

# Memorandum

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**To:** Mayor and Council

**From:** Rebecca Rhodes, City Manager  
Shaun Greenwood, Director P & D

**Date:** January 31, 2012

**Subject:** First Reading approval of an Ordinance amending Sec. 8.6  
Temporary Signs of the Zoning Ordinance.

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## **ISSUE**

First reading approval of an Ordinance adopting recommended changes to the Section 8.6 Temporary Signs of the Zoning Ordinance.

## **BACKGROUND/DISCUSSION**

At the direction of Council, staff reviewed various zoning from different municipalities from around the state. Staff then came up with language that will maintain the small town character of the city while promoting a business friendly atmosphere. The changes were presented to the Planning Commission and after a public hearing, were subsequently recommended for Council's approval.

The version of the ordinance for first reading is slightly altered from the version that was originally submitted for Council's consideration. The changes are highlighted on the copies attached.

## **RECOMMENDATION**

It is the recommendation of the Planning Commission that City Council approve First Reading of the changes to the Temporary Sign Section of the Zoning Ordinance.

**Section 8.6 Temporary Signs**

Sign Type	*_Display Period (12 month period)	**_Display Intervals	Maximum Size	Permit Req'd.	Conditions
A-Frame	daylight hours only <u>Hours of operation</u>	eOff-hours	12 sq. ft.	Y N	A
Banner	30-60 days	None <u>30 Days</u>	50-32 sq. ft.	Y	B
Posters	30 days <u>See Banner</u>	None <u>See Banner</u>	6-sq.-ft. <u>See Banner</u>	Y Y	C
Portable	90 days	None <u>30 Days</u>	32 sq. ft.	Y	D
Inflatable	30 days	1 year	None	Y	E
Pennants	30 days	6-months <u>30 Days</u>	None	Y	F
Identification	90 days, or pProject completion	None	200-sq.-ft. <u>See Condition G</u>	N	G
Other (commercial) Other (Non-Commercial)	Removal within 7 days after reason for being has ceased to exist	None	As per Condition I	N	C/H/I/J

\* Display Period refers to the maximum number of days in a calendar year that a type of sign may be displayed.

\*\* Display Interval refers to the number of days that must pass before a similar type of sign may be permitted.

**Conditions:**

- A. Each business with a separate external entrance may utilize a movable freestanding sign on the sidewalk adjacent to the business during business hours of up to six (6) square feet per side and up to four (4) feet in height. Such signs shall be located no more than fifteen (15) feet from the primary business entrance and in a location that does not obstruct exits or pose a hazard to pedestrian or vehicle traffic. Such signs shall be professionally designed, constructed and lettered, but up to seventy-five percent (75%) of the sign may feature a chalk board, tack board or other changeable copy area. Signs placed on public sidewalks may be located based on a City approved management plan, and must meet any additional City licensing requirements.~~A-Frame signs, where located on sidewalks, shall be located in such a manner as not to obstruct~~

~~pedestrian movement.~~

- B. ~~No banner may be displayed for longer than 30 days for each permitted occurrence. Banners on commercial property must be secured to a wall or roof by all four corners and shall be installed in a fashion so as to present a professional appearance held taut across the wall surface so as to maintain readability and avoid sagging and flapping in the wind. Banners announcing special public events sponsored by the City of Cayce and/or a domiciled eleemosynary institution approved and permitted by the City of Cayce— are exempt from the display periods and display intervals set forth in this section. Banners announcing special public events sponsored by the City of Cayce are exempt from the maximum size restrictions. Permits for banners must be accompanied by a certificate of liability insurance acceptable to the City.~~
- C. ~~Posters are not allowed on any telephone or power poles or any public right-of-way, and may be located no closer than five (5) feet from a street or curb. For the purposes of this Ordinance, Posters are considered banners.~~
- D. Portable signs shall be limited to one per establishment, shall have no colored or flashing lights, shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord), shall not exceed six (6) feet in height, shall be anchored in accord with the Building Code, and shall not be converted to a permanent sign, except in compliance with regulations for permanent signs. No portable sign shall be displayed for longer than 30 days per permitted occurrence. Portable signs are prohibited on property fronting on Knox Abbot Drive, State Street, Axtel Drive, 12th Street and 12th Street Extension.
- E. Inflatable signs shall be properly anchored and shall not interfere with airport traffic or overhead utilities. The maximum allowable height for inflatable signs is 35 feet.
- F. Pennants shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement.
- G. These types of signs are limited to projects involving Subdivision Development and Construction activities only. Temporary subdivision and work under construction identification signs shall adhere to the Development Standards of Section 8.8 and must be installed and maintained in a manner to present a professional appearance.
- Temporary Non-illuminated Construction Signs  
- One (1) temporary non-illuminated sign for each street frontage, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, meeting the following criteria:

- For all residential, a maximum of four (4) square feet in area and four (4) feet in height;
- For non-residential sites of one (1) acre or less, a maximum of twenty-four (24) square feet in area and six (6) feet in height;
- For non-residential sites over one (1) acre, a maximum of thirty-two (32) square feet in area and eight (8) feet in height.

#### Temporary Development Signs

- One (1) temporary non-illuminated sign for each street frontage, erected in connection with development activities and displayed on the premises during such time as the actual development activities are in progress, meeting the following criteria:
- For all Development sites of two (2) acres or less, a maximum of twenty-four (24) square feet in area and eight (8) feet in height;
- For all Development sites over two (2) acres, a maximum of thirty-two (32) square feet in area and eight (8) feet in height.

#### **H.**

- H. These types of commercial signs are limited to Real Estate or Auction signs for on-site use only.
- I. Size limitations are as follows; Placement shall be one per street frontage within a commercial/industrial area, whether zoned or used as such; maximum size shall be 32 **square feet**. Placement shall be a maximum of two per yard within a residential area whether zoned or used and shall be 6 **square feet**.
- J. Because these type of signs imply endorsement, any resident or business shall have the right to remove any and all signs placed in the right of ways of their respective premises.

STATE OF SOUTH CAROLINA	)	<b>ORDINANCE</b>
	)	<b>Amending Article 2 (“Definitions”)</b>
COUNTY OF LEXINGTON	)	<b>and Section 8.6 (“Temporary Signs”)</b>
	)	<b>of the Zoning Ordinance of the City</b>
CITY OF CAYCE	)	<b>of Cayce</b>

**WHEREAS**, the Council has determined that it is in the interest of the public in understanding the provisions of the Zoning Ordinance, and in the interest of the City in administering and enforcing the Zoning Ordinance, to amend Article 2 (“Definitions”) of the Zoning Ordinance to substitute or add definitions; and

**WHEREAS**, the Council also has determined that it is in the interest of the public to amend Section 8.6 of the Zoning Ordinance of the City relating to temporary signs,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that

1. Article 2 (“Definitions”) of the Zoning Ordinance of the City of Cayce is hereby amended to substitute or add thereto, in the appropriate alphabetical order within the current Article 2, the following definitions:

**“Sign, A-Frame”** - A freestanding movable sign, not secured or attached to the ground or any building or structure, composed of a sign panel and supporting structure or one or more panels which form both the structure and sign face. (Also known as a “sandwich board”.)

**“Sign, Banner”** - Any sign applied to or constructed of paper, plastic or fabric of any kind with or without frame, and with or without design or lettering, used to decorate or attract attention to a location, object, institution, product service or business. Flags of nations, states or political subdivisions shall not be considered banners.

**“Sign, Inflatable”** - A sign that requires air, whether contained or blown, to keep and maintain its shape, or which causes an object to flutter.

**“Sign, Pennant”** - Any light-weight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

**“Sign, Portable”** - A sign that may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a movable sign in that it may be equipped for transportation by motor vehicle or other mechanical means. Trailer signs are considered to be portable signs.

**“Sign, Poster”** - See also “Banner”. For the purposes of this Ordinance, a Poster is considered a Banner.

2. Section 8.6 ("Temporary Signs") of the Zoning Ordinance of the City of Cayce is hereby amended to delete, in its entirety, the current Section 8.6 and to substitute therefor the chart and text as attached to this Ordinance.

This Ordinance shall be effective from the date of second reading approval by Council.

**DONE IN MEETING DULY ASSEMBLED, this \_\_\_\_\_ day of \_\_\_\_\_ 2012.**

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Tammy P. Barkley, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

## Section 8.6 Temporary Signs

Sign Type	* Display Period (12 month period)	** Display Intervals	Maximum Size	Permit Req'd.	Conditions
A-Frame	Hours of operation	Off-hours	12 sq. ft.	N	A
Banner	60 days	30 Days	32 sq. ft.	Y	B
Posters	See Banner	See Banner	See Banner	Y	C
Portable	90 days	30 Days	32 sq. ft.	Y	D
Inflatable	30 days	1 year	None	Y	E
Pennants	30 days	30 Days	None	Y	F
Identification	Project completion	None	See Condition G	N	G
Other (commercial) Other (Non-Commercial)	Removal within 7 days after reason for being has ceased to exist	None	As per Condition I	N	C/H/I/J

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- A. Each business with a separate external entrance may utilize a movable freestanding sign on the sidewalk adjacent to the business during business hours of up to six (6) square feet per side and up to four (4) feet in height. Such signs shall be located no more than fifteen (15) feet from the primary business entrance and in a location that does not obstruct exits or pose a hazard to pedestrian or vehicle traffic. Such signs shall be professionally designed, constructed and lettered, but up to seventy-five percent (75%) of the sign may feature a chalk board, tack board or other changeable copy area. Signs placed on public sidewalks may be located based on a City approved management plan, and must meet any additional City licensing requirements.

- B. No banner may be displayed for longer than 30 days for each permitted occurrence. Banners on commercial property must be secured to a wall or roof by all four corners and shall be installed in a fashion so as to present a professional appearance held taut across the wall surface so as to maintain readability and avoid sagging and flapping in the wind. Banners announcing special public events sponsored by the City of Cayce and/or a domiciled eleemosynary institution approved and permitted by the City of Cayce are exempt from the display periods and display intervals set forth in this section. Banners announcing special public events sponsored by the City of Cayce are exempt from the maximum size restrictions.
- C. For the purposes of this Ordinance, Posters are considered banners.
- D. Portable signs shall be limited to one per establishment, shall have no colored or flashing lights, shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord), shall not exceed six (6) feet in height, shall be anchored in accord with the Building Code, and shall not be converted to a permanent sign, except in compliance with regulations for permanent signs. No portable sign shall be displayed for longer than 30 days per permitted occurrence. Portable signs are prohibited on property fronting on Knox Abbot Drive, State Street, Axtel Drive, 12th Street and 12th Street Extension.
- E. Inflatable signs shall be properly anchored and shall not interfere with airport traffic or overhead utilities. The maximum allowable height for inflatable signs is 35 feet.
- F. Pennants shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement.
- G. These types of signs are limited to projects involving Subdivision Development and Construction activities only. Temporary subdivision and work under construction identification signs shall adhere to the Development Standards of Section 8.8 and must be installed and maintained in a manner to present a professional appearance.

Temporary Non-illuminated Construction Signs

- One (1) temporary non-illuminated sign for each street frontage, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, meeting the following criteria:
- For all residential, a maximum of four (4) square feet in area and four (4) feet in height;
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### Temporary Development Signs

- One (1) temporary non-illuminated sign for each street frontage, erected in connection with development activities and displayed on the premises during such time as the actual development activities are in progress, meeting the following criteria:
  - For all Development sites of two (2) acres or less, a maximum of twenty-four (24) square feet in area and eight (8) feet in height;
  - For all Development sites over two (2) acres, a maximum of thirty-two (32) square feet in area and eight (8) feet in height.
  
- H. These types of commercial signs are limited to Real Estate or Auction signs for on-site use only.
  
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