signage.

Section 8-4-4 Prohibited.

Prohibited signs.

(1) Lighted window signage. This applies to all window signage whether located on the outside or inside of a window except for hours of operation signage.

Section 8-4-6 Districts.

(a) District regulations.

(1) The following requirements shall apply in the designated district, as appropriate, to permitted uses by right and special uses as may be permitted, subject to all other requirements of this chapter.

(2) Sign area square footage limits are provided per sign unless specified as a total. Total area is calculated as an aggregate of all signs of that type.

Table 8.4.6(A) Maximum Sign Dimensions: AFOS District:

- Window Signage is not permitted.

Table 8.4.6(B) Maximum Sign Dimensions: R-1, R-2, R-3, R-4 Residential Districts:

- Window Signage is not permitted.

Table 8.4.6(C) Maximum Sign Dimensions: B-1, B-2, B-3, M-1, OI, and PTD Districts:

- Window Signage is allowed 10% sq. ft. of total area of all windows on each building façade.

Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the window sign is displayed.

(b) Old and Historic District.

(1) Window signage seen from a public right of way is not allowed without HPRB approval.

Division XI Definitions.

11-1-2 General and use definitions.

Window sign means a sign painted, stenciled, or affixed entirely within or upon the flat surface of a window or door, or placed immediately behind the window so as to attract the attention of persons outside the building, but excluding merchandise in a window display.

BE IT FURTHER ORDAINED that should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

BE IT FURTHER ORDAINED that upon adoption by the Town Council, the amendments herein listed will be added to Chapter 44 Land Use; and

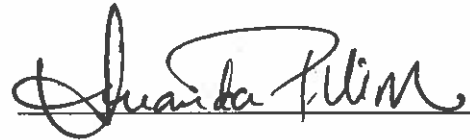
BE IT FURTHER ORDAINED that the Town Council authorizes Town staff to make non-substantive edits, including correction of punctuation, numbering, internal cross-references, citations to any statutes, and any related clerical-type changes to the text and exhibits as necessary to ensure internal consistency of the newly adopted Town of Abingdon Zoning and Subdivision Ordinance and, add language as may be necessary for clarification of information and correct any factual errors.

CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance amendment to update to Chapter 44, and find it to be in correct form, as set forth above, this first ____ day of _____, 2023.

Cameron Bell, Counsel

This ordinance was adopted on November 13, 2023, to take effect on November 13, 2023



Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on October 3, 2023. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Amanda Pillion, Mayor	Yes	Aye
Dwyane Anderson, Vice Mayor	Yes	Aye
Derek Webb	Yes	Aye
Donna Quetsch	Yes	Aye
Wayne Austin	Yes	Aye

WITNESS MY HAND and the seal of the Town of Abingdon as of November 13, 2023.

(SEAL)



Kimberly Kingsley, Clerk