

ORDINANCE NO.: 2008-111

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12, Signs

BE IT ORDAINED by the Mayor and Council this 4th day of March, 2009, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12, Signs, is amended to read as follows:

DIVISION 12. SIGNS

Sec. 17-401. Definitions.

In addition to the definitions set forth in section 17-55, the following definitions relate to signs:

Building frontage with a principal entrance means any outside wall of a building facing a street or parking lot that contains a primary building entrance. Buildings that have the primary entrance on the corner shall count the one wall with the greatest length towards this definition.

Changeable copy means sign copy that generally changes more often than once every 24 hours, either by hand or by an automated process.

Display surface area means that area of a sign including the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information or meaning. Sign support structures not bearing informational or representational matter shall not be included in computation of display surface area. Only one side of a double-faced sign shall be included in calculating the display surface area.

Marquee means a permanent roofed structure attached to and supported by a building.

Sign means any device designed to inform or attract the attention of persons not on the premises on which the device is located, including mobile signs and portable signs; provided, however, that the following shall not be included in the application of the regulations in this division:

- (1) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- (2) Flags and insignia of any government except when displayed in connection with commercial promotion.
- (3) Legal notices, identification, information or directional signs erected or required by governmental bodies.
- (4) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- (5) Signs directing and guiding traffic on private property, but bearing no advertising matter.

Sign, advertising means any sign which relates in its subject matter to products, accommodations, services or activities sold or offered elsewhere than upon the premises on which the sign is located. Mobile signs and portable signs may be advertising signs, and advertising signs include but are not limited to those signs commonly referred to as outdoor advertising signs, billboards or poster boards.

Sign, business means any sign which relates in its subject matter to the premises on which it is located, or to products, accommodations, services or activities offered, sold or engaged in on the premises. Mobile signs and portable signs may be business signs, but billboards or advertising signs are not business signs.

Sign copy means all words, letters, numbers, figures, characters, artwork, symbols or insignia that are used on a display surface area.

Sign, freestanding means a sign which is permanently affixed to the ground and which is not a part of a building or other structure.

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Sign, mobile means a sign which may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a portable sign in that it may be equipped for transporting by motor vehicle or other mechanical means, and includes signs referred to as trailer signs. These signs may be considered as either business signs or advertising signs according to their utilization. Any mobile sign used on the same lot for more than 45 days per year will be considered a freestanding sign.

Sign, portable means a sign which is movable by a person without aid of a motor vehicle or other mechanical equipment. Those signs may be considered as either business signs or advertising signs, according to their utilization.

Sign, projecting means any sign, other than a wall sign, which projects from and is supported by a building.

Sign support structure means any base, foundation, pedestal, pole, post, upright, brace, bracket, bar, rod, strut, cross-piece, frame, scaffold, girder, or other similar item designed to support the load and/or force of a sign's display surface area, regardless of whether or not such items are permanently attached to the ground.

Sign, wall means any sign attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than 12 inches from that wall or surface.

Sec. 17-402. Vision clearance for signs in front yard setback.

A sign may be located within a required front yard setback, provided that, prior to the issuance of a permit, the zoning administrator field verifies that the sign will not materially impede visibility of vehicles, visibility from vehicles on or off the premises, or visibility of pedestrians on or off the premises.

(a) All signs and/or sign support structures shall be maintained in sound structural condition.

(b) No sign and/or sign support structure shall be allowed to deteriorate to a condition in which it is unsightly in appearance or to a condition in which it requires repairs or renovations in an amount which exceeds 75 percent of its current replacement cost. For the purpose of this subsection, the phrase "unsightly in appearance" shall include but not be limited to the following conditions:

(1) Sign copy or sign support structures that are cracked, bent, broken, tattered, torn, rotted, peeling, chipping, fading, rusting, or otherwise deteriorating, especially such that the sign copy is no longer legible;

(2) Vegetation that is growing upon or clinging to sign copy or sign support structures, except where such vegetation, especially upon sign support structures, is part of planned and maintained landscaping;

(3) Exposed lighting or other electrical systems often associated with internally illuminated signs.

(c) Signs and/or sign support structures which deteriorate to conditions described within subsections (a) or (b) above are deemed to be in violation of this article, and as such must be either removed or improved, or the person responsible for maintaining the sign shall be subject to the penalties provided for the violation of this article, except that the following items shall not be improved, instead such items shall be removed upon the effective date of this amendment to the Zoning Ordinance regardless of condition and of the provisions within Division 7 of this Article:

(1) Sign copy that originally but no longer relates in its subject matter to products, accommodations, services, or activities sold on site;

(2) A display surface area that has not contained sign copy for any period of 12 consecutive months, and the associated sign support structure shall be removed as well; or

(3) A sign support structure that has not supported a display surface area for any period of 12 consecutive months.

Sec. 17-403. Maintenance

(a) All signs and/or sign support structures shall be maintained in sound structural condition.

(b) No sign and/or sign support structure shall be allowed to deteriorate to a condition in which it is unsightly in

appearance or to a condition in which it requires repairs or renovations in an amount which exceeds 75 percent of its current replacement cost. For the purpose of this subsection, the phrase "unsightly in appearance" shall include but not be limited to the following conditions:

- (1) Sign copy or sign support structures that are cracked, bent, broken, tattered, torn, rotted, peeling, chipping, fading, rusting, or otherwise deteriorating, especially such that the sign copy is no longer legible;
- (2) Vegetation that is growing upon or clinging to sign copy or sign support structures, except where such vegetation, especially upon sign support structures, is part of planned and maintained landscaping;
- (3) Exposed lighting or other electrical systems often associated with internally illuminated signs.

(4) Notwithstanding the provisions of Division 7 of this article, the fixed display surface area of a legal nonconforming outdoor advertising sign may be replaced in whole or in part by display surface area with changeable copy, except under no circumstance is changeable copy permitted upon an outdoor advertising sign when that sign is within 300 feet of any residential district, including property zoned PUD-R. Generally, this permissibility does not include the replacement of, or some other substantial alteration to, the sign support structure, except where existing metal sign support structures would be replaced with new metal sign support structures.

Sec. 17-404. Prohibited signs.

(a) *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 signals or on emergency vehicles or on law enforcement vehicles, except as a part of a permitted private or public traffic control sign.

(b) *Signs employing confusing, distracting or intense illumination.* No sign shall be permitted which utilizes intense flashing (strobe type) lights, flashing or blinking lights, or any type of pulsating or moving light which may impair the vision of or confuse, distract or unduly divert the attention of drivers of vehicles. The use of chaser lights utilizing individual lightbulbs rated at 15 watts or less, or the use of neon tubing having pulsating or flashing characteristics, is permitted, provided that the sign is not less than ten feet above the finished ground level and not less than 25 feet from any property line, measured at ground level nearest the sign. Signs that contain changeable copy, when the copy changes at a rate greater than or equal to that rate established within § 17-407, shall not be considered flashing or blinking for the purposes of this section.

(c) *Signs employing motion.* No sign shall be permitted which moves or presents the illusion of movement in any manner which may confuse, distract or unduly divert the attention of drivers of vehicles. Changeable copy shall not include animated, continuous, moving, rolling, scrolling, or fluctuating messages or video displays, except where the sign is not less than ten feet above the finished ground level and not less than 25 feet from any property line, measured at ground level nearest the sign.

(d) *Lighting.* No sign shall be illuminated in such a way that it casts illumination onto any residential premises located in any residential district in a manner which by intensity, duration, location or other characteristic is incompatible with the residential character of the district into which the illumination is cast. Signs that contain changeable copy produced by light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and ensure that the sign is visible but not necessarily radiant.

(e) *Advertising signs.*

(1) No sign shall be permitted which relates in its subject matter to products, accommodations, services or activities sold or offered elsewhere than upon the premises on which the sign is located except as allowed in the -CS Collector Street (Minor Thoroughfare) Sign Overlay District, the -AS Arterial Street (Major Thoroughfare) Sign Overlay District, and the -FS Freeway Sign Overlay District (See sections 17-255--17-257 and sections 17-313--17-315). Mobile signs and portable signs may be advertising signs, and advertising signs include but are not limited to those signs commonly referred to as outdoor advertising signs, billboards or poster boards. The total number of outdoor advertising signs within the City of Columbia shall not exceed the total number of outdoor advertising signs existing on February 1, 2000 except, in the event that unincorporated areas are annexed into the City of Columbia, the total number of allowable outdoor advertising signs shall

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be increased by the number of outdoor advertising signs existing in the territories annexed on the effective date of annexation. The ratio of replacement shall be:

- a. One square foot of new display surface area for each two square feet of existing non-conforming display surface area removed, where signage is removed for replacement anywhere except within a -FS freeway sign overlay district; or
- b. Two square feet of new display surface area for each one square foot of existing non-conforming display surface area removed, where signage is removed for replacement within a -FS freeway sign overlay district; or
- c. Three square feet of new display surface area for each one square foot of existing non-conforming display surface area removed from any location violating the spacing requirements of subsection. 17-313.(c)(6)b. Spacing from residential zoning districts, sub-section 17-313(c)(6)c. Spacing from rivers, and subsection 17-313(c)(6)d. Spacing from historic districts or structures, where signage is removed for replacement within a -FS freeway sign overlay district.

(2) Outdoor advertising sign structures removed shall be dismantled and removed in their entirety. Outdoor advertising signs removed under the provisions of this section shall not be eligible for permits without first executing a waiver of claims to compensation from the City of Columbia for such removal.

(3) Advertising signs are prohibited in C-1, C-2, C-4, C-5, C-6, PUD-R, PUD-C, PUD-LS and historic districts.

(4) Notwithstanding the provisions of Division 7 of this article, the fixed display surface area of a legal nonconforming outdoor advertising sign may be replaced in whole or in part by display surface area with changeable copy, except under no circumstance is changeable copy permitted upon an outdoor advertising sign when that sign is within 300 feet of any residential district, including property zoned PUD-R. Generally, this permissibility does not include the replacement of, or some other substantial alteration to, the sign support structure, except where existing metal sign support structures would be replaced with new metal sign support structures.

Sec. 17-405. Temporary signs.

Non-illuminated temporary signs may be erected in any district in addition to signs permitted otherwise, subject to the following provisions:

(1) *Temporary subdivision signs.* Temporary signs announcing a land subdivision development may be erected on the premises of the land subdivision, provided that those signs do not exceed 50 square feet in area, are set back at least 20 feet from any property line, are spaced at least 500 feet apart, and are removed not more than 30 days from such time as 75 percent of the lots are conveyed.

(2) *Craftsmen's signs.* Signs of craftsmen, artisans, house painters, contractors or subcontractors may be erected and maintained during the period that those persons are performing repair, remodeling, repainting or improvement work on the premises on which those signs are erected, provided that the size of the signs is not in excess of 12 square feet and that the signs are removed immediately upon completion of the work.

(3) *Contractor's signs on building under construction.* One sign displaying the names of the building, contractors, architects, engineers and similar information is permitted upon the premises of any work under construction or any work of major repair or improvement, provided that the sign does not exceed 60 square feet in area and the sign is removed within seven days after completion of the work.

(4) *Real estate signs.* One sign per street frontage offering real estate for sale, rent or lease is permitted, provided that the display surface area of each sign does not exceed ten square feet for residential property and 48 square feet for multifamily, commercial and industrial property. The sign must be located on the same property that is advertised for sale, rent or lease.

Sec. 17-406. Permitted signs.

Residential Districts. Signs are permitted in the D-1, RS-1, RS-1A, RS-2, RS-3, RD, RG-1, RG-1A, RG-2 and RG-3 districts subject to the following regulations:

(1) *Exempt signs.* Those signs excluded from regulation under the definition of "sign" in section 17-401 are permitted.

(2) *Temporary signs.* Temporary signs permitted in all districts as provided in section 17-405 shall be permitted.

(3) *Permanent subdivision signs.* Permanent signs displaying no information other than the name of the residential land subdivision in which they are located shall be permitted, provided that the signs do not exceed 20 square feet in area, do not encroach upon vision clearances established in sections 17-277 and 17-402, and are maintained in accordance with the provisions of section 17-403.

(4) *Group residential uses and nonresidential uses.* Signs relating to permitted group housing developments, mobile home parks, residential high-rise structures, and permitted nonresidential uses of a recreational, civic, charitable, fraternal, cultural, religious, educational, institutional, governmental and service nature, and not elsewhere regulated or specified, may be erected, subject to the following provisions:

a. *Size.* Such signs shall not exceed 20 square feet of display surface area per street frontage.

b. *Location.* Signs shall not exceed one sign per street frontage. If building-mounted, those signs shall be flat wall signs.

c. *Height.* If building-mounted, those signs shall not project above the roofline. If freestanding, those signs shall not exceed four feet above ground level when located in required front yards, or six feet above ground level when located elsewhere. All vision clearance established by sections 17-277 and 17-402 must be observed.

d. *Additional signs allowed.* In addition to those signs allowed under subsections (4) a, b and c of this section sign containing changeable copy related to activities or services conducted or offered on the premises may be erected per lot frontage, provided that the display surface area of such changeable copy does not exceed 20 square feet.

(5) *Advertising signs.* Advertising signs are prohibited in D-1, RS, RD and RG districts.

Commercial Districts. Signs are permitted in the C-1, C-2, C-3, C-4, C-5, C-6, UTD, MX-1, M-1 and M-2 districts subject to the following provisions:

(1) *Signs permitted in residential districts.* Signs excluded from regulation by definition, temporary signs, home occupation signs, permanent subdivision signs, group residential use signs and nonresidential use signs shall be permitted as for residential districts; provided, however, that signs meeting the requirements in this section shall also be permitted and that the least restrictive requirements for either residential or nonresidential districts shall prevail in nonresidential districts.

(2) *Display surface area.*

a. The total maximum display surface area of all business signs shall not exceed the following number of square feet for any individual lot:

1. C-1, C-2, C-6, MX-1, UTD : 150 square feet: plus 1 square foot for each linear foot of building frontage with a principal entrance in excess of 150 feet. The maximum display surface of all signs on one wall shall not exceed 15 percent of the wall to which it is attached. No single freestanding sign shall exceed 100 square feet.

2. C-3, C-4, C-5: 300 square feet plus 2 square feet for each linear foot of building frontage with a principal entrance in excess of 150 feet. The maximum display surface area of all signs on one wall shall not exceed 20 percent of the wall to which the sign is attached. No single freestanding sign shall exceed 150 square feet.

3. M-1, M-2: 500 square feet plus 1.5 square feet for each linear foot of building frontage with a principal entrance in excess of 500 feet. The maximum display surface area of all signs on one wall shall not exceed 20 percent of the wall to which the sign is attached. No single freestanding sign shall exceed 200 square feet.

b. Only one side of a double-faced sign shall be considered in computing allowable display surface area.

c. Notwithstanding the provisions of paragraph 2(a) of this section, in C-4 and C-5 districts, wall signs exceeding 300 square feet may be installed subject to the following restrictions: for wall signs installed on a building floor level or story five or more levels above grade, the maximum display surface area may be increased by 30 square feet for each floor level in

excess of five levels to the level of the site of the sign, up to a maximum sign size of 600 square feet per building face; the total display surface area of all such signs shall not exceed 1,200 square feet for any building; the total display surface area of all wall signs shall not exceed 20 percent of the total exterior surface wall area of the individual building.

d. Signs may contain changeable copy provided the copy shall remain fixed for a period of six seconds between changes.

e. Where the changeable copy consists of light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, or cathode ray tubes (CRTs), the actual change between sign copy shall be instant. Where copy changes by an automated other than those processes listed above (e.g. rotating panels, slats, or discs), the actual change between sign copy shall be accomplished within two seconds or less.

(3) *Number of signs.*

a. No more than the following number of signs shall be permitted for each street frontage for each business located on a lot:

1. C-1, C-2, C-6, MX-1: Three total signs, only one freestanding sign.
2. C-3, C-4, C-5: Four total signs, only one freestanding sign.
3. M-1, M-2: Four total signs, only one freestanding sign.
4. UTD: Three total signs, only one freestanding sign (non-illuminated), and no portable signs.
5. C-3A: Three total signs, only one freestanding sign, and no portable signs.

Mobile signs used as business or advertising signs shall be subject to this subsection (3)a.

b. In addition to the signs permitted under subsection (3)a of this section, one portable sign shall be permitted for each street frontage.

c. In addition to the signs permitted under subsections (3)a and b of this section, one sign not exceeding five square feet in area and located over the doorway to each service bay of a service station identifying the service provided therein shall be permitted.

d. All signs permitted by subsections (3) a, b and c of this section shall be subject to inclusion within the limitations upon display surface area.

e. Only one side of a double-faced sign shall be considered when computing the number of signs.

(4) *Location.*

a. Vision clearance. No sign shall encroach upon vision clearance as established in sections 17-277 and 17-402.

b. Location in front yard setback. Signs may be located within front yard setbacks as provided by section 17-402.

c. Wall signs. Wall signs may be located anywhere on any wall of a building.

d. *Projecting signs.* Projecting signs may project over public rights-of-way only where front yards of less than five feet in depth are provided, subject to the following regulations:

1. Such signs shall not extend more than two-thirds of the distance between the building and the curblin or nearest edge of the street surface, whichever is least.

2. No portion of any such sign shall be less than 12 feet above the surface of the street right-of-way.

3. If the front yard provided is increased by any means to exceed five feet, any such sign projecting over any public right-of-way shall be removed.

e. *Signs on marquees or canopies.* Signs on marquees or canopies projecting into a public right-of-way are subject to the provisions concerning projecting signs in subsection (4)d of this section, except that the length of projection in no case shall exceed the length of projection of the marquee or canopy to which they are attached, and further provided that such signs may not extend more than 24 inches below or more than four feet above the marquee or canopy to which they are attached.

f. *Freestanding signs.* Freestanding signs may be located within required front yard setbacks as provided by sections 17-402 and 17-277; however, no part of any freestanding sign or its supporting structure shall extend beyond a property line of the lot on which it is located.

g. *Location near residential district.* No sign within a commercial or industrial district shall be erected within ten feet from any residential district boundary line unless such sign would meet the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.

(5) *Height.*

a. *Freestanding signs.* No part of any freestanding sign or its supporting structure may exceed the following height:

1. C-1, C-2, C-3A, C-6: 15 feet.
2. C-3, C-4, C-5: 35 feet.
3. M-1, M-2: 50 feet.
4. UTD, MX-1: Four feet.

b. *Projecting signs.* No projecting sign shall project more than 20 feet above the highest point of the roof of the structure to which it is attached.

(6) *Political campaign signs.* Signs announcing candidates seeking public office or relating to any election or public referendum shall be permitted in all zoning districts of the city, in addition to other permitted signs in any particular zoning district, subject to the following provisions:

a. These signs shall be confined wholly to placement on private property;

b. These signs shall be removed within seven days after the election or referendum for which they were prepared has been decided; and

c. Signs located in required front yards must comply with sections 17-402 and 17-277.

(7) *Group commercial development.* Planning Commission may approve, as a part of or an amendment to a site-specific development plan, a freestanding sign for advertisement of multiple businesses located within the development. This may contain businesses located on the same lot as well as to businesses located on a different lot but within the development, provided:

(1) The lot or lots are contiguous with one another and constitute a cohesive development;

(2) Only one freestanding sign per street frontage is permitted regardless of the number of lots in the development;

(3) The display surface area shall not exceed that allowed under §17-407(2);

(4) In C-3 districts, if only one freestanding sign is used for the group development regardless of the number of street frontages, the height of that sign may be increased to 55 feet.

(8) *Interstate highway signage.* In addition to the signage permitted in this section, parcels in C-3, M-1, and M-2 districts that are contiguous to an interstate highway are permitted the following allowances:

(1) *Height.* One of the permitted freestanding signs may be 75 feet in height provided the sign is more than 200 feet from a lot zoned residentially and located along the lot line contiguous to the Interstate Highway.

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(2) *Size.* The total allowable display surface area may be increased by 25 percent and one freestanding sign may be 300 square feet provided it is located along the lot line contiguous to the Interstate Highway.

(9) *PUD-R and PUD-C Districts.* No specific regulations are imposed upon signs located in PUD-R and PUD-C districts. However, it is the intent of this article that signs within PUD-R and PUD-C districts be appropriate for the locations in which they are established, and that regulations governing the display surface area, number, location and height of signs should be generally followed as for the least restrictive zone related to site size of the development, as set forth in section 17-305.

Sec. 17-407. Signs on public property.

All signs permitted by encroachment in the public right-of-way shall meet the requirements set forth in this division.

Sec. 17-408 -- 17-410. Reserved.

Requested by:

Planning and Development Services

Approved by:

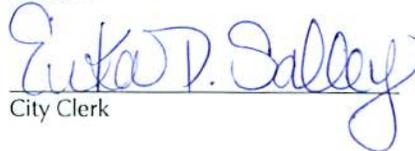
Interim City Manager

Approved as to form:

City Attorney


MAYOR

ATTEST:


City Clerk

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