

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE # ___ - ___

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To revise requirements for signs in Jasper County; for add definitions to terms to Article 4 of the Jasper County Zoning Ordinance; to repeal certain definitions of the terms from Article 4 of the Jasper County Zoning Ordinance; to repeal Article 15 of the Jasper County Zoning Ordinance to adopt a new Article 15 for the Jasper County Zoning Ordinance; to repeal Chapter 22 of the Jasper County Code of Ordinances; to repeal Section 8:5.7 of the Jasper County Zoning Ordinance; to repeal Section 17:2.2 of the Jasper County Zoning Ordinance; and to provide an effective date for this ordinance.

NOW THEREFORE BE IT ORDAINED by the Jasper County Council in council duly assembled and by the authority of the same:

1. Article 4 of the Zoning Ordinance of Jasper County, as amended, is further amended to add or revise definitions of the following terms to be inserted alphabetically within the definitions set forth in the said Article 4;

Nudity or a State of Nudity: A state of dress which fails to opaquely and fully cover a human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.

Semi-Nudity or State of Semi-Nudity: A state of dress in which in which clothing covers no more than the genitals, pubic regions, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

Sign: Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, promote 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, insignias, illumination or projected images when the same is placed in view of the general public, or viewed when traveling along a public street right-of-way, privately maintained street and access or service drives.

Sign, Animated: Any sign or part of a sign that uses movement or change of lighting to depict action, gives the visual impression of movement or creates a special effect or sign. Means a sign or display that uses movement or the appearance of movement through the use of patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

Sign, Audible: Any sign or part of a sign which emits any sound capable of being detected on a public road or adjoining property.

Sign, Awning: A sign that is mounted, painted, or attached to an awning or other window or door canopy that is otherwise permitted by County Ordinances.

Sign, Banner: A temporary sign of cloth or similar material that celebrates an event, season, community, neighborhood, or district and is sponsored by a recognized community agency or organization.

Sign, Bench: A sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or roadway.

Sign, Billboard: A commercial sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located. Also known as “off-premise sign” or “off-site sign.”

Sign, Canopy: A sign attached to the underside of a canopy.

Sign, Changeable Copy: A sign or portion thereof with characters, letters or illustrations that is manually changed or rearranged in the field through the utilization of attachable letters, numbers, symbols and other similar characters without altering the face or the surface of the sign for the purpose of identifying products sold or services provided by the related business tenant on the same premises.

These include marquees, electric/ electronic/ mechanical signs, service station signs, with individual letters and numbers that can be removed and replaced by hand or mechanically.

Sign, Digital: include: Sign, Animated; Sign, Light Emitting Diode (LED); Sign, Static Electronic Message Display; Sign, Video Display. See definitions for each type.

Sign, Directory: A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted

within a building, group of buildings or commercial center. This sign is located on the interior of the lot or commercial center.

Sign, Digital Billboard: An off-site or off-premises animated, LED, Static Electronic Message Display, or Video Display sign.

Sign, Electronic Changeable Copy: A sign or portion thereof with characters, letters or illustrations that is electronically changed or rearranged through the utilization of attachable letters, numbers, symbols and other similar characters by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area for the electronic or mechanical indication of information.

Sign, Face: The area or display surface used for the message.

Sign, Flashing: Any electrical, directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Freestanding: Any non-movable sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Sign, Governmental: A sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.

Sign, Hanging: A freestanding sign supported by the extended arm of a single post or a beam between two posts.

Sign, Home Occupation: A sign containing only the name and occupation of a permitted home occupation.

Sign, Illuminated: Any sign which is directly or indirectly lighted by an external source.

Sign, Internally Illuminated: Any sign which transmits light through its face or any part thereof.

Sign, Inflatable: Any display capable of being expanded by air or other gas and use on a permanent or temporary basis to advertise a product or event.

Sign, Image Changing: Any sign that automatically changes images and text through the use of moving elements or automated methods.

Sign, Landmark: Any sign of artistic or historic merit, uniqueness, or of extraordinary significance to the community as may be identified by the local historical commission or other official agency.

Sign, Light Emitting Diode (LED): sign utilizing technology of diodes arranged in pixels to create messages changeable by electronic means. Said signs are sometimes referred to as electronic message centers and shall include other similar signs such as liquid crystal display signs, fiber optic signs, plasma display screen signs, incandescent signs, time-temperature-date signs or any other such sign using similar technologies.

Sign, Marquee: see Sign, Changeable Copy.

Sign, Memorial: A sign, tablet, or plaque memorializing a person, event, structure, or site.

Sign, Moving: Any sign involving any form of physical movement, including rotation.

Sign, Nameplate: A sign, located on the premises, giving the name and/or the address of the owner or occupant of a building or premises.

Sign, Nonconforming: A sign lawfully erected and maintained prior to the adoption of the current Zoning Ordinance that does not conform with the requirements of the current Ordinance.

Sign, Off-Premises: see Sign, Billboard.

Sign, Off-Site: see Sign, Billboard.

Sign, Project: Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor or materials vendor upon which property such individual is furnishing labor, services or material.

Sign, Portable: A sign not permanently attached to the ground or other permanent structure and designed to be transported on wheels.

Sign, Pedestal: see Sign, Freestanding.

Sign, Projecting: A sign that is wholly or partly dependent upon a building for support and that projects more than 12 inches from such building.

Sign, Residential/Commercial/Industrial Subdivision and Residential Development: Permanent signs displaying no information other than the name of a subdivision or development.

Sign, Roof: A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge or roof line 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.

Sign, Sandwich Board: A portable sign shaped like an A-frame with a sign panel on one or both sides where the sign panel is integral to the structure of the sign.

Sign, Searchlight Display: Any use of lighting intended to attract the general public by the waving or moving of light beams.

Sign, Snipe: A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences, or to other objects.

Sign, Static Electronic Message Display: A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Displays can change through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including movement of any illumination or the flashing, scintillating or varying of light intensity.

A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Temporary: A sign that is used only for a limited period of time and is not permanently mounted (See "Sign").

Sign, Temporary Window: A window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of

the business, including, but not limited to, sign for sales, specials, going out of business, and grand openings.

Sign, Vehicle: A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under such circumstances as to location on the premise, time of day, duration, availability of other parking space on the premises where it is loaded, unloaded or otherwise carries out its principal function, which circumstances indicate that the primary purpose of the display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for the vehicle.

Sign, Video Display: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Wall: A sign fastened to, or painted on, the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 12 inches from such building or structure.

Sign, Window: Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, or located within 15 feet of the identification, message, symbol, insignia, visual representation, logotype, or any other form which communicates information, can be read from off-premises contiguous property or public right-of-way.

Sign Face: The part of the sign that is or can be used to identify, advertise or communicate information or for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure

Specified Sexual Activities: Specified sexual activities means and includes any of the following:

- (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- (3) Masturbation, actual or simulated;
- (4) Human genitals in a state of sexual stimulation, arousal, or tumescence; or
- (5) Excretory functions as part of or in connection with any of the activities set forth above.

Specified Anatomical areas: Specified anatomical areas as used in this ordinance means and includes any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
- (2) Human male genitals in a discernable turgid state, even if completely and opaquely covered.

2. Article 4 of the Zoning Ordinance of Jasper County, as amended, is further amended to repeal definitions of the following terms contained therein: home occupation specialty; home occupational specialty sign; and roof integral.

3. Article 15 of the Zoning Ordinance of Jasper County, South Carolina as amended, is repealed.

4. Section 8:5.7 of the Zoning Ordinance of Jasper County, South Carolina, as amended, is repealed.

5. Section 17:2.2 of the Zoning Ordinance of Jasper County, South Carolina, as amended, is repealed.

Chapter 22, Signs, of the Jasper County Code of Ordinances, is repealed.

6. The Zoning Ordinance of Jasper County, as amended, is further amended to adopt Article 15 to read as follows:

ARTICLE 15: SIGN STANDARDS

- 15:1 Purpose and Effect
- 15:2 General Provisions- All Signs
- 15:3 Signs Not Requiring a Permit
- 15:4 Prohibited Signs
- 15:5 Temporary Signs
- 15:6 Standards
- 15:7 Illumination
- 15:8 Billboards
- 15:9 Non-conforming Signs and Billboards
- 15:10 Variances

15:1 Purpose and Effect

15:1.1 Purpose. The purpose of this Article is to allow signs to be erected, placed, established, painted, created, or maintained in the unincorporated areas of the County only in conformance with the standards, procedures, exemptions, and other requirements of this Article so the County may:

1. Encourage the effective use of signs as a means of communication in the unincorporated areas of Jasper County;
2. Maintain and enhance the aesthetic environment and the County's ability to attract sources of economic development and growth;
3. Ensure pedestrian and traffic safety;
4. Minimize the possible adverse effect of signs, such as distraction or nuisance, on nearby public and private property; and
5. Enable the fair and consistent enforcement of these sign restrictions.

15:1.2 Effect. The effect of this Article as more specifically set forth herein, is to:

1. Establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this Article;
2. Allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Article, but without a requirement for permits;
3. Provide for temporary signs without commercial messages in limited circumstances;
4. Prohibit all signs not expressly permitted in this Article; and

5. Provide for the enforcement of the provisions of this Article.

15:1.3 Jurisdiction. This article regulates signs, as defined in Article 4 and described more thoroughly in this Article, which are located on private property or on public property owned or controlled by public entities over which Jasper County has land use regulatory authority.

The regulations in this Article are supplemented by the requirements administered by the State of South Carolina Department of Transportation which regulates billboard signs on interstate and federal aid road systems. A permit from the State of South Carolina may contain some restrictions which are in addition to the requirements of this Article.

The regulations in this Article are minimum requirements. Whenever the requirements of these regulations differ from the requirements of any other lawfully adopted rules, regulations, or ordinances, the more restrictive, or that imposing the higher standards shall govern.

15:1.4 Administration Authority. The DSR is authorized and assigned the duty of enforcing all provisions of this Article.

15:1.5 Compliance and Permits.

1. No person shall construct, erect, place, display or maintain any sign in violation of this Article. To ensure compliance with this Article, a sign permit shall be required for all signs, except as provided herein. A sign permit application must be filled out at the time of application for a new structure, subdivision, or PDD. All billboard sign permits must be renewed yearly. All sign permit fees, including billboard sign permit renewal fees will be included in the County's fee schedule ordinance.
2. A Sign Permit shall expire after six (6) months from the date of its issuance unless the sign, and all items required by the permit, have been completed in compliance with the permit.
3. Any permitted sign, which complies with the provisions of this Section, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall require a new permit pursuant to this Section, unless the proposed alteration is specifically exempt in Section 15:3.
4. Any legal sign which does not comply with the provisions of this Section solely due to the enactment of an amendment shall, upon the effective date of such amendment, become a non-conforming sign and subject to the provisions of Section 15:9.
5. Fees and tags for billboards are required annually:
 - a. All billboard fees are due by January 1 of each year. Any fees not paid by February 1 will be subject to a late fee of 1 ½ percent per month.

Any sign fees not paid within 90 days will result in all permits being revoked and the owner will be given 60 days to remove the sign or the County will remove the sign at the owners' expense.

- b. All billboard will be considered business property and will be subject to property taxes of the sign company.
- c. All signs must have an approved County sign number tag applied in such manner as to be readily viewable from the adjacent roadway.

15:1.6 Submission Requirements. The following information shall be submitted with an application for a Sign Permit:

1. An application form as published by the DSR and appropriate fee.
2. Scaled drawings of the proposed sign showing front and side elevations, materials and colors to be used;
3. For freestanding, billboard, monument and director signs, site plan sketch with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and buildings, parking areas, existing freestanding signs, and buffer areas.
4. Landscaping and Lighting Plan, or a written statement stating there will be none, and any existing site improvements;
5. For wall signs, a scaled drawing showing the entire wall or tenant space façade, the proposed sign location, and any existing wall signs;
6. Written certification from a registered South Carolina engineer or architect that the sign is structurally sound and safe, does not constitute a hazard to persons or property on the premises, on adjoining property, or in the vicinity, and that the sign is in compliance with all building or other construction codes and the requirements of this Ordinance, for all freestanding, monument and directory signs exceeding thirty-six (36) square feet;
7. Twelve (12) copies of the complete application form and all attachments when the Sign Permit goes before the Planning Commission (billboards allowed through cap and replace provisions);
8. Identification of landowner and/or leaseholder of property on which the sign is to be erected, including street address (billboards allowed through cap and replace provisions).

15:1.7 Action by DSR. The DSR will approve, or approve with conditions, a permit if a sign application conforms to the standards of this Article. The DSR will deny a permit if a sign application does not conform to the standards of this Article.

15:1.8 Approval by the Planning Commission. The Planning Commission must approve, approve with conditions or deny all applications for new billboards, digital billboards or alterations to an existing digital billboard. A permit will be issued after the Planning

Commission has approved the application. Section 15:7.2 includes the criteria Planning Commission will use for digital billboards and Section 15:8.2 for new billboards through the cap and replace provision. The Planning Commission may require adjustments to the design and site location of proposed signs and reasonable conditions may be attached to an approval.

15:2 General Provisions- All Signs

15:2.1 Construction Standards. All Signs shall comply with the appropriate provisions of the County's Building Code, and shall maintain clearances from all overhead electrical conductors in accordance with the National Electric Code. In addition:

1. Signs shall be installed at least ten (10) feet horizontally or vertically from any conductor;
2. All electric wiring associated with a freestanding or directory sign shall be installed underground;
3. Signs must be constructed of non-combustible materials;
4. Signs shall be designed and constructed in such a manner and of such materials do that they are able to withstand wind pressure of at least 20 pounds per square foot or 75 miles per hour;
5. Signs, including any cables, guy wires or supports shall be located at least four (4) feet from any electric fixture, street light, or other utility pole or standard.

15:2.2 Sign Maintenance. To insure that all signs are maintained in a safe and aesthetic manner, the following maintenance requirements shall apply:

1. No sign shall be allowed to have more than 20% of its Sign Face, reverse side, or structure covered with disfigured, chipped, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days;
2. No sign shall be allowed to remain with a bent or broken Sign Face, broken supports, loose appendages or struts, or stand more than 15 degrees away from the perpendicular for a period or more than 30 successive days;
3. No sign shall be allowed to have weeds, trees, vines, or other wild vegetation growing upon it for a period of more than 30 successive days;
4. No indirect or internally illuminated sign shall be allowed to have only partial illumination for a period of more than 30 successive days; and
5. Reverse sides of signs shall be properly finished with no exposed electrical wires or protrusions and shall be of one color.
6. No sign may remain vacant for 180 days. Should such occur, all permits will be revoked and the sign owner will have 60 days to remove the sign, or the County will remove the sign at the owner's expense.

7. If the DSR determines that a sign does not meet the previous maintenance requirements or the sign was constructed or erected in violation of the regulations in the Article, notice shall be given to the property owner and the business proprietor. If the violation is not corrected within fifteen (15) days after such written notice, such sign may be removed by the County at the expense of the owner.
8. The DSR may cause any sign which is an immediate peril to persons or property to be removed summarily and without any advance notice thereof to said Application and at the expense said owner.

15:2.3 Public Right-of-Way. Only public entities with right-of-way may have signage on or over the right-of-way. Otherwise, no portion of any sign shall overhang or encroach upon any public right-of-way.

15:2.4 Setbacks from Right-of-Way. All freestanding signs shall be set back at least ten (10) feet from the public right-of-way. Signs shall not be located within the vision clearance triangle at street intersections. The vision clearance triangle shall be determined by measuring back fifteen (15) feet from the intersecting rights-of-way and connecting the two (2) points.

15:2.5 Sexually Oriented Business Signs. Each sexually oriented business must display at least one (1) sign, easily discernible prior to the entering of the establishment, which identifies it as such by using the word "Adult" (for example, Adult Bookstore, Adult Cabaret, Adult Entertainment, etc.). All signs must be in compliance with this Article.

15:3 Signs Not Requiring a Permit

The following are allowed without permits under the following conditions.

1. Signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, or names of occupants on premises not having commercial connotations;
2. Flags- A maximum of three (3) flags per lot, the maximum size of each flag shall be 50 square feet."
3. Legal notices or identification, informational, and directional signs erected as required by governmental bodies;
4. Integral decorations or architectural features of buildings or grounds, except letters, trademarks, moving parts, or moving lights;
5. Signs not exceeding four (4) square feet in area directing and guiding traffic on private property;
6. Wall identification signs and commemorative plaques not more than four (4) square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event;

7. Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps;
8. Sandwich Board Signs- one sandwich board sign may be placed per lot for conforming or legal nonconforming business. The sign must be placed outdoors at the time of opening and removed prior to close of business. Sandwich board signs may not be placed in public right of way or obstruct sidewalks, pathways or walkways.
9. Non-Commercial Message Sign- A political sign shall not exceed eight (8) square feet per side and a total of 16 square feet in a residential district. A political sign shall not exceed 16 square feet per side and a total of 32 square feet in a non-residential district. The maximum height of a political sign is six (6) feet. The sign shall not be placed within a side yard setback area, as required under the zoning ordinance in the district in which the property is situated.

There shall be only one non-commercial message sign not pertaining to a specific event or election allowed per lot or parcel. If related to a specific event or election, the sign cannot be placed earlier than 60 days prior the event and must be removed within 7 days of the event. The owner of the property or the person in charge thereof shall be responsible for the removal of the signs. Signs must be confined wholly to placement on private property, with permission of the property owner and non-illuminated.

Notwithstanding anything to the contrary in the foregoing, non-commercial message signs not exceeding four (4) square feet in total area are permitted as window signs (i.e. as signs placed on the inside of windows of a structure so as to be visible from outside the structure).

Anything in this Article to the contrary notwithstanding, a sign permitted in this Article as an on-premises advertising sign may contain a lawful non-commercial message, except for traffic signs, railroad crossing signs, danger or other emergency signs, and directional signs.

10. Real Estate and Project Signs: shall be allowed without a permit provided the following restrictions for the type of sign used are met:
 - a. For single-family residential lots or units, one (1) real estate sign, not exceeding five (5) square feet in sign area per face and ten (10) square feet in total sign area, and if freestanding, not exceeding four (4) feet in height, shall be permitted. Property with two (2) or more street frontages shall be permitted one (1) additional sign per frontage.
 - b. For single-family subdivisions, multi-family, commercial, and industrial developments, one (1) real estate or project sign not exceeding forty-eight (48) square feet in sign area per face and ninety-six (96) square feet in total sign area, and if freestanding, not exceeding eight (8) feet in height, shall be permitted. Property with two (2) or more street frontages shall be permitted one (1) additional sign per frontage;

- c. Project signs shall not be erected prior to the issuance of a development permit and shall be removed prior to issuance of the final Certificate of Occupancy; and
- d. Real estate signs shall be removed within fifteen (15) days of the rent, sale, or lease of a property.
- e. Signs shall not be illuminated.

15:4 Prohibited Signs

The following signs are prohibited in unincorporated Jasper County.

1. Signs Imitating Traffic or Emergency Signals- No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, size, shape, or order of lights customarily used in traffic signal, on emergency vehicles, or on law enforcement vehicles, except as part of a permitted private or public traffic control sign;
2. Audible Signs;
3. Flashing Signs;
4. Searchlight Display Signs;
5. Moving Signs;
6. Signs Attached to or Painted on Selected Features- No sign shall be permitted which is attached to a utility pole or street sign, or is attached to or painted on tree trunks, rocks, or other natural objects;
7. Discontinued Use Signs- Signs which advertise a discontinued product, place person, institution, or business shall be removed within 30 days form the date of termination;
8. Signs containing banners, pennants, spinners or other moveable parts, streamers, balloons or beacons; except if allowed as a temporary sign by the DSR in accordance with Section 15:5.2.
9. Signs emitting odors, or visible matter such as smoke or vapor;
10. Bench Signs;
11. Inflatable Signs;
12. Snipe Signs. Signs erected, painted, posted, or affixed in any manner on benches, bus shelters, waste receptacles, unregistered/abandoned vehicles, utility poles, fences, or natural features such as trees;
13. Any sign which exhibits statements, words, or pictures of an obscene or pornographic nature including but not limited to photographs, silhouettes, drawings, titles, graphic or pictorial representations in any manner of “nudity or

- state of nudity,” “semi-nudity or state of semi-nudity,” “specified sexual activities,” or “specified anatomical areas”;
14. Signs which obstructs free ingress/egress from a required door, window, fire escape, or other required exit way;
 15. Signs and or sign structure which obstructs the view of, may be confused with, or purports to be a governmental or traffic direction/safety sign;
 16. Except as otherwise provided, temporary or permanent signs within any street right-of-way, except when erected or constructed by a public agency or with the approval of the County and upon issuance of an Encroachment Permit,;
 17. Signs of any kind shall be erected or displayed in any salt marsh areas or on any land subject to periodic inundation by tidal salt water;
 18. Digital signs and billboards, except billboards allowed by 15:7.2 and approved by Planning Commission (15:1.8);
 19. Any sign not expressly permitted;
 20. Any sign unlawfully installed, erected or maintained;
 21. Signs mount on vehicles and parked to attract attention to the business or use;
 22. String lights except when used for holiday decorations;
 23. Roof signs;
 24. Off-premise and off-site signs, except for billboards that are erected or constructed in accordance with Section 15:7.2.

15:5 Temporary Signs

The following signs shall require the issuance of a Temporary Sign Permit by the DSR prior to their erection. The permit shall cite the length of time any such sign may be displayed.

15:5.1 Location. All Temporary Signs must maintain at least a ten (10) foot setback from all property or right of way lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. However, no sign shall be allowed to violate any of the requirements of sight triangle clearance and sight visibility at intersections as provided in this Ordinance and the Land Development Regulations.

15:5.2 Types of Temporary Signs

1. Special Event Signs- One (1) portable sign or windblown sign shall be permitted in conjunction with special events in accordance with the following provisions: For the opening or closing of a business, special event or sale, promotional event, change of ownership or management events, such signs are permitted for a period not to exceed the timeframe and size limitation approved by the DSR.

Unless otherwise approved by the DSR, such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within (5) days after the event.

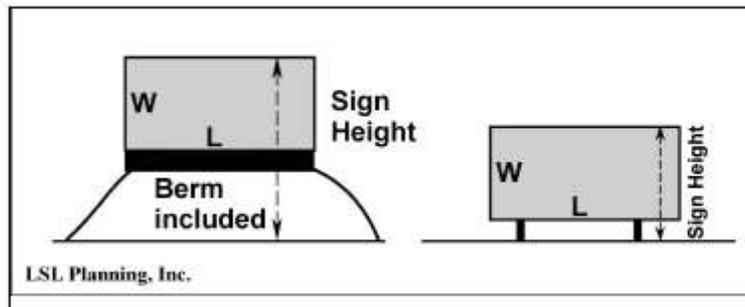
2. Temporary Signs announcing a Civic, Philanthropic, Educational, or Religious Event- such signs are permitted for a period not to exceed the timeframe and size limitation approved by the DSR. Unless otherwise approved by the DSR, such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within (5) days after the event.
3. Portable Signs- one portable sign may be placed per non-residential lot. Portable signs must be secured properly and such signs are permitted for a period not to exceed the timeframe and size limitation approved by the DSR.
4. Banner signs- Temporary banner signs of cloth or similar material that celebrates an event, season, community, neighborhood, or district and is sponsored by a recognized community agency or organization may be permitted for a period not to exceed the timeframe and size limitation approved by the DSR.

15:6 Standards

15.6.1 The following principles shall control the computation of sign area and height area:

1. Measuring of Sign Area: The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the Jasper County Zoning Ordinance regulations and is clearly incidental to the display itself;
2. Measuring Area of Multi-faced Signs: The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces; and
3. Measuring Sign Height:
 - a. The permitted height of all signs supported by the ground shall be measured from the level of the ground, finished surface, adjacent to the sign.
 - b. The permitted height of signs shall not be measured from an area of the ground that has been built-up or constructed in a manner that would have the effect of allowing a higher sign height than permitted by these

regulations (e.g. the height of signs erected on a berm shall be measured from the finished grade adjacent to the berm).



15:6.2 Location. Signs must be located at least a ten (10) feet from all property lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. Signs shall not be located within the vision clearance triangle at street intersections. The vision clearance triangle shall be determined by measuring back fifteen (15) feet from the intersecting rights-of-way and connecting the two (2) points.

15:6.3 Regulation for Signs

Sign Regulation					
Type	Zoning District	Maximum Sign Area (square feet)	Maximum Height (feet)	Maximum Sign Width (feet)	# of Faces Allowed
Freestanding Signs- Including Monument, Ground, Pedestal.	RC, RP, RE, R	25 per face, 50 total	Monument 6, Freestanding 8	10	2 back to back
	CC	40 per face, 80 total	Monument 6, Freestanding 8	12	2 back to back
	GC, ID, PDD	55 per face, 110 total	Monument 6, Freestanding 8	16	2 back to back
Freestanding Signs-Hanging Sign	GC, ID, CC, PDD	8 per face, 16 total	Top edge of sign face not to exceed 6 feet above ground level.	4	2 back to back
	RC, RP, RE, R	X	X	X	X
Wall Signs	GC, ID, CC, PDD	10% of wall. The total area of wall signs shall not occupy more than 10% of the area of the wall upon which they are placed.	80% of wall height.	80% of wall width.	One (1) sign per tenant per side. Tenant signs must be located on the façade of the tenant space being identified.
	RC, RP, RE, R	X	X	X	X
Projecting Signs	GC, ID, CC, PDD	8 per face, 16 total	Bottom of sign must be at least 8 feet above ground level or sidewalk.	4	Two (2) total faces. One sign allowed per business at business entrance.
	RC, RP, RE, R	X	X	X	X

Type	Zoning District	Maximum Sign Area (square feet)	Maximum Height (feet)	Maximum Sign Width (feet)	# of Faces Allowed
Directory Signs	GC, ID, CC, PDD	25 per face	8		Four (4) total faces. One sign is allowed per primary access.
	RC, RP, RE, R	X	X	X	X
Window Signs	GC, ID, CC, PDD	Not more than 25% of surface of window	n/a	n/a	n/a
	RC, RP, RE, R	X	X	X	X
Awnings and Canopies	GC, ID, CC, PDD	1/3 of canopy or awning	Bottom of awning or canopy must be at least 7 feet above ground level or sidewalk.	n/a	n/a
	RC, RP, RE, R	X	X	X	X

Additional Requirements from Table:

A. Freestanding Signs. Freestanding signs shall be separated by a distance of no less than five hundred (500) foot intervals along each street frontage of the premises.

- a. Each lot of record shall be allowed one (1) sign except a corner lot where a total of two (2) signs may be permitted, one on each road frontage, provided that the total linear frontage is a minimum of three-hundred (300) feet per side.
- b. Masonry bases must that match the associated building(s). Landscaping shall be planted to minimize the appearance of the poles or braces.

B. In lieu of a freestanding sign, a development may use signs on entrance structures such as fences or walls. The number of sign faces is limited to two (2) per entrance, on either side of the entrance, and confined to the entrance area. The distance between sign faces shall not exceed one hundred (100) feet. Such signs are subject to the size limitations of this Section.

15:6.4 Automotive Service Station/Convenience Market Signs. The following sign standards apply to automotive service station and convenience markets:

1. Freestanding and Wall Signs: One (1) freestanding sign and one (1) wall sign shall be permitted. Such signs shall meet total height and area requirements as set forth in Section 15:6.3, Freestanding Signs, and Section 15:6.4, Wall Signs;
2. Gasoline Pump Signs: Signs on gasoline pumps must be an integral part of the pump structure;
3. Product or Service Advertising
 - a. No more than four (4) product/service advertisements shall be allowed;
 - b. Signs must be grouped on one (1) sign structure per street frontage;
 - c. Individual product/service advertisements shall not exceed four (4) square feet in size;
 - d. None of the allowable signs on the same structure shall be duplicates.
 - e. Fuel Price Signs: One (1) double-face sign per street frontage, not to exceed twelve (12) square feet total area;
 - f. Rack or Cabinet Signs: Includes those signs, which are an integral part of a rack or cabinet, such as display of oil, wiper blades, etc;
 - g. Attention-getting Advertising Media: Banners, streamers, whirligigs, flashing, intermittent electrical or iridescent devices, and similar attention-getting advertising media are prohibited;
 - h. Signs Located on Buffer Wall: No sign for an automotive service station shall be placed, painted, or otherwise erected on any buffer wall; and
 - i. Signs Interfering with Site Distance: No sign or sign structure shall be positioned in such a manner that it interferes with any recognized vehicular sign, distance needs, or requirements.

15:7 Illumination

15:7.1. General Lighting.

1. Sign lighting shall be of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face. Examples of permissible illumination methods would include, but not limited to, the use of appropriate cut-off style light fixtures, the use of down-light fixtures adjusted so as to avoid spillover and interference with the vision of motorists, and the use of muted internal illumination in accordance with 15:7.4.
2. Use of glaring undiffused lights or bulbs shall be prohibited.
3. Use of exposed neon lighting, including neon banding, or exposed light bulbs is prohibited.
4. Lights shall be shaded so as not to project onto adjoining properties or thoroughfares.
5. Underground wiring shall be required for all illuminated signs not attached to a building.
6. All lighting fixtures or light sources for lighted signs shall be positioned and/or shaded so that the light source is not visible from normal pedestrian perspectives.
7. Lighting intensities for illuminated signs shall not exceed 10 foot-candles, measured at four (4) feet perpendicular to any surface.
8. External light sources used to illuminate a sign are not included in the measurement of a sign's area and/or height.
9. Colored lamps are not permitted except for electronic changeable copy signs as allowed under section 15:7.3.

10. Internal Illumination. Internal Illuminated signs are permitted within the Community Commercial, General Commercial and Industrial Development Zoning Districts. Where permitted, Internally Illuminated signs shall be subject to the following regulations:
 - a. Display Area- Internally Illuminated area of signs must be limited to 50% of the total allowed sign area.
 - b. Muted Lighting- Lamps within internally illuminated signs shall be muted so that individual lamps cannot be distinguished behind the sign face.

15:7.2. Digital billboards. Digital billboards are only permitted within the General Commercial Zoning District north of US 278 on SC 170 and in Point South. Digital billboards are subject to the cap and replace regulation, section 15:8.2. Where permitted, digital signs shall be subject to the following regulations:

1. Distance: The digital structure may be located no closer than one-thousand (1,000) feet to the Residential, Resource Conservation or Rural Preservation Zoning Districts. Measurement shall be from the residential zoning district to the outermost portion of each sign.
2. Spacing: No digital sign may be closer than two (2) miles to an existing digital billboard/off-premise advertising sign. Measurement shall be to the outermost portion of each sign.
3. Message Display Intervals – Each message appearing on a digital billboard face shall remain fixed for a minimum of eight seconds, and message changes shall be instantaneous and shall not contain such visual effects as fading or dissolving.
 - a. Dissolve. A mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
 - b. Fade. A mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

In no event shall revolving, flashing or intermittent illumination be allowed. Where allowed, a message shall be displayed a minimum of eight seconds. Transition from one message to the next shall be instantaneous and shall not contain such visual effects as fading dissolves, flashing, etc.

4. Illumination – Display brightness shall be adjusted as ambient light levels change and shall be subject to review and regulation as determined by the DSR.
5. Malfunction Display Lock – Digital billboards shall contain a default design that will freeze the sign in one position if a malfunction occurs or in the alternative shut down.

6. Emergency Information – The operator of a digital billboard shall at the request of the Jasper County Government make every effort to display emergency messages, such as Amber Alerts, road closures and evacuation information, as a public service and at no cost to requesting authority. Such messages shall be displayed in appropriate locations and with appropriate frequency until the emergency no longer exists or the authority requests termination.

15:7.3 Electronic Changeable Copy Sign. Electronic Changeable Copy Signs are permitted within the General Commercial and Industrial Development Zoning District. Where permitted, signs shall be subject to the following regulations:

1. Display Area- Changeable Copy Signs area must be limited to 20% of the total allowed sign area.
2. Display- No "Scrolling displays," or the vertical movement of a static message or display on an electronic changeable message sign. No "Traveling displays" or the horizontal movement of a static message or display on an electronic changeable message sign.
3. Content- Signs shall only provide public information such as gas price signs, time and temperature signs, and "open or closed" status.
4. Message Display Interval- These signs are only allowed to change when the content information changes; meaning the sign must be set in a non-flashing and non-animated mode. The electronic message shall not change of more than once every 8 hours and shall not use flashing or blinking characters. Information pertaining to gas prices, time and temperature, and "open or closed" status may change more frequently, but not more than once per 8 seconds.
5. Color- Text is limited to one color.

15:8 Billboards

15:8.1 Location. Billboards are prohibited in all areas except on interstate highways, expressways, and frontage roads where their right-of-way is contiguous to an Interstate highway or expressway; these signs, however, must be located within 200 feet of the right of way of the interstate or frontage road, if applicable.

No off-premise sign located along an interstate may be erected within 500 feet of an interchange or rest area. The interchange or rest area is considered to begin or end at the point where the pavement widens for an entrance or exit ramp.

15:8.2 Cap and replace. No new billboards are allowed outside of areas noted in 15:8.1 except through the cap and replace regulations. One new non-digital billboard can be placed in the GC or ID district if the advertising company removes three billboards from any other Zoning District. One digital billboard can be placed in the GC or ID District if the advertising company removes four billboards from any other Zoning District. Any new billboard must adhere to all the requirements of Article 15. Any new digital billboard must adhere to all requirement of Article 15 including 15:7.2. All new

billboards allowed through this regulation must be approved by the Planning Commission.

Sizes of digital billboards is limited to 75% of non-digital billboard size requirements.

15:8.3 Maximum Sign Face. The maximum Sign Face for any off-premise sign located along an interstate shall be 672 square feet plus a 10% allowance for copy extensions. A copy extension is the part of the copy which extends beyond the edge or border of the sign, sometimes called a “cut-out” or “drop-out.”

The Sign Face of off-premise signs on any other highway shall be 378 square feet plus 10% allowance for copy extensions.

15:8.3 Minimum Spacing. No off-premise sign located along an interstate shall be permitted to locate within 500 feet of another sign on the same side of the roadway. For non-interstate highways no off premise signs shall be permitted to locate within a 1,000 foot radius of another off premise sign.

15:8.4 Maximum Height. Off-premise signs along interstate highways shall be permitted to a height of 150 feet above the elevation of the highest travel lane at the location of the sign. The maximum height of off-premise signs along other roadways shall not exceed 35 feet above the elevation of the roadway.

15:8.5 Minimum Height. The minimum height of the display surface for off-premise signs located along interstate highways shall be 15 feet above the elevation of the highest travel lane at the location of the sign. The minimum height of the display surface of other off-premise signs shall be 15 feet above the elevation of the roadway, unless the Sign Face does not exceed 200 square feet and placement of the sign does not block visibility of an existing Identification Sign.

15:8.6 South Carolina Code Laws. The sign regulations contained in this Ordinance are supplemented by the requirements of The State of South Carolina Department of Transportation which regulates off-premise signs on interstate and federal aid road systems. A permit form the State of South Carolina may contain some restrictions which are in addition to the requirements of this Ordinance. Issuance of a Jasper County Zoning Permit does not imply approval of, or constitute a privilege to violate, any other applicable state or local ordinances, codes, laws, or private restricted covenants. Applicants are specifically reminded of the Jasper County Code of Ordinances as it relates to initial and recurring annual fee for off-premise signs.

15.9 Non-conforming Signs and Billboards

15:9.1 Non-conforming signs may continue in operation and maintenance, provided that non-conforming signs shall not be:

1. Changed to or replaced with another non-conforming sign. However, this provision shall not prohibit a change in copy or graphics on the sign face of the sign;
2. Replaced with a digital, LED, etc sign, except as allowed by 15:8.2 and consistent with 15:7.2

3. Structurally altered so as to extend their useful life;
4. Expanded;
5. Relocated, except in compliance with this Section; and
6. Reestablished after damage or destruction of more than fifty (50) percent of the replacement value of the same type sign at the time of such damage or destruction.

15:9.2 With the exception of Section 15.9.D.1.e, this Section shall not prevent repairing or restoring to a safe condition any part of a sign or sign structure, or normal maintenance operations performed on a sign or sign structure. The sign structure, or any of its members, may be replaced with only like or similar materials. Replacement may be made only on a pole for pole or member for member basis, and the original structure design may not be altered in any form. Lighting cannot be added to a non-illuminated sign.

15:9.3 When a sign is located on property which is condemned for right-of-way acquisition, one (1) of the following standards shall apply:

1. A sign which is not located in, and does not overhang the new right-of-way, may remain in place.
2. When a sign located on a state or federal aid highway must be relocated off the new right-of-way, it shall, at a minimum, comply with state standards for such relocation; and
3. When a sign located on a County road must be relocated off the new right-of-way, it shall comply, as near as possible, with the setbacks established in this Article.

15:10 Sign Variances

Any party who has been refused a sign permit for a proposed sign may file an appeal with in accordance with the Zoning Ordinance. In determining whether a variance is appropriate, the BZA shall study the sign proposal, giving consideration to any extraordinary circumstances, such as those listed below, that would cause practical difficulty in complying with the sign standards. The presence of any of the circumstances listed may be sufficient to justify granting a variance; however, the Zoning BZA may decline to grant a variance even if certain of the circumstances are present.

In granting a variance, the BZA may attach such conditions regarding the location, character, and other features of the proposed sign as it may deem reasonable. In granting a variance, the BZA shall state the grounds and findings upon which it justifies granting the variance.

1. Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions.
2. Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances

- exist, the Zoning Board of Appeals shall consider the width of the road, the number of moving lanes, the volume of traffic, and speed limits.
3. Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
 4. Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to: removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.
 5. Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.
 6. Variance from certain sign regulations would be offset by increased building setback, increased landscaping, or other such enhancements, so that the net effect is an improvement in appearance of the parcel, compared to the result that would be otherwise achieved with construction of a conforming sign.
 7. A sign which exceeds the permitted height or area standards of this Article would be more appropriate in scale because of the large size or frontage of the parcel or building.

Adjustment in Size, Location. The BZA may, upon application by the property owner, make reasonable adjustment in the size and location requirements for any sign, where such action meets the following standards:

1. A variance is deemed in the public interest;
 2. The variance would not adversely affect properties in the immediate vicinity of the proposed sign;
 3. The alleged practical difficulty supporting the variance request results from conditions that do not generally exist throughout the County, and denial of a variance would preclude all reasonable use of the property;
 4. Granting a variance would result in substantial justice being done, considering the public interests protected by the standards of this Article, the individual hardships that would be suffered by denial of the variance and the rights of others throughout the County whose property may be affected by granting the variance;
 5. The type of sign has been designed to make it compatible with the surrounding area.
6. This Ordinance shall take effect upon approval by Council.

Dr. George M. Hood
Chairman

ATTEST:

Judith M. Frank
Clerk to Council

ORDINANCE: # ___ - ___

First Reading: _____
Second Reading: _____
Public Hearings: _____ & _____
Adopted: _____

Considered by the Jasper County Planning Commission at it's meeting on
September 15, 2009 and recommended for approval.

It is required that the following Exhibit be attached before the second reading:

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Reviewed for form and draftsmanship by the Jasper County Attorney.

Marvin C. Jones

Date