

3-8 Sign regulations.

3-8.1 *Permitted signs:* The maximum permitted size of signs and type of signs shall be in accordance with the following regulations:

(a) *All zoning districts:*

- (1) Official traffic or directional signs and other official federal, state, county, or Town government signs.
- (2) Temporary signs announcing a campaign, drive, or event of a civic, philanthropic, educational, or religious organization, provided such sign shall not exceed 12 square feet in area and shall be removed within seven days after the completion of the campaign, drive or event.
- (3) Signs offering the sale or rental or future use of the premises upon which such signs are erected, provided that the combined area of such signs shall not exceed 12 square feet.
- (4) One temporary sign of each contractor or developer, and one sign for all combined subcontractors, erected and maintained on the premises where the work is being performed, provided that the area of each such sign shall not exceed 18 square feet, and provided that such sign shall be removed upon completion of the work. These signs are only allowed during construction in progress. All signs must be removed within ten days of the final zoning permit being issued in each phase.
- (5) No-trespassing signs, signs indicating the private nature of a road, driveway, or premises, and signs controlling fishing or hunting on the premises, provided that the area of any such sign shall not exceed four square feet.
- (6) Off-premises signs. In all zoning districts only multi-tenant complex signs and residential subdivision identification signs shall be allowed off-premises. Off-premises signs shall be freestanding monument signs. Such signs shall be allowed only if a special use permit for that sign has been granted.
- (7) Minimum spacing between freestanding signs. The minimum distance separating new from existing freestanding signs or separating new freestanding signs shall be 100 feet. The Zoning Administrator may allow two signs to be separated by less than 100 feet in order to allow the signs to share an appropriate location. In such cases, the two signs shall be separated from other signs by a distance of 100 feet plus the distance by which the separation between the two signs was reduced from the required 100 feet.
- (8) Unless otherwise stated, all signs shall be monument style signs.
- (9) Sign height shall be measured from the centerline grade level of the adjacent street perpendicular to which the land upon the sign is facing. In no case shall a freestanding sign be required to be less than five feet in height.

(b) *Residential districts:*

- (1) Home occupation or nameplate sign displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling, or dwelling unit, provided that not more than one such sign shall be erected for each permitted use of the lot and provided that the area of each such sign shall not exceed two square feet and provided that each such sign shall be fixed flat on the main wall of such building or may be erected in the front yard, but not within ten feet of a street right-of-way line.
- (2) Sign, bulletin, announcement board or identification sign for schools, parks or playgrounds, churches, hospitals, clubs, multifamily dwellings or other principal uses and buildings other than dwellings on the same lot therewith for the purpose of displaying the name of the institution and its activities or services, provided that the area of any such sign shall not exceed 24 square feet and not more than one such sign shall be erected or displayed on each street frontage.
- (3) Subdivision signs, not exceeding 18 square feet in area, for the purpose of advertising or identifying a housing development or subdivision, when erected or displayed on the property so advertised or identified at least ten feet from the front lot line, provided that only one such sign shall be erected or displayed facing any one street on the perimeter of such development or subdivision. Signs advertising the sale of property within such development or subdivision shall be removed within ten days of the closing of the onsite sales center.
- (4) Height of freestanding signs in residential districts shall not exceed six feet.

(c) *Signs for multifamily dwellings:* The following signs shall be permitted:

- (1) Freestanding real estate signs for advertising the sale or rental of the premises upon which the sign is erected, provided that the total area of the sign does not exceed 24 square feet, that there shall be no more than one such sign on any one lot on the same street frontage and that the height of such sign shall not be greater than ten feet. Signs shall be removed within ten days of closing of the on-site sales center.
- (2) Directional signs, not to exceed two square feet each, erected within the project itself to direct persons to a rental office or sample unit. Directional signs do not need to be monument style.
- (3) Permanent identifying signs for the purpose of indicating the name of the multifamily project and for the purpose of identifying the individual buildings within the project. Not more than one sign for each entrance to the project from a public street to identify the name of the project shall be permitted, and no such sign shall exceed ten square feet in size. Signs to identify the individual buildings within the project shall not exceed six square feet in size.

- (d) *Commercial districts:* In the commercial districts, the following signs shall be permitted:
- (1) Any sign permitted in a residential zone, with setback requirements waived;
 - (2) Signs advertising only the general business conducted within the premises upon which such signs are erected or displayed;
 - (3) Signs permitted within a business district shall be erected or displayed only on such walls or a building as face a street, alley or parking area, or as freestanding signs upon the lot, subject to the following provisions as to size and location:
 - a. *One-story building with a single business or single entry facing a street, alley or parking area:* The total area of all signs facing a street, alley or parking area shall not exceed one square foot for each foot of building width facing such street, alley or parking areas or 50 square feet whichever is less.
 - b. *One-story building with multiple businesses:* The total area of signs for each business shall not exceed one square foot of sign area for each foot of building unit width occupied by one business. Where more than one business shares a single building entry, those businesses shall be considered one business in calculating allowable sign area. The maximum area per business/entry shall not exceed 200 square feet.
 - c. *First floor businesses in multistory buildings:* The total area of all signs facing a street, alley or parking area shall not exceed one square foot for each foot of building width facing such street or 50 square feet, whichever is less. All such signs shall be kept within a height of 20 feet above the sidewalk.

(Add something similar to b for multistory buildings.)
 - d. *Above the first floor of multistory building containing one or more businesses above the first floor:* The total area of all signs facing a street, alley or parking area on any wall above the 20 foot height specified in subsection c) immediately above shall not exceed 40 square feet.
 - e. *Multistory buildings occupied by one business only:* Where entire buildings over one story in height are occupied by one business, a total sign area of 90 square feet facing any street, alley or parking area. The sign may be located without regard to the 20-foot height provision contained above.
 - f. *Signs hung on marquees:* No sign shall be hung on a marquee, canopy, or portico if said sign shall extend beyond the established setback line. The area of any such sign shall be included in determining the total area of signs erected or displayed.
 - g. *Signs on windows advertising occupants, etc.:* Signs advertising only the name of the occupant of a store, office or building, the business or occupation conducted

or the products sold therein may be placed on show windows; provided that not more than 20 percent of the area of such windows shall be covered. The area of such signs shall not be included in determining the total area of signs erected or displayed.

- h. *Projection and height of signs:* A sign may be erected or displayed flat against a wall or at an angle thereto. The bottom of a sign, the area of which exceeds six square feet, erected flat against a wall, shall be at least eight feet above the sidewalk, alley, or parking area. The bottom of a sign projecting from a wall shall be at least ten feet above a walkway or parking area, and at least 14 feet above an alley. No signs shall project above the height of the building eave to which they are attached, nor shall they project into any street.

Define roofline.

- i. *Roof sign:* No roof signs shall be permitted.
- j. *Freestanding signs:* Freestanding signs upon a lot may be erected or displayed only where drive-in service or parking is provided. However, no freestanding sign shall be located closer than ten feet to a side lot line; provided that not more than one such freestanding sign shall be permitted for any building or building unit having a street frontage with such drive-in service area, parking area or building setback. Freestanding signs shall not be erected more than ten feet above the grade nor project beyond the established setback line, and shall not exceed 50 square feet in area. For the purpose of this section, all lot lines facing streets shall be considered front lot lines.
- k. *Identification signs:* Identification signs for shopping centers consisting of five or more separate businesses and having a continuous street frontage of at least 200 feet shall be permitted, and the area of such signs shall not be included in the total area of signs otherwise permitted in this section for the separate businesses. The total area of such identification signs for any shopping center shall not exceed one square foot for each foot of building width frontage, nor shall the total area of such signs facing any street, alley, or parking area exceed 150 square feet. Such signs shall not exceed 15 feet in height.
- l. *Advertising theater acts, etc.:* Signs advertising the acts or features to be given in a movie theater or theaters may be displayed on permanent cases or frames erected on theater buildings.

When the area of any such case or frame facing a street, alley, or parking area does not exceed 24 square feet and the areas of all such cases or frame facing such street, alley, or parking area does not exceed 48 square feet, the area of the signs displayed thereon shall not be included in determining the total area of signs erected or displayed.

- (e) *Industrial districts:* Any sign permitted in a commercial district shall be permitted in an

industrial district. Directional sign area shall not exceed four square feet and shall not be required to be monument style.

(f) *Other general sign regulations:*

- (1) Signs may be lighted with nonglaring lights, or may be illuminated by shielded floodlights provided that lighting is screened from adjacent properties. No neon, intermittent or flashing lights shall be permitted, except by special use permit. Except for a two square feet neon sign indicating that the business is open that does not flash or blink.
- (2) No portable, revolving, rotating, inflatable, roof or animated signs are permitted (signs providing only alternating time and temperature are exempt from this prohibition).
- (3) No signs, temporary or permanent, shall be permitted which are posted, stapled or otherwise permanently attached to trees or utility poles within the street line.
- (4) All signs, except temporary signs, shall be constructed of durable material and kept in good condition and repair. Signs that are damaged, structurally unsound or poorly maintained shall be repaired or removed within 30 days.
 - a. If an off-premises sign advertises a business or activity that is no longer being operated or conducted or if a directional sign refers to a location where the advertised activities no longer exist, that sign shall be considered to be abandoned and shall be removed by the owner within 30 days.
 - b. If the message portion of a sign is removed, the supporting structural components shall be removed or the message portion replaced within 30 days.
- (5) Nonconforming signs, once removed, shall be replaced only with conforming signs; however, nonconforming signs may be repainted or repaired, provided such repainting or repairing does not exceed the dimensions of the existing sign.
- (6) No signs shall have more than two sides except for temporary signs for use of less than 15 days.

(g) *Billboards are prohibited in all districts.*

(h) *Permit required:* A sign permit shall be required before a sign is erected, altered or relocated, except as otherwise provided herein.

- (1) *Applications:* Each application for such permit shall be accompanied by plans showing the area of the sign; the size, character, and design proposed; the method of illumination, if any; the exact location proposed for such sign; the method of fastening such sign; the name and address of the sign owner and of the sign erector.

- (2) *Fees: Fees for sign permits shall be as determined by the Town Council.*
 - (3) *Nullification: A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of issuance of the permit.*
 - (4) *Permit exceptions: A permit shall not be required for the following, provided, however, that such signs shall be subject to any and all applicable provisions of this ordinance:*
 - a. Any sign four square feet or less in area.
 - b. Repainting without changing wording, composition, or color, or minor nonstructural repairs.
 - c. The changing of the advertising copy or message on any approved painted or printed sign or on a theater marquee and similarly approved signs which are specifically designed for the use of replaceable copy.
- (i) *Maintenance and repair:*
- (1) All signs shall be maintained and kept in proper working order. If due to maintenance a sign is partially or improperly lit the sign will remain unlit until repairs are completed.
 - (2) Dangerous or defective signs will be removed or repaired immediately.
- (j) Removal of signs upon discontinuation of use:
- (1) Whenever the use of a building or premises by a specified business or other establishment is discontinued by the owner or occupant for a period of 60 successive days, the sign permits for all signs pertaining to that business or establishment shall be deemed to have lapsed, and the signs shall be removed within 30 days.
 - (2) All discontinued businesses whose sign is a part of a sign representing multiple businesses shall remove the sign face and replace it with suitable materials to hide the interior structure of the sign.
- (k) Temporary signs:
- (1) Use of temporary signs is limited to 30-day periods with no more than three uses within a period of 365 consecutive days.
 - (2) Temporary signs pertaining to a specific event must be removed within five days from the conclusion of the event.
 - (3) Temporary signs erected in anticipation of permanent signs must be removed immediately upon completion of the permanent sign.

- (1) *Sign*: Any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
- A. *Sign area*: The sign area shall be measured as the area of a sign face with the smallest square, circle, rectangle, triangle or combination thereof, that encompasses the extreme limits of the letters, figures, designs, devices, pictures, projected images, symbols, fixtures, logos, emblems or insignias, or any part or combination thereof, together with any materials or colors forming an integral part of the background of the sign face or used to differentiate the sign from the backdrop or structure against which it is placed. In the case of a double faced sign where the interior angle formed by the faces is 45 degrees or less or where the sign face is parallel, only one display face shall be used in calculating the area.

Measuring Sign Area

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- B. *Sign, animated*: Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.
- C. *Sign, banner*: A sign having characters, letters or illustrations applied to cloth, paper, flexible plastic, or fabric of any other kind, with only such material for backing.
- D. *Sign, building entrance*: A sign designating the location to the outside entrance to a particular use.
- F. *Sign, cottage occupation*: A sign advertising an approved cottage occupation.
- G. *Sign, directional*: A sign that is designed or erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
- H. *Sign, electronic message*: A sign with a fixed or changing message and/or display composed of a series of lights that may be changed through electronic means. LED (Light Emitted Diodes) is a type of electronic message sign. Such electronic sign messages shall be displayed for a minimum of two minutes, and shall not be animated by scrolling, flashing or other similar non-static displays. In no case shall an electronic message sign occupy more than 50 percent of the area of a permitted sign size.

- I. *Sign, flag:* Flags of the United States, the Commonwealth of Virginia, Frederick County, other countries and states, the United Nations Organization or similar organizations of which this nation is a member, religious groups, civic organizations and service clubs, are allowed provided that there shall be no more than three flags on any one lot. In addition, any business zoned use, industrial zoned use, and business in the rural areas district with an approved condition use permit (CUP) may display its corporate or business emblem in the form of a flag, provided that there is no more than one such flag on any parcel.
- J. *Sign, flashing:* Any sign directly or indirectly illuminated that exhibits changing natural or artificial light or color effects by any means whatsoever.
- K. *Sign, illuminated:* A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
- L. *Sign, inflatable:* Any display capable of being expanded or powered by air or other gas and used to advertise a business, service, product or event.
- M. *Sign, informational:* A sign commonly associated with, and not limited to, information necessary for the convenience of visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.
- N. *Sign, interstate overlay:* An on-premises business sign located within the interstate overlay district meeting all requirements of article XVII of this chapter.
- O. *Sign, multi-tenant complex:* A sign that identifies the name of the development and the users in a business park.
- P. *Sign, monument:* A freestanding sign placed directly on the ground by means other than a support pole or brace in which the message portion is either on top of or affixed to, the support structure. The support structure for the monument sign must be a minimum of 50 percent of the size of the sign face area.

Examples of Monument Signs

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- Q. *Sign, off-premises:* A sign which directs attention to a business, commodity, service, activity or entertainment conducted, sold or offered on a parcel of land other than the one on which the sign is located.
- R. *Sign, on-premises:* A sign which directs attention to a business, commodity, service,

activity or entertainment conducted, sold or offered on the parcel of land on which the sign is located.

- S. *Sign, portable:* A sign designed or intended to be moved easily that is not permanently embedded in the ground or affixed to a building or other structure.
- T. *Sign, residential subdivision identification:* A sign which denotes the name of a residential subdivision, condominium or apartment complex.
- U. *Sign, roof:* A sign that is mounted on the roof of a building or a sign that projects above the top wall or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.
- W. *Sign, wall-mounted:* A sign fastened to the wall of a building or structure in such a manner that the wall becomes the significant supporting structure for the sign.

(Mo. of 8-12-2003; Ord. of 7-8-2008(2))