

ARTICLE 18-706.00 - SIGNS

DIVISION I. - GENERAL PROVISIONS

18-706.01 – Findings, purpose and intent; interpretation.

- a) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on public and private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which can be given effect without the invalid provision.
- b) Signs not expressly permitted by right or by conditional use permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the Town of Floyd are forbidden.
- c) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.
- d) These regulations are intended to promote signs that:
 - 1) are compatible with the use of the property to which they are appurtenant
 - 2) are compatible with the landscape and architecture of surrounding buildings
 - 3) are legible and appropriate to the activity to which they pertain
 - 4) are not distracting to motorists
 - 5) are constructed and maintained in a structurally sound and attractive condition.
- e) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the Town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- f) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

18-706.02 -- Definitions.

“**A-Frame Sign**” means a two-faced sign with supports that are connected at the top and separated at the base, forming an “A” shape not more than four feet high. These are also referred to as “sandwich board” signs. They are included in the definition “portable sign.”

“**Advertising**” means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

“**Alteration, Sign**” means any change in the use, adaptability, or external appearance of an existing sign area, and/or structure.

“**Animated Sign**” means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a “moving sign.”

“**Architectural Additions**” means an item attached to a structure for the purpose of attracting attention to a business. Typically an architectural additional is not a sign with letters, although their purpose is similar to that of a sign.

“**Attached Business Sign**” means a permanent wall sign announcing the name of a professional, business, service, commodity or similar advertisement.

“**Awning/Canopy**” means a roof-like cover that projects from the wall of a building or are freestanding for the purpose of shielding from the elements, such as a covering over a service station island.

“**Awning/Canopy Sign**” means a sign painted on or attached directly on the surface of an awning or canopy, or similar freestanding roofed structure without walls, the face of which sign is parallel to the canopy edges.

“**Banner**” means a sign of flexible material to include cloth, paper, fabric, or other lightweight material. A banner may be attached at each end to a structure or hanging from the top of a structure such as a porch, awning, etc.

“**Banner over the Public Right of Way**” means a temporary sign generally made of fabric or vinyl but not of paper or cardboard, etc. attached by grommets or ties to a wire or rope suspended above and across a street or Public Right of Way.

“**Building frontage**” means the length of the main wall of a building which physically encloses usable interior space and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten (10) feet above grade.

“**Business Sign**” means a sign which directs attention to a product, service or commercial activity available on the premises.

“**Chalk-board/White-board Sign**” means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers.

“**Changeable Copy Sign**” means 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 structure and may be illuminated either internally or externally.

“**Comprehensive Sign Plan**” means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities or a single tenant property that might require multiple signs such as a drive thru.

“Dark Sky Principles” means lighting that is designed to reduce light and glare pollution onto neighboring properties and roadways so as not to cause any degradation of the nighttime visual environment and the night sky. Provide protection for drivers and pedestrians from the glare of non-vehicular light sources; Provide protection from lighting for neighbors, the environment and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained or shielded light sources; while protecting the natural environment from the damaging effects of night lighting.

“Double-Faced Sign” means a freestanding sign having two faces or sides designed for use. This includes V-shaped signs with the internal angle between its two faces of no more than 45 degrees.

“Electronic Changeable Copy” is an electronic sign, regardless of the technology, which displays letters, numbers, symbols, characters, etc. that change using electronic means.

“Feather Sign” is a lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.

“Flag” means a piece of cloth or similar material, typically rectangular, oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants, which are long, tapering, usually triangular flag.

“Flashing Sign” means a sign that includes lights that flash, blink, or turn on and off intermittently.

“Freestanding/Ground Mounted Sign” means a sign not attached to nor printed on a building but which is supported by upright structural members or by braces on or in the ground and not attached to a building and includes monument type signs.

“Frontage” is the length of the property line of any lot, lots, or tract of land measured along a public street, road or highway against which that land abuts.

“Height” means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

- (1) Existing grade prior to construction; or
- (2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

“Historic Sign” means a sign of any age, type, location or use, having historic value or attached to a building having historic value, as determined by the governing body.

“Historic Markers” means a marker bearing text or image to commemorate one or more persons, events or former uses of the place. No advertising is allowed on the sign and the sign must conform to all the requirements in this ordinance. A permit is required for a historical marker, no fee is required.

“Holiday Displays” mean displays erected on a seasonal basis in observance of religious, national, or state holidays which are not intended to be permanent in nature and which contain no advertising material.

“Illegal Sign” means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

“Illuminated Sign” means a sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

“Lot” is a numbered and measure portion or parcel of land separated from other portions or parcels by descriptions in a recorded plat, or by metes and bounds, intended to be a unit for the purpose, whether immediate or future, transfer of ownership, or of development or separate use. The term applies to units of land whether standalone, in a subdivision or development.

“**Marquee**” means a permanent structure 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.

“**Marquee Sign**” means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.

“**Menu Board Sign**” means a permanent sign at the entrance lane of a drive-through or located at curb service establishment for the purpose of placing an order to be picked up at the drive-through window or delivered via curb service. Also includes a permanent sign at the entrance of an eatery that displays menus, pricing, specials, etc.

“**Minor Sign**” means a wall or freestanding sign not exceeding one (1) square foot in area, not exceeding four feet in height, and not illuminated.

“**Monument Sign**” means a sign affixed to a structure built on grade, mounted on the ground, in which the sign and the structure are an integral part of one another; this includes a sign at the main entrance to a subdivision, housing development, farm, estate, or industrial park; not to include a pole sign.

“**Murals**” are any piece of artwork painted or applied directly on a wall or other areas. Murals may be artistic in nature only or used as an advertisement of any type.

“**Multi-Frontage Signs**” means a V-shaped sign, designed in such a way, as to be viewed from more than one side or direction of the property on which the sign is located. This definition shall apply to both corner lots and double frontage (through) lots. The internal angle between the two faces of the sign shall be greater than 45 degrees.

“**Multi-tenant Business**” refers to more than one business on a single lot.

“**Multi-tenant Business Sign**” means a sign, unified in design, whether freestanding or attached to the building, listing the names and/or logos of the businesses or offices located within the Multi-tenant business. Individual business nameplates as part of the multi-tenant business sign may include the name and type of the business and logo of the business but no other advertising.

“**Neon Sign**” means a sign containing exposed tubes filled with light-emitting gas.

“**Nonconforming Sign**” Any sign which was lawfully erected in compliance with applicable regulations of the Town and maintained prior to the effective date of this article of the zoning ordinance and which fails to conform to current standards and restrictions of this article.

“**Off-premises Sign**” means a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.

“**Pole Sign**” means a freestanding sign that is mounted on one (1) or more freestanding poles.

“**Portable Sandwich Board**” is a sign designed to be transported with ease or designed to be transportable such as to permit its easy installation and removal. Such signs include but are not limited to A- or T-frame signs.

“**Portable Sign**” means any sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.

“**Projecting Sign**” means any sign, other than a wall, awning or marquee sign, affixed perpendicular to a building and supported only by the wall on which it is mounted.

“**Public Area**” means any public place, public right-of-way, any parking area or right-of-way open to use by the general public.

“**Public Art**” means items expressing creative skill or imagination in a visual form, such as painting or sculpture, which are intended to beautify or provide aesthetic influences to public areas or areas which are visible from the public realm.

“Right-of-Way” is the public land upon which a street, road, highway, or transportation route is located and the land adjacent to the pavement or developed thoroughfare which exceeds the width so that the thoroughfare may be widened, drainage provided, or utilities installed in the future.

“Right-of-Way Line” means the legal dividing line between a lot, tract, or parcel of land and a contiguous street, railroad, or public utility right-of-way.

“Roof Sign” means a sign which is attached, erected, applied or incorporated into a roof, or constructed and maintained from the roof of a building.

“Setback” is the minimum distance from which any building structure must be separated from the lot line(s) or other structures.

“Setback Line(s)” means a line generally parallel with and measured from the lot line(s) or other structures, defining the limits of a yard in which no building or structure may be located above ground.

“Sign” Any object, device, display, or structure, or part thereof, visible from a public or private place, a public right-of-way, any parking area or right-of-way open to use by the general public which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term does not include public art, architectural elements incorporated into the style or function of a building, or flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term “sign” also does not include the display of merchandise for sale on the site of the display.

“Sign Area” is the visible area of the sign that encompasses the entire advertising area, including architectural trim but not structural supports as defined in Section 18-706.06.

“Sign Setback” means the distance from the edge of the road pavement or the outer edge of the sidewalk on the road directly adjoining the property or property line to the sign or the sign structure. Unless otherwise stated this distance is to be five (5) feet.

“Sign Face” means the portion of a sign structure bearing the message.

“Sign Structure” means any structure bearing a sign face.

“Temporary Sign” means a sign that is securely affixed, although not permanently mounted, to a building or into the ground, for a limited period of time. Temporary signs can be, but not limited to, a sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other materials with or without frames and attached by rope, string, chain, tape, paste, and similar mechanisms; signs not rigidly attached to a supporting structure; and signs that are pushed, hammered or similarly put into the ground are considered temporary signs.

“Unusual Display” means a display, whether permanent or temporary, of any type or construction located on the lot of record but not on a building, that advertises in some way, with or without the use of letters, numbers, symbols, etc., the business or structure located on the same lot.

“Vehicle or Trailer Sign” means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates or inspection sticker, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

“Wall Sign” means any sign attached to a wall or painted on or against a flat vertical surface of a structure.

18-706.03 – Signs Requiring a Permit.

- a) In general. A sign permit and application fee is required prior to the display and erection of any sign except as provided in Section 18-706.04. Failure to adhere to the requirements of this Ordinance automatically cancels any such Permit which may be issued, and any sign or sign structure installed pursuant thereto shall be removed forthwith per Section 18-706.07 (g);
- b) Application for permit, including Temporary Signs, Banners, Banners over the Right-of-Way, General Signs, Special Signs and Conditional Use Permits.
 - 1) An application for a sign permit and application fee shall be filed with the Town of Floyd Zoning Administrator on forms furnished by that department. The applicant shall provide plans showing the size, location, and method of display of the sign(s), as well as complete specifications for materials and methods of construction, anchoring and support to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the erection and removal of the sign.
 - 2) Any business applying for a sign permit of any type, must have and maintain a current Town of Floyd Business License, if applicable, and all real estate, personal property, meals, lodging, etc. taxes must be current. All signage located on a lot shall be the responsibility of the property owner, regardless whether the property or building is leased, rented, etc. The application shall require the signature of the owner of the property in question, and of the agent, if there be any agent. All signs, whether permanent or temporary, shall be located on a lot of record except for off-premise directional signs and vehicle signs. Any sign not located on the lot of record shall require a Conditional Use Permit (CUP) except as otherwise allowed herein.
 - 3) The Town of Floyd Zoning Administrator or designee, shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within 90 days after receipt. Any application that complies with all provisions of this zoning ordinance, the State Building Code, and other applicable laws, regulations, and ordinances shall be approved.
 - 4) If the application is rejected, the Town shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, State Building Code, or other applicable law, regulation, or ordinance.
 - 5) Not more than three (3) signs per parcel. Additional signs are permitted in certain districts with a Conditional Use permit.
 - 6) An application for a Historical Marker shall be filed with the Town of Floyd Zoning Administrator on forms furnished by the department. No application fee shall be required for Historical Markers.
- c) Duration and revocation of permit. If a sign is not installed within six months following the issuance of a sign permit (or within 30 days in the case of a temporary sign permit), the permit shall be void. The permit for a temporary sign shall state its duration, not to exceed 14 consecutive days, 5 times a year unless another time is provided in the zoning ordinance. The Town may revoke a sign permit under any of the following circumstances after proper notification to land owner and business owners:
 - 1) The Town determines that information in the application was materially false or misleading;
 - 2) The sign as installed does not conform to the sign permit application; or

- 3) The sign violates the zoning ordinance, State Building Code, or other applicable law, regulation, or ordinance.
- d) Conditional Use Sign Permit. Signs in excess of that which is allowed for the district require a Conditional Use Permit. Conditional Use Sign Permit requests shall require a completed and signed (by the land owner and the agent) Conditional Use Sign Permit Application and fee. Grounds for such approval and issuance of a Conditional Use Permit shall be based on whether the sign is viewed as appropriate to the proposed location in terms of scale, compatibility with surrounding land uses, location, traffic, and safety. The Conditional Use Sign permit shall establish but not be limited to the time, manner, and placement of signs, frequency of message changes, the materials, hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not exceed a height of fifteen (15) feet as measured from the road elevation closest to the sign location, except by Conditional Use Permit (CUP). Following a duly advertised Public Hearing, the Town of Floyd Planning Commission reviews and offers a recommendation to the Town Council for their approval or denial.
 - 1) Signs Requiring A Conditional Use Permit.
 - 1) Architectural Additions. Only allowed in Business and Industrial District(s). The area of such additions will be included in the total allowable signage per lot and calculated based upon their sign area.
 - 2) Electronic Changeable Copy or Animated Signs. Not allowed in Residential District(s). Can only be used for public emergency type messages (Amber Alerts, weather/traffic warnings, etc.). Such signs cannot contain any advertisement of any kind, and cannot contain or use flashing, scrolling or animation of any type. The square footage of electronic changeable copy signs are limited to 12 square feet.
 - 3) Multi-Tenant Business. Businesses or Office Complexes with more than five (5) tenants.
 - 4) Murals. Only allowed in Business and Industrial District(s).
 - 5) Unusual Display. Only allowed in Business and Industrial District(s).
 - 6) Monument, Freestanding & Illuminated Signs. Such signs in Residential District(s) require a permit.
 - 7) Menu Board. All Menu Board signs regardless of technology.
 - e) Historic Signs. Identify the architectural, cultural, and historical significance to the Town and encourage their preservation, enhancement, and maintenance. A sign may be designated historically significant if it was installed fifty (50) years prior to the application and meets at least three or more of the following criteria:
 - 1) The sign exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political or historic heritage of the Town;
 - 2) The sign identifies with a person or persons or groups who significantly contributed to the history and development of the Town, regional, state or national culture and history;
 - 3) The sign exemplifies one of the best remaining architectural design, detail, materials, or craftsmanship of a particular historic period.

- 4) The sign is in a unique location or singular physical characteristic(s) represents an established and familiar visual feature of the neighborhood, community or the Town;
- 5) The sign has been in existence for more than 50 years and it possesses integrity of the location, design, setting, materials, workmanship, feeling and association;
- 6) The sign has been continually displayed for more than 50 years, with the exception of routine maintenance, repair or restoration;

Proof of the age of the sign and historic significance is the responsibility of the applicant and shall be included with the zoning application. A zoning permit will be required for a historic sign and any historic sign displayed shall comply with all applicable provisions of the Uniform Statewide Building Code and any amendments thereto. Designation of historic sign(s) shall be subject to approval by the Zoning Administrator. A historic sign shall be maintained in its original condition except for routine maintenance, repair, or restoration. A historic sign shall be allowed in all zoning districts and shall be exempted from being included in the maximum permitted sign area and the maximum number of signs allowed in the designated districts.

18-706.04 – Signs Not Requiring a Permit.

The following signs, shall be allowed in all districts except residential, and shall be exempt from permit requirements if:

- 1) Placed with written permission of the land owner.
- 2) Not illuminated by any means.
- 3) Meet at least one of the following requirements.
 - a) Signs erected for traffic or other official public signs or notices posted or erected by or at the direction of a local, state, or federal governmental agency such as the Virginia Department of Transportation (VDOT), or a public utility company of the Town or County of Floyd;
 - b) Any federal, state, or local governmental flag, provided, that no freestanding pole shall be erected in the public right-of-way nor be within ten (10) feet of a service drive, travel lane or adjoining street or sidewalk, and must be located in a manner not to impede sight distance. Cannot contain advertising in any way, and cannot exceed three flags per lot or exceed a height of fifteen (15) feet.
 - c) Professional name plate, which shall be no more than two (2) square foot in area, indicating the name of the professional, the business, or service provided on the premises. Multiple name plates (more than one) may be arranged into one larger sign, but shall require a sign permit, and will be counted toward the total sign area.
 - d) One sign or bulletin board per institution or civic association, not exceeding ten (10) square feet in area, indicating the name of an institution or civic association on premises of such facility.
 - e) On-premise signs, including pavement markings, not to exceed four (4) square feet each, displayed for direction or convenience of the public, such as those indicating restrooms, public entrances, freight entrances, parking, ADA access and the like, provided the signs do not convey any type of advertising including the name, logo, hours of operations, etc.; must be located in a manner not to impede sight distance;
 - f) Customary signs, in conjunction with residential usage, including mailbox lettering, names of residents, house number, names of farms and estates, and other similar usage not exceeding two (2) square feet;
 - g) No trespassing signs (or similar notification signs), without limitations on the number or placement, limited in area to two (2) square feet, each provided the signs do not convey any type of advertising including the name, logo, etc. (hours of operation allowed)

- h) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 18-706.09(e).
- i) Not more than three minor signs per parcel are allowed without a permit. Additional minor signs are permitted in certain districts with a permit.
- j) A permanent window sign.
- k) Temporary signs as follows:
 - 1) One (1) sign, no more than six (6) square feet in area, located on the property where a building permit is active.
 - 2) On any property for sale or rent in all business districts, and in Industrial Zoning districts, not more than two (2) signs with a sign area of up to six (6) square feet per sign, and on any property for sale or rent in Residential Zoning districts, not more than three (3) signs with a total area of up to four (4) square feet.
 - 3) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties; provided that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.
 - 4) On residential property, not more than three (3) temporary signs with a total area of no more than four (4) square feet each, and which are removed within 30 days after being erected and cannot be displayed more than 90 cumulative days.
 - 5) Vertical Flags, pennants and streamers may be displayed provided they do not exceed fifteen (15) square feet each, are limited to three (3) per lot and cannot exceed a height of 15 feet, provided that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.

18-706.05 – Signs Prohibited in All Districts

In addition to signs prohibited elsewhere in this Code or by applicable State or Federal law, the following signs are prohibited, except as provided in Section 18-706.03(d)(1):

- a) General prohibitions.
 - 1) Signs that violate any law of the Commonwealth.
 - 2) Any sign erected or painted upon a public right-of-way, trees, and fire escapes, fences or utility poles, except for regulatory signs.
 - 3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized town official as a nuisance.
 - 4) Vehicle or trailer signs. Examples include but are not limited to: business signage attached to a cargo container on the premises of the business, subdivision advertisement signage attached to work equipment, stationed to attract interest in the subdivision, but not for general work conducted on site. Except for temporary containers used for moving or storage (PODS) provided that the container does not remain on or at the same lot more than 30 days except by Conditional Use Permit (Section 18-710).
 - 5) Any signage or advertisement on any inoperable or unlicensed vehicle.
 - 6) Any sign displayed without complying with all applicable regulations of this chapter.

b) Prohibitions based on materials.

- 1) Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, which causes glare onto any roadway, building or land other than the building or land on which the sign is necessary, except where such signs are expressly permitted within this article.
- 2) Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, or wall edges of any building, except for temporary decorations not to exceed 90 calendar days per year.
- 3) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
- 4) Signs that emit sound.
- 5) Any electronic sign that is generated by a series of moving images, such as an LED, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit, except for signs used for Public Service Notification or Announcement.
- 6) Strings of flags visible from, and within 25 feet of, any public right-of-way.
- 7) Pole signs less than eight (8) feet in height.

c) Prohibitions based on location.

- 1) Off-premises signs, unless specifically permitted by this chapter.
- 2) Signs erected on public land other than those approved by an authorized Town official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E.
- 3) Signs extending above the ridgeline of a building or its parapet wall.
- 4) Any sign which is located in such a way that it is visually distracting to passing motorists and acts as a traffic hazard.
- 5) Any sign located in the vision triangle formed by any two (2) intersecting streets.
- 6) Any sign which obstructs any door opening or window used as a means of ingress or egress.
- 7) Any sign which advertises a business location which is no longer in operation at the site in question, or as designated as a Historic Sign.

18-706.06 - Measurements of sign area and height.

a) Sign Area.

- 1) Sign area is calculated under the following principles:
 - a. With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within the smallest continuous square, rectangle or triangle enclosing the extreme limits of each word, symbol, numeral, group of symbols or group of numerals where the symbols or numerals are meant to be read as an unit.
 - b. The sign area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.
 - c. For projecting signs, the sign area also includes the area of the visible sides of the sign, calculated as a rectangle.

- b) Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the following provisions.
- c) In instances where there are multiple tenants or users on a property or in a building, maximum allowable sign area for all parties shall be divided and distributed by the owner or manager among the several business activities within the building. Except for multi-tenant buildings with more than five (5) tenants where a Conditional Use Permit is required for signage.
- d) Maximum height. The maximum height for any sign shall be fifteen (15) feet from the elevation of road grade at the nearest point on the frontage road, to the top of the sign or its structure, unless otherwise specified within this chapter.
- e) Multiple frontages. Where a lot fronts two different roads, a multiple frontage sign may be utilized. For this type of sign the maximum copy area for the primary sign, that which fronts the primary road frontage, is listed in Table S-1. The secondary sign, that which fronts the secondary road frontage, is allowed to have an area up to 50% of the primary sign. This provision shall apply to both corner lots and double frontage (through) lots. A multi-frontage sign is considered one sign. The cumulative area of both faces of the sign will be used for calculating the total sign area.

18-706.07 - Maintenance and removal.

- a) All signs and sign structures shall be constructed, mounted, and maintained in compliance with the Virginia Uniform Statewide Building Code.
- b) The Town may cause to have removed or repaired within 48 hours of notification, any sign which, in its opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in this chapter.
- c) In the event any sign is to be relocated, or repaired beyond 50% of the replacement value (which is to be determined by a professional in the business of valuing signs), it shall be required that the owner of said sign obtain new permits (sign, building, zoning compliance, etc.)
- d) The owner of any advertising sign, other than a permitted off-premises sign, located on commercial property where the signs or sign structures, which are no longer functional, use or business has ceased operating for 90 days (except for Historical signs as defined herein), shall within thirty (30) days of the cessation of use or business operation, repair, remove, relocate, replace the sign face with a blank face, until such time as a use or business has resumed operating on the property. If after thirty (30) days following notification from the Town the sign is not repaired, removed or relocated as required by the Town, the Town shall remove said sign(s) and the land owner will be charged the cost of the removal.
- e) Sign condition, safety hazard, nuisance abatement, and abandonment.
 - 1) Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder.
 - 2) Any sign which constitutes a nuisance may be abated by the Town under the requirements of Virginia Code §§ 15.2-900, 15.2-906, and/or 15.2-1115.
- f) Any sign erected on public property not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.

- g) Any sign or sign structure installed without a permit, the owner or lessee shall be given thirty (30) days written notice to file an application for a sign permit. If the owner and lessee fails to properly permit the sign, the zoning administrator or designee shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this ordinance. The cost of such removal shall be chargeable to the owner of the property.

18-706.08 – General requirements.

- a) Placement. Except as otherwise permitted, no part of a freestanding sign shall protrude into the setback area.
- b) Illumination. All permitted signs may be backlit, internally lighted, or indirectly lighted, unless such lighting is specifically prohibited in this chapter.
 - 1) In the case of indirect lighting, the source shall be so placed or shielded that it illuminates only the face of the sign so as not to impair the vision of any motor vehicle operator or cause glare into or upon any property other than the property to which the sign may be accessory. However, shingle signs can be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the sign to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the sign.
 - 2) No sign shall be permitted to have an illumination spread that may shine into on-coming traffic, affect highway safety, or shine directly into a residential dwelling unit. All lighting fixtures used to illuminate a sign shall be full-cutoff, and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and comply with Dark Sky Principles and shall be turned off at the close of business or 10:00 p.m., whichever is later.

18-706.09 - Nonconforming signs.

- a) Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) lawfully existed at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- b) No nonconforming sign shall be enlarged or altered nor shall any feature of a nonconforming sign, such as illumination, be increased; however, any sign or portion thereof may be altered to decrease its non-conformity.
- c) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- d) No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.

- e) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its area shall be repaired but shall not be enlarged in any manner. Any damage that creates a hazardous condition shall be repaired within 48 hours of notification by the Town or the sign shall be removed. Any damage that does not create a hazardous condition shall be repaired within 30 days of notification by the Town or the sign shall be removed. If such sign is so destroyed or damaged to an extent exceeding fifty (50) percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.
- f) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.
- g) A nonconforming sign structure shall be subject to the removal provisions of section 18-706.07. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two (2) years or more. Such sign structure shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner thirty (30) days' written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

18-706.10 – Non-Commercial Signs.

- a) Substitution. Wherever this Article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height and construction.

DIVISION II. - SIGN REGULATIONS BY TYPE AND ZONING DISTRICT
18-706.21 – Temporary Signs.

Table S-T. Temporary Signs	
Allowed with a Permit in the following Zones by Square Feet: All Zoning Districts in the Town of Floyd	
Duration:	Not to exceed 14 consecutive days, 5 times a year
Number of Signs:	No more than three (3) temporary signs on any single lot.
Illumination:	Permitted signs may be backlit, internally lighted, or indirectly lighted.
Setback:	Unless otherwise stated, this distance is 5 feet from the edge of the road pavement or the outer edge of the sidewalk on the road adjoining the property line to the sign.
Height:	Not exceed a height of 15 feet as measured from the road elevation closest to the sign location.
Additional Restrictions for all temporary signage in these districts:	
1. No temporary sign may be placed on any public right-of-way without VDOT and Town of Floyd approved permits.	
2. No temporary sign may be placed upon or attached to any utility poles, meter poles, fire escapes, traffic signal or signage, fences or trees.	
3. No changeable copy of any type	
4. May only be placed on the lot of record or off-premise with the written consent of property where the sign is to be placed.	

SIGNAGE BY TYPE OF USE	AR-1	B 1-5	I-1	R 1-5
	A-frame	8	8	8
Awning/Canopy	x	x	x	x
Banner	24	24	24	24
Banner Over Public ROW	120	120	120	x
Chalkboard	8	8	8	8
Changeable Copy	24	24	24	x
Feather	15	15	15	x
Flag	8	8	8	8
Freestanding/Ground Mounted/Monument	x	x	x	x
Marquee	x	x	x	x
Menu-Board	x	x	x	x
Multi-Frontage	48	24	48	24
Multi-Tenant	x	x	x	x
Neon	x	x	x	x
Pole	24	12	24	12
Portable Sandwich Board	8	8	8	8
Portable	8	8	8	8
Projecting	x	x	x	x
Roof	x	x	x	x
Wall	24	24	24	24

x: Signage type not allowed within the zoning district.

18-706.22. – Permanent signs.

Table S-1. Permanent Signs.		
Allowed with a Permit in the following Zones by Square Feet: All Zoning Districts in the Town of Floyd.		
Number of Signs:	No more than three (3) signs on any single lot in AR-1, B 1-5, I-1 and two (2) signs on any single lot in R 1-5. Only one (1) freestanding sign per lot.	
Illumination:	Permitted signs may be backlit, internally lighted, or indirectly lighted.	
Setback:	Unless otherwise stated, this distance is 5 feet from the edge of the road pavement or the outer edge of the sidewalk on the road adjoining the property line to the sign.	
Height:	Not to exceed a height of 15 feet as measured from the road elevation closest to the sign location.	
Note: ** For businesses requesting signage different from prescribed amount may submit a signage plan for a conditional use permit (See Section 18-706.03-4 and 18-706.03-5 for procedure and process).		

		AR-1	B 1-5	I-1	R 1-5
SIGNAGE BY CONSTRUCTION TYPE	A-frame	8	8	8	x
	Awning/Canopy	x	10% of the total sq ft of the canopy not to exceed 24 sq ft		x
	Banner	24	24	24	x
	Chalkboard/Whiteboard	8	8	8	x
	Changeable Copy	24	24	24	x
	Feather	15	15	15	x
	Flag	8	8	8	x
	Freestanding/Ground Mounted/Monument	24	24	32	2 sq ft not higher than 3ft
	Marquee	24	24	24	x
	Menu-Board	36	50	36	x
	Multi-Frontage <i>*Primary Road Frontage Total</i>	24	24	32	x
	Neon	8	8	8	x
	Portable Sandwich Board	8	8	8	x
	Projecting	16	16	24	x
	Roof	24	24	32	x
	Wall	24	24	32	2 sq ft located near business entrance
Maximum Square Footage Allowed		64	64	72	4

x: Signage type not allowed within the zoning district.

18-706.23 – Signage for Multi-Tenant Businesses with 2-5 Tenants

Except as provided otherwise in this Article, the following signs are permitted for multi-tenant businesses with 2-5 tenants in the same building or on the same lot located in business and industrial districts.

Table S-2. Multi-Tenant Office Complex Signs.		
Signs allowed with a Permit for Multi-Tenant Businesses or Office Complexes with 2-5 Tenants in All Business and Industrial Zones		
	Number of Signs:	Only one (1) freestanding sign per lot; Only two (2) signs per business in addition to a sign on the freestanding sign.
	Illumination:	Permitted signs may be backlit, internally lighted, or indirectly lighted.
	Setbacks:	Unless otherwise stated, this distance is five (5) feet from the edge of the road pavement or the edge of the sidewalk closest to the property line.

Note:

*Multi-tenant businesses or office complexes with 2-5 tenants requesting signage different from prescribed amount may submit a signage plan for a conditional use permit (See section 18-706.03-4 and 18.706.03-5 for procedure and process)

**Multi-Tenant businesses and Office Complexes with more than five (5) tenants, require a Conditional Use Permit for signage.

		B 1-5	I-1
FREESTANDING (ONE PER LOT)	MULTI-TENANT BUSINESS/ OFFICE COMPLEX	16 sq. ft. +8 sq. ft. for each additional tenant not to exceed a total of 48 sq. ft.	24 sq. ft. +10 sq. ft. for each additional tenant not to exceed a total of 64 sq. ft.
		Size (each/total)	
SIGN CONSTRUCTION	A-Frame/Portable Sandwich Board	10 sq. ft. per tenant not to exceed a total of 50 sq. ft.	12 sq. ft. per tenant not to exceed a total of 60 sq. ft.
	Awning/Canopy		
	Chalkboard/Whiteboard		
	Flag		
	Menu-Board		
	Projecting		
	Wall		
Maximum Square Footage per lot		98	124