

**ORDINANCE NO. 2021 – 11**

**TOWN OF BLUFFTON, SOUTH CAROLINA**

**AN ORDINANCE AMENDING THE TOWN OF BLUFFTON'S MUNICIPAL CODE OF ORDINANCES, CHAPTER 23, UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 3 – APPLICATION PROCESS, SEC. 3.19 (SITE FEATURE-HISTORIC DISTRICT) AND SEC. 3.21 (SIGN PERMITS); ARTICLE 5 – DESIGN STANDARDS, SEC. 5.13, (SIGNS) AND 5.15.6.Q., (OLD TOWN BLUFFTON HISTORIC DISTRICT, ARCHITECTURAL STANDARDS, SIGN GUIDELINES); AND ARTICLE 9 – DEFINITIONS AND INTERPRETATION, SEC. 9.2 (DEFINED TERMS)**

**WHEREAS**, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

**WHEREAS**, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

**WHEREAS**, the Town of Bluffton's Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town's citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

**WHEREAS**, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

**WHEREAS**, the Unified Development Ordinance unifies the subdivision, land use, development/design regulations, as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

**WHEREAS**, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

**WHEREAS**, the Strategic Plan for Fiscal Year 2021-22 ("Strategic Plan") serves as a road map for activities and initiatives to implement the Town's Vision and Mission Statement to ensure that Bluffton is poised to capitalize on opportunities that advance key goals, which includes amendments to the Unified Development Ordinance to support these goals; and

**WHEREAS**, Town Council held a workshop on March 9, 2021 to discuss current sign and related regulations that may require amendments to support the FY2021-22 Strategic Plan; and

**WHEREAS**, the Planning Commission held a public hearing on June 23, 2021 to review and recommend amendments to Town Council ; and

**WHEREAS**, the Town of Bluffton Town Council desires to amend the Unified Development Ordinance, Article 3 – Application Process, Sec. 3.19 (Site Feature-Historic District) and Sec. 3.21 (Sign Permits); Article 5 – Design Standards, Sec. 5.13, (Signs) and 5.15.6.Q., (Old Town Bluffton Historic District, Architectural Standards, Sign Guidelines); and Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms).

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA**, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

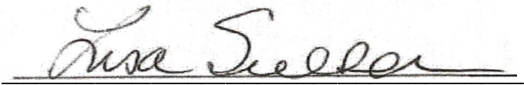
SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina by adopting and incorporating amendments to Chapter 23 – Unified Development Ordinance, Article 3 – Application Process, Sec. 3.19 (Site Feature-Historic District) and Sec. 3.21 (Sign Permits); Article 5 – Design Standards, Sec. 5.13, (Signs) and 5.15.6.Q., (Old Town Bluffton Historic District, Architectural Standards, Sign Guidelines); and Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms) as shown on Exhibit A attached hereto and fully incorporated herein by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this   10th   day of   August  , 2021.

This Ordinance was read and passed at first reading on July 13, 2021.



Lisa Sulka, Mayor  
Town of Bluffton, South Carolina



Kimberly Chapman  
Town Clerk, Town of Bluffton, South Carolina

A public hearing was held on this Ordinance on August 10, 2021.



Lisa Sulka, Mayor  
Town of Bluffton, South Carolina



Kimberly Chapman  
Town Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on August 10, 2021.



Lisa Sulka, Mayor  
Town of Bluffton, South Carolina



Kimberly Chapman  
Town Clerk, Town of Bluffton, South Carolina

## EXHIBIT A

### **3.19 Site Feature – Historic District (HD) Permit**

#### **3.19.1 Intent**

~~This Section is intended to provide procedures and standards for the review of Site Feature Applications within the Old Town Bluffton Historic District (HD) designated zoning districts and for all other historic structures throughout the Town of Bluffton. Review of Site Feature Application shall consider the following objectives:~~

- ~~A. Maintenance of the educational, cultural, and general welfare of the public through the preservation, protection, and enhancement of the old, historic, and/or architecturally significant structures and areas in the Old Town Bluffton Historic District (HD);~~
- ~~B. Maintenance of such structures as visible reminders of the history and cultural heritage of the Town of Bluffton as well as the Lowcountry region in accordance with the standards set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and~~
- ~~C. Ensure that activities described below respect and complement the eclectic character of the HD designated zoning districts.~~

This Section provides procedures for the review of Site Feature – Historic District (HD) Permit Applications by the UDO Administrator for those properties within zoning districts with a “Historic District” (HD) designation.

#### **3.19.2 Applicability**

~~A. Permit Required. The following activities require approval of a Site Feature Permit: A Site Feature – Historic District (HD) Permit is required for the following:~~

- ~~1. Minor exterior modifications that do not alter the exterior architectural character;~~
- ~~1. 2. Signs; Signs, to include new signs, modifications to existing signs, or replacement of existing signs. Certain signs, as indicated in Sec. 5.13.3, are exempt from the Site-Feature-Historic District (HD) Permit requirement.~~
- ~~32. Modifications or improvements to site elements, such as ~~changes to~~ parking lots, sidewalks, landscaping, and lighting.~~
- ~~43. Garden Structures, as specified in Sec. 5.15.5;~~
- ~~54. Ordinary maintenance and repair of any of the existing features of a structure that does not involve a change in design, or outward appearance. Materials shall be a like for like replacement or equivalent to be reviewed and approved by the UDO Administrator; and Maintenance or repair of any features of an existing structure or building that do not alter such features or change the design, architectural character, or outward appearance, as determined by the UDO Administrator. Any replacement material shall be like-for-like, or an equivalent material that is approved by the UDO Administrator; and~~

~~65. Exterior non-structural work of a minor nature that includes modifications or renovations to an existing building or structure. Such work is discouraged on the principle façade, as it is the intent of this section to preserve the outward appearance of the building or structure. Examples of allowable work include, but are not limited to, adding screens or balustrades to an existing porch, new decks without a roof covering, and improvements made for ADA accessibility.~~ Minor, non-structural exterior modifications to existing structures and buildings that do not alter the architectural character. Examples of such work include, but are not limited to, the addition of screens or balustrades to an existing porch, the addition of a deck without a roof, and accessibility improvements for compliance with the Americans with Disabilities Act. To preserve the outward appearance of a building or structure, such work is discouraged on the principal façade.

~~B. Permit Not Required. Any activity that is not determined by the UDO Administrator to be a Site Feature or subject to the requirements of the Certificate of Appropriateness Historic District shall not require approval of a permit. Any activity determined by the UDO Administrator not to be a Site Feature or subject to a Certificate of Appropriateness – Historic District (HD) review, as described in Sec. 3.18.2, shall not require a Site Feature – Historic District (HD) permit.~~

### 3.19.3 Application Review Criteria

~~The UDO Administrator shall consider the following criteria in assessing an application for Site Feature:~~ As applicable, the following shall be considered in reviewing an application for a Site Feature – Historic District (HD) Permit:

- ~~A. The application must be in conformance with applicable provisions provided in Article 5, Design Standards; and~~ Conformance with applicable provisions provided in Article 5, Design Standards;
- ~~B. The application must comply with applicable requirements in the Applications Manual. For signs, conformance with the following applicable provisions:~~
  - 1. Sec. 5.12, Lighting
  - 2. Sec. 5.15.6.Q., Signs; and,
  - 3. Sec. 7.10, Nonconforming Signs;
- ~~C. For historic structures, in addition to the above and as applicable, conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.~~
- ~~D. Compliance with applicable requirements in the Applications Manual.~~

### 3.19.4 Effect and Expiration of Approvals

- ~~A. Approval. Issuance of a permit shall authorize the Applicant to install the site feature as specified by the permit. The issuance of a Site Feature – Historic District (HD) Permit shall authorize the Applicant to either install, modify, or replace the site feature as specified by the permit. When a Building Permit is required to install, modify, or replace a site feature, an approved Site Feature – Historic District (HD) Permit shall be provided at time of Building Permit application.~~
- ~~B. Expiration. Approval of a Site Feature HD permit shall expire two years from the date of its issue unless an appreciable amount of improvement or development commences and proceeds to completion in a timely and customary manner in accordance with the Site Feature HD permit.~~

Approval of a Site Feature – Historic District (HD) Permit shall expire two (2) years from the date of its issue unless an appreciable amount of improvement or development commences and proceeds to completion in a timely and customary manner in accordance with the Site Feature – Historic District (HD) Permit, as determined by the UDO Administrator.

### **3.21 Sign Permit**

#### **3.21.1 Intent**

~~This Section is intended to provide procedures and standards for the review of *Sign Permit Applications*. Review of Sign Permit Applications shall consider the following objectives:~~

- ~~A. Encourage a high degree of design quality in the context of the overall image and visual environment of the Town of Bluffton, as well as encourage designs that are in aesthetic harmony with their location on buildings and surrounding area;~~
- ~~B. Promote the public welfare and property values by preserving the aesthetic qualities of the natural environment and Bluffton vernacular architecture and reducing visual clutter;~~
- ~~C. Protect pedestrians, motorists and property by ensuring that signs do not create hazards due to distractions, collapse, fire, collision, or decay;~~
- ~~D. Promote the efficient transfer of general public and commercial information by improving the legibility and effectiveness of signs through the control of their number, location, size, appearance and illumination; and~~
- ~~E. Stimulate the economic vitality of the Town of Bluffton and encourage a business atmosphere that continues to attract new enterprises to the Town of Bluffton.~~

This Section provides procedures for the review of Sign Permit Applications.

#### **3.21.2 Applicability:**

- ~~A. **Permit Required.** A Sign Permit is required to install signage on any property, replace existing signage, or modify existing signage. A Sign Permit is required to install, modify, or replace existing signage in all areas of Town except for those properties within zoning districts with a “Historic District” (HD) designation. For HD-zoned properties, a Site Feature-Historic District (HD) Permit is required per Sec. 3.19. Allowable sign types are indicated in Sec. 5.13 or within the approved Development Agreement for certain PUD-zoned properties.~~
- ~~B. **Permit Not Required.** A Sign Permit is not required for the following:~~
  - ~~1. Signage located in the Old Town Bluffton Historic District (HD) designated zoning district. Instead, an application permit for a Site Feature – Historic District is required; and~~
  - ~~2. Signs as defined in Article 5, Design Standards to be exempt from obtaining a Sign Permit.~~

Certain signs, as indicated in Sec. 5.13.3, are exempt from the Sign Permit requirement.

### 3.21.3 Application Review Criteria

The UDO Administrator shall consider the following criteria in assessing an application for Sign Permit:

- ~~A. The application must be in conformance with applicable provisions provided in Article 5, Design Standards;~~
- ~~B. The signage is compatible with the surrounding natural area and the character of structures and architecture in the vicinity; and~~
- ~~C. The application must comply with applicable requirements in the Applications Manual.~~

As applicable, the following shall be considered in reviewing an application for a Sign Permit:

- A. Sec. 5.12, Lighting;
- B. Sec. 5.13, Signs;
- C. Sec. 7.10, Nonconforming Signs;
- D. For certain properties with a Planned Unit Development zoning designation, the approved Development Agreement; and
- E. Compliance with applicable requirements in the Applications Manual.

### 3.21.4 Effect and Expiration of Approvals

- A. **Approval.** ~~The issuance of a sign permit shall authorize the Applicant to either install or modify signage as specified by the permit or apply for a building permit, if applicable. The issuance of a Sign Permit shall authorize the Applicant to either install, modify or replace signage as specified by the permit approval. When a Building Permit is required to install, modify or replace signage, proof of an approved Sign Permit shall be provided at time of Building Permit application.~~
- B. **Expiration.** ~~Approval of a Sign permit shall expire two years from the date of its issue unless an appreciable amount of improvement or development commences and proceeds to completion in a timely and customary manner in accordance with the Sign permit. Approval of a Sign Permit shall expire two (2) years from the date of its issue unless an appreciable amount of improvement or development commences and proceeds to completion in a timely and customary manner in accordance with the Sign Permit as determined by the UDO Administrator.~~

## 5.13 Signs

*[Note: Existing Text for 5.13 to be repealed in its entirety and replaced with the below text.]*

### 5.13.1 Intent

The purpose of this Section is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. More specifically, this Section is intended to:

- A. Balance public and private objectives by allowing adequate means for both commercial and non-commercial messages;

- B. Encourage signs as an effective channel of communication while preventing visual clutter that will detract from the aesthetic character of the Town;
- C. Protect and improve the local economy and quality of life by preserving and enhancing the appearance of the streetscape;
- D. Maintain and enhance the Town's appearance by regulating the location, number, type, quality of materials, size, illumination, and maintenance of signs;
- E. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or motorists;
- F. Provide clear and unambiguous sign standards that enable fair and consistent enforcement;
- G. Further the goals of the Old Town Bluffton Historic Master Plan by promoting signage that complements the historic, eclectic character and human-scale environment of Old Town; and,
- H. Ensure that the constitutionally guaranteed right of free speech is protected.

### **5.13.2 Applicability**

- A. This Section shall apply to all properties within the Town except where otherwise specified by this UDO. For properties with a Historic District (HD) zoning designation, Sec. 5.15.6.Q. shall also apply; however, where a standard exists in this Section and in Sec. 5.15.6.Q., Sec. 5.15.6.Q. shall govern. For properties within a Planned Unit Development zoning designation, where a standard exists in this Section and the approved Development Agreement, the approved Development Agreement shall apply and govern.
- B. A sign may be installed, placed, painted, modified, maintained or replaced only in conformance with the requirements of this UDO.
- C. The effect of this Section, as more specifically set forth herein, is:
  - 1. To allow a variety sign types subject to the standards and the permit procedures of this UDO;
  - 2. To exempt certain signs that are small, unobtrusive, and incidental to the principal use of the lot on which they are located, subject to the requirements of this UDO, but without a requirement for permits; and
  - 3. To prohibit all signs not expressly permitted in this UDO.
- D. **Regulatory Interpretations:** The provisions of this UDO, as they relate to signs, shall be applied in a content neutral manner. Non-communicative aspects of all signs, not related to the content of the sign, shall comply with the provisions of this Section. "Non-communicative aspects" include the time, place, manner, location, size, height, illumination, spacing, and orientation of signs.

### **5.13.3 Exempt Signs**

The following signs are exempt from the permit requirements of this UDO, and do not count toward the maximum sign area limitation for a site, provided that they conform to the requirements of this UDO. Exempt signs shall not be located within the public right-of-way without an approved encroachment permit.



- A. **Address:** One (1) address identification sign per establishment that does not exceed four (4) square feet. Address signs may include the building or residence name.
- B. **Certain Planned Unit Development-designated Properties:** Signs within a Planned Unit Development designated zone where access to the general public is restricted by security and where signs are not visible from any public right-of-way or navigable waterway.
- C. **Commercial Displays on Vehicles:** Displays on vehicles related to the goods or services provided by the vehicle owner or operator and public transit/public carrier graphics on properly licensed buses, taxicabs, and similar vehicles for hire that legally pass through the Town.
- D. **Directional/Informational Signs:** Directional/informational signs not more than 1.5 square feet in sign area for the direction or convenience of the public, such as outlining or assisting vehicle and pedestrian circulation within a site; egress; ingress; and, any public facilities, such as restrooms, telephones, walkways, and other similar features. Such signs shall be consistent with the architectural and colors of associated principal structures.
- E. **Flags.**
  - 1. Flags that do not display a commercial message shall be erected and located in accordance with the following standards:
    - a. **Number Per Lot:** For PR, AG, RG and RMU zones, no more than two (2) flags. For NC, GMU and LI zones, no more than three (3) flags.
    - b. **Location:** Flags shall be attached to a stand-alone flagpole not located within a required setback or on a flagpole attached to a building. Flagpoles attached to a building shall not be roof mounted or mounted to extend over the roof line or parapet.
    - c. **Area and Height (Maximum):** 32 square feet per flag with a stand-alone flagpole height of no more than 30 feet.
- F. **Government Signs:** Official notices issued by a court, public body, or office and posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; or other signs required or authorized by law.
- G. **Historic Plaques and Commemorative Signs:** Historic plaques, memorial signs or tablets, or commemorative signs indicating names of buildings and dates of building erection, either attached to or freestanding, with a maximum allowable sign area of 10 square feet per sign. Freestanding signs shall not exceed 10 feet in height.
- H. **Interior Signs:** Signs that are in the interior areas of site not visible from the public right-of-way, and signs that are in the interior of a building visible from a public right-of-way and at least one (1) foot from a window, door, or other exterior wall opening unless otherwise permitted by this Section.
- I. **Manufacturer's Mark:** Manufacturer's marks, including signs on items such as vending machines, gas pumps, and ice containers with a maximum allowable sign area of four (4) square feet per sign.
- J. **Nameplate:** One (1) nameplate attached to a building wall for each establishment not to exceed four (4) square feet in area indicating the name of the establishment.
- K. **Suspended Signs:** One (1) suspended sign located under a canopy, colonnade or arcade for each establishment not to exceed four (4) square feet.

#### **5.13.4 Prohibited Signs**

Unless otherwise and specifically permitted elsewhere in this UDO, the following sign types are prohibited.

- A. **Animated or Moving Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar sign with visibly moving or rotating parts or visible mechanical movement of any kind, including electronic message centers.
- B. **Balloons, Inflatable Signs, Streamers, Pennants and Other Attention-Getting Devices.** Balloons, inflatable signs, streamers, pennants and other attention-getting devices designed to move, that direct, promote, or that are otherwise designed to attract attention.
- C. **Certain Illuminated Signs:** Internally illuminated signs, signs which contain visible light sources, neon signs, and bare bulb illumination are prohibited.
- D. **Fence Signs:** Signs attached or painted on fences, not including screens attached to fences to obscure construction and project sites that include the project information or participants.
- E. **General Advertising:** Signs that publicize or promote other businesses or causes in contrast to self-promotion, on-site sales, or on-site advertising. General advertising is also known as advertising for hire.
- F. **Mobile Billboards:** Any sign carried or conveyed by a vehicle for the primary purpose of general advertising for hire. This prohibition eliminates mobile billboard advertising within the Town to reduce traffic congestion, promote the safe movement of vehicular traffic, to reduce air pollution, and improve the aesthetic appearance of the Town. This prohibition does not apply to displays on vehicles related to the goods or services provided by the vehicle owner or operator and public transit/public carrier graphics on properly licensed buses, taxicabs, and similar vehicles for hire that legally pass through the Town.
- G. **Off-premises Signs:** Except as expressly permitted by this UDO, off-premises signs are prohibited.
- H. **Portable Signs:** Except as expressly permitted by this UDO, portable signs are prohibited.
- I. **Roof Signs:**
  - 1. Attached signs that extend above the roofline or parapet (whichever is higher) of a building with a flat roof.
  - 2. Attached signs that extend above the deck line of mansard or false-mansard roof.
  - 3. Signs on rooftop structures, such as penthouse walls or mechanical enclosures.
- J. **Search Lights and Klieg Lights:** Search lights and Klieg lights when used as attention-getting devices.
- K. **Signs Located in the Public Right-of-Way or on Public Property:** Other than official government signs or warning signs required by law, no sign can be placed in or project into the public right-of-way or on public property unless authorized by an encroachment permit.
- L. **Signs on Terrain:** Signs erected, displayed, cut or burned into terrain, including salt marshes or areas subject to periodic inundation by tidal salt water shall be prohibited.
- M. **Signs Affixed to Trees:** Signs affixed to or cut into trees or other living vegetation shall be prohibited.
- N. **Signs Affixed to Utilities:** Signs affixed to telephone poles, light poles and any other utilities that are not related to the utility.
- O. **Signs Creating Traffic or Pedestrian Safety Hazards:**
  - 1. Signs that obstruct use of any door, window, fire escape or other exit way.
  - 2. Signs that impede norm pedestrian use of public sidewalks. A minimum unobstructed width of 36 inches must be maintained.
  - 3. Signs that constitute a traffic hazard or obstruct the view of traffic, any authorized traffic sign, or signal device.

- 4. Signs that create confusion, distraction or conflict with any authorized traffic sign or signal device due to color, location, wording (such as “stop” or “danger”), or use of specific phrases, symbols, or characters.
- P. **Signs Producing Noise or Emissions:** Signs producing visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line shall be prohibited. This prohibition excludes menu boards with voice units at drive-through facilities.
- Q. **Signs for Prohibited Uses:** Signs displaying a commercial message promoting a business that is a prohibited use and has not been established as a legal nonconforming use.
- R. **Signs that are Obscene:** Signs containing indecent words, photographs or depictions as defined, interpreted and provided in Section 16-15-305(B), (C), (D), and (E) of the South Carolina Code of Laws.
- S. **Unauthorized Signs:** Signs shall not be placed on private or public property without the permission of the property owner.

#### **5.13.5 General Requirements**

- A. **Applicable Codes:** In addition to complying with the provisions of this UDO, all signs must be constructed in accordance with the International Building Code adopted by the State of South Carolina, the National Electrical Code, and all other applicable laws, rules, regulations, and policies.
- B. **Sign Permit Required:** Unless otherwise exempted or specified by this Section or elsewhere in this UDO, a Sign Permit, as provided in Sec. 3.21, is required to install, modify, or replace existing signage.
- C. **Sign Materials:** All permanent signs shall be constructed of the following rigid, weatherable materials: wood (painted, stained or natural); metal (copper, brass, galvanized steel or aluminum); Medium-Density Overlay board (MDO), High Density Urethane (HDU) or other recycled material finished to resemble wood; and, stucco; tabby; stone or brick. Canvas and fabric may be used for awning signs.
- D. **Illumination:** Illumination of signs is permitted as specified in Sec. 5.12 and as specified elsewhere in this UDO.
- E. **Changes to Copy of Approved Signs:** Changes to the copy of approved signs that were legally established and have not been modified to become illegal are exempt from permitting pursuant to this Section. Changes to copy do not include changes to the type or level of illumination of an approved sign.
- F. **Noncommercial Signs:** Non-commercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this UDO. For purposes of this UDO, all non-commercial speech messages will be deemed to be “on-site,” regardless of location.
- G. **Message Substitution:** A non-commercial message of any type may be substituted, in whole or in part, for any duly permitted commercial message, any non-commercial message may be substituted for any non-commercial message, and any on-site commercial message may be substituted for any on-site commercial message; provided that the Sign complies with all other portions of this UDO and is not otherwise prohibited.
  - 1. **No Additional Approval Required.** Such substitution of message may be made without any additional approval, permitting, registration, or notice to the Town. This provision prevents any inadvertent favoring of commercial speech over non-commercial speech or favoring non-commercial message over any other non-commercial message.

2. **Limitations.** This provision does not allow the following:

- a. Create the right to increase the total amount of signage for a parcel, lot, or land use;
- b. Affect the requirement that a sign structure or mounting device be properly permitted;
- c. Allow a change in the physical structure of a sign or its mounting device; or
- d. Authorize the substitution of an off-site commercial message in place of an on-site commercial message or in place of a non-commercial message.

H. **Setbacks and Encroachments:**

1. All freestanding signs shall be set back at least 10 feet from the public right-of-way, unless expressly permitted elsewhere in this UDO.
2. Signs mounted on private property may project into or above public property or the public right-of-way only with approval of an encroachment permit.
3. Signs shall not be located within or encroach into the vision clearance triangle at street intersections.

**5.13.6 Permanent Signs**

With the exception of Exempt Signs, and as specified elsewhere in this UDO, the following signs are the only permissible permanent sign types.

A. **Freestanding Signs**

1. **Number:**
  - a. A property with multiple street frontages may have one (1) freestanding sign per street frontage.
  - b. In lieu of a freestanding sign, signage for residential developments may be attached to entrance structures that are extensions of a wall or fence for the development. One (1) sign on each side of the entrance road is permitted provided that the distance between the two signs does not exceed 100 feet. Such signs are subject to the size limitations of this Section.
2. **Permitted Freestanding Sign Types:** Freestanding sign types are limited to monument, post and arm and double-post signs.
3. **Dimensional Standards:**

<b><u>Table 5.13.6.A</u></b>		
<b><u>Freestanding Sign Dimensions</u></b>		
	<b><u>PR, AG, RG, RMU Districts</u></b>	<b><u>NC, GMU, LI Districts</u></b>
<u>Sign Area (Max)</u>	<u>64 sf</u>	<u>128 sf</u>
<u>Sign Height (Max)</u>	<u>8 feet</u>	<u>10 feet</u>
<u>Sign Depth (Max)</u>	<u>18 inches</u>	<u>18 inches</u>

4. **Clearance:** Signs shall maintain a minimum clear height above of 8 feet above walkways.
5. **Distance from Grade:** The bottom edge of the freestanding sign shall not exceed three (3) feet in height from the lowest grade elevation at the base of the sign.
6. **Distance from Right-of-way:** Freestanding signs shall be at least ten (10) feet from a public right-of-way, placed parallel or perpendicular to the right-of-way and shall not be located within a vision clearance triangle.
7. **Changeable Copy:** Changeable copy signs are allowed for schools, churches, gas stations and public agencies, provided that the letters are hand-change only and not electronic. The changeable copy portion of the sign cannot exceed 30% of the sign area.

**B. Building Signs**

**1. General:**

- a. Excluding exempt signs, no more than two (2) building signs, as specified by this Section, are permitted per establishment.
- b. No more than 40 square feet of building signage is permitted per establishment regardless of whether the building sign types selected allow more combined square footage.

**2. Wall Signs:**

- a. **Size (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 40 square feet. For buildings with multiple establishments, the total permitted square footage is to be divided among the various establishments in the same building.
- b. **Location:** Wall Signs must be located on the façade of the establishment being identified.
- c. **Other:**
  - i. Wall Signs must be attached parallel to a building façade either flat to the facade or mounted within six (6) inches of the building façade.
  - ii. Walls Signs must be contained within a single wall panel or other architectural component upon which they are placed and shall not extend above the roof line or above a parapet wall. Windows, architectural details and accessways shall not be covered.
  - iii. An exposed raceway shall be finished to match the background wall or be integrated into the overall design of the sign.

**3. Window Signs:**

- a. **Number (Maximum):** One (1) Window Sign or glass door sign is permitted per establishment.
- b. **Dimensions (Maximum):**
  - i. Overall Percentage: 20 percent of a shopfront window.
  - ii. Width: Five (5) feet.
  - iii. Height: Three (3) feet.
- c. **Location:** Windows Signs shall be applied directly to the inside of the glass shall not be placed on a window higher than the second story.
- d. Window Signs shall have a clear background.

4. **Awning Signs:**

- a. **Number (Maximum):** Two (2) Awning Signs are permitted per establishment; however, a sign on the valance and on the slope of the same awning are individual Awning Signs, not one Awning Sign, and count as two (2) building signs.
- b. **Overall Sign Area (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 40 square feet.
- c. **Size of Sign on Sloping Plane (Maximum):** 50%
- d. **Sign Width (Maximum):** 75% of the valance width.
- e. **Height of Text and Graphics on Valance (Maximum):** Two (2) feet.
- f. **Location:** Awning Signs are permitted only over an active pedestrian entrance or window.

5. **Canopy Signs:**

- a. **Number:** No more than one (1) sign per canopy.
- b. **Overall Sign Area (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 40 square feet.
- c. **Height of Text and Graphics (Maximum):** Two (2) feet.
- d. **Depth of Sign (Maximum):** 11 inches
- e. **Exposed Raceway Height (Maximum):** 50% of the letter height. The raceway cannot be used as a sign background.
- f. **Other:** A Canopy Sign cannot extend outside the overall length of the canopy; however, the sign may extend above or below the canopy provided the sign complies with all other applicable standards.

6. **Projecting Signs:**

- a. **Dimensions:**
  - i. **Overall Sign Area (Maximum):** 9 square feet
  - ii. **Height (Maximum):** 3 feet
  - iii. **Width (Maximum):** 3 feet
  - iv. **Spacing from Building Façade (Minimum):** 6 inches (min), 1 foot (max)
  - v. **Depth of Sign (Maximum):** 6 inches

**5.13.7 Temporary Signs**

- A. **General:** In addition to any specific Temporary Sign type standards, as specified in this Section, Temporary Signs shall comply with the following standards:
  - 1. **Temporary signs must be located in a manner that maintains a minimum of 36 inches of unobstructed sidewalk clearance and that do not impede pedestrian traffic, vehicular traffic, parking and vision clearance triangles at street intersections;**
  - 2. **Temporary signs may not be constructed of or operated by electrical, electronic or mechanical parts, nor may temporary signs be illuminated.**
  - 3. **Temporary Signs shall not be located on public property or in public rights-of-way and must be confined wholly to placement on private property, with permission of the property owner.**
  - 4. **Temporary signs, in aggregate, may be displayed for up to 30 days in any 12-month period.**

5. Temporary signs not complying with the requirements of this Section are illegal and subject to immediate removal and may be disposed of by the UDO Administrator without notice or compensation.

**B. Special Event Signs:**

1. **Number (Maximum):** 1 per lot.
2. **Dimensions (Maximum):** No greater than 16 square feet and 6 feet in height, if freestanding.
3. **Time Period:** Unless otherwise specified by this Section, Temporary Signs may be erected no sooner than 14 days before an event and must be removed within seven (7) days after the event, drive, or other purpose served by the Sign is final. Any Sign that remains more than seven (7) days after the event shall be considered abandoned and may be removed and disposed of by the UDO Administrator without notice or compensation.

**C. Portable Signs:**

1. **Number (Maximum):** 1 per establishment.
2. **Width (Maximum):** Two (2) feet.
3. **Height (Maximum):** Four (4) feet.
4. **Time Period:** Portable Signs shall be removed when during the hours when the establishment is not open.
5. **Portable Signs shall be located on private property within 25 feet of the entrance to the establishment it identifies or within designated common area.**

**D. Real Property Sale, Rental and Lease Signs:**

1. **Individual Single-family Lots and Residential Units:**
  - a. **Number (Maximum):** One (1) sign per street frontage.
  - b. **Dimensions (Maximum):** 10 square feet of sign area. Freestanding signs shall not exceed five(5) feet in height.
2. **Areas Other than Single-family Lots and Residential Units:**
  - a. **Number (Maximum):** One (1) sign per street frontage.
  - b. **Dimensions (Maximum):** 64 square feet of sign area, with no sign face larger than 32 square feet. Freestanding signs shall not exceed eight (8) feet in height.
3. **Real Property signs shall be removed within seven (7) days of the sale, rental or lease.**

**E. Construction and Project Signs:**

1. **Number (Maximum):** No limitation.
2. **Dimensions (Maximum):** 32 square feet of sign area. Freestanding signs shall not exceed eight (8) feet in height.
3. **Time Period:** Construction and project signs shall not be erected prior to issuance of a development plan approval and shall be removed upon or prior to issuance of the final Certificate of Occupancy.

F. **Campaign Signs:**

1. **Number (Maximum):** No limitation.
2. **Dimensions (Maximum):** 6 square feet of sign area. Freestanding signs shall not exceed five (5) feet in height.
3. **Time Period:** Campaign signs shall not be erected earlier than 60 days prior to the election or referendum to which they apply and shall be removed within with seven (7) days after the election or referendum. Signs for candidates in a runoff election may be maintained until the final election to which the signs apply.

**5.13.8 Off-Premises Signs**

A. **Signs Related to Properties Designated Planned Unit Development**

When authorized by an approved Development Agreement, the following signs are permitted for properties designated Planned Unit Development (PUD).

1. **Identification Signs:** Where the primary entrance road to a PUD designated property is via a right-of-way or access easement that is not located within the boundaries of that PUD, one (1) off-premises identification sign shall be allowed. The sign shall be located within the entrance road right-of-way or easement and be solely for identifying the entrance to the PUD. Such sign shall be subject to the standards of this Section.
2. **Directional Signs:**
  - a. Within the boundaries of a PUD, freestanding off-premises directional signs are permitted to direct vehicular traffic within the development:
    - i. For Private Streets within the PUD Development: Such signs shall be located within 200 feet of an intersection, not have a sign face greater than 20 square feet, and be limited to the name of internal destinations, including arrows. Such signs shall comply with other freestanding sign requirements of this Section.
    - ii. For Public Streets external to the PUD Development: Such signs must be located within one mile of the main entrance road to the development. Signs shall not have a sign face greater than 40 square feet and shall be limited to the name of the PUD, directions and distance to the PUD, and establishments within the PUD. Graphics are limited to a logo and directional arrows. No more than two (2) sign structures can be placed at an intersection for any one PUD, and no more than three (3) such signs are permitted for the overall development. Such signs shall comply with other freestanding sign requirements of this Section.

**5.13.9 Master Sign Plan**

- A. A master sign plan regulates signage for major subdivisions, multiple establishments within a building or complex and Planned Unit Development designated properties to integrate the design and placement of signs with the overall development design to achieve an orderly, unified appearance. A master sign plan is required for new developments and sign modifications.
- B. A master sign plan shall:
  1. Establish the allowable area and location of signage to be allocated to each establishment under the new plan for all allowed permanent sign types.



2. Provide consistency among signs with regard to at least four (4) of the following: materials; location of each sign on the building; sign proportions; color scheme; lighting; lettering or graphic style.
3. Indicate existing nonconforming Signs, if any, and the amount and location of on-premises signage to be allocated to each establishment.

#### **5.13.10 Sign Maintenance**

Each sign displayed within the Town, including exempt signs, shall be maintained to comply with the following standards:

- A. The display upon any sign area of a sign shall be maintained in good condition, without rips, tears, and similar damage.
- B. All parts, portions, units and materials composing a sign, together with the frame, background, surface, support or enclosure therefore shall be maintained in a safe condition, painted, and adequately protected from weathering with all braces, bolts and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute a nuisance.
- C. Any Sign or Sign structure that is sagging, leaning, fallen, decayed, broken, deteriorated, or other dilapidated condition shall be promptly repaired, to the satisfaction of the Town, or removed.
- D. Graffiti on a sign shall be removed within two (2) days of notice of its placement on such sign.
- E. Whenever any Sign, by virtue of its physical nature and condition, poses an immediate and serious threat to the public safety, the sign may be removed by Town personnel, or its physical deficiency cured, to the extent necessary to protect the public safety. The cost of such removal or repair shall be assessed against the sign owner.
- F. Any on-premises Sign identifying an activity, business, service or product shall be removed within 30 days following the actual discontinuance of the activity, business, service or product. If the sign is not so removed, the UDO Administrator may have the sign removed in accordance with Sec. 8.8 of this UDO.

#### **5.13.11 Severability**

- A. **Generally:** If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section or Sec. 5.15.6.Q., or any application thereof, is declared unconstitutional by any court of competent jurisdiction, this declaration of unconstitutionality or invalidity shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Section or Sec. 5.15.6.Q., or any other application thereof.
- B. **Severability Where Less Speech Results.** This subsection shall not be interpreted to limit the effect of Sec. 5.13.11.A., or any other applicable severability provisions in the Town of Bluffton Code of Ordinances or any adopting ordinance. The Bluffton Town Council specifically intends that severability shall be applied to these sign regulations even if the result would be to allow less speech in the Town, whether by subjecting currently exempt sign to permitting or by some other means.
- C. **Severability of Provisions Pertaining to Prohibited Signs.** This subsection shall not be interpreted to limit the effect of Sec. 5.13.11.A. or any other applicable severability provisions in the Town of Bluffton

Code of Ordinances or any adopting ordinance. The Bluffton Town Council specifically intends that severability shall be applied to Sec. 5.13.4 “Prohibited Signs,” so that each of the prohibited sign types listed in that section shall continue to be prohibited irrespective of whether another sign prohibition is declared unconstitutional or invalid.

- D. **Severability of Prohibition of Off-premises Signs.** This subsection shall not be interpreted to limit the effect of Sec. 5.13.11.A or any other applicable severability provisions of the Town of Bluffton Code of Ordinances or any adopting ordinance. If any or all of Sec. 5.13 “Signs” or Sec. 5.15.6.Q. or any other provision of the Unified Development Ordinance is declared unconstitutional or invalid by any court of competent jurisdiction, the Bluffton Town Council intends that the declaration shall not affect the provision of off-premises signs in Sec. 5.13.4 “Prohibited Signs.”

## **5.15 Old Town Bluffton Historic District**

### **5.15.6.Q. Architectural Standards, Sign Guidelines Signs**

#### **1. General Requirements:**

- a. ~~All signs shall be subject to review by the UDO Administrator for consistency and harmony with the character of the Old Town Bluffton Historic District. The UDO Administrator shall use the graphics in this section as non-binding guidelines, to make a determination of appropriateness on a case-by-case basis.~~
- b. ~~Wall signs shall be flat against the façade, or mounted projecting from the façade.~~
- c. ~~Free-standing monument signs shall be placed at least five feet from the right of way.~~
- d. ~~Signs shall be externally lit from the front.~~
- e. ~~All signs shall be permanently mounted.~~
- f. ~~No off premise signs shall be permitted.~~
- g. ~~Temporary signs announcing a sale, promotion, civic, philanthropic, educational, religious, or other special event must meet the following requirements:~~
  - (1) ~~Any tenant space or lot, if a single occupant, may display temporary signs, in aggregate, for up to 30 days in any 12 month period;~~
  - (2) ~~Must not exceed 6 square feet in area per sign face, 12 square feet in total sign area, and 4 feet in height if free-standing;~~
  - (3) ~~Signs shall be affixed at all corners to the structure on which the sign is attached.~~
  - (4) ~~No more than one temporary sign shall be permitted at any time; and~~
  - (5) ~~No temporary sign shall be illuminated.~~
- h. ~~One sandwich board sign may be permitted per tenant space or lot if a single occupant during business hours and must meet the following requirements:~~

- ~~(1) Must not exceed 6 square feet in area per sign face, 12 square feet in total sign area, and 4 feet in height;~~
- ~~(2) In addition to being located on private property, such sign may be located on any common property associated with the private property for which the sign serves;~~
- ~~(3) Must be located in a manner that maintains a minimum of 36 inches of unobstructed sidewalk clearance; and~~
- ~~(4) Must be located in a manner that does not impede vehicular traffic or parking, including safety sight lines at intersections~~

1. **General:**

- a. This Section provides specific sign types and sign standards that are consistent with Sec. 5.13.1 (Signs) unless otherwise specified by this Section. Where there is a same or similar requirement exists in Sec. 5.13.1, this Section shall govern. Specific sign types and sign standards are intended to complement the character, architecture and human-scale of Old Town Bluffton Historic District.
- b. Unless exempted by Sec. 5.13.8, a Site-Feature-Historic District (HD) Permit is required to install, modify, or replace existing signage in Old Town Bluffton Historic District.
- c. Off-premises signs, unless otherwise permitted by Sec. 5.13.1, are not permitted in Old Town Bluffton Historic District.
- d. **Sign Materials:** All permanent signs shall be constructed of the following rigid, weatherable materials: wood; metal (copper, brass, galvanized steel or aluminum); Medium-Density Overlay board (MDO), High Density Urethane (HDU) or other recycled material finished to resemble wood. Canvas and fabric may be used for awning signs.
- e. **Lighting:** In addition to the requirements of Sec. 5.12.3.C, the below standards shall apply:
  - i. Illumination of signs is permitted only with external lights sources that must be placed close to and directed onto the sign and shielded to minimize glare into the street, sidewalks and adjacent properties. Bare bulb illumination is not permitted.
  - ii. Light fixtures must be simple and unobtrusive.

**2. Finish Materials:**

- ~~a. Wood: painted or natural~~
- ~~b. Metal: copper, brass, galvanized steel, or aluminum~~
- ~~c. Painted Canvas~~
- ~~d. Paint/engraved directly on façade surface~~
- ~~e. MDU or other recycled material finished to resemble wood.~~

2. **Exempt Signs:** Certain signs, as specified in Sec. 5.13.3, are exempt from the requirements of this Section unless otherwise specified.

### 3. Configurations

- a. ~~Maximum gross area of wall signs on a given façade shall not exceed 10% of the façade area, with maximum size of any one sign limited to 25 square feet.~~
- b. ~~Maximum area of any single freestanding sign shall not exceed 5 square feet per side and 5 feet in height. Freestanding on-premise signs along SC Highway 46 and Bruin Road shall not exceed 25 square feet and 8 feet in height~~
- ~~\*Signs shall maintain a minimum clear height above sidewalks of 8 feet.~~
- c. ~~All other sign types shall not exceed 5 square feet per side.~~
- d. ~~No more than 2 signs may be displayed per address.~~
- e. ~~Freestanding signs shall be mounted either parallel or perpendicular to the right-of-way.~~

3. **Prohibited Signs:** Prohibited Signs are specified in Sec. 5.13.4 unless otherwise provided by this Section.

4. **Permanent Signs:** The following signs are the only permissible permanent sign types within Old Town Bluffton Historic District with the exception of Exempted Signs, as provided in Sec. 5.13.8.

a. **Freestanding Signs**

- i. No more than one (1) freestanding sign per lot is permitted.
- ii. The allowed freestanding sign types include monument, post and arm and double-post signs. The UDO Administrator may allow other freestanding sign types if consistency with the character of the Old Town Bluffton Historic District is demonstrated.
- iii. The maximum permitted sign area and sign height is provided in the following table:

<b><u>Table 5.15.6.Q.4.a.</u></b>		
<b><u>Freestanding Signs</u></b>	<b><u>S.R. 46 / Bruin Road Square Footage &amp; Height (Maximum)</u></b>	<b><u>All Other Roadways Square Footage &amp; Height (Maximum)</u></b>
<u>All Freestanding Signs</u>	<u>Sign Area: 25 square feet per sign display face (50 square feet in total sign area)</u>  <u>Height: 8 feet</u>	<u>Sign Area: 5 square feet per sign display face (10 square feet in total sign area)</u>  <u>Height: 5 feet</u>

- iv. Freestanding signs shall be at least five (5) feet from a public right-of-way, placed parallel or perpendicular to the right-of-way and shall not be located within a vision clearance triangle.

b. **Building Signs**

i. **General:**

- 1) Excluding exempt signs, no more than two (2) building signs, as specified by this Section, are permitted per establishment.

- 2) No more than 25 square feet of building signage is permitted per establishment regardless of whether the building sign types selected allow more combined square footage.

ii. **Wall Signs:**

- 1) **Size (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 25 square feet. For buildings with multiple establishments, the total permitted square footage is to be divided among the various establishments in the same building.
- 2) **Location:** Wall Signs must be located on the façade of the establishment being identified.
- 3) **Other:**
  - a) Wall Signs must be attached parallel to a building façade either flat to the facade or mounted within six (6) inches of the building façade.
  - b) Walls Signs must be contained within a single wall panel or other architectural component upon which they are placed and shall not extend above the roof line or above a parapet wall. Windows, architectural details and accessways shall not be covered.
  - c) An exposed raceway shall be finished to match the background wall or be integrated into the overall design of the sign.

iii. **Window Signs:**

- 1) **Dimensions (Maximum):**
  - a) **Width:** Five (5) feet.
  - b) **Height:** Three (3) feet.
- 2) **Location:** Windows Signs shall be applied directly to the inside of the glass shall not be placed on a window higher than the second story.
- 3) **Window Signs shall have a clear background.**

iv. **Awning Signs:**

- 1) **Number (Maximum):** Two (2) Awning Signs are permitted per establishment; however, a sign on the valance and on the slope of the same awning are individual Awning Signs, not one Awning Sign, and count as two (2) building signs.
- 2) **Overall Sign Area (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 25 square feet.
- 3) **Size of Sign on Sloping Plane (Maximum):** 50%
- 4) **Sign Width (Maximum):** 75% of the valance width.
- 5) **Height of Text and Graphics on Valance (Maximum):** 18 inches.
- 6) **Location:** Awning Signs are permitted only over an active pedestrian entrance or window.

v. **Canopy Signs:**

- 1) **Number:** Two (2) Canopy Signs are permitted per establishment; however, a sign on the valance and on the top of the same canopy are individual Canopy Signs, not one Canopy Sign, and count as two (2) building signs.

- 2) **Overall Sign Area (Maximum):** One (1) square foot for each one (1) linear foot of building wall to which the Sign is attached, not to exceed a maximum of 25 square feet.
- 3) **Height of Text and Graphics (Maximum):** 18 inches.
- 4) **Depth of Sign (Maximum):** 11 inches
- 5) **Exposed Raceway Height (Maximum):** 30% of the letter height. The raceway cannot be used as a sign background.
- 6) **Other:** A Canopy Sign cannot extend outside the overall length of the canopy; however, the sign may extend above or below the canopy provided the sign complies with all other applicable standards.

vi. **Projecting Signs:**

1) **Dimensions:**

- a) **Sign Display Face (Maximum):** 5 square feet
- b) **Height (Maximum):** 3 feet
- c) **Width (Maximum):** 2 feet
- d) **Spacing from Building Façade (Minimum):** 6 inches (min), 1 foot (max)
- e) **Depth of Sign (Maximum):** 6 inches

5. **Temporary Signs:** Permitted Temporary Signs and standards are provided in Sec. 5.13.7 unless otherwise provided by this Section.
6. **Master Sign Plan:** A master sign plan regulates signage for major subdivisions and multiple establishments within a building or complex to integrate the design and placement of signs with the overall development design to achieve an orderly, unified appearance. A master sign plan is required for new developments and sign modifications as specified in Sec. 5.13.9.

*Note: The following graphic at the end of 5.15.6.Q. is proposed to be removed.*



## Sec. 9.2 Defined Terms

*Note: Only sign-related definitions that are existing, to be amended, added or repealed are shown. The remainder of Sec. 9.2 (Defined Terms) is unaffected.*

**Commercial Message:** A message or image on a sign, or portion of sign, that promotes, informs or proposes an economic transaction, primarily concerns the economic interests of the sign sponsor and/or audience, or is intended to further discussion in the marketplace of goods and services.

**Non-commercial Message:** A message or image on a sign that directs public attention to or advocates an idea or issue of public interest or concern that does not serve to advertise or promote any business, product, activity, service, interest, or entertainment.

**Sign:** Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public. Any identification, description, illustration, or device illuminated or non-illuminated, which is visible to the public from any exterior public right-of-way, and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, or placard designed to advertise, identify, or convey information. A display, device, or thing need not contain lettering to be a sign.

**Sign, Animated:** Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**Sign, Banner:** Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a structure by a frame at one or more edges. National flags, State or municipal flags, or the official flag of any institution or business shall not be considered banners.

**Sign, Canopy:** Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or a structural protective cover not made of fabric and that is located over a door, entrance, an entranceway, window, or outdoor service area. A marquee is not a canopy.

**Sign, Changeable Copy:** A sign or portion thereof with characters, letters, or graphics illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than five times per day shall be considered an animated sign and not a changeable copy sign for the purposes of this Ordinance. A sign on which the only copy that changes is an indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

**Sign, Freestanding/Monument:** Any 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, Incidental:** A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message shall be considered incidental.

**Sign, Nonconforming:** Any sign that does not conform to the requirements of this Ordinance UDO.

**Sign, Portable:** Any sign not permanently attached to the ground or other permanent structure, including signs transported by wheels. or a sign designated to be transported, including , but not limited to signs

~~designed to be transported by means of wheels; balloons used as signs; and umbrellas used for advertising.~~

**Sign, Projecting:** Any sign affixed to a building or wall in such a manner that its leading edge extends no more than six (6) inches beyond the surface of such building or wall.

~~**Sign, Residential:** Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of this Ordinance.~~

~~**Sign, Roof, Integral:** Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six.~~

**Sign, Roof:** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

~~**Sign, Suspended:** A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface colonnade, arcade, awning, canopy or other covered walkway.~~

**Sign, Temporary:** Any sign that is used only temporarily and is not permanently mounted.

~~**Sign, Vehicle:** Any sign that is attached or affixed to a vehicle for the advertisement of business. This shall not apply to vehicles used in the daily operation of the business.~~

**Sign, Wall:** Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

~~**Sign, Window:** Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the windowpanes or glass and is visible from the exterior of the window. A temporary or permanent sign with a single face of copy that is painted or installed on a glass window or door, or located within 12 inches from inside the window, in a manner that can be viewed from the exterior of a structure.~~

**Sign Area:** The area of the sign display face contained within a single continuous perimeter enclosing all parts of such sign copy excluding structural elements. The sign area for a two-sided or multi-faced sign shall be computed by adding together the area of all sign display faces.