



**Town of Hilton Head Island  
Planning & Development Standards Committee  
Regular Meeting  
Wednesday, April 25, 2012 4:00p.m.  
Benjamin M. Racusin Council Chambers**

**AGENDA**

**1. Call to Order**

**2. Freedom of Information Act Compliance**

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Approval of Minutes** - Regular Meeting of March 28, 2012

**4. Unfinished Business**

None

**5. New Business**

**ZMA110007:** A request from Mr. Joe Ryan, on behalf of several property owners, proposing to amend the Official Zoning Map by changing the zoning designation of five properties located at 840, 852, and 862 William Hilton Parkway, and 1 and 2 Regency Parkway, from the OL (Office Institutional Low Intensity) Zoning District to the CC (Commercial Center) Zoning District. The properties are further identified on Beaufort County Tax Map 11, Parcels 132A, 77, 153, 155A and 154.

*Presented by: Nicole Dixon*

**ZMA120003** - A request from Mr. Chester C. Williams, on behalf of the Miller Family Limited Partnership VI, to amend the Official Zoning Map by changing the zoning designation of a property located at 807 William Hilton Parkway from OL, Office/Institutional, to PD-1 as part of the Palmetto Dunes Resort Master Plan with a land use designation of Commercial. The property is further identified as Parcel 16A on Beaufort County Tax Map 12. *Presented by: Shea Farrar*

**LMO Amendments:** The Town of Hilton Head Island is proposing to revise and amend Chapter 3, Article IX and Chapter 5, Article XIII of the Land Management Ordinance (LMO). The proposed amendments will move the following sections from Chapter 3, Article IX, Sign Permits, into Chapter 5, Article XIII: Section 16-3-901, Applicability; Section 16-3-902, Signs Exempt from Permit; Section 16-3-903, Sign Alterations Exempt from Permit; and Section 16-3-904, Submission Requirements. The proposed amendments will revise the language in each affected section. The proposed amendments will clarify the purpose of the sign regulations, bring the regulations into conformance with recent judicial decisions, reorganize the regulations into a more

intuitive order, and update the regulations to reflect changes in advertising and to provide reasonable accommodation of some previously prohibited signs. The proposed amendments may affect your rights as an owner of land. *Presented by: Anne Cyran*

**6. Committee Business**

**7. Adjournment**

**TOWN OF HILTON HEAD ISLAND**  
**Planning & Development Standards Committee**  
**Minutes of the Wednesday, March 28, 2012 Meeting**  
**4:00pm – Benjamin M. Racusin Council Chambers**

**DRAFT**

Committee Members Present: Chairman Bill Ferguson, Mayor Pro Tem Ken Heitzke and Bill Harkins

Committee Members Absent: None

Council Members Present: None

Town Staff Present: Shawn Colin, Comprehensive Planning Division Manager  
Charles Cousins, Comprehensive Planning Division Manager  
Kathleen Carlin, Administrative Assistant

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**1. CALL TO ORDER**

Chairman Ferguson called the meeting to order at 4:00p.m.

**2. FREEDOM OF INFORMATION ACT COMPLIANCE**

Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. APPROVAL OF MINUTES**

Mayor Pro Tem Heitzke made a motion to **approve** the minutes of the March 28, 2012 meeting as presented. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

**4. UNFINISHED BUSINESS**

None

**5. NEW BUSINESS**

**ZMA120002:** The Town of Hilton Head Island has applied to amend the Official Zoning Map by amending the Palmetto Dunes Resort Master Plan to change the land uses permitted on three parcels, located near the corner of William Hilton Parkway and Queens Folly Road. A portion of one property is currently zoned OL Office/Institutional, and will be incorporated into the PD-1 as part of the Palmetto Dunes Resort Master Plan. The remainder of properties are currently zoned PD-1 within the Palmetto Dunes Resort Master Plan and assigned land uses of “HHI Fire Station”, “PDR Maintenance” and “Outdoor Entertainment/Recreation.” These designations will be changed to “Office”, “Office/Maintenance” and “Government Facilities/Parks and Open Areas” with associated density. The properties are identified as parcels 19 and 347A on Beaufort County Tax Map 12 and parcel 2 on Beaufort County Tax Map 15.

Mr. Shawn Colin made the presentation on behalf of staff. Mr. Colin stated that the Town of Hilton Head Island is proposing to amend the Town’s Official Zoning Map by amending the Palmetto Dunes Resort Master Plan to change the land uses permitted on three parcels located near the corner of William Hilton Parkway and Queens Folly Road. A portion of one property is currently zoned OL (Office/Institutional), and will be incorporated into the PD-1 Zoning District as part of the

Palmetto Dunes Resort Master Plan. The remainder of properties are currently zoned PD-1 within the Palmetto Dunes Resort Master Plan and assigned land uses of “HHI Fire Station”, “PDR Maintenance” and “Outdoor Entertainment/Recreation.” These designations will be changed to “Office”, “Office/Maintenance” and “Government Facilities/Parks and Open Areas” with an associated density of 13, 800 sq ft. The staff recommended that the committee forward the application to Town Council with a recommendation of *approval*. Mr. Colin stated that the Planning Commission held a public hearing on March 7, 2012 and voted unanimously to recommend that Town Council approve the rezoning request.

The Town initiated this request as a result of land use changes associated with an agreement that was executed between the Town, Palmetto Dunes Property Owner’s Association (PDPOA) and Greenwood Communities and Resorts to sell the existing fire station property to PDPOA and acquire the accesses needed to another Town property for the relocation of Fire Station 6. The zoning and land uses assigned to the subject properties must be changed to facilitate this development.

The approval of this rezoning will benefit both Palmetto Dunes and the Town. The Palmetto Dunes community will benefit by having its POA administration and security offices located at the entrance to the community, along with a new pass office. The Town will benefit by being able to relocate Fire Station 6 to a site that has better access and is of adequate size for the fire station design. Mr. Colin briefly reviewed the Findings of Fact and Conclusions of Law in support of the application.

The committee discussed the application and Mr. Charles Cousins presented statements in clarification of the pedestrian pathway and access to the fire station. Chairman Ferguson then requested public comments and none were received. Following final comments by the committee, Chairman Ferguson requested that a motion be made.

Mayor Pro Tem Heitzke made a **motion** that the committee should forward Application for Zoning Map Amendment ZMA120002 to Town Council with a recommendation of **approval**. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

**6. ADJOURNMENT**

The meeting was adjourned at 4:30pm.

Submitted By:

Approved By:

\_\_\_\_\_  
Kathleen Carlin  
Administrative Assistant

\_\_\_\_\_  
Bill Ferguson  
Chairman



# TOWN OF HILTON HEAD ISLAND

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## Community Development Department

**TO:** Planning & Development Standards Committee  
**VIA:** Teri Lewis, AICP, *LMO Official*  
**FROM:** Nicole Dixon, CFM, *Senior Planner*  
**CC:** Charles Cousins, AICP, *Director of Community Development*  
**DATE:** April 10, 2012  
**SUBJECT:** Proposed Ordinance No. 2012-09  
ZMA110007 – Hargray Area Rezoning

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**Recommendation:** The Planning Commission met on April 10, 2012 to review the attached application for Zoning Map Amendment (ZMA110007) and after a public hearing voted 4-3-0 to recommend that Town Council approve the proposed application for rezoning.

Commissioner Gail Quick voted against the motion to approve the application because she believes that for long-range planning for the island and a consistent action based on our past history and the future vision of the island, it would be in the best interest of the Town not to approve the subject rezoning request at this time.

Commissioner Terrence Ennis voted against the motion and had the following comments: he stated that this was a tough decision to make because on one hand the Town wants to encourage new business opportunities on the island; however, on the other hand, we also need to think strategically. What use is the Town going to make of the excess commercial space that already exists? How will that fit into a long range plan so that there is a context to be able to put this in?

Chairman Loretta Warden voted against the motion because she feels that there is no urgent and compelling need to act on this request at this time. She stated that she believes that the many broad uses which are currently approved in the CC Zoning designation are much too broad for the ways in which the Town might wish to see this property utilized in the future.

Staff recommends that the Planning and Development Standards Committee forward the application for the proposed rezoning to Town Council with a recommendation for approval.

**Summary:** The purpose of this application is to amend the Official Zoning Map by changing the zoning designation of five properties located at 862, 852, and 840 William Hilton Parkway and 1 and 2 Regency Parkway, from the OL (Office Institutional Low Intensity) Zoning District to the CC (Commercial Center) Zoning District. The properties proposed to be rezoned contain a Hargray building, the Savannah Bank, a vacant building (former Ronnie's bakery), Stack's restaurant and the Atrium building.

**Background:** The Town received this request from Joe Ryan of Weichert Realtors, on behalf of the property owners, to rezone the five parcels from OL to CC. He has a client who is interested in occupying the Hargray building with a Mattress Firm business, which is currently not permitted in the OL Zoning District. Staff reviewed this request and determined that the application is consistent with the Comprehensive Plan and the Land Management Ordinance (LMO).

The existing OL zoning district in this area was established after many of the properties had already been developed with commercial uses. The intent of the creation of the OL district was that once these commercial uses were no longer in business, the area would develop with office uses, and concentrate the development of commercial uses in other areas of the Island. But the commercial uses never left and the area does not function as an OL zoning district. The proposed rezoning will improve the marketability of the properties and will meet current market demands by permitting uses that are already developed on the properties and uses that are more common in this vicinity. The rezoning will also allow for existing space to be redeveloped or leased with new expanded use opportunities while still allowing office type uses.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO. 2012-**

**PROPOSED ORDINANCE NO. 2012-09**

**AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP WITH RESPECT TO THOSE CERTAIN PARCELS IDENTIFIED AS PARCELS 132A, 77, 153, 155A AND 154 ON BEAUFORT COUNTY TAX MAP 11, FROM OL (OFFICE/INSTITUTIONAL LOW INTENSITY) TO THE CC (COMMERCIAL CENTER) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance ("LMO"); and

**WHEREAS**, the Planning Commission held a public hearing on said zoning map amendment application on April 10, 2012, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

**WHEREAS**, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 4-3-0 to find the application consistent with the Comprehensive Plan and serves to carry out the purposes of the LMO; and

**WHEREAS**, the Planning and Development Standards Committee held a public meeting on April 25, 2015 to review said zoning map amendment application, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

**WHEREAS**, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted to recommend that Town Council <*MOTION*> the proposed zoning map amendment application; and

**WHEREAS**, after due consideration of said zoning map amendment application and the recommendations of the Planning Commission and the Planning and Development Standards Committee, the Town Council, upon further review, finds it is in the public interest to <*MOTION*> the proposed application.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:**

**Section 1. Amendment.** That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-4-102 of the LMO, be hereby amended to modify the zoning designation of those certain parcels identified as parcels 132A, 77, 153, 155A and 154 on

Beaufort County Tax Map 11, from OL to the CC Zoning District. The attached Vicinity Map shows the location of the subject property.

**Section 2. Severability.** If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

\_\_\_\_\_  
**Drew A. Laughlin, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Cori Brock, Town Clerk**

**Public Hearing:** April 10, 2012  
**First Reading:**  
**Second Reading:**

**Approved as to form:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member: \_\_\_\_\_**



**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT DEPARTMENT**

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

**STAFF REPORT  
ZONING MAP AMENDMENT**

<b>Case #:</b>	<b>Name of Project:</b>	<b>Public Hearing Date:</b>
<b>ZMA110007</b>	Hargray Area Rezoning	April 10, 2012

<b>Parcel Data or Location:</b>	<b>Property Owners</b>	<b>Applicant/Agent</b>
<u>Existing Zoning District:</u> OL (Office Institutional Low Intensity)	Hargray (862 William Hilton Parkway)	Joe Ryan Weichert Realtors 1038 William Hilton Parkway Hilton Head Island, SC 29928
<u>Proposed Zoning District:</u> CC (Commercial Center)	Savannah Bank (852 William Hilton Parkway)	
<u>Applicable Overlay District(s):</u> Corridor Overlay	S & C 278 Associates (1 Regency Parkway)	
<u>Parcels Affected:</u> Beaufort County Tax Map 11: Parcel 132A – 1.95 acres Parcel 77- 2.17 acres Parcel 153- 1.31 acres Parcel 155A- .39 acres Parcel 154- .81 acres	Romano Group Development LLC (2 Regency Parkway)	
	Prime Property Investments LLC (840 William Hilton Parkway)	

**Application Summary:**  
Joe Ryan, on behalf of several different property owners (Hargray, Prime Property Investments, Savannah Bank, S & C 278 Associates and the Romano Group Development), is proposing to amend the Official Zoning Map by changing the zoning designation of five properties located at 840, 852, and 862 William Hilton Parkway and 1 and 2 Regency Parkway, from the OL (Office Institutional Low Intensity) Zoning District to the CC (Commercial Center) Zoning District.

For a complete list of changes in use that will result from the proposed rezoning, see Attachment C, Use Table. By rezoning the subject properties from OL to CC, the maximum allowed impervious surface coverage would increase from 60% to 65%.

**Staff Recommendation:**  
**Staff recommends that the Planning Commission find this application to be consistent with the Town’s Comprehensive Plan and does serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and**

enclosed herein.

**Background:**

The applicant is proposing to change the zoning designation of the subject properties from OL to the CC zoning district. The applicant has a business owner interested in opening a Mattress store on the Hargray property (862 William Hilton Parkway). Under the existing OL zoning designation, a retail store is not a permitted use.

There aren't any current plans for redeveloping the remaining parcels, but the property owners decided to come together to rezone the properties for future opportunities. The lots proposed to be rezoned contain a Hargray building, the Savannah Bank, the vacant old Ronnie's bakery site, Stack's restaurant and the Atrium building.

The subject properties are surrounded by Town-owned and Hargray-owned property to the south, Long Cove Club and hotel uses to the west and north, and Palmetto Dunes and South Island Square across William Hilton Parkway.

**Applicant's Grounds for ZMA:**

The applicant states in the narrative that the proposed application to rezone the subject properties from OL to the CC zoning district is more in character with the existing commercial uses in the surrounding area. The applicant feels that the requested CC zoning is in conformance with the objectives of the Comprehensive Plan, to have commercial property situated where it serves the Island residents and guests in a safe and efficient manner and to focus future development on infill development. The applicant also believes that by rezoning the properties to allow for retail possibilities, the marketability of the properties will increase.

**Summary of Facts and Conclusions of Law:**

**Findings of Facts:**

- Notice of the Application was published in the Island Packet on March 11, 2012 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
- Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
- A public hearing was held on April 10, 2012 as set forth in LMO 16-3-1504A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1504.

**Conclusion of Law:**

- The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO 16-3-110, 16-3-111 and 16-3-1504.

*As set forth in Section 16-3-1505, Zoning Map Amendment Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:*

**Summary of Facts and Conclusions of Law:**

*Criteria 1: Consistency (or lack thereof) with the Comprehensive Plan (LMO Section 16-3-1505A):*

**Findings of Facts:**

The Comprehensive Plan addresses this application in the following areas:

**Economic Development Element:**

**Section 7.6 – Potential Strategies with Implication for Comprehensive Plan**

Identify and prioritize areas in need of redevelopment, including any obsolete or run down commercial buildings. Incentivize the development of flexibility of streamlining in regulation of density caps, setbacks (and other controls) that enable a qualitative, principle based, asset revitalization that enhances the Island’s positive legacies.

**Land Use Element:**

**An Implication for Zoning Changes**

Future land use decisions and requests for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town’s Official Zoning Map.

**An Implication for Building Permit Trends**

Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.

**Goal 8.1 – Existing Land Use**

A. The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

**Goal 8.4 – Existing Zoning Allocation**

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town’s high quality of life and should be considered when amending the Town’s Official Zoning Map.

**Goal 8.5 – Land Use Per Capita**

A. The goal is to have an appropriate mix and availability of land uses to meet the needs of the existing and future populations.

**Goal 8.9 – Age of Structures**

B. The goal is to encourage redevelopment of properties with aging structures or that no longer meet current market demands.

**Goal 8.10 – Zoning Changes**

A. The goal is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

**Implementation Strategy 8.6 – Build-out**

A. Consider flexibility within the Land Management Ordinance to address future development and redevelopment needs.

**Conclusions of Law:**

- Staff concludes that this application is consistent with the Comprehensive Plan, as set forth in LMO Section 16-3-1505A. The proposed rezoning will increase the potential of redevelopment by allowing commercially oriented uses for the properties that are compatible with those existing uses.
- The proposed rezoning would provide an appropriate mix of land uses to meet the needs of the population and improve the quality of life on the Island as well as help to improve the marketability of the properties and meet current market demands by permitting additional commercial uses that are common in this vicinity.

**Summary of Facts and Conclusions of Law:**

*Criteria 2: Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood (LMO Section 16-3-1505B):*

**Findings of Facts:**

- LMO Section 16-4-216 describes the purpose of the existing OL zoning district as being: *“established between major commercial areas of the Island and intended to limit the types of nonresidential uses permitted. Land uses permitted are office and institutional in order to minimize travel impacts on the street system, encourage better compatibility in and among land uses on the Island, provide balance among land use types in major corridors and improve visual appearance along major corridors.”*
- There are several properties subject to the proposed rezoning: one Hargray property, the Savannah Bank, the vacant old Ronnie’s bakery site, Stack’s restaurant and the Atrium building, all of which are conforming to the present zoning of OL.

**Conclusion of Law:**

- Staff concludes that the properties subject to the rezoning application are compatible with the present zoning, the conforming uses of nearby property and with the character of the neighborhood as set forth in LMO Section 16-3-1505B because the properties contain uses that are currently permitted in the OL district and are compatible with the conforming uses nearby and with the character of the neighborhood.

**Summary of Facts and Conclusions of Law:**

*Criteria 3: Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment (LMO Section 16-3-1505C):*

**Findings of Facts:**

- LMO Section 16-4-217 describes the purpose of the CC zoning district as: *“to provide for moderate to high intensity commercial development, especially office and general retail development. Residential development as a component of a PUD is allowed, and traffic and pedestrian interconnections throughout this district are strongly encouraged.”*
- There are several properties subject to the proposed rezoning: one Hargray property, the

Savannah Bank, the vacant old Ronnie’s bakery site, Stack’s restaurant and the Atrium building, all of which will remain conforming if rezoned to the CC zoning district.

- There are currently several non-conforming commercial uses in the vicinity that existed prior to the area being zoned OL. The area was zoned OL to eventually eliminate these commercial uses, but throughout the years, these uses were not eliminated and there is currently a higher demand for commercial uses in this vicinity.
- Town Council recently rezoned several properties along William Hilton Parkway at 2 and 4 Marina Side Drive and at 841, 843 and 845 William Hilton Parkway, from the OL zoning district to the CC zoning district because the OL zoning district in this area isn’t functioning as an OL district and is essentially a mix of existing commercial uses.
- The CC zoning is intended for moderate to high intensity commercial development, especially office and retail development, which currently already exists in this vicinity.

**Conclusion of Law:**

- Staff concludes that the affected properties are suitable for the uses that would be permitted by the proposed rezoning as set forth in LMO Section 16-3-1505C because the properties would remain conforming and/or could redevelop with other commercial opportunities.

**Summary of Facts and Conclusions of Law:**

*Criteria 4: Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505D):*

**Findings of Facts:**

- LMO Section 16-4-218 describes the purpose of the existing OL zoning district as being: *“established between major commercial areas of the Island and intended to limit the types of nonresidential uses permitted. Land uses permitted are office and institutional in order to minimize travel impacts on the street system, encourage better compatibility in and among land uses on the Island, provide balance among land use types in major corridors and improve visual appearance along major corridors.”*
- There are several properties subject to the proposed rezoning: one Hargray property, the Savannah Bank, the vacant old Ronnie’s bakery site, Stack’s restaurant and the Atrium building, all of which are conforming to the present zoning of OL.

**Conclusion of Law:**

- Staff concludes that the properties proposed to be rezoned are suitable for the uses permitted by the OL zoning district as set forth in LMO Section 16-3-1505D because they are all developed with uses which are permitted uses in the OL zoning district.

**Summary of Facts and Conclusions of Law:**

*Criteria 5: Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505E):*

**Finding of Fact:**

- There will be additional uses and development opportunities available to the property owners to develop or redevelop should the properties be rezoned to the CC district.

**Conclusion of Law:**

- Staff concludes that the marketability of the properties will be improved as set forth in LMO Section 16-3-1505E because the property owners will have more uses available to market the properties to buyers or leasers.

**Summary of Facts and Conclusions of Law:**

*Criteria 6: Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use (LMO Section 16-3-1505F):*

**Finding of Fact:**

- The affected properties already have existing water, sewer and stormwater facilities serving the development.

**Conclusion of Law:**

- Staff concludes that these properties have available water, sewer and stormwater facilities suitable for the proposed uses as set forth in LMO Section 16-3-1505F.

**LMO Official Determination**

**Determination:** Staff determines that this application is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

**Note:** If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

**PREPARED BY:**

N.D.

\_\_\_\_\_  
Nicole Dixon, CFM  
*Senior Planner*

3-15-12

\_\_\_\_\_  
DATE

**REVIEWED BY:**

TBL

\_\_\_\_\_  
Teri B. Lewis, AICP  
*LMO Official*

3-15-12

\_\_\_\_\_  
DATE

**REVIEWED BY:**

JL

\_\_\_\_\_  
Jayme Lopko, AICP

3-15-12

\_\_\_\_\_  
DATE

*Senior Planner & Planning Commission Board Coordinator*

**ATTACHMENTS:**

- A) Vicinity Map
- B) Zoning Map
- C) Use Table Comparison
- D) Applicant's Narrative
- E) Letters of Opposition



Proposed Rezoning - Properties Highlighted in Red



TOWN OF HILTON HEAD ISLAND  
ONE TOWN CENTER COURT  
HILTON HEAD ISLAND, S.C. 29928  
PHONE (843) 341-6000

Town of Hilton Head Island  
ZMA110007 - ATTACHMENT A

Vicinity Map



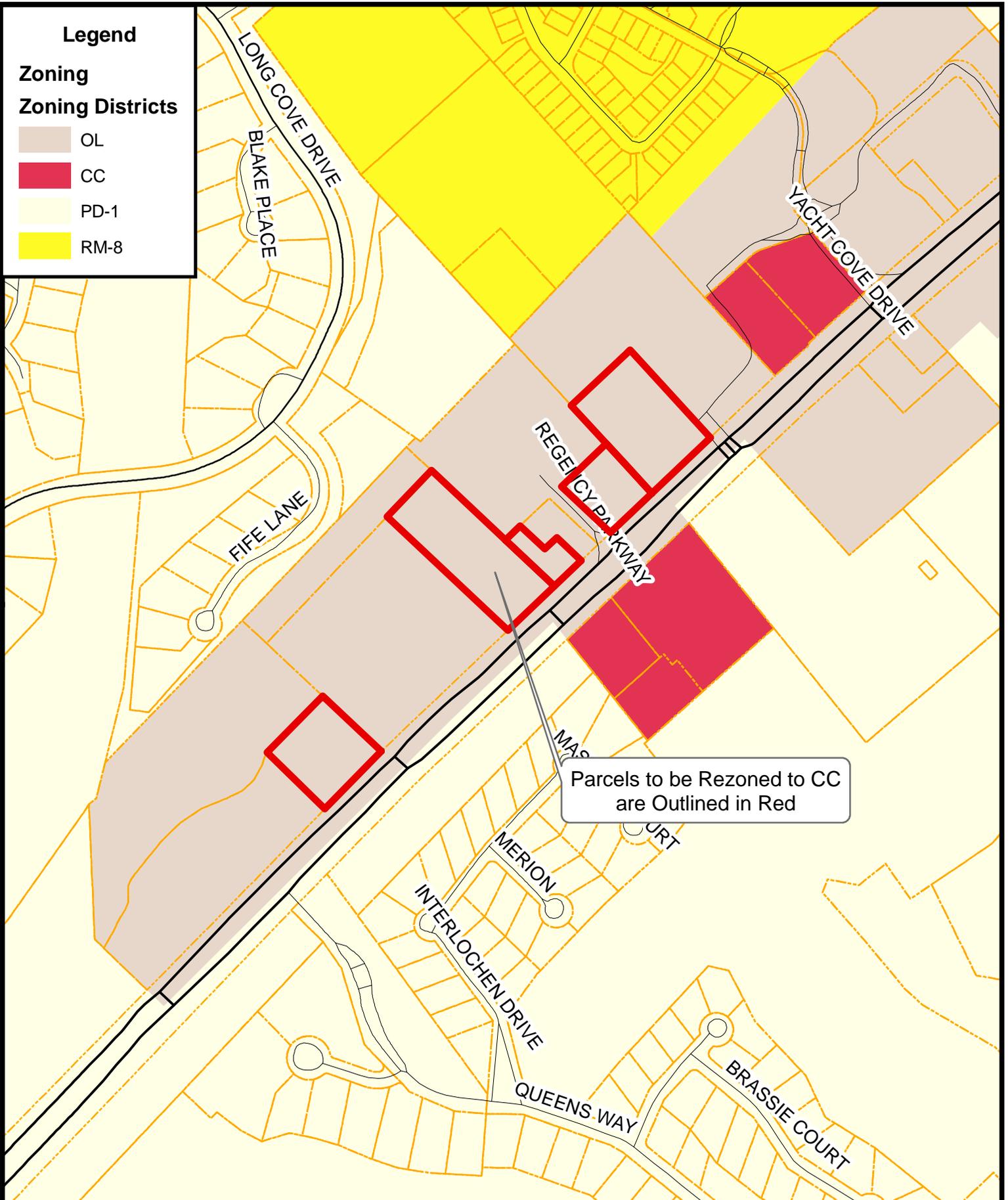
This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.

**Legend**

**Zoning**

**Zoning Districts**

-  OL
-  CC
-  PD-1
-  RM-8



Parcels to be Rezoned to CC  
are Outlined in Red



ATTACHMENT C

Specific Use	OL	CC
<b>Residential Uses</b>		
Group Living		
<b>Household Living</b>		
Single Family	P	P
Multifamily Residential	PC	PC
Mixed Use	PC	PC
Manufactured Housing Park		
<b>Public and Civic Uses</b>		
Aviation/Surface Passenger Terminal		
Community Service		P
Day Care	P	PC
<b>Educational Facilities</b>		
Colleges		P
Schools, Public or Private		P
Government Facilities	P	P
Hospitals		
<b>Institutions</b>		
Religious Institutions	P	P
Other Institutions	SE	SE
<b>Parks and Open Areas</b>		
Cemetery		
Park, Community	SE	SE
Park, Linear	P	
Park, Mini	P	P
Park, Neighborhood		
Park, Regional		
Park, Special Use		P
<b>Utilities</b>		
Major Utility	SE	SE
Minor Utility	P	P
Telecommunications Facility	PC	PC
Waste Treatment Plant		SE
<b>Commercial Uses</b>		
<b>Eating Establishments</b>		
With Drive-thru		SE
With Seating, High Turnover	PC	P
With Seating, Low Turnover	PC	P
Without Seating	PC	P
<b>Indoor Recreation/Entertainment</b>		
Indoor Recreation		SE
Indoor Entertainment		SE
<b>Outdoor Recreation/Entertainment</b>		
Outdoor Recreation		

ATTACHMENT C

<b>Outdoor Entertainment</b>		
<b>Water Parks</b>		
<b>Office</b>		
<b>Health Services Except Hospitals</b>	<b>P</b>	<b>P</b>
<b>Real Estate Sales/Rental</b>	<b>P</b>	<b>P</b>
<b>Other Offices</b>	<b>P</b>	<b>P</b>
<b>Parking, Commercial</b>		<b>SE</b>
<b>Resort Accommodation</b>		
<b>Bed and Breakfast Inn</b>		
<b>Central Reception or Check-in Facility</b>		
<b>Divisible Dwelling Unit</b>		
<b>Hotel or Motel</b>		
<b>Inn</b>		
<b>Interval Occupancy</b>		
<b>RV Park</b>		<b>SE</b>
<b>Retail Sales and Service</b>		
<b>Adult Entertainment</b>		<b>SE</b>
<b>Bank or Financial Institution</b>	<b>PC</b>	<b>P</b>
<b>Bicycle Shop (with outdoor storage)</b>		<b>PC</b>
<b>Community Theater</b>		<b>PC</b>
<b>Dance Studio</b>		<b>PC</b>
<b>Convenience Store</b>		<b>PC</b>
<b>Department or Discount Store</b>		<b>PC</b>
<b>Funeral Home</b>		<b>P</b>
<b>Furniture Store</b>		<b>P</b>
<b>Hardware, Paint, Glass, Wallpaper or Flooring Store</b>		<b>P</b>
<b>Health Club or Spa</b>		<b>P</b>
<b>Kennel, Boarding</b>		<b>SE</b>
<b>Landscape Nursery</b>		
<b>Liquor Store</b>		<b>SE</b>
<b>Nightclub or Bar</b>		<b>PC</b>
<b>Open Air Sales</b>		
<b>Pet Store</b>		
<b>Shopping Center</b>		<b>PC</b>
<b>Souvenir or T-Shirt Store</b>		<b>PC</b>
<b>Supermarket</b>		<b>PC</b>
<b>Tattoo Facility</b>		<b>PC</b>
<b>Veterinary Hospital</b>		<b>PC</b>
<b>Watercraft Sales, Rental or Service</b>		
<b>Other Retail Sales or Service</b>	<b>SE</b>	<b>P</b>
<b>Vehicle Sales and Services</b>		
<b>Auto Rental</b>		<b>PC</b>
<b>Auto Repair</b>		<b>SE</b>
<b>Auto Sales</b>		<b>PC</b>

ATTACHMENT C

Car Wash		<b>P</b>
Gas Sales		<b>SE</b>
Taxicab Service		<b>SE</b>
Towing Service		<b>SE</b>
Truck or Trailer Rental		
<b>Industrial Uses</b>		
Aviation Services		
<b>Light Industrial Services</b>		
Contractor's Office		<b>PC</b>
Other Light Industrial Service		<b>SE</b>
<b>Manufacturing and Production</b>		
Seafood Processing		
Other Manufacturing and Production		
Limited Manufacturing		
<b>Warehouse and Freight Movement</b>		
Moving and Storage		
Self-Service Storage		<b>SE</b>
Warehousing		
Waste Related Service		
<b>Wholesale Sales</b>		
Contractor's Materials		
Wholesale Business		<b>SE</b>
Wholesale Business with Accessory Retail Outlet		<b>SE</b>
<b>Other Uses</b>		
Agriculture	<b>P</b>	
<b>Water Oriented Facilities</b>		
Docking Facility and Boat Ramp		
Marina		
Other Water Oriented Uses		

## ATTACHMENT D

Narrative in Support of Rezoning of Parcels on South End of HHI from OL to CC

December 22, 2011

Community Development Department  
One Town Center Court  
Hilton Head Island, SC 29928

This is a request for rezoning the property shown the attached plat.  
Current zoning is OL-Office/Institutional Districts.  
The request is to change to CC – Commercial Center District

- A. Consistency with the Comprehensive Plan. This request for a zoning change is consistent with the Comprehensive Plan. CC zoning is more in keeping with commercial uses in the surrounding William Hilton Parkway area. The Fresh Market Retail Shopping Center is virtually next to the first site. The road systems behind this property connect to The Fresh Market Retail Shopping Center and provide non-Highway 278 access to both. Access from Highway 278 is at a cross over allowing both lanes access. Properties up to 840 Wm. Hilton Pkwy are being used now as CC. Changing the zoning on these parcels contribute to providing Island residents and guests a safe and efficient manner to access this property.
- B. Compatibility with the present zoning and conforming uses of nearby property and to the character of the neighborhood. Nearby properties include The Fresh Market Retail Shopping Center up to the Atrium Building. Two similar properties on Highway 278 have recently had their zoning changed to CC (South Island Square and Verizon Bld/Lot). This rezoning request is similar to those and all of them show the character of the area is changing from OL to CC. Multiple accesses to this site and the type of use proposed limit the traffic congestion which is consistent with the Comprehensive Plan.
- C. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment. The current use of the facility as a retail telephone sales center and previously as a bank show that the site is consistent with a CC zoning use. Hargray which owns buildings in the back and on Highway 278 is supportive of this zoning change request. The other sites are supportive of this change.
- D. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment. The first property currently serves as a retail telephone sales center and was previously a bank. The other sites should be CC because they are commercial in character and use and fit the uses on both sides of Highway 278.
- E. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment. There is currently a oversupply of empty commercial space on the Island. Rents have decreased for available and existing commercial space in this economic climate. Approving this zoning change will expand the type of business that can utilize this property and will increase its marketability.
- F. Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use. Sewer, water and storm water facilities currently exist on this property.

ATTACHMENT E

*Long Cove Club*

January 17, 2012

Nicole Dixon  
Senior Planner  
Community Development Department  
Town of Hilton Head  
One Town Center Court  
Hilton Head Island, SC 29928

**Re: Request for Zoning Change for the Hargray Properties**

Dear Ms. Dixon:

The Board of Directors of Long Cove Club met on January 16. One of the issues that was discussed was the request for re-zoning of the Hargray properties on 278. As you know, these properties border Long Cove and are in very close proximity to Fife Lane where seven of our residents reside. After thoughtful discussion on this issue, the Board unanimously voted to oppose this zoning change from OL to CC.

There are a number of reasons for this decision:

- Long Cove homes on Fife Lane are within 50 – 100' of the proposed parcels. There is no natural berm to block the views of these parcels like we have between our golf course and the Fresh Market Shoppes. Our residents living on Fife Lane are so close to the Hargray property that it is unfair to subject them to the potential uses that are associated with the CC designation.
- Our members purchased their homes on Fife Lane knowing the permissible uses associated with the OL designation. To change that to a CC designation with so many different possibilities for use does not seem fair to the residents of our community. The Town of Hilton Head has a history of fairness and making the right decisions for the residents of the Island, changing the zoning from OL to CC would go against the principles that the Town has been known for.
- There is no question that changes in the permissible uses of the property will have an adverse effect on our members' property values. That is not an acceptable result for us.

The Town should know that Long Cove is not opposed to commercial growth in the area. We all are aware that development is good for all of us. However, when development adversely affects a number of residents of our community - that is not a resolution that we can support. The OL designation allows for many different types of uses – we are opposed to the potential uses of the land that the CC designation would permit.

Sincerely,



David Loan, CCM  
General Manager/Chief Operating Officer

# ATTACHMENT E

Date: January 17, 2012

RE: Case # ZMA110007 Request to Amend Land Management Ordinance (Sect. 16-4-102), the official Zoning Map

From: Declan & Patricia McMullen  
14 Fife Lane  
Hilton Head, SC 29928

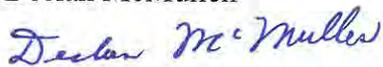
Dear Planning Commission:

WE ARE OPPOSED TO THE REZONING OF THE ABOVE MENTIONED LAND BEING CHANGED IN ZONING FROM OFFICE/INSTITUTIONAL LOW INTENSITY TO COMMERCIAL CENTER FOR THE FOLLOWING REASONS:

- Our home on Fife Lane is within 50' of the proposed rezoning parcel. There are no barriers between our home and the property being considered for rezoning. As single home residential properties, Office/Residential zoning was acceptable to us when we built our homes. Commercial Center zoning would be unacceptable because any kind of business could be our immediate neighbor.
- Rezoning to "expand the type of business that can utilize this property and increase its marketability" at the expense of Long Cove homeowners does not seem to comply with the Comprehensive Plan for the Town of Hilton Head. The Town has gone to great lengths to have diversified zoning so that we do not make 278 another Myrtle Beach type thoroughfare.
- We are not adverse to development or redevelopment of the land parcels. However, we feel this should be done according to the existing zoning and building codes in consideration of the neighbors who would be directly affected by changing the zoning and building codes.

Thank you for your consideration of this matter.

Declan McMullen



Patricia McMullen



## ATTACHMENT E

January 10, 2012

Nicole Dixon  
Town of Hilton Head Island  
One Town Center Court  
Hilton Head Island, SC 29928

Re: Case #ZMA110007  
Request to change zoning from (OL) to (CC)

Dear Ms. Dixon,

As a resident of Long Cove Club, my home sits at the end of the intersection of Fife Lane and Long Cove Drive (4 Davant Court) ... 11C 19. I learned about the request to rezone much of the Hargray Real Estate from Office/Institutional to Commercial Center. I am strongly opposed to any change in zoning for these plots of land. It will likely impact negatively property values on not just Fife Lane, but it will impact dozens of homes within several hundred yards of the land being rezoned to Commercial.

Added noise, additional potential odors (we already deal with a water treatment/sewage facility within a few hundred yards of our properties) privacy, security, and property devaluations.

Long Cove Club is a beautiful community, with folks that have invested in homes expecting quiet surroundings, a quality of life currently not being impacted by unneeded commercial development. There will be no guarantees that this edge of our community would not be impacted eventually by commercial establishments that would have a negative impact on our way of life.

I urge the Planning Commission and Town Council to oppose any request for rezoning this area. The island currently has enough (maybe too much) land already zoned CC. Too many commercial buildings already stand vacant throughout the island. With each new CC Zoning approval, the island loses a slice of what makes Hilton Head Island the "oasis" it is.

Sincerely,  
William F. Rupp



TO: Nicole Dixon, Senior Planner  
Community Development Department  
Town of Hilton Head

FROM: Jack Holland  
Concerned Citizen and Owner of 6 Fife Lane

RE: Planning Commission Public Hearing scheduled for February 1, 2012  
to consider Case #ZMA110007 relating to a re-zoning request

Date: January 17, 2011  
Hand Delivered

TO WHOM IT MAY CONCERN:

Pursuant to the Notice of Public Hearing that was mailed to me as an owner of property likely to be impacted by the re-zoning, if approved, I wish to express my **strong objections**.

My property lies within 100 feet, or so, of the parcels seeking to rezone from OL (low intensity) to CC (commercial center).

I cannot foresee a single benefit to me that would result from such a zoning change.

I can foresee many possible negative impacts from such a zoning change, including:

- **Negative impact on property value**
- **Negative impact on quality of life and peaceful enjoyment of same**

I have heard that a church may be going into one of the parcels seeking a zoning change.

I think that would be great, but I also understand that a zoning change is not required for that to occur.

The "Narrative in Support of Rezoning..." appears to be flawed in several respects, including:

1. This rezoning request is NOT similar to recent zoning changes because, unlike the others, this zoning change request relates to parcels that are bordered by single family residential homes. Further, there is no topographical barrier between the two different zoning areas. In fact, the parcels seeking rezoning appear to be on higher ground that actually looks down on my home. I invite you to walk this area to clearly see my house from, and see how close my house is to, some of these parcels seeking rezoning.

2. The character of the Highway 278 corridor is not necessarily changing from OL to CC. The Town of Hilton Head has gone to great lengths to have a diversified zoning configuration, as indicated by their purchasing green space buffers throughout the Island. Extending the CC seems to go against the spirit of the Comprehensive Plan and would create a retail/commercial density which extends the commercial center unnecessarily.

3. The Narrative claims that such a zoning change would represent a "suitable" use for the parcels. I suggest that such a change would not be in keeping with the good zoning standards that Hilton Head is known for. **How can it possibly be a good idea to allow eating establishments, bars and nightclubs, light industrial services, other retail etc. to be operated within 100 feet or so of single family homes?** The types of uses permitted under CC zoning that are not permitted under OL zoning will most definitely result in greater traffic, greater noise (both day and night), objectionable lighting, higher probability to pests and obtrusive odors, to name a few.

4. Rezoning to "expand the type of business that can utilize this property and increase its marketability" for one group of property owners **should not be approved when it is clearly detrimental to adjacent property owners**.

Thank you for your consideration of these comments.

  
\_\_\_\_\_  
Jack C. Holland

8 Fife Lane  
Hilton Head Island, SC 29928

January 17, 2012

Nicole Dixon, Senior Planner  
Community Development Department  
Town of Hilton Head  
1 Town Center Court  
Hilton Head Island, SC 29928

Re: Case # ZMA110007, a request to Town Council to amend the Land Management Ordinance (Section 16-4-102), the Official Zoning Map, by changing the zoning Designation from Office/Institutional Low Intensity (OL) to the Commercial Center (CC) Zoning District for seven (7) properties referenced therein.

Please forward this letter response to the Planning Commission, the Planning & Development Standards Committee and the Town Council as you deem appropriate.

Ms Nicole Dixon:

We appreciate the opportunity to respond to the aforementioned rezoning request. My wife and I have reviewed the Official Zoning Map, the Land Management Ordinance and the Town of Hilton Head Comprehensive Plan and other information relevant to this request. As a result of this review, we are asking the Town Council NOT to approve the rezoning request for the reasons which follow.

We purchased our home recognizing the limits of the (OL) zoning, as did the investors of the seven (7) subject parcels. Changing the zoning to (CC) and expanding the types of businesses and intensity of development would have an extremely negative impact on the residential nature of our neighborhood. Adding eating establishments, bars and nightclubs, light industrial services and "other" (an undefined catchall) retail as approved uses of these properties will cause more traffic, noise, lighting, pest issues, odors, extended hours of operation and other consequences that will profoundly negatively affect the quality of life as a quiet tranquil residential community.

The financial impact on our property would also be severely negatively impacted. Rezoning, accordingly to the application, "to expand the type of business that can utilize this property and increase its marketability" at the expense of Long Cove Club homeowners does not seem to comply with the spirit of the Comprehensive Plan or any fairness doctrine of good public policy. The Town of Hilton Head has done an excellent job of developing and maintaining a balanced mix of land use on the Island. This rezoning request does not fit in, rather it is just an attempt to transfer the negative financial impact of a slow economy from a real estate investor group to residential single family homeowners, many of whom are retired.

We also take issue to the characterization that this request is similar to recent rezoning changes in the Highway 278 corridor. Our situation is unique because our residential homes are as close as 50' to 100' from the parcels requesting rezoning. And most significantly, there is no topographical or natural elevation or distance barrier or an expanse of a golf fairway as behind the Fresh Markets Shops. The Fresh market Shops became a part of the Long Cove Club PUD in 2005 – so you see we are not adverse to development per se. We would encourage development/redevelopment of the subject properties, just under the current (OL) zoning and building code requirements. And we hope the character of the Highway 278 corridor does not change from (OL) to (CC). There is a nice balance today, and to further convert other zoning to the (CC) category will certainly detract from the Hilton Head Island “feeling”.

In summary, we strongly oppose the requested rezoning, and respectfully ask the various Town of Hilton Head planning units and the Town Council to reject this application. The quality of life and financial impact on the residential property owners and the growth of higher density/intensity development are not in the best interest of our community. And the transfer of the financial impact of a slow economy and soft real estate market from the real estate investors to residential property owners would certainly not be viewed as good public policy.

Respectfully submitted,



Gere E. Grimm



Linda H. Grimm



# TOWN OF HILTON HEAD ISLAND

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## Community Development Department

**TO:** Planning & Development Standards Committee  
**VIA:** Shawn Colin, AICP, *Comprehensive Planning Manager*  
**FROM:** Teri B. Lewis, AICP, *LMO Official*  
**CC:** Charles Cousins, AICP, *Director of Community Development*  
**DATE:** April 19, 2012  
**SUBJECT:** Proposed Ordinance No. 2012-12  
ZMA120003 – Plantation Center Rezoning

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**Recommendation:** The Planning Commission met on April 18, 2012 to review the attached application for Zoning Map Amendment (ZMA120003) and after a public hearing voted 8-0-0 to recommend that Town Council approve the proposed application for rezoning.

Staff recommends that the Planning and Development Standards Committee forward the application for the proposed rezoning to Town Council with a recommendation for approval.

**Summary:** The purpose of this rezoning is to change the zoning designation of a property located at 807 William Hilton Parkway (commonly known as Plantation Center) from OL to PD-1 as part of the Palmetto Dunes Resort Master Plan with a land use designation of Commercial. The property is further identified as Beaufort County Tax Map 12 Parcel 16A.

**Background:** Plantation Center is a shopping center located near the entrance to Palmetto Dunes Resort that offers a mix of retail sales and services. The property was developed with six buildings during the 1970's under Beaufort County Ordinances, before the incorporation of the Town. When the Land Management Ordinance (LMO) was adopted in 1987, the property was included in what is now the OL Zoning District as shown on Attachment "A". This District was oriented more toward office and institutional uses than retail sales and services, which had been the historic uses of the property. Under the OL Zoning District regulations shopping centers are not permitted, making the existing shopping center a legally nonconforming use. According to the applicant, this has created problems for securing tenants and making improvements to the property. Also, the amount of square footage that was built on the property exceeds what was allowed by the new district making the site nonconforming for density. OL Zoning District regulations permit up to 19,840 square feet of development on the property depending on the use; however, the property is currently developed with 38,161 square feet.

To help resolve these issues, the applicant is requesting to rezone the property into the PD-1 Zoning District as part of the Palmetto Dunes Resort Master Plan, with an assigned land use of Commercial, but excluding Eating Establishments with a drive-thru, Auto Repairs, Kennel/Boarding, Water Park, Taxicab Service and Towing Service. The following uses would only be allowed by Special Exception: Indoor Recreation, Indoor Entertainment and Outdoor Recreation. Because the permitted uses for properties within PD-1 District are primarily governed by the use(s) assigned by the master plan, there is more flexibility with the assignment of land uses than in the OL District. As a result of the approval of this application, the shopping center use would be considered conforming. The only use on the property that will remain nonconforming is the liquor store. LMO Section 16-4-409E identifies certain uses that must be specifically stated as a permitted use on master plans within the PD-1 Zoning District and a liquor store is one of those uses. The change to specifically allow the liquor store on the property was not requested as a part of this application.

In addition to changes in permitted uses, the applicant is also requesting to change the permitted density. Master Plans within the PD-1 Zoning District are also used to assign a maximum amount of development that can be built on a property, so the applicant is requesting that the existing 38,161 square feet of development become the maximum permitted density assigned to the property. In addition, the applicant

proposes to limit the maximum size of any one commercial establishment on the property to 10,000 square feet and the maximum height of any structure to 45feet to allow for two habitable stories over parking.

As a result of this amendment, the maximum impervious coverage allowed on the site will be increased from 60% in the OL Zoning District to 65% in the PD-1 Zoning District and the height restriction on the property will be increased from 35 feet to 45 feet.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO. 2012-**

**PROPOSED ORDINANCE NO. 2012-12**

**AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP WITH RESPECT TO THAT CERTAIN PARCEL IDENTIFIED AS PARCEL 16A ON BEAUFORT COUNTY TAX MAP 12, FROM OL (OFFICE/INSTITUTIONAL LOW INTENSITY) TO THE PD-1 (PLANNED DEVELOPMENT MIXED USE - PALMETTO DUNES RESORT MASTER PLAN) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance ("LMO"); and

**WHEREAS**, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

**WHEREAS**, the Planning Commission held a public hearing on said zoning map amendment application on April 18, 2012, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

**WHEREAS**, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted 8-0-0 to find the application consistent with the Comprehensive Plan and serves to carry out the purposes of the LMO; and

**WHEREAS**, the Planning and Development Standards Committee held a public meeting on April 25, 2015 to review said zoning map amendment application, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

**WHEREAS**, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted to recommend that Town Council *<MOTION>* the proposed zoning map amendment application; and

**WHEREAS**, after due consideration of said zoning map amendment application and the recommendations of the Planning Commission and the Planning and Development Standards Committee, the Town Council, upon further review, finds it is in the public interest to *<MOTION>* the proposed application.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:**

**Section 1. Amendment.** That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-4-102 of the LMO, be hereby amended to modify the zoning designation of that certain parcel identified as parcel 16A on Beaufort County Tax Map 12, from OL to the PD-1 (Palmetto Dunes Resort Master Plan) Zoning District. The attached Vicinity Map shows the location of the subject property.

**Section 2. Severability.** If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

\_\_\_\_\_  
**Drew A. Laughlin, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Cori Brock, Town Clerk**

**Public Hearing:** April 18, 2012

**First Reading:**

**Second Reading:**

**Approved as to form:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member:** \_\_\_\_\_



**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT DEPARTMENT**

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

**REVISED STAFF REPORT  
ZONING MAP AMENDMENT**

Application Number	Name of Project:	Public Hearing Date:
<b>ZMA120003</b>	Plantation Center Shopping Center	April 18, 2012

Parcel Data or Location:	Property Owners	Applicant/Agent
<p><u>Existing Zoning District:</u> OL (Office Institutional Low Intensity)</p> <p><u>Proposed Zoning District:</u> PD-1(Planned Development Mixed Use Zoning District) as part of the Palmetto Dunes Resort Master Plan with an assigned land use of Commercial, excluding eating establishments with a drive- thru, Auto Repairs, Kennel/Boarding, Water Park, Taxicab Service and Towing Service. The following uses would be allowed by Special Exception only: Indoor Recreation, Indoor Entertainment and Outdoor Recreation. The maximum density for the site is not to exceed that which is currently developed, 38,161 square feet, and the maximum size of any one commercial establishment on the property is not to exceed 10,000 square feet. The maximum height on the property is 45 feet (two habitable stories over parking).</p> <p><u>Property Size</u> 2.48 acres</p> <p><u>Applicable Overlay District(s):</u> Corridor Overlay</p> <p><u>Parcels Affected:</u> Beaufort County Tax Map 12, Parcel 16A.</p>	<p>Miller Family Limited Partnership VI</p>	<p>Chester C. Williams Law Office of Chester C. Williams, LLC PO Box 6028 Hilton Head Island, SC 29928</p>

**Application Summary:**

**ZMA120003** - A request from Mr. Chester C. Williams, on behalf of the Miller Family Limited Partnership VI, to amend the Official Zoning Map by changing the zoning designation of a property located at 807 William Hilton Parkway from OL to PD-1 as part of the Palmetto Dunes Resort Master Plan with a land use designation of Commercial, excluding Eating Establishments with a drive-thru. The property is further identified as Beaufort County Tax Map 12 Parcel 16A.

**Staff Recommendation:**

**Staff recommends that the Planning Commission, find this application to be consistent with the Town’s Comprehensive Plan and does serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.**

**Background:**

Plantation Center is a shopping center located near the entrance to Palmetto Dunes Resort that offers a mix of retail sales and services. The property was developed with six buildings during the 1970’s under Beaufort County Ordinances, before the incorporation of the Town. When the Land Management Ordinance (LMO) was adopted in 1987, the property was included in what is now the OL Zoning District as shown on Attachment “A”. This District was oriented more toward office and institutional uses than retail sales and services, which had been the historic uses of the property. Under the OL Zoning District regulations shopping centers are not permitted, making the existing shopping center a legally nonconforming use. According to the applicant, this has created problems for securing tenants and making improvements to the property. Also, the amount of square footage that was built on the property exceeds what was allowed by the new district making the site nonconforming for density. OL Zoning District regulations permit up to 19,840 square feet of development on the property depending on the use; however, the property is currently developed with 38,161 square feet.

To help resolve these issues, the applicant is requesting to rezone the property into the PD-1 Zoning District as part of the Palmetto Dunes Resort Master Plan, with an assigned land use of Commercial, but excluding eating establishments with a drive-thru. Because the permitted uses for properties within PD-1 District are primarily governed by the use(s) assigned by the master plan, there is more flexibility with the assignment of land uses than in the OL District. As a result of the approval of this application, the shopping center use would be considered conforming. The only use on the property that will remain nonconforming is the liquor store. LMO Section 16-4-409E identifies certain uses that must be specifically stated as a permitted use on master plans within the PD-1 Zoning District and a liquor store is one of those uses. The change to specifically allow the liquor store on the property was not requested as a part of this application.

After reviewing the application, Staff felt that not all of the additional commercial uses requested by the application were appropriate for the property. After discussions with the applicant, it was agreed to exclude the following uses in addition to Eating Establishments with a drive-thru from being permitted on the property: Auto Repairs, Kennel/Boarding, Water Park, Taxicab Service and Towing Service. It was also agreed that the following uses would require the approval of a Special Exception by the Board of Zoning Appeals: Indoor Recreation, Indoor Entertainment and Outdoor Recreation.

In addition to changes in permitted uses, the applicant is also requesting to change the permitted

density. Master Plans within the PD-1 Zoning District are also used to assign a maximum amount of development that can be built on a property, so the applicant is requesting that the existing 38,161 square feet of development become the maximum permitted density assigned to the property. In addition, the applicant proposes to limit the maximum size of any one commercial establishment on the property to 10,000 square feet and the maximum height of any structure to 45 feet to allow for two habitable stories over parking.

As a result of this amendment, the maximum impervious coverage allowed on the site will be increased from 60% in the OL Zoning District to 65% in the PD-1 Zoning District and the height restriction on the property will be increased from 35 feet to 45 feet.

**Summary of Facts and Conclusions of Law:**

**Findings of Facts:**

- Notice of the Application was published in the Island Packet on March 11, 2012 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
- Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
- A public hearing will be held on April 18, 2012 as set forth in LMO 16-3-1504A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1504.

**Conclusion of Law:**

- The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO 16-3-110, 16-3-111 and 16-3-1504.

*As set forth in Section 16-3-1505, Zoning Map Amendment Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:*

**Summary of Facts and Conclusions of Law:**

*Criteria 1: Consistency (or lack thereof) with the Comprehensive Plan (LMO Section 16-3-1505A):*

**Findings of Facts:**

The Comprehensive Plan addresses this application in the following areas:

**Economic Development Element:**

**Section 7.6 – Potential Strategies with Implication for Comprehensive Plan**

Identify and prioritize areas in need of redevelopment, including any obsolete or run down commercial buildings. Incentivize the development of flexibility of streamlining in regulation of density caps, setbacks (and other controls) that enable a qualitative, principle based, asset revitalization that enhances the Island’s positive legacies.

**Land Use Element:**

**An Implication for Zoning Changes**

Future land use decisions and requests for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town’s Official Zoning Map.

### **An Implication for Building Permit Trends**

Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.

### **An Implication for Nonconforming Parcels by Use**

Current zoning classifications should be reviewed along with the associated regulations for each use. Areas that have high instances of nonconforming uses should be reviewed closely and revisions should be made where necessary. Creative alternatives to traditional zoning classifications should be considered, such as form based and smart codes to reflect current building and development trends that are indicative of our Island character.

### **Goal 8.1 – Existing Land Use**

A. The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

### **Goal 8.4 – Existing Zoning Allocation**

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

### **Goal 8.5 – Land Use Per Capita**

A. The goal is to have an appropriate mix and availability of land uses to meet the needs of the existing and future populations.

### **Goal 8.8 – Nonconforming Parcels by Use**

B. The goal is to evaluate the locations of non-conforming uses to determine areas to consider for Zoning Map Amendments.

### **Goal 8.9 – Age of Structures**

B. The goal is to encourage redevelopment of properties with aging structures or that no longer meet current market demands.

### **Goal 8.10 – Zoning Changes**

A. The goal is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

### **Implementation Strategy 8.8 Nonconforming Parcels by Use**

A. Evaluate the zoning districts or regulations of the districts when high concentrations of non-conforming properties by use exist to determine if amendments are appropriate.

### **Conclusions of Law:**

- Staff concludes that this application is consistent with the Comprehensive Plan, as described in the Economic Development and Land Use Elements as set forth in LMO Section 16-3-1505A.
- The proposed rezoning would provide an appropriate mix of land uses to meet the needs of the population and improve the quality of life on the Island.
- The proposed rezoning will help to improve the marketability of the properties and meet current market demands by permitting additional commercial uses that are common in this vicinity and by allowing the existing amount of density developed on the property to be

permitted.

- The proposed rezoning will provide more flexibility with the uses and density that can be developed on the property in a way that is consistent with the historic use of the property, will help to resolve issues with nonconformities on the property and will increase the potential for the redevelopment of six aging structures on the Island.

#### **Summary of Facts and Conclusions of Law:**

*Criteria 2: Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood (LMO Section 16-3-1505B):*

#### **Findings of Facts:**

- The present zoning of nearby properties includes both OL and PD-1.
- Nearby properties are commercial in nature and include offices, government facilities, the maintenance operations for Palmetto Dunes and vacant commercially zoned property.
- Section 16-4-216 describes the purpose of the existing OL zoning district as being: *“established between major commercial areas of the Island and intended to limit the types of nonresidential uses permitted. Land uses permitted are office and institutional in order to minimize travel impacts on the street system, encourage better compatibility in and among land uses on the Island, provide balance among land use types in major corridors and improve visual appearance along major corridors.”*
- LMO Section 16-4-209 describes the purpose of the PD-1 Zoning District as: *“to recognize the existence within the Town of certain unique mixed use Planned Unit Developments (PUDs) which are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a quality resort and residential community and it is the intent in establishing this District to allow the continuation of well-planned development within these areas.”*
- The property is currently developed as a nonconforming shopping center that would become conforming if the application is approved.

#### **Conclusion of Law:**

- Staff concludes that the proposed rezoning is compatible with the present zoning, the conforming uses of nearby property and with the character of the neighborhood as set forth in LMO Section 16-3-1505B because the property is located in an area that is generally commercial in nature and that would not change as a result of the approval of this rezoning.

#### **Summary of Facts and Conclusions of Law:**

*Criteria 3: Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment (LMO Section 16-3-1505C):*

#### **Findings of Facts:**

- LMO Section 16-4-209 describes the purpose of the PD-1 Zoning District as: *“to recognize the existence within the Town of certain unique mixed use Planned Unit Developments (PUDs) which are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a quality resort and residential community and it is the intent in establishing this District to allow the continuation of well-planned development within these areas.”*
- The property is developed as a shopping center, which is not permitted in the OL Zoning

District.

- As a result of this rezoning the property would be approved for commercial uses as defined by LMO Section 16-4-1204, excluding Eating Establishments with a drive-thru, Auto Repair, Kennel/Boarding, Water Park, Taxicab Service and Towing Service. Indoor Recreation, Indoor Entertainment and Outdoor Recreation would require the approval of a Special Exception. This will make the property conforming for use, with the exception of the liquor store. The uses that would be permitted as a result of this rezoning are shown on Attachment “C”.

**Conclusion of Law:**

- Staff concludes that the property is suitable for the uses that would be permitted by the proposed rezoning as set forth in LMO Section 16-3-1505C because this rezoning would approve the property for development with the types of uses that are currently developed on the property.

**Summary of Facts and Conclusions of Law:**

*Criteria 4: Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505D):*

**Findings of Facts:**

- LMO Section 16-4-218 describes the purpose of the existing OL zoning district as being: *“established between major commercial areas of the Island and intended to limit the types of nonresidential uses permitted. Land uses permitted are office and institutional in order to minimize travel impacts on the street system, encourage better compatibility in and among land uses on the Island, provide balance among land use types in major corridors and improve visual appearance along major corridors.”*
- The property is developed as a shopping center, which is not permitted in the OL Zoning District, which makes the use nonconforming.
- As a result of the creation of the OL District in 1987, many commercial uses existing at that time became nonconforming. The area was zoned OL when the LMO was adopted in 1987 to eventually eliminate these commercial uses, but throughout the years, these uses have continued to remain. Other rezoning applications have been approved that removed some of these properties from the OL Zoning District to make them conforming.

**Conclusion of Law:**

- Staff concludes that the property is not suitable for the OL Zoning District because the current use would remain nonconforming in an area of the zoning district that has demonstrated problems with nonconforming uses.

**Summary of Facts and Conclusions of Law:**

*Criteria 5: Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505E):*

**Findings of Fact:**

- This rezoning will increase the number of uses that can be developed on the property.
- This rezoning will allow the property to be redeveloped at its current density.

- This rezoning will make the shopping center use conforming.

**Conclusion of Law:**

- Staff concludes that the marketability of the properties will be improved as set forth in LMO Section 16-3-1505E because of the resolution of some of the nonconformities on the property and increase in the number of commercial uses permitted

**Summary of Facts and Conclusions of Law:**

*Criteria 6: Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use (LMO Section 16-3-1505F):*

**Finding of Fact:**

- The property has existing water, sewer and stormwater facilities serving the development.

**Conclusion of Law:**

- Staff concludes that the property has available water, sewer and stormwater facilities suitable for the proposed uses as set forth in LMO Section 16-3-1505F.

**LMO Official Determination**

**Determination:** Staff determines that this application is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

**Note:** If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

**PREPARED BY:**

SF  
 \_\_\_\_\_  
 Shea Farrar  
*Senior Planner*

04/06/12  
 \_\_\_\_\_  
 DATE

**REVIEWED BY:**

TBL  
 \_\_\_\_\_  
 Teri B. Lewis, AICP  
*LMO Official*

04/19/12  
 \_\_\_\_\_  
 DATE

**REVIEWED BY:**

JL  
 \_\_\_\_\_  
 Jayme Lopko, AICP

04/06/12  
 \_\_\_\_\_  
 DATE

*Senior Planner & Planning Commission Board Coordinator*

**Attachments:**

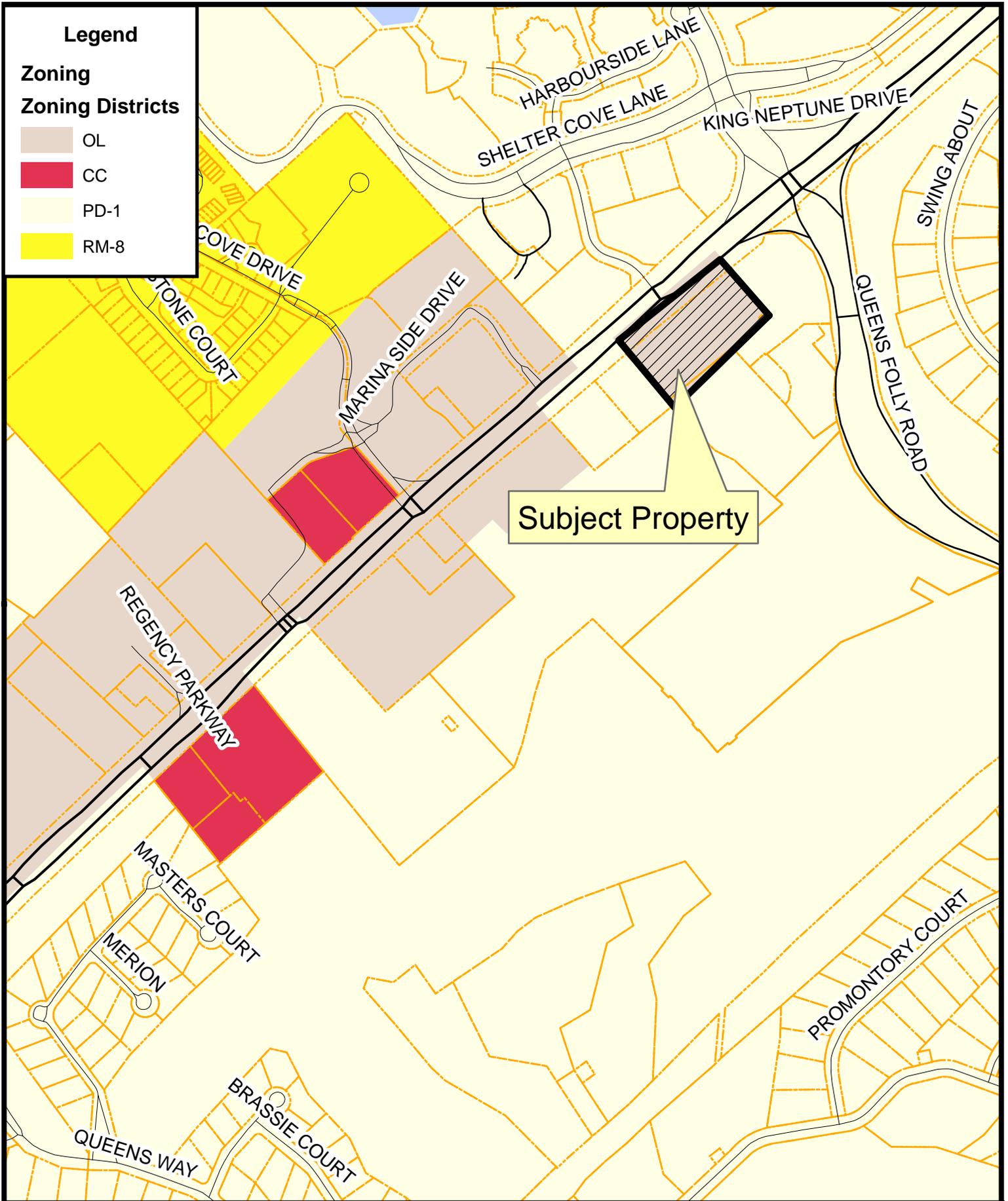
- A) Zoning Map
- B) Aerial
- C) Use Comparison Table
- D) Applicant's Narrative

**Legend**

**Zoning**

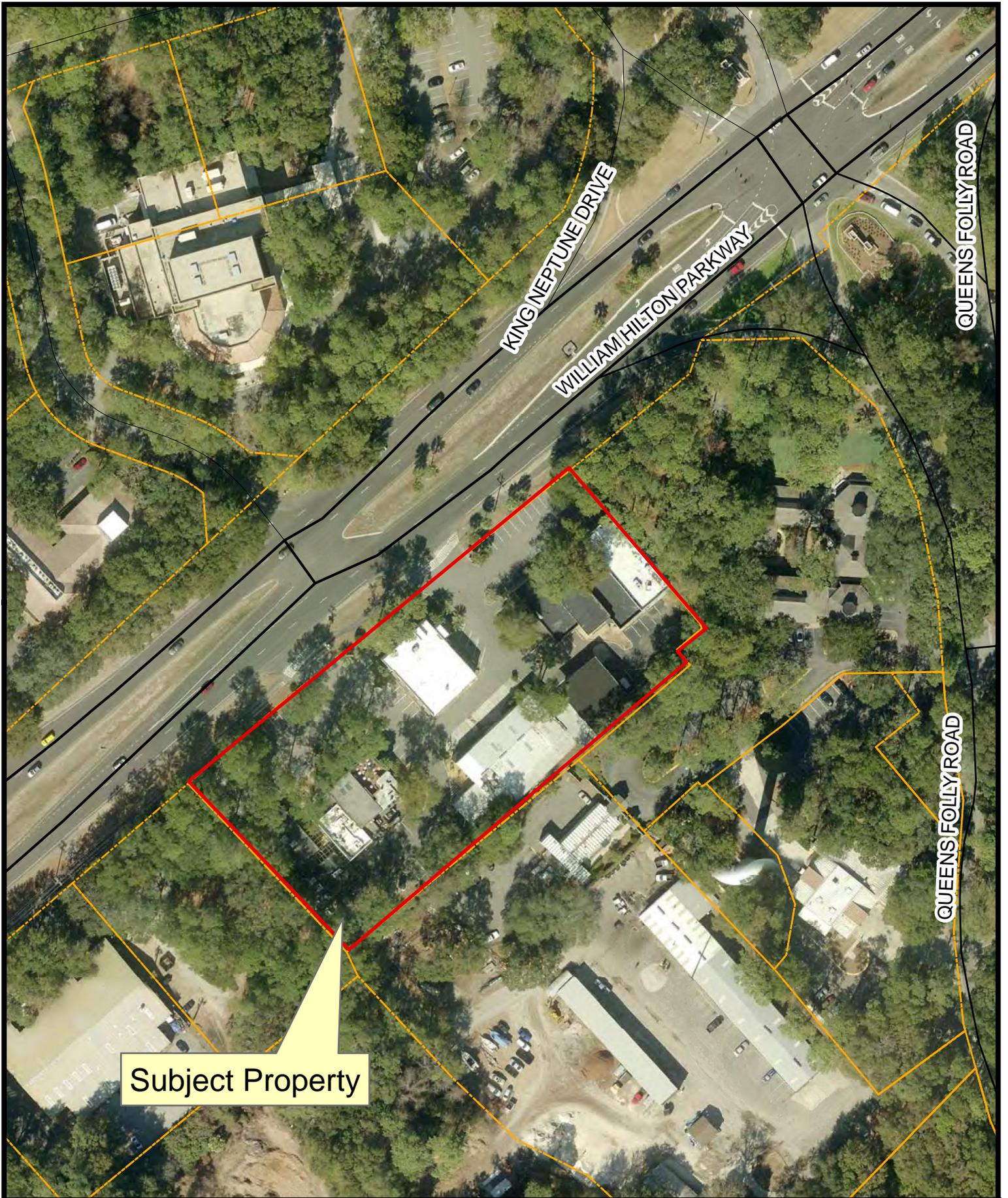
**Zoning Districts**

- OL
- CC
- PD-1
- RM-8



Subject Property





Subject Property

TOWN OF HILTON HEAD ISLAND  
ONE TOWN CENTER COURT  
HILTON HEAD ISLAND, S.C. 29928  
PHONE (843) 341-6000

Plantation Center  
ZMA120003 - ATTACHMENT B



This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.

## Attachment C – Use Comparison Table (OL & PD-1)

**P = Permitted By Right    PC = Permitted With Conditions    SE = Special Exception**  
**(Proposed Use Restrictions)**

Specific Use	Zoning District:	OL	PD-1
<b>Residential Uses</b>			
Group Living			
<b>Household Living</b>			
Single Family		P	
Multifamily Residential		PC	
Mixed Use		PC	
Manufactured Housing Park			
<b>Public and Civic Uses</b>			
Aviation/Surface Passenger Terminal			
Community Service			
Day Care		P	
<b>Educational Facilities</b>			
Colleges			
Schools, Public or Private			
Government Facilities		P	
Hospitals			
<b>Institutions</b>			
Religious Institutions		P	
Other Institutions		SE	
<b>Parks and Open Areas</b>			
Cemetery			
Park, Community		SE	
Park, Linear		P	
Park, Mini		P	
Park, Neighborhood			
Park, Regional			
Park, Special Use			
<b>Utilities</b>			
Major Utility		SE	
Minor Utility		P	
Telecommunications Facility*		PC	
Waste Treatment Plant			

<b>Commercial Uses</b>		
<b>Eating Establishments</b>		
With Drive-thru		
With Seating, High Turnover	PC	P
With Seating, Low Turnover	PC	P
Without Seating	PC	P
<b>Indoor Recreation/Entertainment</b>		
Indoor Recreation		SE
Indoor Entertainment		SE
<b>Outdoor Recreation/Entertainment</b>		
Outdoor Recreation		SE
Outdoor Entertainment*		
Water Park		
<b>Office</b>		
Health Services Except Hospitals	P	P
Real Estate Sales/Rental	P	P
Other Offices	P	P
Parking, Commercial		P
<b>Resort Accommodation</b>		
Bed and Breakfast Inn		
Central Reception or Check-in Facility		
Divisible Dwelling Unit*		
Hotel or Motel		
Inn		
Interval Occupancy*		
RV Park		
<b>Retail Sales and Service</b>		
Adult Entertainment*		
Bank or Financial Institution	PC	P
Bicycle Shop (with outdoor storage)		P
Community Theater		P
Dance Studio		P
Convenience Store (excluding Gas Sales)		P
Department or Discount Store		P
Funeral Home		P
Furniture Store		P
Hardware, Paint, Glass, Wallpaper or		P

Flooring Store		
Health Club or Spa		P
<b>Kennel, Boarding</b>		
Landscape Nursery		P
Liquor Store*		
Nightclub or Bar*		
Open Air Sales		P
Pet Store		P
Shopping Center		P
Souvenir or T-Shirt Store		P
Supermarket		P
Tattoo Facility*		
Veterinary Hospital*		
Watercraft Sales, Rental or Service*		
Other Retail Sales or Service	SE	P
<b>Vehicle Sales and Services</b>		
Auto Rental*		
<b>Auto Repair</b>		
Auto Sales*		
Car Wash		P
Gas Sales*		
<b>Taxicab Service</b>		
<b>Towing Service</b>		
Truck or Trailer Rental*		
<b>Industrial Uses</b>		
Aviation Services		
<b>Light Industrial Services</b>		
Contractor's Office		
Other Light Industrial Service		
<b>Manufacturing and Production</b>		
Seafood Processing		
Other Manufacturing and Production		
Limited Manufacturing		
<b>Weight and Freight Movement</b>		
Moving and Storage		
Self-Service Storage		
Warehousing		

Waste Related Service		
<b>Wholesale Sales</b>		
Contractor's Materials		
Wholesale Business		
Wholesale Business with Accessory Retail Outlet		
<b>Other Uses</b>		
Agriculture	P	
RV Park		

**\* These uses must be specifically stated as permitted uses in the PD-1 Zoning District.**



LAW OFFICE OF  
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**Chester C. Williams**  
ALSO MEMBER LOUISIANA BAR

**Thomas A. Gasparini**  
ALSO MEMBER CALIFORNIA BAR  
(Inactive)  
ALSO MEMBER OHIO BAR  
(Inactive)

March 1, 2012

Teri B. Lewis, AICP  
LMO Official  
Town of Hilton Head Island  
One Town Center Court  
Hilton Head Island, SC 29928

HAND DELIVERED

RE: Zoning Map Amendment Application regarding Plantation Center  
Shopping Center – Our File No. 01209-002

Dear Teri:

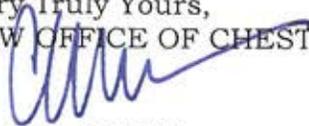
We are pleased to deliver to you herewith for filing an application we have prepared on behalf of our client, Miller Family Limited Partnership VI, to amend the Palmetto Dunes Resort Master Plan so as to include therein the 2.48 acre tract located at 807 William Hilton Parkway commonly known as Plantation Center Shopping Center, and to specify permitted uses and maximum density thereon. Also enclosed are our check in the amount of \$500.00 for the filing fee, a copy of the list of property owners within 350 feet of the property who are to receive notices as required by the LMO prepared by Lynn Cooler, and an authorization letter from our client. Note that Attachment 4 to the application is a copy of the Town-stamped, recorded 2006 asbuilt survey of Plantation Center. A full scale copy of that survey is also enclosed.

As you will see from a review of the application, we are filing this application in an effort to rezone the property in such a manner that the long-standing uses and density on the property are conforming.

We assume you and your staff will be able to place this application on the agenda for the April 18, 2012 meeting of the Town's Planning Commission, and that you will let us know if you have any questions or comments regarding this matter, or if we may otherwise be of assistance.

With best regards, we are

Very Truly Yours,  
LAW OFFICE OF CHESTER C. WILLIAMS, LLC

  
Chester C. Williams

CCW:  
Enclosures  
cc: Mr. Richard J. Kolsch

STATE OF SOUTH CAROLINA ) BEFORE THE PLANNING COMMISSION  
 ) OF THE TOWN OF HILTON HEAD  
 ) ISLAND, SC  
COUNTY OF BEAUFORT ) ZMA 12000\_\_

**ATTACHMENT 1**  
**TO**  
**THE ZONING MAP AMENDMENT APPLICATION**  
**OF**  
**MILLER FAMILY LIMITED PARTNERSHIP VI**  
**REGARDING**  
**2.48 ACRES, PLANTATION CENTER SHOPPING CENTER**

This Attachment 1 is part of the Zoning Map Amendment Application (this “Application”) of Miller Family Limited Partnership VI (the “Applicant”), and is submitted by the Applicant to the Planning Commission of the Town of Hilton Head Island (the “Town”) to address the zoning map amendment criteria set forth in §16-3-1505 of the Town’s Land Management Ordinance (the “LMO”). This Application seeks approval to amend the official zoning map of the Town by amending the Palmetto Dunes Resort Master Plan (the “PD Master Plan”) to include the 2.48 acre tract located at 807 William Hilton Parkway that is the site of Plantation Center Shopping Center (the “Property”) in the PD Master Plan, and to limit the applicable uses, density, and height on the Property.

**I. NARRATIVE – INTRODUCTION**

The Applicant is the owner of the Property, which is designated in the Beaufort County property tax records as TMS District 520, Map 12, Parcel 16A, Blocks 1 through 13. The Applicant acquired the Property on December 23, 1998.<sup>1</sup>

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<sup>1</sup> See the copy of the deed recorded in Beaufort County Record Book 1120 at Page 1358 which is attached as Exhibit A.



The Property is part of the general commercial area on William Hilton Parkway near the entrance to Palmetto Dunes Resort. When the LMO was enacted by the Town on January 19, 1987, the Property was not included in the PD Master Plan under the M-1 Planned Development Mixed Use Zoning District, but rather was put into a C-3 Office/Institutional Low Intensity Zoning District.<sup>2</sup>

The Applicant is now seeking to amend the Town's Official Zoning Map to remove the Property from the OL-Office/Institutional Low Intensity District and include it in the PD-1 Planned Development Mixed Use District under the PD Master Plan, by amending the PD Master Plan and its accompanying text to include the Property, and to establish specific permitted uses, maximum density, and maximum height limitations on the Property.

## **II. NARRATIVE – BACKGROUND**

### **A. THE PD MASTER PLAN**

The PD Master Plan was initially developed and maintained by Palmetto Dunes Resort, Inc., the original developers of Palmetto Dunes Resort, and thereafter by Greenwood Development Corporation, which acquired all of the interests of Palmetto Dunes Resort, Inc. in 1979.

After the Town was incorporated in 1983, the first official action taken regarding the PD Master Plan was its preliminary approval by the Town's Planning Commission on April 4, 1984.<sup>3</sup>

The Town enacted the original version of the LMO on January 19, 1987. Among other things, the LMO established zoning districts within the Town,

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<sup>2</sup> The areas referred to in the LMO prior to July 21, 1998 as the M-1 Planned Development Mixed Use Zoning District are now known as the PD-1 Planned Development Mixed Use District under the current version of the LMO, and the areas previously referred to as the C-3 Office/Institutional Low Intensity Zoning District are now known as the OL-Office/Institutional Low Intensity District.

<sup>3</sup> See the Town's records on the PD Master Plan and the accompanying text, and the minutes of the April 4, 1984 Planning Commission meeting included therein.



including the district that is now known as the PD-1 Planned Development Mixed Use District. The purpose of the PD-1 District is to recognize the existence within the Town of certain unique mixed use Planned Unit Developments (PUDs) which are greater than 250 acres in size. Generally, these PUDs, which include Sea Pines Plantation, Hilton Head Plantation, Palmetto Dunes Resort, Long Cove Club, and the other major PUDs on Hilton Head Island, have served to establish the special character of Hilton Head Island as a quality resort and residential community, and it is the LMO's intent in establishing the PD-1 District to allow the continuation of well-planned development within these areas.<sup>4</sup>

The various PUD master plans and associated text, as approved and, when applicable, as amended by the Town, establish general permitted uses and maximum area densities for the PUDs, except as may be modified by the overlay of a specific district other than the PD-1 District.<sup>5</sup> With respect to the Palmetto Dunes Resort area in particular, the approved master plan and associated text is the PD Master Plan that was approved by the Planning Commission on April 4, 1984 and later revised and stamped by the Town on May 7, 1986.<sup>6</sup> The PD Master Plan has been amended on numerous occasions since then, including the 2004 amendment that allowed for 5,400 square feet of commercial use density on Parcel 28, the 0.86 acre tract that is immediately adjacent to the Property.<sup>7</sup>

## **B. THE PROPERTY**

According to the Beaufort County property tax records, the commercial buildings located on the Property were developed and constructed under the old Beaufort County Development Standards Ordinance between 1971 and

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<sup>4</sup> See LMO §16-4-209(A).

<sup>5</sup> See LMO §16-4-209(D).

<sup>6</sup> See the Town's records on the PD Master Plan in general, and, in particular, the copy of the 1986 PD Master Plan which is attached as Exhibit B.

<sup>7</sup> See the Town's records on the PD Master Plan in general, and, in particular, Zoning Map Amendment Application No. ZMA040003. The 0.86 acre tract is shown on the copy of the plat recorded in Beaufort County Plat Book 89 at Page 1 which is attached as Exhibit C.



1977. Certain aspects of the development of the Property, especially the water and sewer service systems, which connect to the Property from Palmetto Dunes Resort, clearly reflect the integration of the Property with the area within the PD Master Plan. Since the completion of construction of the six existing buildings on the Property, it has continually operated as a commercial use multi-tenant facility.

The Property was originally assembled from various parcels by the Applicant's predecessors in title over a period of several years beginning in 1966. Through a series of transactions with Palmetto Dunes Resort, Inc. in 1973 and 1976 involving the purchase, sale, and reconfiguration of various parcels, the Property came to have its current configuration. After the Applicant acquired the Property, the six existing buildings on the Property were converted to a condominium regime<sup>8</sup> in order to give the Applicant more flexibility in its future plans for the Property.

When the Town first enacted the LMO and established a zoning scheme for Hilton Head Island, instead of including the Property in the M-1 Palmetto Dunes Resort Master Plan district, the Property was zoned C-3, a district that was established to provide for office and institutional uses.<sup>9</sup> That original zoning classification for the Property has always seemed odd, especially considering the long-standing use of the Property for retail and other commercial uses. The effect of the C3 zoning was to cause the then existing retail and other commercial uses on the Property to become legal, non-conforming uses.

The current zoning restrictions applicable to the Property impose a number of practical burdens and constraints on the Applicant and on potential tenants due to the fact that most retail and other commercial uses are not permitted uses in the OL District.<sup>10</sup> In fact, there are no retail sales and service uses or eating establishment uses that are permitted by right in the OL

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<sup>8</sup> See the Master Deed establishing Plantation Center Horizontal Property Regime recorded on March 9, 2006 in Beaufort County Record Book 2333 at Page 1739.

<sup>9</sup> The old C-3 District is the equivalent of the current LMO's OL District.

<sup>10</sup> See the Use Table at LMO §16-4-1204.



District. Most other retail sales and services are prohibited in the OL District, though certain eating establishments and banks or financial institutions are permitted in the OL District if certain conditions are met, and retail services that fall under the category “Other Retail Sales and Services” are permitted in the OL District subject to special exception review approval by the Town’s Board of Zoning Appeals. These restrictions have in the past caused the Applicant to lose prospective tenants.

The Property is fully developed for long-term commercial use, historically with retail and restaurant uses, has operated as such for some 35 years, and will continue to do so for the foreseeable future. However, those legacy uses are not by right permitted uses on the Property because of the restrictions imposed by the OL District’s limitations on use. The purpose of this Application is to rezone the Property so that the Town’s zoning laws match the historic uses of the Property, which have clearly been accepted by the community as appropriate, if not desirable, and so that the existing and historic uses on the Property are no longer considered non-conforming or not permitted uses.

Because of the fully developed condition of the Property, there are no infrastructure improvements necessary in order to implement the requested rezoning of the Property, or that will result from the requested rezoning of the Property.

### **C. THE REQUESTED REZONING**

The Applicant is requesting that the PD Master Plan be amended to remove the Property from the OL District and include it in the PD Master Plan and designate it as an individual tract thereunder, and that the text of the PD Master Plan be amended to specify (1) that the permitted use on the Property is commercial, but limited so that no eating establishments may have a drive-thru; (2) that the maximum square footage of development on the Property not exceed the existing square footage currently on the Property;<sup>11</sup> (3) that the maximum size of any one commercial establishment on the Property not exceed

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<sup>11</sup> According to the recorded Master Deed establishing Plantation Center Horizontal Property Regime, the six buildings on the Property have a total of 38,161 square feet.



10,000 square feet; and (4) that the maximum height of any structure on the Property not exceed forty-five (45.0') feet or two habitable stories over one level of parking;<sup>12</sup> thus allowing the existing and historic uses on the Property and the existing buildings on the Property to come into conformance with the requirements of the LMO.

### **III. NARRATIVE – CURRENT AND PROPOSED PERMITTED USE AND DENSITY**

The Property is currently zoned OL–Office/Institutional Low Intensity.

The OL Districts were established between major commercial areas on the Island with the intention of limiting the types of nonresidential uses permitted. Land uses in the OL District are restricted to office and institutional in order to minimize travel impacts on the street system, encourage better compatibility in and among land uses on the Island, provide balance among land use types in major corridors, and improve visual appearance along major corridors.<sup>13</sup> By right permitted uses in the OL District are limited to single family residential, day care, government facilities, religious institutions, linear and mini parks, minor utilities, health services except hospitals, real estate sales and rentals offices, other offices, and agriculture. Conditional uses permitted in the OL District are limited to multifamily residential, mixed use residential, telecommunications facilities, eating establishments without drive-thru, and banks or financial institutions, health clubs or spas, and pet stores. Uses permitted with special exception approval in the OL District are limited to institutions other than religious institutions, community parks, major utilities, and other retail services.<sup>14</sup> Accordingly, many, if not most, of the current and historic uses on the Property have been non-conforming uses.

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<sup>12</sup> Absent a specific height limitation for structures on the Property, under LMO §16-4-1701, the height limitation would be seventy-five (75') feet, not to exceed five habitable stories.

<sup>13</sup> See LMO §16-4-216, which describes the character and purpose of the OL and OM Districts.

<sup>14</sup> Again, see the Use Table at LMO §16-4-1204.



The maximum permitted non-residential density for a use other than office or institutional in the OL District is 6,000 square feet per net acre.<sup>15</sup> Given that density limitation, the existing buildings on the Property are non-conforming structures.<sup>16</sup>

Under LMO §§16-4-209(D) and 16-5-904(A)(1), the permitted use and maximum density for any parcel within a PD-1 District master plan is established by the Town approved master plan and associated text. The Applicant is proposing to amend the PD Master Plan as set forth above to incorporate the Property into the PD Master Plan, to allow for specific permitted uses on the Property consistent with the current and historic uses, to limit the density on the Property to the existing density, and to limit the height of structures on the Property.

The requested amendment to the PD Master Plan will not result in any increase in the existing commercial density within the Town, as the density on the Property will be capped at the current existing density. Rather, the requested amendment will only allow for the existing and historic uses and the structures on the Property to be considered conforming to current provisions of the LMO, and for the existing structures to be conforming with the LMO's density standards.

Potential tenants who are considering making lease commitments and potential property owners who are considering making substantial financial commitments and investments are very much concerned about the possible adverse effects of a property that has limited available uses and a building that is technically a legal non-conforming structure, regardless of the apparent ability under the law to maintain that status, including the ability to rebuild after a casualty. For those potential tenants and business owners, the time required to analyze these kinds of issues is often limited, and at any given time they may be looking at numerous opportunities for new locations. Prospective tenants and business owners will ultimately have the time and capital to

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<sup>15</sup> See the Density Standards Table at LMO §16-4-1601.

<sup>16</sup> Even though the existing structures on the Property are non-conforming, because the Property is a condominium regime, if a structure is damaged or destroyed by casualty, it can still be rebuilt under the provisions of LMO §16-7-302(C)(3).



pursue only some of these new locations, and having to deal with issues like limited available uses, or being in a building that is a non-conforming structure, can be a real disincentive that may ultimately preclude a potential tenant or business owner from committing to that location.

#### **IV. NARRATIVE – REZONING CRITERIA**

LMO §16-3-1505 sets forth the criteria which the Planning Commission is to address in making a recommendation to the Town Council on this rezoning request, as follows:

##### **A. Consistency (or lack thereof) with the Comprehensive Plan.**

The **Natural Resources Vision** of the Comprehensive Plan directs the Town to protect Hilton Head Island’s diverse natural resources, which are pivotal to the economic well being of the community and the high quality of life on the Island.<sup>17</sup> The Applicant is seeking to amend the PD Master Plan in a manner that will allow the existing and historic uses and the structures on the Property to comply with current LMO provisions, in accordance with the original plans for the development of the Property. No new development will result from the requested rezoning, and existing densities on the Property and within the Town as a whole will not increase. The Applicant’s proposed amendment of the PD Master Plan will help maintain existing development as originally permitted and as operated for some 35 years, and allow for potential redevelopment on the Property, with no adverse impacts on the Town’s natural resources.

The **Community Facilities Vision** of the Comprehensive Plan is for the Town to provide facilities for the residents and visitors of Hilton Head Island which are maintained at the highest levels of service and

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<sup>17</sup> See the February 17, 2010 Hilton Head Island Comprehensive Plan (the “Comprehensive Plan”), at Page 19.



efficiency consistent with facilities of a world class community.<sup>18</sup> The approval of this Application will only change the existing and historic uses and the structures on the Property from non-conforming to conforming, which, by eliminating the potential for confusion that currently exists with the non-conforming nature of the Property, will be a further incentive for, and will make it easier for, the Applicant and the long-term tenants to maintain the Property in good condition. All infrastructure required for continued operation of the existing structures on the Property, including water and sewer, storm water drainage, electric, telephone, and cable services and roadways, is already in place, and no additional work will be required as a result of the requested rezoning. Also, because there will be no increase in the overall commercial density within the Town and no increase in the commercial density on the Property, there should be no increase in demand on the community's infrastructure as a result of the approval of this Application.

The **Economic Development Vision** of the Comprehensive Plan looks to define, foster, and enhance the economic environment that sustains Hilton Head Island's unique way of life.<sup>19</sup> In particular, the Comprehensive Plan recognizes that "sensitive (re)development" now dominates the Town's collective thinking, with calls for the exercise of "flexibility" and "good judgment" in controls often on a case by case basis in order to preserve the essential "character" of the Island.<sup>20</sup> The Comprehensive Plan also acknowledges as a potential risk for the future economy of the Island that some of the Island's hospitality and other service sector assets are aging and becoming "tired" looking, and are in need of revitalization or potential replacement. Sensitive redevelopment is therefore a major theme of the Comprehensive Plan.<sup>21</sup>

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<sup>18</sup> See the Comprehensive Plan, at Page 59.

<sup>19</sup> See the Comprehensive Plan, at Page 88.

<sup>20</sup> See the Comprehensive Plan, at Page 88.

<sup>21</sup> See the Comprehensive Plan, at Page 90-91.



The potential strategies for economic development described in Section 7.6 of the Economic Development Element of the Comprehensive Plan call for the development of flexibility of streamlining in regulation of density caps, setbacks, and other controls that enable a qualitative, principle based, asset revitalization that enhances the Island's positive legacies.<sup>22</sup> The Comprehensive Plan thus suggests that redevelopment and refurbishment of the Property could breathe new life into what is an older commercial development on the Island, bringing renewed life and vigor to the Property with new, highly desirable tenants. However, as the Comprehensive Plan seems to acknowledge, it is difficult to justify the substantial investment necessary to undertake such a project on the Property if the permitted uses are limited to those allowed in the OL District, and the buildings themselves are non-conforming.

The Applicant's desire to protect and enhance its investment in the Property is a primary reason for this Application, as a commercial building that is in conformance with zoning regulations and requirements is much more desirable than a non-conforming property. Clearly, putting the Applicant in the best possible position to maintain a successful and attractive commercial development is consistent with the Economic Development Vision of the Comprehensive Plan, and is in the best interests of the Town.

The **Land Use Element** of the Comprehensive Plan seeks a high quality of life by planning for population growth, public and private development and redevelopment, and the proper distribution, location, and intensity of land uses with adequate levels of services while maintaining and protecting the natural resources, residential neighborhoods, and overall character of the Town.<sup>23</sup> The Existing Land Use Map at Page 113 of the Comprehensive Plan recognizes that retail commercial use on the Property is appropriate. Several sections of the Land Use Element of the Comprehensive Plan encourage redevelopment,

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<sup>22</sup> See the Comprehensive Plan, at Page 92.

<sup>23</sup> See the Comprehensive Plan, at Page 100.



in particular Section 8.2 – Building Permit Trends,<sup>24</sup> Section 8.6 – Build Out,<sup>25</sup> Section 8.9 – Age of Structures,<sup>26</sup> and Section 8.11 – Land Use Goals,<sup>27</sup> all support the Applicant’s requested rezoning, as the resulting change to conformance with current zoning regulations will help encourage the refurbishment and renovation of the Property.

The Applicant believes the approval of this Application and the resulting change from non-conforming to conforming status with respect to applicable zoning regulations and requirements is also consistent with and in conformance with the visions and goals set forth in the Land Use Element of the Comprehensive Plan. Section 8.8 – Nonconforming Parcels by Use,<sup>28</sup> Goal 8.8 – Nonconforming Parcels by Use,<sup>29</sup> Goal 8.9 – Age of Structures,<sup>30</sup> and Goal 8.10 – Zoning Changes<sup>31</sup> are particularly

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<sup>24</sup> “Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.” See the Comprehensive Plan, at Page 103.

<sup>25</sup> Because of the anticipation of build-out, creative redevelopment policies and alternatives to traditional zoning and land development regulations should be a focus for all land use policies and regulations. See the Comprehensive Plan, at Page 105.

<sup>26</sup> “The location of the older developments should be reviewed to determine the areas that may be primed for redevelopment. Changes in building codes, building trends, and consumer expectations should also be considered when determining the appropriate age of structures to target redevelopment strategies.” See the Comprehensive Plan, at Page 108.

<sup>27</sup> “Promote quality infill development and use redevelopment opportunities to promote more pedestrian-friendly retail environments.” See the Comprehensive Plan, at Page 109.

<sup>28</sup> “Current zoning classifications should be reviewed along with the associated regulations for each use. Areas that have high instances of nonconforming uses should be reviewed closely and revisions should be made where necessary.” See the Comprehensive Plan, at Page 107.

<sup>29</sup> “The goal is to evaluate the locations of non-conforming uses to determine areas to consider for Zoning Map Amendments.” See the Comprehensive Plan, at Page 110.

<sup>30</sup> The goals are “to monitor areas that have high concentrations of aging structures to target for potential redevelopment”, and “to encourage redevelopment of properties with aging structures or that no longer meet current market demands.” See the Comprehensive Plan, at Page 110.

<sup>31</sup> “The goal is to provide appropriate modifications to the Zoning designations to meet market demands while maintaining the character of the Island.” See the Comprehensive Plan, at Page 110.



supportive of this Application. In addition, Implementation Strategies 8.6 – Build-out,<sup>32</sup> 8.8 – Nonconforming Parcels by Use,<sup>33</sup> 8.9 – Age of Structures,<sup>34</sup> and 8.10 – Zoning Changes<sup>35</sup> specifically address, and support, the purposes of this Application.

Given the history of the Property, the existing infrastructure facilities already serving the Property, and the long term retail commercial use on the Property, the requested rezoning will not have an adverse effect on the natural resources, community facilities, or existing development in the area of the Property, and will encourage the continued maintenance, or orderly redevelopment, of the Property.

**B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.**

The current uses on the Property include several restaurants, a financial services office, a liquor store, a bicycle shop, a tailor, and a hair salon, and those uses will remain so upon the approval of this Application. Past uses on the Property have included other retail sales and services. The historic uses on the Property generally have not been compatible with the current OL District zoning applicable to the Property, as those uses are, for the most part, not permitted uses in the OL District.

The nearby properties along William Hilton Parkway include the Hunter Building, the adjacent undeveloped parcel that was rezoned in

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<sup>32</sup> “Provide flexibility within the Land Management Ordinance to address future development and redevelopment of existing sites.” See the Comprehensive Plan, at Page 111.

<sup>33</sup> “Evaluate the zoning districts or regulations of the districts when high concentrations of non-conforming properties by use exist to determine if amendments are appropriate.” See the Comprehensive Plan, at Page 111.

<sup>34</sup> “Develop flexible regulations and incentives to encourage redevelopment of aging structures and districts.” See the Comprehensive Plan, at Page 111.

<sup>35</sup> “Focus higher intensity land uses in areas with available sewer connections.” See the Comprehensive Plan, at Page 111.



2004 to allow for general commercial uses under the PD Master Plan, and the Palmetto Dunes Resort check-in and maintenance facilities. Across William Hilton Parkway from the Property, the nearby properties include the Arts Center of Coastal Carolina and the Chamber of Commerce building, which are both within the PD Master Plan, as well as the Days Inn motel and the Pirates Island miniature golf facility. The existing uses on these nearby properties are all generally commercial in nature and compatible with general commercial uses on the Property.

Given the past and existing uses on the Property and the history of the development of the area around the Property, and considering that the PD Master Plan has other areas, such as portions of Shelter Cove, that provide office uses for the Palmetto Dunes area that is much more attractive for offices than the Property, the Applicant believes the use of the Property for general commercial uses is compatible with the present zoning and conforming uses of nearby properties and with the character of the neighborhood.

**C. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment.**

The rezoning requested by this Application will not result in any change in the current use of the Property as a general retail and commercial center, but rather seeks to rezone the Property in a manner that makes uses other than only office uses permitted by right on the Property, and makes the existing structures on the Property conforming with density standards.

The nature of the PD-1 Districts under the LMO is such that the master plan maps and accompanying text can, to an extent, be drafted or amended to provide for specific and limited uses and densities in combinations that might not otherwise be available in other zoning districts within the Town. To that end, this Application to rezone the Property by amending the PD Master Plan and the accompanying text to provide for uses and a maximum density that, if approved as requested, will result in the Property being zoned in a manner that is wholly



consistent with the regulations that would be made applicable by the proposed amendment.

When the Town approved the 2004 amendment of the PD Master Plan to allow for 5,400 square feet of commercial density on Parcel 28, the vacant parcel that is immediately adjacent to the Property, the Town acknowledged that commercial uses are appropriate for the area in the vicinity of the Property. The Applicant submits that such is also the case for the Property.

The Applicant believes that the Property is suitable for the general commercial uses that would be permitted for the parcel under the PD Master Plan if the proposed amendment is approved.

**D. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment.**

Considering of the general availability of more desirable office space in the Shelter Cove area, and the historic use of the Property for retail commercial businesses, the Applicant in all likelihood would have a difficult time attracting and keeping office tenants and uses on the Property. The longest current use on the Property is a restaurant, and in the past the Property has been the home of many retail commercial uses. While there is a financial services office on the Property, the Applicant believes that the Property is generally unsuitable for the uses permitted under the currently applicable OL District, which is the district applicable to the Property at this time. The direct access from the Property to William Hilton Parkway is not conducive to office use on the Property. Generally, most office uses have access from secondary roads. General commercial and retail uses are more frequently located on main roads, as is the Property.

It is difficult to argue that the Property is suitable for uses in the OL District when the uses that have historically been on the Property are generally not permitted in the OL District. It is also important to note that the Town in 2004 approved general commercial use on Parcel 28,



the vacant parcel that is immediately adjacent to the Property. The Applicant believes that the approval of this Application will be a benefit not only to the Property, but also to the Town, because the end result will be a greater degree of conformance with the LMO.

It is also important to note the recent approvals by the Town Council of other zoning map amendment applications for parcels on William Hilton Parkway that are similar to the Property, specifically the South Island Square parcel and the Marina Side Drive parcels located near the corner of William Hilton Parkway and Yacht Cove Drive.<sup>36</sup> Clearly, the Town Council, based on recommendations from the Planning Commission, has realized that trying to force OL zoning regulations on historically commercial properties on William Hilton Parkway was not a good idea. Such is the case with the Property.

**E. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment.**

The non-conforming nature of the historic uses on the Property and of the six existing structures on the Property will change to conforming with the provisions of the LMO if this Application is approved. It should go without saying that a change from non-conforming use and structure to conforming use and structure will have a beneficial effect on the marketability of the Property. Especially when one is dealing with commercial properties, zoning conformance is a criteria that any potential purchasers and tenants will, and should, review. If zoning conformance is not an issue, then marketability of any property will certainly be enhanced. Because the non-conforming nature of the structures on the Property, coupled with the limited permitted uses available in the OL District, has the potential to adversely affect the marketability of the Property, the approval of this Application will increase the marketability of the Property. In addition, the Applicant

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<sup>36</sup> See the Town's records on Zoning Map Amendment Application No. ZMA100007 regarding the Marina Side Drive parcels, which the Planning Commission reviewed on March 16, 2011; and Zoning Map Amendment Application No. ZMA100007 regarding the South Island Square tract, which the Planning Commission review on September 7, 2011.



believes that the approval of this Application will not have an adverse effect on the marketability of other properties in the vicinity.

The Town's records on the PD Master Plan indicate that there is somewhere in the neighborhood of 90,000 square feet of office space in the Palmetto Dunes and Shelter Cove master plan area, the vast majority of which is newer and more desirable office space than the Property has to offer. The limitations on the use of the Property imposed by the OL District regulations have placed the Property at a disadvantage in trying to compete for available office tenants. Such is not the case, however, for commercial and retail uses on the Property.

The Applicant believes that the highest and best use of the Property currently is, and for the foreseeable future will be, general commercial uses, as opposed to just office and institutional uses. The marketability of the Property will likely be greater if the Property is in conformance with existing zoning regulations, which can be accomplished by the approval of this Application.

**F. Availability of sewer, water and stormwater facilities generally suitable for the proposed use.**

Because the Property was originally permitted and developed as part of the PD Master Plan area before the Town placed the Property in an OL District, the sewer, water and storm water facilities serving the Property were designed and implemented as part of the overall sewer, water and storm water systems serving the PD Master Plan area.

Broad Creek Public Service District currently provides potable water and sanitary sewer service to the Property, and will continue to do so if this Application is approved, and the storm drainage system on the Property will continue as is if this Application is approved.

Because no new development will result on the Property following the approval of the requested rezoning, there should be no impact on sewer, water, and stormwater services or facilities as they presently exist.



#### **IV. NARRATIVE – CONCLUSION**

The Applicant believes the foregoing narrative demonstrates that this Application is in conformance with the LMO and the Town's Comprehensive Plan, and meets the criteria set forth in LMO §16-3-1505. Accordingly, the Applicant respectfully requests that the Planning Commission (a) consider this Application and the testimony and supporting documentation which will be entered into the record; (b) find:

1. That this Application and the supporting testimony and documentation establish that the requested zoning map amendment is consistent with the Town's Comprehensive Plan; and
2. That this Application and the supporting testimony and documentation establish that the current use on the Property is not consistent with the present zoning, and is consistent with conforming uses of nearby properties and with the character of the neighborhood around the Property; and
3. That this Application and the supporting testimony and documentation establish that the Property is suitable for the uses permitted by the zoning district that would be made applicable to the Property by the requested zoning map amendment; and
4. That this Application and the supporting testimony and documentation establish that the Property is not suitable for the uses permitted by the zoning district that is currently applicable to the Property; and
5. That this Application and the supporting testimony and documentation establish that the marketability of the Property for uses permitted by the zoning district that is currently applicable to the Property will be increased by the approval of the requested zoning map amendment; and



6. That this Application and the supporting testimony and documentation establish that there will be no change in the Property's requirements for sewer, water and storm water facilities, and that such services generally suitable and adequate for the existing use of the Property under the requested zoning map amendment are available to the Property;

and (c) recommend to the Town Council that they approve this Application.

Respectfully submitted on behalf of the Applicant this 1<sup>st</sup> day of March, 2012.



This signature is an electronic reproduction

---

Chester C. Williams, Esquire  
Law Office of Chester C. Williams, LLC  
17 Executive Park Road, Suite 2  
Post Office Box 6028  
Hilton Head Island, SC 29938-6028  
843-842-5411  
843-842-5412 (fax)  
Firm@CCWLaw.net



Exhibit A to Attachment 1 (5 Pages)

4/10 RL

64418

1358

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT ) TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, THAT WOLFE MILLER in the State aforesaid for and in consideration of the sum of Ten Dollars (\$10.00) and no other consideration, to me in hand paid at and before the sealing of these presents by MILLER FAMILY LIMITED PARTNERSHIP, VI, a New York limited partnership, in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said MILLER FAMILY LIMITED PARTNERSHIP, VI, a New York limited partnership, its successors and assigns, forever, the following described property, to-wit:

See Exhibit "A" Attached Hereto

SAID PROPERTY is conveyed subject to all applicable rights, obligations, easements, restrictions and reservations as recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.

This being the same property conveyed to the Grantor herein by Deeds recorded in ORB 1063 at Page 108 and ORB 1063 at Page 98 in the Office of the Register of Deeds for Beaufort County, South Carolina.

This Deed was prepared in the Law Offices of Fraser & Allen, LLC, Post Office Box 5098, Hilton Head Island, South Carolina 29938 by J. Simon Fraser, Esquire.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said MILLER FAMILY LIMITED PARTNERSHIP, VI, a New York limited partnership, its successors and assigns, forever.

AND I do hereby bind myself and my heirs, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said MILLER FAMILY LIMITED PARTNERSHIP, VI, a New York limited partnership, its successors and assigns, forever, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

R520-12-16A-D



## EXHIBIT "A"

Legal Description

ALL that certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, and being more particularly shown and described on a plat prepared by R. D. Trogdon, Jr., R.L.S. (S.C.) #2172, said plat being entitled "Plat Prepared for William Cork" dated October 14, 1966, said property having and containing 1.94 acres, more or less, said property being more particularly described with reference to that deed recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 234 at Page 1600.

## LESS AND EXCEPT THEREFROM:

(a) That piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, having and containing 0.0117 acres, more or less, and being shown and described on a plat thereof entitled "Survey of Two Portions of Land, Palmetto Dunes, Hilton Head Island, Beaufort County, South Carolina" dated October 17, 1972, revised December 12, 1972, said plat being prepared by Hussey, Gay & Bell Consulting Engineers, certified by Roy L. Hussey, R.L.S. (S.C.) #2373 said plat having been recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 20 at Page 167;

(b) That certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, having and containing 0.45 acres, more or less, being particularly shown and described on a plat thereof entitled "A Plat of 0.45 Acres located on Highway 278, Hilton Head Island, Beaufort County, South Carolina", prepared by Jerry L. Richardson, R.L.S. (S.C.) #4784 said plat bearing date of March 10, 1976, which plat is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 236 at Page 1776.

ALSO, all that certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, having and containing .0674 acres, more or less, and being shown and described on a plat thereof entitled "Survey of Two Portions of Land, Palmetto Dunes, Hilton Head Island, Beaufort County, South Carolina" dated October 17, 1972, and revised December 12, 1972, said plat being prepared by Hussey, Gay & Bell Consulting Engineers, certified by Roy Hussey, R.L.S. (S.C.) #2373 said plat having been recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 20 at Page 167.

ALSO, all that certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, having and containing 1.09 acres, more or less, and being shown and described on a plat thereof entitled "Plat of 1.09 Acres Located on Highway 278, Hilton Head Island, Beaufort County, South Carolina," said plat being prepared by Coastal

1361

Surveying Company, Inc., and certified by Jerry L. Richardson R.L.S. (S.C.) #4784, said plat bearing date of March 10, 1976, said plat having been recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 236 at Page 1455;

The insured property herein is shown and described on that July 25, 1990 plat prepared by Coastal Surveying and Engineering, Inc., Jerry L. Richardson, SCRLS #4784, said plat being prepared for the William N. Cork, II Marital Trust, and being entitled, "A Plat of Plantation Center Shopping Center, As-Built Survey, A Section of Palmetto Dunes".

Beaufort County Tax Map Reference: R520 012 000 016A 0000

Mailing Address: 275 Route 25A, Suite 26  
Miller Place, NY 11764

7852 Frase

FILED  
JOHN A. SULLIVAN - REC.  
OF SAFFOLD COUNTY, S.C.

98 DEC 23 PM 3:49 /MLL

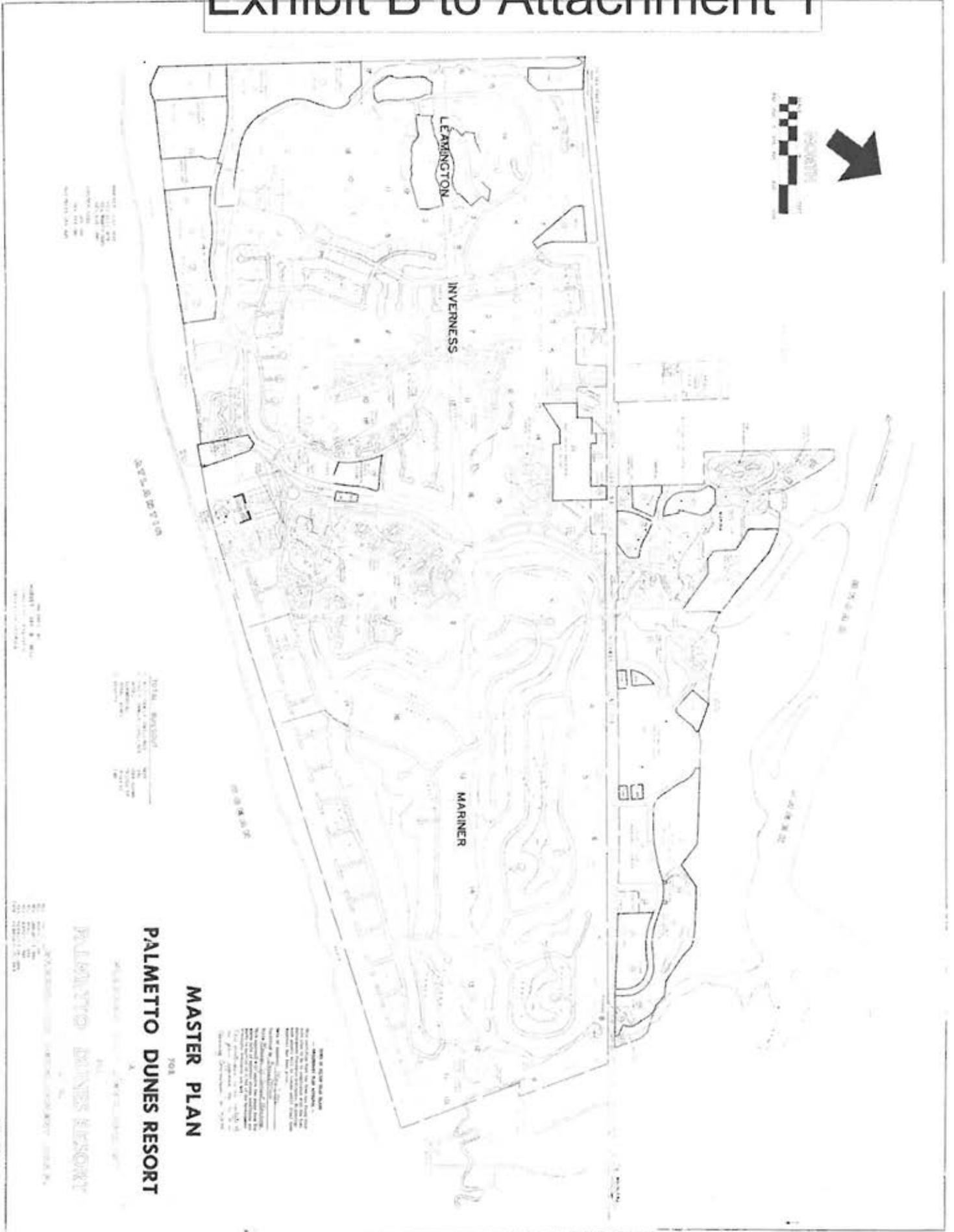
BK 1120 PG 1358  
FOLDER#

1362

RECORDED THIS 27 DAY  
OF January 19 99  
IN BOOK 1 AE PAGE 2696

Sharon P. Burris  
AUDITOR, BEAUFORT COUNTY, S.C.

# Exhibit B to Attachment 1





# Attachment 2



LAW OFFICE OF  
**CHESTER C. WILLIAMS, LLC**

17 Executive Park Road, Suite 2  
Post Office Box 6028  
Hilton Head Island, SC 29938-6028  
Telephone (843) 842-5411  
Telefax (843) 842-5412  
Email [Firm@CCWLaw.net](mailto:Firm@CCWLaw.net)

**Chester C. Williams**  
ALSO MEMBER LOUISIANA BAR

**Thomas A. Gasparini**  
ALSO MEMBER CALIFORNIA BAR  
(Inactive)  
ALSO MEMBER OHIO BAR  
(Inactive)

March \_\_\_\_, 2012

«Company\_Name»  
«Address\_Line\_1»  
«Address\_Line\_2»  
«City», SC 29928

RE: Zoning Map Amendment Application of Miller Family Limited Partnership  
VI for 2.48 Acres, Plantation Center Shopping Center – Our File No.  
01209-002

Dear Sir or Madam:

As required by Sections 16-3-110 and 16-3-111(C)(1) of the Land Management Ordinance of the Town of Hilton Head Island, you are notified that there will be a public hearing before the Town's Planning Commission on Wednesday, April 18, 2012 at 3:00 P.M. in Town Council Chambers at Town Hall, One Town Center Court, Hilton Head Island, South Carolina on the zoning map amendment application filed on behalf of Miller Family Limited Partnership VI for Plantation Center Shopping Center located at 807 William Hilton Parkway. The property is also known as Beaufort County Tax District 520, Map 12, Parcel 16A, Blocks 1 through 13. The proposed zoning map amendment seeks to include the property in the PD-1 Palmetto Dunes Resort Master Plan, and to specify permitted uses and maximum density for the property. A copy of a survey showing the property is enclosed. The property is located within the OL – Office/Institutional Low Intensity Zoning District. Any interested party may appear at the public hearing.

If you require additional information regarding this application, please contact the undersigned at the telephone number on the letterhead above, or contact the Town of Hilton Head Island Planning Staff at (843) 341-4601.

With best regards, we are

Very Truly Yours,  
LAW OFFICE OF CHESTER C. WILLIAMS, LLC

Chester C. Williams

CCW/

Enclosure

cc: Mr. Richard J. Kolsch  
Teri B. Lewis, AICP

# Attachment 3 (2 Pages)



LAW OFFICE OF  
**CHESTER C. WILLIAMS, LLC**  
17 Executive Park Road, Suite 2  
Post Office Box 6028  
Hilton Head Island, SC 29938-6028  
Telephone (843) 842-5411  
Telefax (843) 842-5412  
Email [Firm@CCWLaw.net](mailto:Firm@CCWLaw.net)

**Chester C. Williams**  
ALSO MEMBER LOUISIANA BAR

**Thomas A. Gasparini**  
ALSO MEMBER CALIFORNIA BAR  
(Inactive)  
ALSO MEMBER OHIO BAR  
(Inactive)

March 1, 2012

Mr. Robert Sharp  
General Manager  
Palmetto Dunes Property Owners Association, Inc.  
Post Office Box 7974  
Hilton Head Island, SC 29928

RE: Rezoning Application for Plantation Center Shopping Center – Our  
File No. 01209-002

Dear Mr. Sharp:

We represent Miller Family Limited Partnership VI, the owner of Plantation Center Shopping Center. We are preparing to file on behalf of our client an application for a zoning map amendment to move the property from the OL – Office/Institutional Light Intensity zoning district to the PD-1 Palmetto Dunes Master Plan zoning district and to specify permitted uses and maximum density for the Plantation Center property. The primary purpose for this rezoning application is to change the applicable zoning for the property in such a manner that the historical and existing uses on the property are conforming uses. A copy of that application is enclosed.

Section 16-3-1502(A)(3) of the Land Management Ordinance of the Town of Hilton Head Island requires an applicant for a rezoning or master plan amendment to solicit written comments from appropriate property owners' associations regarding the requested amendment. Even though Plantation Center Shopping Center is not subject to the Palmetto Dunes Property Owners Association's covenants, our client has asked us to solicit comments on this rezoning application from the Palmetto Dunes POA. This letter is for that purpose. We would encourage you to direct any comments you may have regarding this application to Teri B. Lewis, AICP, the Town's LMO Official, at One Town Center Court, Hilton Head Island, South Carolina 29928, within fourteen days of your receipt of this letter.



LAW OFFICE OF  
CHESTER C. WILLIAMS, LLC

Mr. Robert Sharp  
March 1, 2012  
Page 2

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We will be happy to discuss this matter further with you or any other representatives of the Palmetto Dunes POA at your convenience in an effort to address any specific concerns you may have with this application.

We trust you will let us know if you have any questions or comments regarding this matter, or if we may otherwise be of assistance.

With best regards, we are

Very truly yours,

LAW OFFICE OF CHESTER C. WILLIAMS, LLC

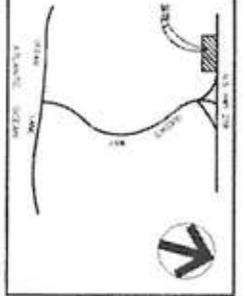
Chester C. Williams

CCW:

Enclosure

cc: Mr. Richard J. Kolsch  
Teri B. Lewis, AICP

# Attachment 4

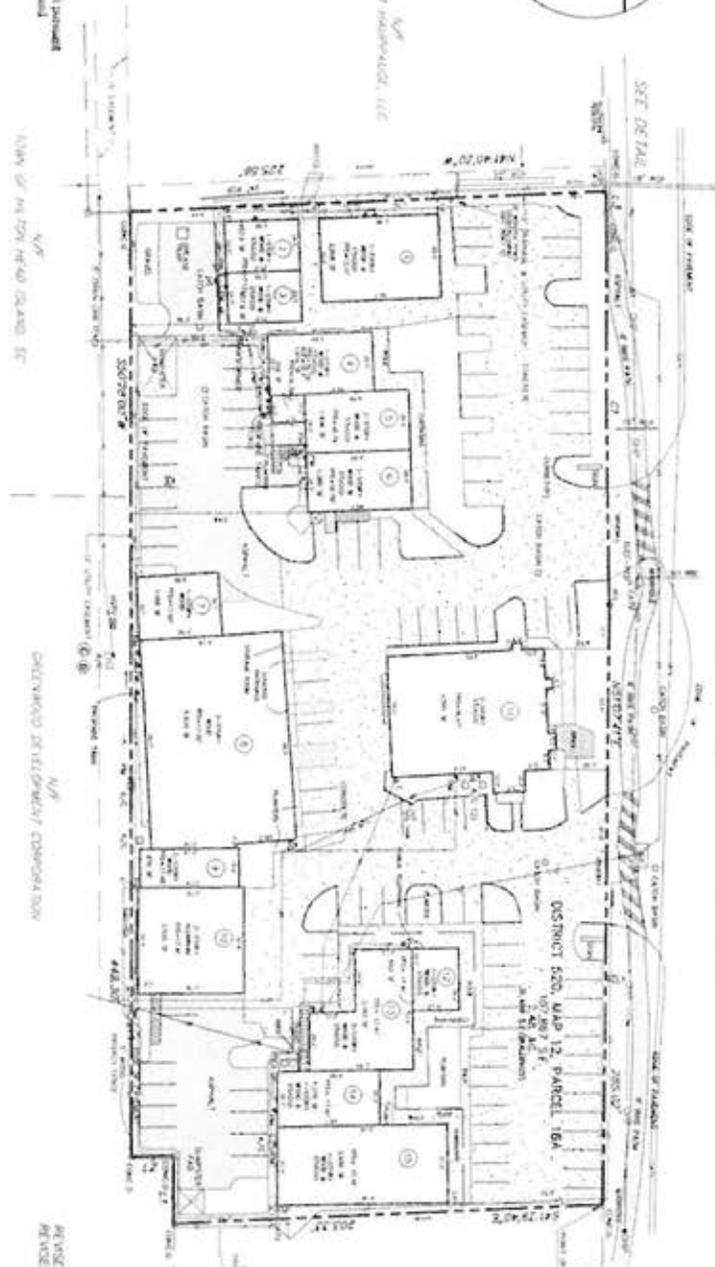


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LINE	LENGTH	BEARING
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2	30.00	S 33° 30' 00" E
3	10.49	N 87° 00' 00" E



WILLIAM HILTON PARKWAY  
(U.S. HWY. 278) R/W VARIES



- 1. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 2. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 3. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 4. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 5. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
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- 11. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 12. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 13. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 14. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 15. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 16. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 17. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 18. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"
- 19. BUILDING ELEVATION DETAILS - 2ND FLOOR - 8'6"
- 20. BUILDING ELEVATION DETAILS - 1ST FLOOR - 8'6"

CONSENTIVE: *[Signature]*  
DATE: *[Date]*

PREPARED FOR: MILLER FAMILY LIMITED PARTNERSHIP V

PLANTATION CENTER  
SHOPPING CENTER  
A PORTION OF  
PALMETTO DUNES RESORT

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA  
SCALE: 1" = 40'  
DATE: 04/06/05  
JOB NO.: 286124  
DRAWN BY: LBP  
CHECKED BY: MT



*[Signature]*  
DATE: 4/6/05  
SCALE: AS SHOWN

BEAUFORT COUNTY, SC 299  
ON 04/12/05 09:57:54 AM  
DATE: 03/09/05 09:57:54 AM  
NIT + 200601028 RCF + 42164

- LEGEND
- 1. 1" = 40'
  - 2. 1" = 40'
  - 3. 1" = 40'
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  - 19. 1" = 40'
  - 20. 1" = 40'

- NOTES
1. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  2. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  3. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  4. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  5. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  6. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  7. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  8. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  9. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  10. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  11. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  12. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  13. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  14. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  15. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  16. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  17. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  18. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  19. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.
  20. THE LOT LIES ON THE "C" & "E" LINES OF THE 1/4 SECTION 520 MAP 12 PARCEL 16A.



# TOWN OF HILTON HEAD ISLAND

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## *Community Development Department*

**TO:** Planning & Development Standards Committee  
**VIA:** Teri Lewis, AICP, *LMO Official*  
**CC:** Charles Cousins, AICP, *Director of Community Development*  
**FROM:** Anne Cyran, AICP, *Senior Planner*  
**DATE:** April 17, 2012  
**SUBJECT:** Proposed Ordinance No. 2012-11  
Land Management Ordinance (LMO) Sign Amendments

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**Recommendation:** The Planning Commission held a public hearing for the proposed amendments on April 10, 2012 and voted 6-0-0 to forward the proposed amendments as presented by staff to Town Council with a recommendation of approval.

Staff recommends that the Planning and Development Standards Committee forward the attached amendments to Town Council with a recommendation of approval.

**Summary:** Staff proposes to amend Chapter 3, Article IX: Sign Permits and Chapter 5, Article XIII: Sign Standards, of the Land Management Ordinance (LMO). The proposed changes are to clarify the purpose of the sign regulations, bring the regulations into conformance with recent judicial decisions, reorganize the regulations into a more intuitive order, update the regulations to reflect changes in advertising, and to provide reasonable accommodation of some previously prohibited signs.

The Land Management Ordinance Committee met on February 29, 2012 and March 5, 2012 to discuss the proposed amendments. On March 5, 2012, the LMO Committee voted 3-0-0 to forward the proposed amendments as presented by staff to the full Planning Commission.

Staff held three informational meetings – on February 3, 2012, on February 6, 2012 and on February 9, 2012 – for the public to discuss and comment on the proposed amendments.

Each new draft of the amendments was posted on the Town's website. The public has the opportunity to submit comments on the amendments via email or phone. Staff received comments from about twenty people at the meetings and via email. Staff revised portions of the proposed amendments based on the comments. Comments that staff did not act on were recorded, and a list of these comments is included in the packet.

**Background:** In 2010 Town Council directed staff to rewrite the LMO sign standards, which were enacted as part of the original LMO in 1987. The revision was meant to ensure the standards would stand up to legal challenges and to address trends in sign technology. The amendments also meet a Top Priority of Town Council's Policy Agenda for 2011 – Amending the LMO to Foster Greater Flexibility, Simplicity and Revitalization.

The proposed changes are preceded with 

explanations in grey text boxes.
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The proposed language is indicated with text in black copy and the **existing language** is indicated with text in red copy.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO.:**

**PROPOSED ORDINANCE NO.: 2012-11**

**AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE, CHAPTER 3, TO MOVE SECTIONS 16-3-901, 16-3-902 AND 16-3-903 TO CHAPTER 5, ARTICLE XIII AND TO REVISE ALL OF THE LANGUAGE IN CHAPTER 5, ARTICLE XIII. THESE AMENDMENTS COMMONLY REFERRED TO AS THE *LMO SIGN AMENDMENTS* AS NOTICED IN THE ISLAND PACKET ON MARCH 11, 2012, INCLUDE CHANGES THAT PROVIDE FOR REVISIONS ALL OF THE LANGUAGE IN CHAPTER 5, ARTICLE XIII; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance (LMO); and

**WHEREAS**, the proposed amendments are supported by Town Council's Policy Agenda for 2011 which lists amending the LMO to foster greater flexibility, simplicity and revitalization as a Top Priority; and

**WHEREAS**, Town staff held meetings for the public on February 3, 2012, on February 6, 2012 and on February 9, 2012 to explain the proposed amendments and gather feedback; and

**WHEREAS**, the Land Management Ordinance Committee held public meetings on February 29, 2012 and March 5, 2012 to discuss the proposed amendments; and

**WHEREAS**, the Planning Commission held a public hearing on April 10, 2012 and voted 6-0-0 to recommend that Town Council approve the amendments; and

**WHEREAS**, the Planning and Development Standards Committee met on April 25, 2012 and voted to recommend that Town Council *<MOTION>* the proposed amendments; and

**WHEREAS**, Town Council now finds that, upon further review, it is in the public interest to *<MOTION>* the attached revision to Chapter 3 and Chapter 5 of the Land Management Ordinance.

**NOW, THEREFORE BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY SAID AUTHORITY OF COUNCIL:**

**Section 1. Amendment.** That the Land Management Ordinance of the Town of Hilton Head Island, South Carolina, be, and the same hereby is, amended to read as indicated on the attached pages.

**NOTE:** The ordinance will remove LMO Section 16-3-901, Section 16-3-902 and Sections 16-3-903, and will revise all of the language in LMO Chapter 5, Article XIII.

**Section 2. Severability.** If any sections, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not attest the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council for the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.**

\_\_\_\_\_  
**Drew A. Laughlin, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Cori Brock, Town Clerk**

**Public Hearing:** April 10, 2012

**First Reading:**

**Second Reading:**

**Approved as to form:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member:** \_\_\_\_\_

# TOWN OF HILTON HEAD ISLAND SIGN REGULATIONS



## A SUMMARY AND EXPLANATION OF THE PROPOSED ORDINANCE

BASED ON THE REQUEST OF TOWN COUNCIL, STAFF RECOMMENDS AMENDING CHAPTER 3, ARTICLE IX: SIGN PERMITS AND CHAPTER 5, ARTICLE XIII: SIGN STANDARDS, OF THE LMO. THE PROPOSED CHANGES ARE TO CLARIFY THE PURPOSE OF THE SIGN REGULATIONS, BRING THE REGULATIONS INTO CONFORMANCE WITH RECENT JUDICIAL DECISIONS, REORGANIZE THE REGULATIONS INTO A MORE INTUITIVE ORDER, UPDATE THE REGULATIONS TO REFLECT CHANGES IN ADVERTISING AND TO PROVIDE REASONABLE ACCOMMODATION OF SOME PREVIOUSLY PROHIBITED SIGNS.

THIS AMENDMENT IS SUPPORTED BY TOWN COUNCIL'S POLICY AGENDA FOR 2011 WHICH HAS AMENDING THE LMO TO FOSTER GREATER FLEXIBILITY, SIMPLICITY AND REVITALIZATION AS A TOP PRIORITY.

CONTACT: ANNE CYRAN, SENIOR PLANNER

(843) 341-4697 OR [ANNEC@HILTONHEADISLANDSC.GOV](mailto:ANNEC@HILTONHEADISLANDSC.GOV)

## **NOTES ON THE FORMAT**

THE SIGN REGULATIONS IN THE LMO ARE CURRENTLY DIVIDED BETWEEN ARTICLES IN THREE CHAPTERS. THE PROPOSED REGULATIONS CONSOLIDATE MOST SIGN REGULATIONS INTO ONE ARTICLE: CHAPTER V, ARTICLE XIII.

THE PROPOSED REGULATIONS INTEGRATE SEC. 16-3-902 – SIGNS EXEMPT FROM PERMIT AND SEC. 16-3-903 – SIGN ALTERATIONS EXEMPT FROM PERMIT INTO ARTICLE XIII.

STAFF PROPOSES TO REMOVE SIGN PERMIT SUBMISSION REQUIREMENTS (SEC. 16-3-904 – SUBMISSION REQUIREMENTS) FROM THE LMO. SUBMISSION REQUIREMENTS ARE LISTED ON THE APPLICATION FORM, WHICH IS EASIER TO UPDATE.

STAFF DOES NOT PROPOSE TO DELETED THE SECTIONS OF THE LMO (BELOW) THAT REGULATE SIGN PERMIT REVIEW AND ADMINISTRATION.

SEC. 16-3-905 – ACTION BY ADMINISTRATOR

SEC. 16-3-906 – APPROVAL BY DESIGN REVIEW BOARD

SEC. 16-3-907 – SIGN INSPECTION AND NOTICE OF COMPLIANCE

SEC. 16-3-908 – EXPIRATION OF PERMIT

STAFF DOES NOT PROPOSE CHANGES TO SEC. 16-7-402 – NONCONFORMING SIGNS.

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## **SUMMARY AND EXPLANATION BY SECTION**

EXPLANATIONS ARE IN TEXT BOXES.

THE PROPOSED LANGUAGE IS IN BLACK COPY. **THE CURRENT LANGUAGE IS IN RED COPY.**

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**PURPOSE**

STAFF SUGGESTS REVISING AND EXPANDING THIS SECTION TO CLARIFY THE PURPOSES OF THE ORDINANCE.

**PURPOSE**

*SEC. 16-5-1301*

IT IS THE PURPOSE OF THIS ARTICLE TO PROMOTE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE THROUGH A COMPREHENSIVE SYSTEM OF REASONABLE, CONSISTENT AND NONDISCRIMINATORY SIGN STANDARDS AND REQUIREMENTS. THESE SIGN REGULATIONS ARE INTENDED TO:

- A. MAXIMIZE THE VALUE OF COMMERCIAL SIGNAGE AS A MEANS OF LOCATING AND IDENTIFYING COMMERCIAL ESTABLISHMENTS PROVIDING GOODS AND SERVICES, WHILE, AT THE SAME TIME, DISCOURAGING THE USE OF COMMERCIAL SIGNAGE TO SELL GOODS AND SERVICES.
- B. ENCOURAGE THE CONSTRUCTION OF COMMERCIAL SIGNS OF HIGH-QUALITY MATERIALS WHICH ARE AESTHETICALLY PLEASING AND ARE COMPATIBLE WITH THEIR NATURAL SURROUNDINGS AND WITH THE BUILDINGS THEY IDENTIFY.
- C. AVOID THE CREATION OF A DISTRACTING ATMOSPHERE WHICH CAN RESULT WHEN BUSINESSES COMPETE FOR ATTENTION THROUGH THE USE OF COMMERCIAL ADVERTISING SIGNS.
- D. PROTECT, PRESERVE AND ENHANCE THE UNIQUE AESTHETIC CHARACTER, BEAUTY AND CHARM OF THE TOWN, AND THEREBY ENCOURAGE THE CONTINUED ECONOMIC DEVELOPMENT WITHIN THE TOWN.
- E. IMPROVE PEDESTRIAN AND TRAFFIC SAFETY AND ELIMINATE PHYSICAL AND VISUAL CLUTTER CAUSED BY SIGNS WHICH COMPETE FOR THE ATTENTION OF PEDESTRIAN AND VEHICULAR TRAFFIC.

**SEC. 16-5-1301. – PURPOSE**

THE PURPOSE OF THIS ARTICLE IS TO:

- A. PROTECT THE PUBLIC WELFARE AND ISLAND-WIDE PROPERTY VALUES BY PRESERVING THE AESTHETIC QUALITIES OF THE UNIQUE NATURAL ENVIRONMENT THAT DISTINGUISHES THE TOWN. THE PRESERVATION OF SUCH ENVIRONMENT FROM EXCESSIVE AND OBTRUSIVE SIGNS IS A MATTER OF CRITICAL IMPORTANCE TO THE TOWN BECAUSE OF ITS ECONOMIC RELIANCE ON THE RESORT AND TOURISM INDUSTRY.
- B. PROMOTE THE SAFETY OF PERSONS AND PROPERTY BY PROVIDING THAT SIGNS DO NOT CREATE TRAFFIC HAZARDS OR HAZARDS DUE TO COLLAPSE, FIRE, COLLISION, DECAY OR ABANDONMENT.
- C. PROMOTE THE EFFICIENT TRANSFER OF GENERAL PUBLIC AND COMMERCIAL IDENTIFICATION OR INFORMATION BY IMPROVING THE LEGIBILITY AND EFFECTIVENESS OF SIGNS THROUGH THE CONTROL OF THEIR NUMBER, LOCATION, SIZE, APPEARANCE, ILLUMINATION, AND ANIMATION.

### APPLICABILITY AND PROVISIONS

STAFF SUGGESTS EXPANDING THIS SECTION TO SPECIFY THAT, WITH THE EXCEPTION OF REAL ESTATE SIGNS AND SHORT-TERM RENTAL SIGNS, SINGLE FAMILY HOMES ARE EXEMPT FROM SIGN REGULATIONS. THIS LANGUAGE WOULD ALSO CONFIRM THAT SIGNS ARE REVIEWED AND PERMITTED BASED ON THEIR ADHERENCE TO THE DESIGN GUIDE, AND ARE NOT REVIEWED AND PERMITTED BASED ON THE CONTENT OF THE SIGN'S MESSAGE.

### APPLICABILITY AND PROVISIONS

#### *SEC. 16-5-1302*

- A. A SIGN MAY BE ERECTED, PLACED, ESTABLISHED, PAINTED, CREATED OR MAINTAINED IN THE TOWN ONLY IN CONFORMANCE WITH THE STANDARDS, PROCEDURES, EXEMPTIONS AND OTHER REQUIREMENTS OF THIS TITLE. SIGNS EXEMPT FROM REGULATIONS UNDER SEC. 16-5-1322 SHALL NOT OTHERWISE BE SUBJECT TO THIS TITLE.
- B. WITH THE EXCEPTION OF SEC. 16-5-1313 AND SEC. 16-5-1314, THE PROVISIONS OF THIS TITLE SHALL NOT APPLY TO SINGLE FAMILY USES, AS DEFINED AND DESCRIBED ELSEWHERE IN THIS TITLE.
- C. SIGNS LOCATED ON PROPERTY WITHIN THOSE PORTIONS OF PD-1 DISTRICTS WHERE VEHICULAR ACCESS BY THE GENERAL PUBLIC IS RESTRICTED BY A SECURITY GATE STAFFED TWENTY FOUR (24) HOURS EACH DAY BY A SECURITY GUARD AND WHERE SUCH SIGNS ARE NOT VISIBLE FROM ANY BEACH OR NAVIGABLE WATERWAY ARE NOT SUBJECT TO THE PROVISIONS OF THIS TITLE.
- D. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO SIGN SHALL BE SUBJECT TO ANY LIMITATION BASED ON THE CONTENT OF THE MESSAGE CONTAINED ON SUCH SIGN.
- E. SEVERABILITY PROVISION. IF ANY PART, SECTION, SUBSECTION, PARAGRAPH, SUBPARAGRAPH, SENTENCE, PHRASE, CLAUSE, TERM, OR WORD OF THIS ARTICLE AND/OR ANY OTHER CODE PROVISIONS AND/OR LAWS ARE DECLARED INVALID OR UNCONSTITUTIONAL BY ANY COURT OF COMPETENT JURISDICTION, THE DECLARATION OF SUCH UNCONSTITUTIONALITY SHALL NOT AFFECT ANY OTHER PROVISION CONTAINED HEREIN.
- F. ANY LEGAL SIGN THAT DOES NOT COMPLY WITH THE PROVISIONS OF THIS ARTICLE DUE SOLELY TO THE ENACTMENT OF AN AMENDMENT SHALL, UPON THE EFFECTIVE DATE OF SUCH AMENDMENT, BECOME A NONCONFORMING SIGN AND SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 7.
- G. ALL SIGNS SHALL COMPLY WITH APPLICABLE BUILDING AND ELECTRICAL CODE REQUIREMENTS.
- H. PER INTERNATIONAL BUILDING CODE (IBC) SECTION 1609.1, APPLICATIONS FOR NEW FREESTANDING SIGNS WITH FACES LARGER THAN FORTY (40) SQUARE FEET SHALL INCLUDE WIND LOAD CALCULATIONS STAMPED AND SIGNED BY A CERTIFIED ENGINEER STATING THAT THE SIGN CAN WITHSTAND WINDS OF UP TO 130 MILES PER HOUR.
- I. SUBSTITUTION OF NONCOMMERCIAL MESSAGE. NONCOMMERCIAL SIGNS SHALL BE ALLOWED IN ALL ZONING DISTRICTS AND MAY BE SUBSTITUTED FOR ANY SIGN EXPRESSLY ALLOWED UNDER THIS ORDINANCE. NONCOMMERCIAL SIGNS SHALL BE SUBJECT TO THE SAME PERMIT REQUIREMENTS, RESTRICTIONS ON SIZE AND TYPE, AND OTHER CONDITIONS AND SPECIFICATIONS AS APPLY TO THE SIGN FOR WHICH THEY ARE BEING SUBSTITUTED.

SEC. 16-3-901. – APPLICABILITY

THIS ARTICLE SHALL APPLY TO ANY SIGN LOCATED WITHIN THE TOWN LIMITS OF HILTON HEAD ISLAND EXCEPT FOR THOSE SIGNS SPECIFICALLY EXEMPTED IN SEC. 16-3-902.

SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT

A PERMIT IS NOT REQUIRED FOR THE FOLLOWING TYPES OF SIGNS:

- A. SIGNS LOCATED ON PROPERTY WITHIN THOSE PORTIONS OF PD-1 DISTRICTS WHERE VEHICULAR ACCESS BY THE GENERAL PUBLIC IS RESTRICTED BY A SECURITY GATE STAFFED 24 HOURS EACH DAY BY A SECURITY GUARD AND WHERE SUCH SIGNS ARE NOT VISIBLE FROM ANY PUBLIC STREET, BEACH OR NAVIGABLE WATERWAY.

DRAFT

## SIGN DESIGN, CONSTRUCTION, AND MAINTENANCE GUIDELINES

STAFF PROPOSES EXPANDING THIS SECTION TO INCLUDE DESIGN GUIDE GOALS, DESIGN GUIDELINES AND EXAMPLES OF WELL-DESIGNED SIGNS.

## SIGN DESIGN, CONSTRUCTION, AND MAINTENANCE GUIDELINES

### *SEC. 16-5-1303*

THE HILTON HEAD ISLAND DESIGN GUIDE DEFINES ISLAND CHARACTER AND DESCRIBES HOW DEVELOPMENT SHOULD BE DIRECTED TO PRESERVE ISLAND CHARACTER. GOALS OF THE DESIGN GUIDE THAT PERTAIN TO SIGN DESIGN INCLUDE:

- A. DEMONSTRATE THE FUNDAMENTAL PRINCIPLES OF GOOD ARCHITECTURAL DESIGN.
- B. DESIGN STRUCTURES WITH SUBTLE VISUAL IMPACT AND UTILIZE NATURAL MATERIALS, TEXTURES AND COLORS.
- C. COORDINATE AND HARMONIZE THE DESIGN OF STRUCTURES, PARKING AND SITE AMENITIES.
- D. CONCEAL VISUALLY UNDESIRABLE UTILITIES AND EQUIPMENT.

TO MEET THESE GOALS, SIGN DESIGN, CONSTRUCTION AND MAINTENANCE SHALL MEET THE FOLLOWING STANDARDS:

- E. MATERIALS, COLORS, AND SHAPES OF PROPOSED SIGNS SHALL BE COMPLEMENTARY TO THE RELATED BUILDINGS AND TO NEARBY STRUCTURES AND SIGNS. SIGN COLORS SHALL BE NON-REFLECTIVE AND SHALL NOT CONTAIN FLUORESCENT COLORS. SEE **EXAMPLES OF SIGNS THAT ARE COMPLEMENTARY TO NEARBY STRUCTURES**.
- F. SIGNS SHALL BE CONSTRUCTED OF HIGH-QUALITY MATERIALS. SEE DESIGN GUIDE, PAGE 13.
- G. THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE BUSINESS OR OF ANY MESSAGE TO BE CONVEYED. OBJECTIVE FACTORS TO CONSIDER IN DETERMINING REASONABLENESS SHALL INCLUDE, BUT NOT BE LIMITED TO, PHYSICAL LOCATION, SIZE OF THE SIGN AND TYPEFACE, COLORS OF THE SIGN AND TYPEFACE AND SIGN HEIGHT.
- H. THE VISUAL IMPACT OF FREESTANDING SIGNS SHALL BE SOFTENED WITH LANDSCAPING APPROPRIATE TO THE SITE.
- I. SIGN ILLUMINATION SHALL MEET THE STANDARDS IN SEC. 16-5-1304.
- J. SIGNS SHALL BE MAINTAINED IN GOOD CONDITION AT ALL TIMES AND SHALL BE KEPT FREE OF CRACKED OR PEELING PAINT, MISSING OR DAMAGED SIGN PANELS OR SUPPORTS, AND WEEDS, GRASS OR VEGETATION THAT OBSCURES THE VIEW OF THE SIGN MESSAGE.

## EXAMPLES OF SIGNS THAT ARE COMPLEMENTARY TO NEARBY STRUCTURES



THE COMMON ARCHITECTURAL ELEMENTS OF THE PARK - CLUSTER POSTS, HIPPED COPPER ROOFS AND CAPS, SAVANNAH GREY BRICK, TABBY - ARE ALL INCORPORATED INTO THE MONUMENT SIGN AND REINFORCE THE PROJECT'S DESIGN.

## EXAMPLES OF SIGNS THAT ARE COMPLEMENTARY TO NEARBY STRUCTURES

THE SIGNATURE ROOFLINE OF THE CHURCH IS EASILY IDENTIFIABLE ON THE TOP-LINE OF THE MONUMENT SIGN, MAKING IT AN ARCHITECTURAL COMPONENT OF THE OVERALL PROJECT.

ALL OF THE ELEMENTS COMPLEMENT ONE ANOTHER AND FURTHER REINFORCE THE ISLAND'S IDEAL OF A DEVELOPMENT INTEGRATING ITSELF INTO THE SITE.



### SEC. 16-5-1305. – SIGN DESIGN GUIDELINES

- A. THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE BUSINESS.
- B. MATERIALS, COLORS, AND SHAPES OF PROPOSED SIGNS SHALL BE COMPATIBLE WITH THE RELATED BUILDINGS. SIZE AND PROPORTION OF THE SIGN SHALL NOT BE A DOMINANT FEATURE OF THE SITE AND SHALL BE JUDGED BY SIZES AND PROPORTIONS OF SIGNS ON ADJACENT AND NEARBY PROPERTIES WHICH ARE COMPATIBLE WITH THE ISLAND CHARACTER AND SUBSTANTIALLY IN COMPLIANCE WITH THIS ARTICLE.
- C. SIGN DESIGN SHALL BE REVIEWED BY THE DESIGN REVIEW BOARD IN ACCORDANCE WITH SEC. 16-3-906.

## SIGN ILLUMINATION

STAFF PROPOSES REVISING THIS SECTION TO SPECIFY THAT HALO LIGHTING AND INTERNALLY ILLUMINATED MENU BOARDS FOR EATING ESTABLISHMENTS WITH DRIVE-THRU LANES ARE ALLOWED.

## SIGN ILLUMINATION

### *SEC. 16-5-1304*

ELECTRICAL REQUIREMENTS PERTAINING TO SIGN ILLUMINATION SHALL BE AS PRESCRIBED UNDER TITLE 15 OF THE MUNICIPAL CODE. ILLUMINATED SIGNS SHALL CONFORM TO EACH OF THE FOLLOWING:

- A. EXTERNAL ILLUMINATION SHALL BE BY A STEADY STATIONARY LIGHT SOURCE, SHIELDED AND DIRECTED SOLELY AT THE SIGN. LIGHT FIXTURES SHALL BE RESTRICTED TO NOT MORE THAN ONE (1) SHIELDED LIGHT FIXTURE PER SIDE FOR SIGN FACES UP TO FORTY (40) SQUARE FEET AND NOT MORE THAN TWO (2) SHIELDED LIGHT FIXTURES PER SIDE FOR SIGN FACES OVER FORTY (40) SQUARE FEET.
- B. LIGHT SOURCES TO ILLUMINATE SIGNS SHALL NEITHER BE VISIBLE FROM ANY STREET RIGHT-OF-WAY, NOR CAUSE GLARE HAZARDOUS TO PEDESTRIANS OR VEHICLE DRIVERS OR SO AS TO CREATE A NUISANCE TO ADJACENT PROPERTIES. ALL GROUND-MOUNTED LIGHTING MUST BE OBSCURED BY LANDSCAPING APPROVED BY THE ADMINISTRATOR.
- C. THE INTENSITY OF THE LIGHT SHALL NOT EXCEED TWENTY (20) FOOT CANDLES AT ANY POINT ON THE SIGN FACE.
- D. SIGNS SHALL NOT HAVE LIGHT-REFLECTING BACKGROUNDS BUT MAY USE LIGHT-REFLECTING LETTERING OR HALO LIGHTING.
- E. THE ADMINISTRATOR MAY PERMIT INTERNAL ILLUMINATION FOR MENU BOARD SIGNS FOR EATING ESTABLISHMENTS WITH A DRIVE-THRU. SUCH SIGNS SHALL NOT CAUSE GLARE HAZARDOUS TO PEDESTRIANS OR VEHICLE DRIVERS OR SO AS TO CREATE A NUISANCE TO ADJACENT PROPERTIES. SUCH SIGNS SHALL BE PLACED AND ANGLED SO THAT, TO THE GREATEST EXTENT POSSIBLE, THEY ARE NOT VISIBLE FROM PUBLIC OR PRIVATE STREETS.
- F. LAMPS SHALL ONLY PRODUCE A WHITE LIGHT.

### **SEC. 16-5-1307 – SIGN ILLUMINATION**

- A. ELECTRICAL REQUIREMENTS PERTAINING TO SIGN ILLUMINATION SHALL BE AS PRESCRIBED UNDER TITLE 15 OF THE MUNICIPAL CODE.
- B. ILLUMINATED SIGNS SHALL CONFORM TO THE FOLLOWING:
  1. ILLUMINATION SHALL BE BY AN EXTERNALLY LOCATED STEADY STATIONARY LIGHT SOURCE, SHIELDED AND DIRECTED SOLELY AT THE SIGN;
  2. LIGHT SOURCES TO ILLUMINATE SIGNS SHALL NEITHER BE VISIBLE FROM ANY STREET RIGHT-OF WAY NOR CAUSE GLARE HAZARDOUS TO PEDESTRIANS OR VEHICLE DRIVERS OR SO AS TO CREATE A NUISANCE TO ADJACENT PROPERTIES;
  3. SPOT-LIGHTING OF SIGNS SHALL BE RESTRICTED TO NOT MORE THAN ONE SHIELDED LIGHT FIXTURE PER SIDE FOR SIGN FACES UP TO 40 SQUARE FEET AND NOT MORE THAN 2 SHIELDED LIGHT FIXTURES PER SIDE FOR SIGN FACES OVER 40 SQUARE FEET;
  4. THE INTENSITY OF THE LIGHT SHALL NOT EXCEED 20 FOOT CANDLES AT ANY POINT ON THE SIGN FACE; AND
  5. SIGNS SHALL NOT HAVE LIGHT-REFLECTING BACKGROUNDS BUT MAY USE LIGHT-REFLECTING LETTERING.
  6. COLORED LAMPS ARE NOT PERMITTED.

## SIGN PERMIT GUIDELINES

STAFF PROPOSES ADDING THIS SECTION TO CLARIFY PERMIT REQUIREMENTS.

## SIGN PERMIT GUIDELINES

### *SEC. 16-5-1305*

EACH OF THE FOLLOWING TYPES OF SIGNS MUST RECEIVE A PERMIT PRIOR TO BEING ERECTED, PLACED OR DISPLAYED:

- A. FREESTANDING SIGNS, SEC. 16-5-1306
- B. FAÇADE AND HANGING SIGNS, SEC. 16-5-1307
- C. DIRECTORY SIGNS, SEC. 16-5-1308
- D. TEMPORARY SIGNS FOR PERMITTED SIGNS, SEC. 16-5-1309
- E. CONSTRUCTION SIGNS, SEC. 16-5-1310
- F. NON-RESIDENTIAL REAL ESTATE SALES SIGNS, SEC. 16-5-1311
- G. NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS, SEC. 16-5-1312
- H. RESIDENTIAL REAL ESTATE SALES SIGNS, SEC. 16-5-1313
- I. RESIDENTIAL SHORT-TERM RENTAL SIGNS, SEC. 16-5-1314
- J. SIGN SYSTEMS, SEC. 16-5-1315
- K. TEMPORARY SPECIAL EVENT SIGNS, SEC. 16-5-1317
- L. SIGNS WITH CHANGEABLE COPY, SEC. 16-5-1318
- M. PRICE DISPLAYS AT GASOLINE FILLING STATIONS, SEC. 16-5-1319
- N. PLANNED UNIT DEVELOPMENT OFF-PREMISES SIGNS, SEC. 16-5-1320

THERE ARE SPECIFICATIONS FOR THE FOLLOWING TYPES OF SIGNS:

- O. NON-RESIDENTIAL REAL ESTATE SALES SIGNS, SEC. 16-5-1311
- P. NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS, SEC. 16-5-1312
- Q. SIGN SYSTEMS, SEC. 16-5-1315
- R. PERMANENT SPECIAL EVENT SIGNS, SEC. 16-5-1316
- S. TEMPORARY SPECIAL EVENT SIGNS, SEC. 16-5-1317
- T. SIGNS WITH CHANGEABLE COPY, SEC. 16-5-1318
- U. PRICE DISPLAYS AT GASOLINE FILLING STATIONS, SEC. 16-5-1319
- V. PLANNED UNIT DEVELOPMENT OFF-PREMISES SIGNS, SEC. 16-5-1320

A PERMIT IS NOT REQUIRED FOR THE FOLLOWING SIGNS AND SIGN ALTERATIONS:

- W. SIGN ALTERATIONS EXEMPT FROM PERMIT, SEC. 16-5-1321
- X. SIGNS ALLOWED WITHOUT A PERMIT, SEC. 16-5-1322

FOR SIGNS THAT ARE PROHIBITED AND SHALL NOT BE PERMITTED, SEE SEC. 16-5-1323.

## FREESTANDING SIGNS

STAFF PROPOSES REVISING THIS SECTION AS FOLLOWS:

- INCORPORATE PART A, NUMBERS 1-7 INTO THE TABLE.
- REMOVE THE MAXIMUM SIGN DEPTH LIMIT BECAUSE STAFF DETERMINED IT WAS AN UNNECESSARY REQUIREMENT FOR GOOD SIGN DESIGN.
- REMOVE THE REQUIREMENT THAT THE AREA OF A SIGN STRUCTURE FOR ANY FREESTANDING SIGN IS LIMITED TO THE SAME NUMBER OF SQUARE FEET AS THE SIGN FACE THAT IT SUPPORTS WAS REMOVED BECAUSE STAFF DETERMINED IT WAS AN UNNECESSARY REQUIREMENT FOR GOOD SIGN DESIGN.
- REMOVE THE CAVEAT THAT "IN THE EVENT THAT A STREET FRONTAGE OF LESS THAN 200 FEET EXISTS FOR ANY PREMISES, ONLY 1 SIGN SHALL BE PERMITTED ALONG THAT FRONTAGE, NOTWITHSTANDING THAT A GREATER NUMBER OF SIGNS MAY APPEAR TO BE PERMITTED BY THIS SECTION" BECAUSE STAFF DETERMINED IT IS REDUNDANT.

## EXAMPLES OF FREESTANDING SIGNS THAT MEET THE INTENT OF THE HILTON HEAD ISLAND DESIGN GUIDE

THE OVERALL ATTENTION TO DETAIL MAKES BOTH SIGNS OUTSTANDING EXAMPLES OF WHAT THE DESIGN GUIDE OUTLINES FOR SIGN DESIGN.

THE STRENGTH OF THE GRAPHIC DESIGN, THE SUBTLETIES IN USE OF FONTS, THE SHADOW LINES CREATED BY A DEEP THIRD DIMENSION, AND THE UNDERSTATED USE OF RICH COLOR TO DRAW THE EYE, ALL CONTRIBUTE TO THE OVERALL CRAFTSMANSHIP AND DESIGN OF THE SIGNS THAT MAKE THEM UNIQUE.

ALTHOUGH THEY BOTH ARE PREDOMINANTLY NATURE BLENDING IN COLOR, THE SIGNS' OVERALL QUALITY DRAW ATTENTION AS WELL MORE TRADITIONAL ATTENTION-GRABBING ELEMENTS, SUCH AS BRIGHT LIGHTS OR COLORS, TYPICALLY USED IN COMMERCIAL SIGNAGE.



## FREESTANDING SIGNS

### SEC. 16-5-1306

- A. THE TOTAL AREA AND QUANTITY OF ANY FREESTANDING SIGN FOR WHICH A PERMIT IS REQUIRED SHALL CONFORM TO THE FOLLOWING REQUIREMENTS. PLANNED UNIT DEVELOPMENTS THAT CONTAIN MORE THAN ONE (1) CATEGORY OF USE SHALL APPLY THE APPROPRIATE USE CATEGORY TO EACH BUILDING OR DEVELOPMENT TO CALCULATE THE TOTAL AREA AND QUANTITY OF SIGNS ALLOWED. THE NUMBER OF SIGNS FOR ANY DEVELOPMENT MAY NOT EXCEED THE TOTAL NUMBER ALLOWED AS NOTED BELOW.

RESIDENTIAL DEVELOPMENTS				
NUMBER OF DWELLING UNITS	NUMBER OF SIGNS	NUMBER OF FACES PER SIGN	NO SINGLE SIGN FACE SHALL EXCEED	TOTAL SIZE OF ALL SIGN FACES
> 500 DWELLING UNITS	1 PER ENTRANCE	4	120 SQ FT	240 SQ FT
300 – 500 DWELLING UNITS	1 PER ENTRANCE	4	80 SQ FT	160 SQ FT
< 300 DWELLING UNITS	1 PER ENTRANCE	4	40 SQ FT	80 SQ FT
COMMERCIAL, INSTITUTIONAL OR INDUSTRIAL DEVELOPMENTS				
TOTAL SQUARE FEET OF GROSS FLOOR AREA	NUMBER OF SIGNS	NUMBER OF FACES PER SIGN	NO SINGLE SIGN FACE SHALL EXCEED	TOTAL SIZE OF ALL SIGN FACES
> 100,000	4, IF THE BUSINESS FRONTS ON MORE THAN 1 STREET 2, IF THE BUSINESS FRONTS ON 1 STREET	4	120 SQ FT	480 SQ FT
40,000 – 100,000	3, IF THE BUSINESS FRONTS ON MORE THAN 1 STREET 2, IF THE BUSINESS FRONTS ON 1 STREET	4	80 SQ FT	320 SQ FT
2,500 – 39,999	2	4	40 SQ FT	160 SQ FT
2,499 OR LESS*	1	2	40 SQ FT	40 SQ FT

\*IF AN APPLICANT IN THIS CATEGORY SHALL WAIVE THE RIGHT TO HAVE A FREESTANDING SIGN, THE APPLICANT SHALL BE PERMITTED TO EXCEED THE SIZE LIMITATIONS OF SEC. 16-5-1307 BY FIFTY (50%) PERCENT.

- B. THE MAXIMUM HEIGHT OF ANY FREESTANDING SIGN ABOVE THE AVERAGE GRADE ELEVATION SURROUNDING THE SIGN SHALL NOT EXCEED THE FOLLOWING:
  - 1. EIGHT (8) FEET WHERE THE SIGN FACE DOES NOT EXCEED FORTY (40) SQUARE FEET;
  - 2. TEN (10) FEET WHERE THE SIGN FACE DOES NOT EXCEED SIXTY (60) SQUARE FEET; OR
  - 3. TWELVE (12) FEET WHERE THE SIGN FACE EXCEEDS SIXTY (60) SQUARE FEET.
- C. THE BOTTOM EDGE OF THE SIGN SHALL NOT EXCEED FOUR (4) FEET IN HEIGHT FROM THE LOWEST GRADE ELEVATION AT THE BASE OF THE SIGN.
- D. THE MAXIMUM WIDTH OF ANY FREESTANDING SIGN SHALL NOT EXCEED THE FOLLOWING:
  - 1. FIFTEEN (15) FEET WHERE THE SIGN FACE DOES NOT EXCEED FORTY (40) SQUARE FEET;
  - 2. TWENTY (20) FEET WHERE THE SIGN FACE DOES NOT EXCEED SIXTY (60) SQUARE FEET; OR
  - 3. TWENTY-FIVE (25) FEET WHERE THE SIGN FACE EXCEEDS SIXTY (60) SQUARE FEET.
- E. ALL FREESTANDING SIGNS FRONTING ON A STREET RIGHT-OF-WAY SHALL BE REQUIRED TO BE SET BACK AT LEAST TWENTY (20) FEET FROM THE EDGE OF THE ADJACENT STREET RIGHT-OF-WAY. HOWEVER, IF CONDITIONS EXIST SO AS TO MAKE THIS IMPRACTICAL, THIS SETBACK MAY BE REDUCED BY THE ADMINISTRATOR PROVIDED SUCH REDUCTION DOES NOT CREATE A HAZARD TO MOTORISTS OR PEDESTRIANS AND THAT NO PORTION OF THE SIGN IS LOCATED IN THE RIGHT-OF-WAY.
- F. FREESTANDING SIGNS SHALL BE SEPARATED BY A DISTANCE OF NOT LESS THAN TWO HUNDRED (200) FOOT INTERVALS ALONG EACH STREET FRONTAGE OF THE PREMISES.
- G. FREESTANDING MENU BOARDS INCLUDING BUT NOT LIMITED TO THOSE USED FOR DRIVE-THRU EATING ESTABLISHMENTS SHALL MEET THE STANDARDS OF THIS SECTION BUT SHALL NOT COUNT TOWARD THE TOTAL NUMBER OF SIGNS ALLOWED FOR A BUSINESS.
- H. IN LIEU OF A FREESTANDING SIGN, A DEVELOPMENT MAY USE SIGNS ON ENTRANCE STRUCTURES SUCH AS FENCES OR WALLS. THE NUMBER OF SIGN FACES IS LIMITED TO TWO (2) PER ENTRANCE, ON EITHER SIDE OF THE ENTRANCE AND CONFINED TO THE ENTRANCE AREA. THE DISTANCE BETWEEN SIGN FACES SHALL NOT EXCEED ONE HUNDRED (100) FEET. SUCH SIGNS ARE SUBJECT TO THE SIZE LIMITATIONS OF THIS SECTION. ENTRANCE STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CHAPTER 5, ARTICLE VII, SETBACKS.
- I. SIGNS MAY BE PERMITTED IN ACCESS EASEMENTS, SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR, IF THE APPLICANT CAN DEMONSTRATE THAT THE ACCESS EASEMENT PROVIDES A NECESSARY MEANS OF VEHICULAR ACCESS TO THE PROPERTY FOR WHICH THE SIGN IS PROPOSED. IN THE EVENT WHERE A PROPERTY IS SERVED BY MORE THAN ONE (1) NECESSARY ACCESS EASEMENT, THE SIGN SHALL BE LOCATED WITHIN THE EASEMENT THAT SERVES THE STREET WITH THE HIGHEST NUMBER OF AVERAGE DAILY VEHICLE TRAFFIC (ADT) AS DETERMINED BY THE ADMINISTRATOR.

**SEC. 16-5-1308. FREESTANDING SIGNS**

A. THE AREA AND QUANTITY OF ANY FREESTANDING SIGN FOR WHICH A PERMIT IS REQUIRED SHALL CONFORM WITH THE FOLLOWING REQUIREMENTS. PLANNED UNIT DEVELOPMENTS WHICH BECAUSE OF THEIR COMPOSITION MAY QUALIFY FOR MORE THAN ONE CATEGORY, MAY APPLY THE APPROPRIATE CATEGORY TO THE VARIOUS INDIVIDUAL PORTIONS OF THE PLANNED UNIT DEVELOPMENT. THE TOTAL NUMBER OF SIGNS FOR ANY INDIVIDUAL DEVELOPMENT MAY NOT EXCEED THE TOTAL NUMBER ALLOWED AS NOTED BELOW:

TYPE OF DEVELOPMENT	QUANTITY OF SIGNS ALLOWED	MAX. AREA PER SIGN	MAX. FACES PER SIGN	MAX. AREA PER FACE
RESIDENTIAL 500 UNITS	ONE PER ENTRANCE	240 SF	4 FACES	120 SF
RESIDENTIAL 300-500 UNITS	ONE PER ENTRANCE	160 SF	4 FACES	80 SF
RESIDENTIAL UP TO 300 UNITS	ONE PER ENTRANCE	80 SF	4 FACES	40 SF
NONRESIDENTIAL 100,000 SF <input type="checkbox"/>	FOUR SIGNS MAXIMUM	480 SF	4 FACES	120 SF
NONRESIDENTIAL 40,000 TO 100,000 SF <input type="checkbox"/>	THREE SIGNS MAXIMUM	320 SF	4 FACES	80 SF
NONRESIDENTIAL 2,500 TO 40,000 SF	TWO SIGNS MAXIMUM	160 SF	4 FACES	40 SF
NONRESIDENTIAL UP TO 2,500 SF*	ONE SIGN ALLOWED	40 SF	2 FACES	40 SF
*IF AN APPLICANT IN THIS CATEGORY SHALL WAIVE THE RIGHT TO HAVE A FREESTANDING SIGN, THE APPLICANT SHALL BE PERMITTED TO EXCEED THE SIZE LIMITATIONS OF <u>SEC. 16-5-1309</u> BY 50 PERCENT.				
<input type="checkbox"/> THE APPLICANT SHALL BE LIMITED TO NO MORE THAN TWO (2) SIGNS PER STREET FRONTAGE.				

1. A RESIDENTIAL DEVELOPMENT APPROVED FOR MORE THAN 500 DWELLING UNITS SHALL BE ALLOWED ONE FREESTANDING SIGN PER ENTRANCE. EACH SIGN SHALL HAVE NO MORE THAN 240 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 120 SQUARE FEET.
2. A RESIDENTIAL DEVELOPMENT APPROVED FOR 500 DWELLING UNITS OR LESS, BUT MORE THAN 300 DWELLING UNITS, SHALL BE ALLOWED ONE FREESTANDING SIGN PER ENTRANCE. EACH SIGN SHALL HAVE NO MORE THAN 160 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 80 SQUARE FEET.
3. A RESIDENTIAL DEVELOPMENT APPROVED FOR 300 DWELLING UNITS OR LESS SHALL BE ALLOWED ONE FREESTANDING SIGN PER ENTRANCE. EACH SIGN SHALL HAVE NO MORE THAN 80 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 40 SQUARE FEET.
4. A COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL DEVELOPMENT APPROVED FOR MORE THAN 100,000 SQUARE FEET OF GROSS FLOOR AREA SHALL BE ALLOWED NO MORE THAN 4 FREESTANDING SIGNS IF THE BUSINESS FRONTS ON MORE THAN ONE STREET. THE APPLICANT SHALL BE LIMITED TO NO MORE THAN TWO (2) SIGNS PER

STREET FRONTAGE. EACH SIGN SHALL HAVE NO MORE THAN A TOTAL OF 480 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 120 SQUARE FEET.

5. A COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL DEVELOPMENT APPROVED FOR 100,000 SQUARE FEET OR LESS, BUT MORE THAN 40,000 SQUARE FEET OF GROSS FLOOR AREA SHALL BE ALLOWED NO MORE THAN 3 FREESTANDING SIGNS IF THE BUSINESS FRONTS ON MORE THAN ONE STREET. THE APPLICANT SHALL BE LIMITED TO NO MORE THAN TWO (2) SIGNS PER STREET FRONTAGE. EACH SIGN SHALL HAVE NO MORE THAN A TOTAL OF 320 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 80 SQUARE FEET.
  6. COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL DEVELOPMENT APPROVED FOR 40,000 SQUARE FEET OR LESS, BUT MORE THAN 2,500 SQUARE FEET OF GROSS FLOOR AREA SHALL BE ALLOWED NO MORE THAN 2 FREESTANDING SIGNS. EACH SIGN SHALL HAVE NO MORE THAN 160 SQUARE FEET OF SIGN FACE DIVIDED AMONG NOT MORE THAN 4 SIGN FACES CONTAINING COPY. NO SINGLE SIGN FACE SHALL EXCEED 40 SQUARE FEET.
  7. A COMMERCIAL, INSTITUTIONAL OR INDUSTRIAL DEVELOPMENT APPROVED FOR 2,500 SQUARE FEET OR LESS OF GROSS FLOOR AREA SHALL BE ALLOWED 1 FREESTANDING SIGN. SAID SIGN SHALL HAVE NO MORE THAN 40 SQUARE FEET OF SIGN FACE DIVIDED BETWEEN NOT MORE THAN 2 SIGN FACES CONTAINING COPY. IF AN APPLICANT IN THIS CATEGORY SHALL WAIVE THE RIGHT TO HAVE A FREESTANDING SIGN, THE APPLICANT SHALL BE PERMITTED TO EXCEED THE SIZE LIMITATIONS OF SEC. 16-5-1309 BY 50 PERCENT.
- B. THE MAXIMUM HEIGHT OF ANY FREESTANDING SIGN ABOVE THE AVERAGE GRADE ELEVATION OF THE NEAREST PUBLIC WAY OR WITHIN A 20-FOOT RADIUS OF THE SIGN SHALL NOT EXCEED THE FOLLOWING:
1. EIGHT FEET WHERE THE SIGN FACE DOES NOT EXCEED 40 SQUARE FEET;
  2. TEN FEET WHERE THE SIGN FACE DOES NOT EXCEED 60 SQUARE FEET; OR
  3. TWELVE FEET WHERE THE SIGN FACE EXCEEDS 60 SQUARE FEET.
- C. THE BOTTOM EDGE OF THE SIGN SHALL NOT EXCEED 4 FEET IN HEIGHT FROM THE LOWEST GRADE ELEVATION AT THE BASE OF THE SIGN.
- D. THE MAXIMUM WIDTH OF ANY FREESTANDING SIGN SHALL NOT EXCEED THE FOLLOWING:
1. FIFTEEN FEET WHERE THE SIGN FACE DOES NOT EXCEED 40 SQUARE FEET;
  2. TWENTY FEET WHERE THE SIGN FACE DOES NOT EXCEED 60 SQUARE FEET; OR
  3. TWENTY-FIVE FEET WHERE THE SIGN FACE EXCEEDS 60 SQUARE FEET.
- E. THE MAXIMUM DEPTH OF ANY FREESTANDING SIGN SHALL NOT EXCEED 25 PERCENT OF THE WIDTH.
- F. THE AREA OF A SIGN STRUCTURE FOR ANY FREESTANDING SIGN IS LIMITED TO THE SAME NUMBER OF SQUARE FEET AS THE SIGN FACE THAT IT SUPPORTS.
- G. ALL FREESTANDING SIGNS FRONTING ON A STREET RIGHT-OF-WAY SHALL BE REQUIRED TO BE SET BACK AT LEAST 20 FEET FROM THE EDGE OF THE ADJACENT STREET PAVEMENT. HOWEVER, IF CONDITIONS EXIST SO AS TO MAKE THIS IMPRACTICAL, THIS SETBACK MAY BE REDUCED BY THE ADMINISTRATOR PROVIDED SUCH REDUCTION DOES NOT CREATE A HAZARD TO MOTORISTS OR PEDESTRIANS AND THAT NO PORTION OF THE SIGN IS LOCATED IN THE RIGHT-OF-WAY.
- H. FREESTANDING SIGNS SHALL BE SEPARATED BY A DISTANCE OF NOT LESS THAN 200 FOOT INTERVALS ALONG EACH STREET FRONTAGE OF THE PREMISES. IN THE EVENT THAT A STREET FRONTAGE OF LESS THAN 200 FEET EXISTS FOR ANY PREMISES, ONLY 1 SIGN

SHALL BE PERMITTED ALONG THAT FRONTAGE, NOTWITHSTANDING THAT A GREATER NUMBER OF SIGNS MAY APPEAR TO BE PERMITTED BY THIS SECTION.

- I. IN LIEU OF A FREESTANDING SIGN, A DEVELOPMENT MAY USE SIGNS ON ENTRANCE STRUCTURES SUCH AS FENCES OR WALLS. THE NUMBER OF SIGNS FACES IS LIMITED TO 2 PER ENTRANCE, ON EITHER SIDE OF THE ENTRANCE AND CONFINED TO THE ENTRANCE AREA. THE DISTANCE BETWEEN SIGN FACES SHALL NOT EXCEED 100 FEET. SUCH SIGNS ARE SUBJECT TO THE SIZE LIMITATIONS OF THIS SECTION. ENTRANCE STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CHAPTER 5, ARTICLE VII.
- J. SIGNS MAY BE PERMITTED IN ACCESS EASEMENTS, SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR, IF THE APPLICANT CAN DEMONSTRATE THAT THE ACCESS EASEMENT PROVIDES A NECESSARY MEANS OF VEHICULAR ACCESS TO THE PROPERTY FOR WHICH THE SIGN IS PROPOSED. IN THE EVENT WHERE A PROPERTY IS SERVED BY MORE THAN ONE NECESSARY ACCESS EASEMENT THE SIGN SHALL BE LOCATED WITHIN THE EASEMENT THAT SERVES THE STREET WITH THE HIGHEST NUMBER OF AVERAGE DAILY VEHICLE TRAFFIC (ADT) AS DETERMINED BY THE ADMINISTRATOR.

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## FAÇADE AND HANGING SIGNS

STAFF PROPOSES REVISING THIS SECTION AS FOLLOWS:

- CHANGE THE LANGUAGE TO INCLUDE HANGING SIGNS.
- ADD THE FOLLOWING TO MIRROR LANGUAGE IN SEC. 16-5-1306: "COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL DEVELOPMENTS WITH LESS THAN 2,500 SQUARE FEET OF GROSS FLOOR AREA THAT WAIVE THE RIGHT TO HAVE A FREESTANDING SIGN SHALL BE PERMITTED TO EXCEED THESE SIZE LIMITATIONS BY FIFTY (50%) PERCENT."
- ADD THE FOLLOWING TO ALLOW THE ADMINISTRATOR TO APPROVE TENANT SIGNS ON BUILDINGS WITH UNUSUAL ARCHITECTURE: "TENANT FAÇADE AND HANGING SIGNS SHALL BE LOCATED ON THE TENANT SPACE BEING IDENTIFIED. IF THIS REQUIREMENT CANNOT BE REASONABLY ACHIEVED, THE ADMINISTRATOR SHALL APPROVE AN ALTERNATE LOCATION."

### EXAMPLES OF FAÇADE AND HANGING SIGNS THAT MEET THE INTENT OF THE HILTON HEAD ISLAND DESIGN GUIDE



THESE FAÇADE SIGNS BOTH SIT WITHIN A SINGLE ARCHITECTURAL ELEMENT OF THEIR RESPECTIVE BUILDINGS. THEIR COLORS, MATERIALS AND FABRICATION COMPLEMENT THE QUALITY OF THE STRUCTURE'S DESIGN.

THEIR DEPTH AND QUALITY OF GRAPHIC DESIGN MAKE THE SIGNAGE A TRUE ARCHITECTURAL ADDITION TO THE BUILDING ITSELF, LIKE ANY WELL CONCEIVED ROOFLINE, BRACKET, OR WINDOW. THEY COMPLEMENT AND REINFORCE THE BUILDING RATHER THAN HANG FROM IT AS AN AFTERTHOUGHT.

## FAÇADE AND HANGING SIGNS

### SEC. 16-5-1307

- A. THE TOTAL SIZE OF FAÇADE AND HANGING SIGNS SHALL NOT OCCUPY MORE THAN TEN (10%) PERCENT OF THE AREA OF THE FAÇADE UPON WHICH THEY ARE PLACED, WITH THE MAXIMUM SIZE OF ANY ONE (1) SIGN LIMITED TO FORTY (40) SQUARE FEET. COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL DEVELOPMENTS WITH LESS THAN 2,500 SQUARE FEET OF GROSS FLOOR AREA THAT WAIVE THE RIGHT TO HAVE A FREESTANDING SIGN SHALL BE PERMITTED TO EXCEED THESE SIZE LIMITATIONS BY FIFTY (50%) PERCENT.
- B. NO MORE THAN TWO (2) SIGNS MAY BE PLACED ON OR DISPLAYED FROM ANY ONE (1) FAÇADE OF ANY ONE (1) BUILDING, EXCEPT THAT SHOPPING CENTERS SHALL BE PERMITTED TWO (2) SIGNS PER TENANT SPACE PER TENANT FAÇADE; PROVIDED THAT ONLY ONE (1) SUCH TENANT SIGN PER TENANT FAÇADE IS VISIBLE FROM ANY STREET RIGHT-OF-WAY. SUCH TENANT SIGNS SHALL ONLY BE PERMITTED IN LIEU OF BUILDING SIGNS.

### EXAMPLE OF A TENANT SPACE IN A SHOPPING CENTER WITH TWO CONFORMING SIGNS – ONE FAÇADE SIGN AND ONE HANGING SIGN PERPENDICULAR TO THE STOREFRONT



- C. FAÇADE SIGNS SHALL BE CONTAINED WITHIN ANY SINGLE WALL PANEL, WINDOW, DOOR, OR OTHER ARCHITECTURAL COMPONENT UPON WHICH THEY ARE PLACED.
- D. HANGING SIGNS SHALL BE LOCATED IN CONSIDERATION OF THEIR RESPECTIVE ARCHITECTURAL ELEMENT.
- E. TENANT FAÇADE AND HANGING SIGNS SHALL BE LOCATED ON THE TENANT SPACE BEING IDENTIFIED. IF THIS REQUIREMENT CANNOT BE REASONABLY ACHIEVED, THE ADMINISTRATOR SHALL APPROVE AN ALTERNATE LOCATION.

### SEC. 16-5-1309 – FAÇADE SIGNS

- A. THE TOTAL AREA OF FACADE SIGNS SHALL NOT OCCUPY MORE THAN 10 PERCENT OF THE AREA OF THE FACADE UPON WHICH THEY ARE PLACED WITH THE MAXIMUM SIZE OF ANY ONE SIGN LIMITED TO 40 SQUARE FEET.
- B. NO MORE THAN 2 SIGNS MAY BE PLACED ON ANY ONE FACADE OF ANY ONE BUILDING EXCEPT THAT SHOPPING CENTERS SHALL BE PERMITTED 2 SIGNS PER TENANT SPACE PER TENANT FACADE PROVIDED ONLY ONE SUCH TENANT SIGN PER TENANT FACADE IS VISIBLE FROM ANY STREET RIGHT-OF-WAY. SUCH TENANT SIGNS SHALL ONLY BE PERMITTED IN LIEU OF BUILDING SIGNS.
- C. FACADE SIGNS MUST BE CONTAINED WITHIN ANY SINGLE WALL PANEL, WINDOW, DOOR OR OTHER ARCHITECTURAL COMPONENT UPON WHICH THEY ARE PLACED.
- D. TENANT FACADE SIGNS MUST BE LOCATED ON THE FACADE OF THE TENANT SPACE BEING IDENTIFIED.

**DIRECTORY SIGNS**

STAFF PROPOSES NO CHANGE.

**DIRECTORY SIGNS**

*SEC. 16-5-1308*

IF VISIBLE FROM ANY STREET RIGHT-OF-WAY, THE NUMBER, LOCATION, AND SIZE OF DIRECTORY SIGNS SHALL BE WITHIN THE LIMITS ESTABLISHED BY SEC. 16-5-1306 AND SEC. 16-5-1307.

**SEC. 16-5-1316 – DIRECTORY SIGNS**

IF VISIBLE FROM ANY STREET RIGHT-OF-WAY THE NUMBER, LOCATION AND AREA OF DIRECTORY SIGNS SHALL BE WITHIN THE LIMITS ESTABLISHED BY SEC. 16-5-1308 AND SEC. 16-5-1309.

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### TEMPORARY SIGNS FOR PERMITTED SIGNS

STAFF PROPOSES DIVIDING THIS SECTION INTO THREE PARTS. THIS SECTION WOULD ADDRESS TEMPORARY SIGNS FOR BUSINESSES. SEC. 16-5-1316 AND SEC. 16-5-1317 WOULD ADDRESS PERMANENT AND TEMPORARY SIGNS FOR SPECIAL EVENTS.

STAFF PROPOSES REVISING THE TEMPORARY SIGN PORTION OF THIS SECTION AS FOLLOWS:

- ADD LANGUAGE TO SPECIFY THAT “THE COPY, LOGO AND COLORS ON TEMPORARY SIGNS SHALL BE IDENTICAL TO THE COPY, LOGO AND COLORS ON THE RELATED PERMANENT SIGN,” TO ALLOW COPY IN ADDITION TO THE BUSINESS NAME AND A LOGO CONSISTENT WITH THE APPROVED PERMANENT SIGN.
- ADD LANGUAGE TO SPECIFY THAT TEMPORARY SIGNS SHALL BE CONSTRUCTED OF HIGH-QUALITY MATERIALS. “TEMPORARY SIGNS SHALL BE CONSTRUCTED OF ONE-HALF (1/2) INCH MDO OR A MATERIAL OF EQUAL DURABILITY. BANNERS SHALL NOT BE A PERMITTED MATERIAL.” STAFF DETERMINED THAT OTHER MATERIALS, ESPECIALLY BANNERS, WERE INAPPROPRIATE FOR TEMPORARY SIGNS DUE TO THE AMOUNT OF TIME SIGNS ARE ALLOWED TO BE DISPLAYED (45 DAYS) AND SINCE BANNERS ARE OTHERWISE PROHIBITED EXCEPT INSIDE SPECIAL EVENTS.
- ADD THE FOLLOWING LANGUAGE: “TEMPORARY SIGNS ADVERTISING A SALES EVENT, SUCH AS A GRAND OPENING OR A SEASONAL SALE, SHALL NOT BE PERMITTED.” THIS WOULD NOT BE A POLICY CHANGE; SUCH TEMPORARY SIGNS ARE CURRENTLY PROHIBITED. STAFF PROPOSES ADDING THIS LANGUAGE AND THE EXAMPLES OF PROHIBITED AND CONFORMING TEMPORARY SIGNS TO CLARIFY THE REGULATION AND GUIDE TEMPORARY SIGN DESIGN.

### TEMPORARY SIGNS FOR PERMITTED SIGNS

*SEC. 16-5-1309*

WHEN A PERMIT HAS BEEN ISSUED FOR A PERMANENT COMMERCIAL SIGN, A SEPARATE PERMIT MAY BE ISSUED FOR A TEMPORARY SIGN TO IDENTIFY THE BUSINESS WHILE THE PERMANENT SIGNS ARE BEING CONSTRUCTED. SUCH SIGNS ARE SUBJECT TO THE FOLLOWING STANDARDS:

- A. ONLY ONE (1) SIGN WITH NO MORE THAN TWO (2) SIGN FACES SHALL BE DISPLAYED PER PREMISES.
- B. ANY TEMPORARY SIGN FACE SHALL NOT EXCEED SIXTEEN (16) SQUARE FEET.
- C. THE COPY, LOGO AND COLORS ON TEMPORARY SIGNS SHALL BE IDENTICAL TO THE COPY, LOGO AND COLORS ON THE RELATED PERMANENT SIGN.
- D. TEMPORARY SIGNS SHALL BE CONSTRUCTED OF ONE-HALF (1/2) INCH MDO OR A MATERIAL OF EQUAL DURABILITY. BANNERS SHALL NOT BE A PERMITTED MATERIAL.
- E. TEMPORARY SIGNS SHALL BE REMOVED UPON INSTALLATION OF THE PERMANENT IDENTIFICATION SIGN OR WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF ITS PERMIT, UNLESS AN EXTENSION IS APPROVED BY THE ADMINISTRATOR.

TEMPORARY SIGNS ADVERTISING A SALES EVENT, SUCH AS A GRAND OPENING OR A SEASONAL SALE, SHALL NOT BE PERMITTED. TEMPORARY SPECIAL EVENT SIGNS ARE PERMITTED AS SPECIFIED IN SEC. 16-5-1317.

### EXAMPLE OF A PROHIBITED TEMPORARY SIGN

THIS SIGN WOULD NOT BE APPROVED AS A TEMPORARY SIGN FOR THE FOLLOWING REASONS:

1. IT DOES NOT PROVIDE REASONABLE IDENTIFICATION OF A BUSINESS.
2. THE COLORS ARE NOT MUTED AND NATURE-BLENDING AS SPECIFIED IN THE DESIGN GUIDE.
3. THE MATERIAL USED FOR THE SIGN BOARD IS CORRUGATED PLASTIC INSTEAD OF MDO OR A MATERIAL OF EQUAL DURABILITY.



### EXAMPLE OF A CONFORMING TEMPORARY SIGN

THIS SIGN COULD BE APPROVED AS A TEMPORARY SIGN FOR THE FOLLOWING REASONS:

1. IT PROVIDES REASONABLE IDENTIFICATION OF A BUSINESS.
2. THE COLORS ARE MUTED AND NATURE-BLENDING.
3. THE SIGN IS CONSTRUCTED OF MDO OR A MATERIAL OF EQUAL DURABILITY.



## SEC. 16-5-1310 – TEMPORARY SIGNS

A. TEMPORARY BUSINESS SIGNS. BUSINESSES THAT HAVE SUBMITTED A COMPLETE APPLICATION FOR A PERMANENT SIGN IN ACCORDANCE WITH CHAPTER 3, ARTICLE IX, FOR A SIGN WHICH IDENTIFIES THE BUSINESS MAY BE ISSUED A PERMIT FOR A TEMPORARY SIGN TO IDENTIFY THE BUSINESS. SUCH TEMPORARY BUSINESS SIGNS SHALL CONFORM TO THE FOLLOWING:

1. ONLY ONE SIGN PER PREMISES WITH NO MORE THAN 2 SIGN FACES. ANY SINGLE SIGN FACE NOT TO EXCEED 16 SQUARE FEET.
2. COPY SHALL CONSIST ONLY OF THE NAME OF THE BUSINESS.
3. TEMPORARY BUSINESS SIGNS MUST BE REMOVED UPON INSTALLATION OF THE PERMANENT IDENTIFICATION SIGN OR WITHIN 45 DAYS FROM THE DATE OF ITS PERMIT. TEMPORARY SIGNS NOT SO REMOVED WILL BE SUBJECT TO IMPOUNDMENT PURSUANT TO SEC. 16-8-107.

## CONSTRUCTION SIGNS

THESE TWO SECTIONS ARE DIVIDED INTO THREE PARTS: CONSTRUCTION SIGNS, NON-RESIDENTIAL REAL ESTATE SALES SIGNS (SEC. 16-5-1311) AND NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS (SEC. 16-5-1312). STAFF PROPOSES REVISING THE CONSTRUCTION SIGN PORTION AS FOLLOWS:

- CURRENTLY, CONSTRUCTION SIGNS SMALLER THAN FOUR (4) SQUARE FEET DO NOT REQUIRE A PERMIT BUT ARE SUBJECT TO MOST OF THE SAME RESTRICTIONS AS LARGER CONSTRUCTION SIGNS. SINCE MOST CONSTRUCTION SIGNS ARE LARGER THAN FOUR (4) SQUARE FEET AND SUCH SIGNS ARE STILL SUBJECT TO ADMINISTRATIVE REVIEW, STAFF PROPOSES CHANGING THE REGULATION TO REQUIRE THAT ALL CONSTRUCTION SIGNS RECEIVE A PERMIT.
- ADD LANGUAGE TO SPECIFY THAT THERE MAY BE ONE (1) CONSTRUCTION SIGN PER STREET FRONT INSTEAD OF ONE (1) CONSTRUCTION SIGN PER PROPERTY. THIS LANGUAGE IS SIMILAR TO THE NUMBER OF FREESTANDING SIGNS AND REAL ESTATE SIGNS ALLOWED ON A PROPERTY.
- ADD LANGUAGE TO SPECIFY THAT SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE. THIS MIRRORS THE REQUIREMENT FOR NON-RESIDENTIAL REAL ESTATE SALES SIGNS (BELOW).
- REVISE THE LANGUAGE TO STATE THAT, "SIGNS MAY NOT BE ERECTED PRIOR TO ISSUANCE OF A TOWN BUILDING PERMIT AND MUST BE REMOVED PRIOR TO THE ISSUANCE OF A TOWN CERTIFICATE OF OCCUPANCY." THE CURRENT REGULATION STATES "PROJECT SIGNS MAY NOT BE ERECTED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MUST BE REMOVED AT PROJECT COMPLETION OR TWELVE MONTHS AFTER ERECTION, WHICHEVER OCCURS FIRST." THE PROPOSED LANGUAGE IS MORE SPECIFIC AND TIES CONSTRUCTION SIGN DISPLAY TO RELATED PERMITS.

## CONSTRUCTION SIGNS

*SEC. 16-5-1310*

ANY SIGN IDENTIFYING A PROJECT UNDER CONSTRUCTION LOCATED ON THE CONSTRUCTION SITE MUST MEET THE FOLLOWING CRITERIA:

- A. QUANTITY IS LIMITED TO ONE (1) PER STREET FRONT OF THE AFFECTED PREMISES.
- B. THE TOTAL AREA OF A FREESTANDING CONSTRUCTION SIGN SHALL NOT EXCEED FORTY (40) SQUARE FEET. THE TOTAL AREA OF A FAÇADE CONSTRUCTION SIGN SHALL NOT EXCEED TWENTY (20) SQUARE FEET. EACH SIGN FACE SHALL NOT EXCEED TWENTY (20) SQUARE FEET.
- C. A FREESTANDING SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN EIGHT (8) FEET ABOVE GRADE. A FAÇADE-MOUNTED SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN EIGHT (8) FEET ABOVE GRADE.
- D. SUCH SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
- E. SUCH SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
- F. SUCH SIGNS MAY NOT BE ERECTED PRIOR TO ISSUANCE OF A TOWN BUILDING PERMIT AND MUST BE REMOVED PRIOR TO THE ISSUANCE OF A TOWN CERTIFICATE OF OCCUPANCY.

## EXAMPLE OF A CONFORMING CONSTRUCTION SIGN



### SEC. 16-3-902 – SIGNS EXEMPT FROM PERMIT

ANY PROJECT SIGN FOR WORK UNDER CONSTRUCTION LOCATED ON THE CONSTRUCTION SITE WHICH CONFORMS TO EACH OF THE FOLLOWING:

1. SIZE SHALL BE RECTANGULAR IN SHAPE AND NOT EXCEED FOUR SQUARE FEET;
2. COLORS AND GRAPHICS SHALL BE SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR;
3. THE QUANTITY SHALL BE LIMITED TO ONE PER AFFECTED PREMISES;
4. A FREESTANDING SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN SIX FEET ABOVE GRADE; AND A FACADE MOUNTED SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN EIGHT FEET ABOVE GRADE;
5. THE SIGN SHALL NOT BE ILLUMINATED; AND
6. THE SIGN MAY NOT BE ERECTED PRIOR TO ISSUANCE OF A TOWN BUILDING PERMIT AND MUST BE REMOVED PRIOR TO THE ISSUANCE OF A TOWN CERTIFICATE OF OCCUPANCY.

### SEC. 16-5-1311 – REAL ESTATE AND PROJECT SIGNS

- A. REAL ESTATE SIGNS OR PROJECT SIGNS NOT SPECIFICALLY EXEMPTED BY SEC. 16-3-902 OR SHORT TERM RENTAL SIGNS IN SEC. 16-5-1312 SHALL CONFORM TO THE REQUIREMENTS OF THIS SECTION.
- B. THE TOTAL AREA OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 40 SQUARE FEET AND 20 SQUARE FEET PER SIGN FACE. THE MAXIMUM HEIGHT OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 8 FEET ABOVE THE AVERAGE GRADE WITHIN A 20 FOOT RADIUS OF THE SIGN AND THE LOWER EDGE SHALL NOT EXCEED 4 FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.
- C. REAL ESTATE SIGNS OFFERING TENANT SPACE SHALL NOT BE FREESTANDING BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.
- D. THE TOTAL AREA OF A FACADE REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 20 SQUARE FEET.
- E. THE NUMBER OF REAL ESTATE OR PROJECT SIGNS PLACED ON ANY ONE PREMISES SHALL BE LIMITED TO:
  1. ONE REAL ESTATE SIGN PER STREET FRONTAGE INCLUSIVE OF THOSE EXEMPTED IN SEC. 16-3-902.

2. ONE PROJECT SIGN INCLUSIVE OF THOSE EXEMPTED IN 16-3-902.
- F. FOR A NEW SUBDIVISION, ONE REAL ESTATE SIGN SHALL BE ALLOWED TO ADVERTISE LOTS FOR SALE WITHIN THAT SUBDIVISION IN LIEU OF AN INDIVIDUAL REAL ESTATE SIGN ON EACH LOT.
  - G. REAL ESTATE OR PROJECT SIGNS SHALL NOT BE ILLUMINATED.
  - H. TIME PERIOD.
    1. REAL ESTATE SIGNS SHALL BE REMOVED WITHIN 2 DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
    2. PROJECT SIGNS MAY NOT BE ERECTED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MUST BE REMOVED AT PROJECT COMPLETION OR TWELVE MONTHS AFTER ERECTION, WHICHEVER OCCURS FIRST.

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### NON-RESIDENTIAL REAL ESTATE SALES SIGNS

STAFF PROPOSES TO REMOVE PROJECT SIGNS FROM THIS SECTION, AND PROPOSES THE FOLLOWING REVISIONS:

- CURRENTLY, NON-RESIDENTIAL REAL ESTATE SALES SIGNS SMALLER THAN FOUR (4) SQUARE FEET DO NOT REQUIRE A PERMIT BUT ARE SUBJECT TO ADMINISTRATIVE REVIEW, AND NON-RESIDENTIAL REAL ESTATE SALES SIGNS LARGER THAN FOUR (4) SQUARE FEET REQUIRE A PERMIT. STAFF PROPOSES TO CHANGE THE LANGUAGE TO SPECIFY HOW THE ADMINISTRATOR WILL REVIEW SIGNS SMALLER THAN FOUR SQUARE FEET.
- ADD LANGUAGE TO SPECIFY THAT SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE TO PREVENT THE USE OF SIGNS MADE INTO UNUSUAL SHAPES (STAR BURSTS, ETC) TO FURTHER ADVERTISE A PROPERTY.
- THE CURRENT LANGUAGE STATES, "REAL ESTATE SIGNS OFFERING TENANT SPACE SHALL NOT BE FREESTANDING BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED." STAFF PROPOSES MOVING THIS LANGUAGE TO A SEPARATE SECTION, NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS.

THE PROPOSED LANGUAGE MATCHES THE CURRENT LIMITS FOR SIGN SIZE, HEIGHT AND NUMBER.

### NON-RESIDENTIAL REAL ESTATE SALES SIGNS

*SEC. 16-5-1311*

- A. A PERMIT IS REQUIRED FOR THE DESIGN OF SIGNS THAT ARE FOUR SQUARE FEET OR SMALLER IN SIZE. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. THE NUMBER OF SUCH SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  2. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  3. SIGNS SHALL NOT EXCEED FOUR (4) SQUARE FEET IN AREA.
  4. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  5. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  6. SIGNS SHALL BE REMOVED WITHIN TWO (2) DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
- B. A PERMIT IS REQUIRED FOR EACH SIGN LARGER THAN FOUR SQUARE FEET ADVERTISING THE SALE OF NON-RESIDENTIAL PROPERTY. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. THE NUMBER OF SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  2. SIGNS SHALL BE RECTANGULAR OR SQUARE IN SHAPE.
  3. THE AREA OF EACH SIGN SHALL NOT EXCEED FORTY (40) SQUARE FEET TOTAL AND TWENTY (20) SQUARE FEET PER SIGN FACE.
  4. THE MAXIMUM HEIGHT OF EACH SIGN SHALL NOT EXCEED EIGHT (8) FEET ABOVE THE AVERAGE GRADE WITHIN A TWENTY (20) FOOT RADIUS OF THE SIGN. THE

LOWER EDGE OF EACH SIGN SHALL NOT EXCEED FOUR (4) FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.

5. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  6. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  7. SIGNS SHALL BE REMOVED WITHIN TWO (2) DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
- C. WHERE A FREESTANDING SIGN IS NOT FEASIBLE, THE ADMINISTRATOR MAY APPROVE A REAL ESTATE SALES FAÇADE SIGN. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. THE NUMBER OF SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  2. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  3. THE AREA OF EACH SIGN SHALL NOT EXCEED FORTY (40) SQUARE FEET.
  4. THE MAXIMUM HEIGHT OF EACH SIGN SHALL NOT EXCEED TEN (10) FEET ABOVE THE AVERAGE GRADE WITHIN A TWENTY (20) FOOT RADIUS OF THE SIGN.
  5. SIGNS SHALL BE CONTAINED WITHIN ANY SINGLE WALL PANEL, WINDOW, DOOR, OR OTHER ARCHITECTURAL COMPONENT UPON WHICH THEY ARE PLACED.
  6. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  7. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  8. SIGNS SHALL BE REMOVED WITHIN TWO (2) DAYS OF COMPLETION OF THE OFFERING ADVERTISED.

### **SEC. 16-3-902 – SIGNS EXEMPT FROM PERMIT**

- E. ANY REAL ESTATE SIGN, EXCEPT SHORT TERM RENTAL SIGNS, THAT CONFORM TO EACH OF THE FOLLOWING:
1. SIZE SHALL BE RECTANGULAR IN SHAPE AND NOT EXCEED 4 SQUARE FEET;
  2. COLORS AND GRAPHICS SHALL BE SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR;
  3. COPY SHALL BE LIMITED TO: (1) THE NAME OF THE OWNER OR THE LISTING AGENT, (2) THE REAL ESTATE COMPANY, (3) THE TYPE OF OFFERING AND (4) NOT MORE THAN TWO TELEPHONE NUMBERS;
  4. THE QUANTITY SHALL BE LIMITED TO ONE PER STREET FRONTAGE OF THE AFFECTED PREMISES;
  5. A FREESTANDING SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN FOUR FEET ABOVE GRADE; AND A FACADE MOUNTED SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN EIGHT FEET ABOVE GRADE;
  6. THE SIGN SHALL NOT BE ILLUMINATED; AND
  7. SIGNS OFFERING TENANT SPACE SHALL NOT BE FREE STANDING, BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.

8. SIGNS MUST BE REMOVED WITHIN 2 DAYS OF THE COMPLETION OF THE OFFERING ADVERTISED.

### **SEC. 16-5-1311 – REAL ESTATE AND PROJECT SIGNS**

- A. REAL ESTATE SIGNS OR PROJECT SIGNS NOT SPECIFICALLY EXEMPTED BY SEC. 16-3-902 OR SHORT TERM RENTAL SIGNS IN SEC. 16-5-1312 SHALL CONFORM TO THE REQUIREMENTS OF THIS SECTION.
- B. THE TOTAL AREA OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 40 SQUARE FEET AND 20 SQUARE FEET PER SIGN FACE. THE MAXIMUM HEIGHT OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 8 FEET ABOVE THE AVERAGE GRADE WITHIN A 20 FOOT RADIUS OF THE SIGN AND THE LOWER EDGE SHALL NOT EXCEED 4 FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.
- C. REAL ESTATE SIGNS OFFERING TENANT SPACE SHALL NOT BE FREESTANDING BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.
- D. THE TOTAL AREA OF A FACADE REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 20 SQUARE FEET.
- E. THE NUMBER OF REAL ESTATE OR PROJECT SIGNS PLACED ON ANY ONE PREMISES SHALL BE LIMITED TO:
  1. ONE REAL ESTATE SIGN PER STREET FRONTAGE INCLUSIVE OF THOSE EXEMPTED IN SEC. 16-3-902.
  2. ONE PROJECT SIGN INCLUSIVE OF THOSE EXEMPTED IN 16-3-902.
- F. FOR A NEW SUBDIVISION, ONE REAL ESTATE SIGN SHALL BE ALLOWED TO ADVERTISE LOTS FOR SALE WITHIN THAT SUBDIVISION IN LIEU OF AN INDIVIDUAL REAL ESTATE SIGN ON EACH LOT.
- G. REAL ESTATE OR PROJECT SIGNS SHALL NOT BE ILLUMINATED.
- H. TIME PERIOD.
  1. REAL ESTATE SIGNS SHALL BE REMOVED WITHIN 2 DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
  2. PROJECT SIGNS MAY NOT BE ERECTED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MUST BE REMOVED AT PROJECT COMPLETION OR TWELVE MONTHS AFTER ERECTION, WHICHEVER OCCURS FIRST.

### NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS

THE CURRENT LANGUAGE STATES, "REAL ESTATE SIGNS OFFERING TENANT SPACE SHALL NOT BE FREESTANDING BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED." THE PURPOSE OF THIS REGULATION IS TO REDUCE THE NUMBER OF FREESTANDING NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS.

HOWEVER, SOME PROPERTIES DO NOT HAVE A DIRECTORY OR FREESTANDING SIGN ON WHICH SUCH A TENANT PANEL COULD BE PLACED. STAFF PROPOSES ADDING LANGUAGE TO ALLOW SMALL (UP TO 4 SQUARE FEET) SIGNS TO IDENTIFY LISTINGS ON SUCH PROPERTIES.

STAFF ALSO PROPOSES ADDING LANGUAGE TO ALLOW LARGER (UP TO 20 SQUARE FEET PER SIGN FACE) SIGNS TO ADVERTISE WHOLE BUILDINGS FOR SALE OR LEASE ON PROPERTIES WHERE THERE IS AN UNOCCUPIED BUILDING AND THERE ARE NO OTHER TENANT SPACES FOR LEASE OR RENT.

STAFF PROPOSES ADDING THE FOLLOWING LANGUAGE TO THIS SECTION:"SUCH TENANT PANELS SHALL MATCH THE DIMENSIONS, MATERIALS AND COLORS OF THE PERMITTED TENANT PANELS" AND "A PERMIT IS REQUIRED TO ENSURE THE PANEL COMPLEMENTS THE DESIGN OF THE FREESTANDING SIGN" TO ENSURE THAT THE PERMITTED SIGN DESIGN IS MAINTAINED.

### NON-RESIDENTIAL REAL ESTATE LEASE OR RENT SIGNS

*SEC. 16-5-1312*

- A. **BUILDINGS FOR LEASE OR RENT.** ON PREMISES WHERE A WHOLE BUILDING OR WHOLE BUILDINGS ARE OFFERED FOR LEASE OR RENT AND WHERE THERE ARE NO OTHER TENANT SPACES ON THE PREMISES, A NON-RESIDENTIAL REAL ESTATE SIGN OFFERING THE BUILDING OR BUILDINGS FOR LEASE OR RENT MAY BE DISPLAYED. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. A PERMIT IS REQUIRED FOR EACH SIGN.
  2. THE NUMBER OF SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  3. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  4. THE AREA OF EACH SIGN SHALL NOT EXCEED FORTY (40) SQUARE FEET TOTAL AND TWENTY (20) SQUARE FEET PER SIGN FACE.
  5. THE MAXIMUM HEIGHT OF EACH SIGN SHALL NOT EXCEED EIGHT (8) FEET ABOVE THE AVERAGE GRADE WITHIN A TWENTY (20) FOOT RADIUS OF THE SIGN. THE LOWER EDGE OF EACH SIGN SHALL NOT EXCEED FOUR (4) FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.
  6. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  7. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  8. SIGNS SHALL BE REMOVED WITHIN TWO (2) DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
- B. **TENANT SPACES FOR LEASE OR RENT.** NON-RESIDENTIAL REAL ESTATE SIGNS OFFERING TENANT SPACE FOR LEASE OR RENT SHALL BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR AS A PANEL ON A PERMITTED FREESTANDING SIGN IF

THERE ARE SUCH SIGNS ON SITE. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:

1. IF PLACED ON A PERMITTED DIRECTORY SIGN, A PERMIT IS NOT REQUIRED. SUCH PANELS SHALL MATCH THE DIMENSIONS, MATERIALS AND COLORS OF THE PERMITTED TENANT PANELS. THE AMOUNT OF INFORMATION ON THE PANEL SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  2. IF PLACED ON A PERMITTED FREESTANDING SIGN, A PERMIT IS REQUIRED TO ENSURE THE PANEL COMPLEMENTS THE DESIGN OF THE FREESTANDING SIGN. THE AMOUNT OF INFORMATION ON THE PANEL SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
- C. IF THERE ARE NO PERMITTED DIRECTORY SIGNS OR PERMITTED FREESTANDING SIGNS ON WHICH A TENANT PANEL OR OTHER PANEL MAY BE PLACED TO ADVERTISE A TENANT SPACE FOR LEASE OR RENT, A SIGN NOT EXCEEDING FOUR (4) SQUARE FEET IN AREA MAY BE USED. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. A PERMIT IS REQUIRED FOR INDIVIDUAL SIGNS, REGARDLESS OF WHETHER THE SIGN DESIGN HAS BEEN APPROVED FOR OTHER USES.
  2. THE NUMBER OF SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  3. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  4. SIGNS SHALL NOT EXCEED FOUR (4) SQUARE FEET IN AREA.
  5. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  6. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  7. SIGNS SHALL BE REMOVED WITHIN TWO (2) DAYS OF COMPLETION OF THE OFFERING ADVERTISED.

**EXAMPLE OF A DIRECTORY SIGN WITH A CONFORMING SPACE FOR LEASE TENANT PANEL**



**SEC. 16-3-902 – SIGNS EXEMPT FROM PERMIT**

- E. ANY REAL ESTATE SIGN, EXCEPT SHORT TERM RENTAL SIGNS, THAT CONFORM TO EACH OF THE FOLLOWING:
8. SIGNS OFFERING TENANT SPACE SHALL NOT BE FREE STANDING, BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.

### RESIDENTIAL REAL ESTATE SALES SIGNS

THIS SECTION CONSOLIDATES REGULATIONS FROM TWO SECTIONS. STAFF PROPOSES THE FOLLOWING REVISIONS:

- REMOVE THE FOLLOWING LANGUAGE: "COLOR AND GRAPHICS SHALL BE SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR" TO ALLOW REALTORS TO USE STANDARD COMPANY SIGNS, WHICH TYPICALLY MEET THE REQUIRED DIMENSIONS (LESS THAN 4 (FOUR) SQUARE FEET) BUT MAY USE COLORS THAT ARE BRIGHTER THAN WOULD BE PERMITTED FOR PERMANENT SIGN.
- CURRENTLY, REAL ESTATE SIGNS UNDER FOUR (4) SQUARE FEET DO NOT REQUIRE A PERMIT BUT THE DESIGN OF THE SIGNS ARE REVIEWED BY STAFF AND PERMITTED. THIS LANGUAGE WOULD CLARIFY A FORMALLY UNWRITTEN POLICY: "ONCE A PERMIT IS ISSUED FOR A REAL ESTATE COMPANY OR REALTOR SIGN DESIGN, INDIVIDUAL SIGNS ARE NOT REQUIRED TO BE PERMITTED."
- THE FOLLOWING LANGUAGE WOULD CLARIFY THE APPROPRIATE LOCATION FOR SIGNS: "IN MULTI-FAMILY OR CONDOMINIUM DEVELOPMENTS, SIGNS SHALL BE PLACED NEAR THE FRONT DOOR OF THE UNIT FOR SALE." THIS MATCHES THE GENERAL REQUIREMENT THAT SIGNS ARE PLACED ON-PREMISES.
- CURRENTLY, INFORMATION BOXES ARE SPECIFICALLY PROHIBITED. STAFF PROPOSES ADDING THE FOLLOWING LANGUAGE: "EACH SIGN MAY HAVE ONE (1) INFORMATION BOX OR TUBE ATTACHED TO THE SIGN STRUCTURE. INFORMATION BOXES OR TUBES SHALL NOT BE INDEPENDENTLY FREESTANDING." THIS PROVISION WOULD ONLY APPLY TO RESIDENTIAL REAL ESTATE SALES SIGNS. THIS CHANGE WOULD ALLOW THE REASONABLE DISTRIBUTION OF LISTING INFORMATION WITHOUT ADDING SIGNAGE TO PROPERTIES.

### RESIDENTIAL REAL ESTATE SALES SIGNS

*SEC. 16-5-1313*

- A. A PERMIT IS REQUIRED FOR EACH SIGN ADVERTISING THE SALE OF RESIDENTIAL REAL ESTATE. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  2. SIGNS SHALL NOT EXCEED FOUR (4) SQUARE FEET IN AREA.
  3. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
- B. ONCE A PERMIT IS ISSUED FOR A SIGN DESIGN, INDIVIDUAL SIGNS ARE NOT REQUIRED TO BE PERMITTED.
- C. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. THE NUMBER OF SIGNS PLACED ON ANY ONE (1) PREMISES SHALL BE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE.
  2. SIGNS SHALL BE PLACED ON THE PARCEL FOR SALE. IN MULTI-FAMILY OR CONDOMINIUM DEVELOPMENTS, SIGNS SHALL BE PLACED NEAR THE FRONT DOOR OF THE UNIT FOR SALE.
  3. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.

4. SIGNS MUST BE REMOVED WITHIN TWO (2) DAYS OF THE COMPLETION OF THE OFFERING ADVERTISED.
  5. EACH SIGN MAY HAVE ONE (1) INFORMATION BOX OR TUBE ATTACHED TO THE SIGN STRUCTURE. INFORMATION BOXES OR TUBES SHALL NOT BE INDEPENDENTLY FREESTANDING.
- D. RESIDENTIAL DEVELOPMENTS (SUCH AS NAMED SUBDIVISIONS) WITH MULTIPLE PROPERTIES FOR SALE MAY USE ONE (1) REAL ESTATE SIGN IN LIEU OF INDIVIDUAL REAL ESTATE SIGNS ON EACH LOT. A PERMIT IS REQUIRED FOR EACH SIGN. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:
1. THE NUMBER OF SIGNS SHALL BE LIMITED TO ONE (1) PER ENTRANCE OF THE DEVELOPMENT, NOT INCLUDING PAIRED ONE-WAY ENTRANCE LANES.
  2. SIGNS SHALL BE SQUARE OR RECTANGULAR IN SHAPE.
  3. THE AREA OF EACH SIGN SHALL NOT EXCEED FORTY (40) SQUARE FEET TOTAL AND TWENTY (20) SQUARE FEET PER SIGN FACE.
  4. THE MAXIMUM HEIGHT OF EACH SIGN SHALL NOT EXCEED EIGHT (8) FEET ABOVE THE AVERAGE GRADE WITHIN A TWENTY (20) FOOT RADIUS OF THE SIGN. THE LOWER EDGE OF EACH SIGN SHALL NOT EXCEED FOUR (4) FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.
  5. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
  6. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
  7. SIGNS MUST BE REMOVED WITHIN TWO (2) DAYS OF THE COMPLETION OF THE OFFERING ADVERTISED.
  8. EACH SIGN MAY HAVE ONE (1) INFORMATION BOX OR TUBE ATTACHED TO THE SIGN STRUCTURE. INFORMATION BOXES OR TUBES SHALL NOT BE INDEPENDENTLY FREESTANDING.

### **SEC. 16-3-902 – SIGNS EXEMPT FROM PERMIT**

- F. ANY REAL ESTATE SIGN, EXCEPT SHORT TERM RENTAL SIGNS, THAT CONFORM TO EACH OF THE FOLLOWING:
1. SIZE SHALL BE RECTANGULAR IN SHAPE AND NOT EXCEED 4 SQUARE FEET;
  2. COLORS AND GRAPHICS SHALL BE SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR;
  3. COPY SHALL BE LIMITED TO: (1) THE NAME OF THE OWNER OR THE LISTING AGENT, (2) THE REAL ESTATE COMPANY, (3) THE TYPE OF OFFERING AND (4) NOT MORE THAN TWO TELEPHONE NUMBERS;
  4. THE QUANTITY SHALL BE LIMITED TO ONE PER STREET FRONTAGE OF THE AFFECTED PREMISES;
  5. A FREESTANDING SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN FOUR FEET ABOVE GRADE; AND A FACADE MOUNTED SIGN SHALL BE MOUNTED SO THAT ITS TOP EDGE IS NO HIGHER THAN EIGHT FEET ABOVE GRADE;
  6. THE SIGN SHALL NOT BE ILLUMINATED; AND
  7. SIGNS OFFERING TENANT SPACE SHALL NOT BE FREE STANDING, BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.

8. SIGNS MUST BE REMOVED WITHIN 2 DAYS OF THE COMPLETION OF THE OFFERING ADVERTISED.

### **SEC. 16-5-1311 – REAL ESTATE AND PROJECT SIGNS**

- A. REAL ESTATE SIGNS OR PROJECT SIGNS NOT SPECIFICALLY EXEMPTED BY SEC. 16-3-902 OR SHORT TERM RENTAL SIGNS IN SEC. 16-5-1312 SHALL CONFORM TO THE REQUIREMENTS OF THIS SECTION.
- B. THE TOTAL AREA OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 40 SQUARE FEET AND 20 SQUARE FEET PER SIGN FACE. THE MAXIMUM HEIGHT OF A FREESTANDING REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 8 FEET ABOVE THE AVERAGE GRADE WITHIN A 20 FOOT RADIUS OF THE SIGN AND THE LOWER EDGE SHALL NOT EXCEED 4 FEET IN HEIGHT FROM THE LOWEST GRADE AT THE BASE OF THE SIGN.
- C. REAL ESTATE SIGNS OFFERING TENANT SPACE SHALL NOT BE FREESTANDING BUT MAY BE PLACED AS A TENANT PANEL ON A PERMITTED DIRECTORY SIGN OR IN THE WINDOW OF THE TENANT SPACE BEING OFFERED.
- D. THE TOTAL AREA OF A FACADE REAL ESTATE OR PROJECT SIGN SHALL NOT EXCEED 20 SQUARE FEET.
- E. THE NUMBER OF REAL ESTATE OR PROJECT SIGNS PLACED ON ANY ONE PREMISES SHALL BE LIMITED TO:
  1. ONE REAL ESTATE SIGN PER STREET FRONTAGE INCLUSIVE OF THOSE EXEMPTED IN SEC. 16-3-902.
  2. ONE PROJECT SIGN INCLUSIVE OF THOSE EXEMPTED IN 16-3-902.
- F. FOR A NEW SUBDIVISION, ONE REAL ESTATE SIGN SHALL BE ALLOWED TO ADVERTISE LOTS FOR SALE WITHIN THAT SUBDIVISION IN LIEU OF AN INDIVIDUAL REAL ESTATE SIGN ON EACH LOT.
- G. REAL ESTATE OR PROJECT SIGNS SHALL NOT BE ILLUMINATED.
- H. TIME PERIOD.
  1. REAL ESTATE SIGNS SHALL BE REMOVED WITHIN 2 DAYS OF COMPLETION OF THE OFFERING ADVERTISED.
  2. PROJECT SIGNS MAY NOT BE ERECTED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MUST BE REMOVED AT PROJECT COMPLETION OR TWELVE MONTHS AFTER ERECTION, WHICHEVER OCCURS FIRST.

### **SEC. 16-5-1304. – PROHIBITED SIGNS**

EXCEPT AS MAY BE HEREINAFTER SPECIFICALLY PERMITTED, IT SHALL BE UNLAWFUL AFTER SEPTEMBER 20, 1993, FOR ANY PERSON TO ERECT, PLACE OR USE WITHIN THE TOWN, WHEN VISIBLE FROM ANY PUBLIC WAY, ANY OF THE FOLLOWING SIGNS:

- U. INFORMATION BOXES, EITHER ERECTED ALONE OR PLACED ON SIGN STRUCTURE.

### RESIDENTIAL SHORT-TERM RENTAL SIGNS

STAFF SUGGESTS THE FOLLOWING REVISIONS:

- REPLACE "COPY IS LIMITED TO THE NAME OF RENTAL COMPANY, THEIR TELEPHONE NUMBER AND THE TERM 'WEEKLY RENTAL'" WITH "THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED" TO CONFORM WITH THE FOLLOWING IN APPLICABILITY AND PROVISIONS: "NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO SIGN SHALL BE SUBJECT TO ANY LIMITATION BASED ON THE CONTENT OF THE MESSAGE CONTAINED ON SUCH SIGN."
- REMOVE "SIGN COLORS ARE LIMITED TO TWO, MUST BE MUTED EARTH TONES, AND APPROVED BY THE DESIGN REVIEW BOARD" TO ALLOW GREATER FLEXIBILITY IN SIGN DESIGN.

### RESIDENTIAL SHORT-TERM RENTAL SIGNS

*SEC. 16-5-1314*

A PERMIT IS REQUIRED FOR EACH SIGN ADVERTISING THE SHORT-TERM RENTAL OF A RESIDENCE. SUCH SIGNS SHALL MEET THE FOLLOWING STANDARDS:

- A. SIGNS ARE LIMITED TO ONE (1) PER RESIDENCE. SIGNS SHALL BE PLACED NEAR THE ENTRANCE OF THE RESIDENCE, VISIBLE FROM STREET AND WALL MOUNTED NO MORE THAN SIX (6) FEET ABOVE FEMA BASE FLOOD ELEVATION. SIGNS SHALL NOT BE VISIBLE FROM THE BEACH.
- B. SIGNS SHALL BE TWELVE (12) INCHES IN HEIGHT BY EIGHTEEN (18) INCHES IN LENGTH.
- C. SIGNS SHALL BE MADE OF ONE-HALF (1/2) INCH PVC SIGN BOARD OR ANOTHER MATERIAL APPROVED BY THE ADMINISTRATOR.
- D. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE OFFERING TO BE CONVEYED.
- E. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.

### **SEC. 16-5-1312. – SHORT TERM RENTAL REAL ESTATE SIGNS**

- A. SHORT TERM RENTAL REAL ESTATE SIGNS ON SINGLE FAMILY LOTS ARE LIMITED AS FOLLOWS:
  1. SIZE MUST BE 12" IN HEIGHT BY 18" IN LENGTH MADE FROM 3/4 INCH PVC SIGN BOARD OR OTHER MATERIAL APPROVED BY THE DRB.
  2. COPY IS LIMITED TO THE NAME OF RENTAL COMPANY, THEIR TELEPHONE NUMBER AND THE TERM "WEEKLY RENTAL".
  3. SIGN COLORS ARE LIMITED TO TWO, MUST BE MUTED EARTH TONES, AND APPROVED BY THE DESIGN REVIEW BOARD.
  4. SIGNS ARE LIMITED TO ONE PER PARCEL. PLACEMENT MUST BE NEAR THE ENTRANCE, VISIBLE FROM STREET AND WALL MOUNTED NO MORE THAN 6 FT. ABOVE FEMA BASE FLOOD ELEVATION. SIGNS SHALL NOT BE VISIBLE FROM THE BEACH.
  5. SIGN SHALL NOT BE ILLUMINATED.
- B. PERMITTED EXISTING SHORT TERM RENTAL REAL ESTATE SIGNS SHALL HAVE 18 MONTHS FROM DATE OF ADOPTION OF THIS ORDINANCE TO BE REMOVED OR REPLACED BY A SIGN CONFORMING TO THE REQUIREMENTS OF THIS SECTION.

## SIGN SYSTEMS

THIS SECTION WAS MOVED TO A DIFFERENT LOCATION. STAFF PROPOSES THE FOLLOWING REVISION:

- ADD "IN THE CASE OF CHANGES TO ANY INTEGRATED SIGN SYSTEM DESIGN, ALL EXISTING SIGNS IN THE SIGN SYSTEM SHALL BE BROUGHT INTO COMPLIANCE WITH THE CHANGED DESIGN WITHIN THREE (3) MONTHS OF APPROVAL OF ANY CHANGES TO THE INTEGRATED SIGN SYSTEM." THE PURPOSE OF A SIGN SYSTEM IS TO ENSURE SIGNS ARE CONSISTENT THROUGHOUT A DEVELOPMENT. THIS ADDITION WOULD ENSURE THAT SIGN SYSTEMS REMAIN CONSISTENT WHEN CHANGES ARE APPROVED.

## SIGN SYSTEMS

### *SEC. 16-5-1315*

AN INTEGRATED SIGN SYSTEM DESIGN SHALL BE REQUIRED FOR ALL PLANNED UNIT DEVELOPMENTS, COMMERCIAL DEVELOPMENTS, OFFICE COMPLEXES, AND SHOPPING CENTERS.

- A. THESE SYSTEMS SHALL BE REVIEWED FOR MATERIALS, COLORS, SHAPES, SIZES, COMPATIBILITY AND ARCHITECTURE, AND ESTABLISHMENT OF UNITY OF DESIGN FOR THE DEVELOPMENT. SEE HILTON HEAD ISLAND DESIGN GUIDE FOR GUIDANCE.
- B. NEW INDIVIDUAL SIGNS AND CHANGES TO EXISTING INDIVIDUAL SIGNS SHALL CONFORM WITH SUCH SIGN SYSTEMS.
- C. IN THE CASE OF CHANGES TO ANY INTEGRATED SIGN SYSTEM DESIGN, ALL EXISTING SIGNS IN THE SIGN SYSTEM SHALL BE BROUGHT INTO COMPLIANCE WITH THE CHANGED DESIGN WITHIN THREE (3) MONTHS OF APPROVAL OF ANY CHANGES TO THE INTEGRATED SIGN SYSTEM.

### **SEC. 16-5-1306. — INTEGRATED SIGN SYSTEM REQUIRED**

AN INTEGRATED SIGN SYSTEM DESIGN SHALL BE REQUIRED FOR ALL PUDS, COMMERCIAL OR RESIDENTIAL SUBDIVISIONS, OFFICE COMPLEXES AND SHOPPING CENTERS WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS TITLE. THESE SYSTEMS SHALL BE REVIEWED FOR MATERIALS, COLORS, SHAPES, SIZES, COMPATIBILITY WITH ARCHITECTURE, AND ESTABLISHMENT OF UNITY OF DESIGN FOR THE DEVELOPMENT. NEW INDIVIDUAL SIGNS AND CHANGES TO EXISTING INDIVIDUAL SIGNS SHALL BE REVIEWED FOR CONFORMANCE WITH SUCH SIGN SYSTEMS.

## PERMANENT SPECIAL EVENT SIGNS

STAFF PROPOSES CHANGING THE FORMATTING OF THIS SECTION BUT PROPOSES NO OTHER CHANGES.

## PERMANENT SPECIAL EVENT SIGNS

### *SEC. 16-5-1316*

PERMANENT SIGNS IDENTIFYING SPECIAL EVENTS MAY BE ERECTED ONLY BY THE TOWN OF HILTON HEAD ISLAND AND ARE SUBJECT TO THE FOLLOWING STANDARDS:

- A. PERMANENT SPECIAL EVENT SIGNS MAY ONLY ANNOUNCE EVENTS THAT ARE SPONSORED BY A NONPROFIT OR PUBLIC ENTITY, OR PUBLIC SERVICE ANNOUNCEMENTS AS DETERMINED BY THE TOWN MANAGER.
- B. GUIDELINES FOR DETERMINING THE EVENTS OR FUNCTIONS TO BE ANNOUNCED, COPY, SPACE, LOCATION AND DISPLAY TIME LIMIT SHALL BE AS PROPOSED BY THE ADMINISTRATOR AND APPROVED BY THE TOWN COUNCIL.
- C. PUBLIC SERVICE ANNOUNCEMENTS MAY OBTAIN A HIGHER PRIORITY FOR DISPLAY THAN SPECIAL EVENT ANNOUNCEMENTS AT THE DISCRETION OF THE TOWN MANAGER.

### EXAMPLE OF A CONFORMING PERMANENT SPECIAL EVENT SIGN



### **SEC. 16-5-1313. – SPECIAL EVENT SIGNS**

- A. SPECIAL EVENT SIGNS MAY BE ERECTED ONLY BY THE TOWN OF HILTON HEAD ISLAND.
- B. SPECIAL EVENT SIGNS MAY ANNOUNCE ONLY EVENTS THAT ARE SPONSORED BY A NONPROFIT OR PUBLIC ENTITY, OR PUBLIC SERVICE ANNOUNCEMENTS AS DETERMINED BY THE TOWN MANAGER.
- C. GUIDELINES FOR DETERMINING THE EVENTS OR FUNCTIONS TO BE ANNOUNCED, COPY, SPACE, LOCATION AND DISPLAY TIME LIMIT SHALL BE AS PROPOSED BY THE ADMINISTRATOR AND APPROVED BY THE TOWN COUNCIL.
- D. PUBLIC SERVICE ANNOUNCEMENTS MAY OBTAIN A HIGHER PRIORITY FOR DISPLAY THAN SPECIAL EVENT ANNOUNCEMENTS AT THE DISCRETION OF THE TOWN MANAGER.

## TEMPORARY SPECIAL EVENT SIGNS

STAFF PROPOSES THE FOLLOWING REVISIONS TO THIS SECTION:

- ALLOW TEMPORARY SPECIAL EVENT SIGNS FOR EVENTS THAT MEET THE LMO DEFINITION OF A SPECIAL EVENT: "A SPECIAL EVENT IS DEFINED IN SEC. 16-10-201 AS A TEMPORARY COMMERCIAL OR FESTIVE ACTIVITY OR PROMOTION AT A SPECIFIC LOCATION THAT IS PLANNED OR REASONABLY EXPECTED TO ATTRACT LARGE ASSEMBLIES OF PERSONS." THIS WOULD ALLOW TEMPORARY SPECIAL EVENT SIGNS FOR SPECIAL EVENTS SPONSORED BY BOTH COMMERCIAL AND TAX EXEMPT ORGANIZATIONS.
- REQUIRE A PERMIT FOR TEMPORARY SPECIAL EVENT SIGNS: "THE ORGANIZER OF A SPECIAL EVENT SHALL OBTAIN A TEMPORARY SPECIAL EVENT SIGN PERMIT PRIOR TO DISPLAYING TEMPORARY SIGNS AT A SPECIAL EVENT. THE APPLICATION SHALL STATE THE LOCATION AND DATES OF THE EVENT, THE EXPECTED NUMBER OF ATTENDEES AND THE TYPES AND NUMBER OF PROPOSED TEMPORARY SIGNS. THE APPLICATION SHALL BE SUBMITTED NO FEWER THAN FIVE (5) BUSINESS DAYS PRIOR TO THE EVENT." CURRENTLY, A PERMIT IS REQUIRED: "TAX EXEMPT ORGANIZATIONS CONDUCTING AN EVENT WITHIN THE LIMITS OF THE TOWN MAY BE ISSUED A PERMIT FOR A TEMPORARY SIGN TO IDENTIFY THE EVENT."
- ALLOW OFF-PREMISES SIGNS DIRECTING TRAFFIC FOR EVENTS AT WHICH MORE THAN 5,000 ATTENDEES ARE EXPECTED. EVENTS SUCH AS THE RBC HERITAGE REQUIRE SUCH SIGNS.
- ALLOW OFF-PREMISES SIGNS IDENTIFYING RACE ROUTES. SUCH SIGNS ARE CURRENTLY NOT ALLOWED BUT ARE NEEDED TO DIRECT RACE PARTICIPANTS.
- ALLOW ON-PREMISES SIGNS IDENTIFYING AN EVENT. THESE REGULATIONS ARE SIMILAR TO THE EXISTING REGULATIONS FOR TAX EXEMPT ORGANIZATION TEMPORARY SIGNS, BUT WOULD ALSO ALLOW COMMERCIAL SPECIAL EVENTS TO DISPLAY ON-PREMISES SIGNS.
- ALLOW ON-PREMISES SIGNS ADVERTISING GOODS OR SERVICES. MANY SPECIAL EVENTS INCLUDE SIGNS MEANT TO BE VIEWED BY THOSE ATTENDING THE EVENT, SUCH AS RESTAURANT BANNERS, SIGNS LISTING SPONSORS AND PRICE LISTS. SUCH SIGNS ARE CURRENTLY PROHIBITED WHICH STAFF CONSIDERS UNNECESSARILY RESTRICTIVE.

## TEMPORARY SPECIAL EVENT SIGNS

*SEC. 16-5-1317*

A SPECIAL EVENT IS DEFINED IN SEC. 16-10-201 AS A TEMPORARY COMMERCIAL OR FESTIVE ACTIVITY OR PROMOTION AT A SPECIFIC LOCATION THAT IS PLANNED OR REASONABLY EXPECTED TO ATTRACT LARGE ASSEMBLIES OF PERSONS. THE ORGANIZER OF A SPECIAL EVENT SHALL OBTAIN A TEMPORARY SPECIAL EVENT SIGN PERMIT PRIOR TO DISPLAYING TEMPORARY SIGNS AT A SPECIAL EVENT. THE APPLICATION SHALL STATE THE LOCATION AND DATES OF THE EVENT, THE EXPECTED NUMBER OF ATTENDEES AND THE TYPES AND NUMBER OF PROPOSED TEMPORARY SIGNS. THE APPLICATION SHALL BE SUBMITTED NO FEWER THAN FIVE (5) BUSINESS DAYS PRIOR TO THE EVENT. THE FOLLOWING TEMPORARY SPECIAL EVENT SIGNS MAY BE USED AS SPECIFIED:

- A. OFF-PREMISES SIGNS DIRECTING TRAFFIC.** SIGNS DIRECTING TRAFFIC TO THE SITE OF AN EVENT MAY BE USED FOR EVENTS AT WHICH MORE THAN 5,000 ATTENDEES ARE EXPECTED. SIGNS SHALL MEET SOUTH CAROLINA DOT STANDARDS.

- B. OFF-PREMISES SIGNS IDENTIFYING RACE ROUTES.** SIGNS INTENDED TO DIRECT PEDESTRIANS, RUNNERS AND BICYCLISTS ON RACE ROUTES ARE SUBJECT TO THE FOLLOWING STANDARDS:
1. SUCH SIGNS SHALL BE NO LARGER THAN TWO (2) SQUARE FEET EACH.
  2. SUCH SIGNS MAY BE DISPLAYED ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
- C. ON-PREMISES SIGNS IDENTIFYING AN EVENT.** SIGNS LOCATED AT THE ENTRANCES OF SPECIAL EVENTS, THAT ARE MEANT TO IDENTIFY A SPECIAL EVENT ARE SUBJECT TO THE FOLLOWING STANDARDS:
1. NO MORE THAN TWO (2) SIGNS SHALL BE DISPLAYED PER EVENT, WITH NO MORE THAN FOUR (4) SIGN FACES. ANY SINGLE SIGN FACE SHALL NOT EXCEED SIXTEEN (16) SQUARE FEET.
  2. SIGNS SHALL BE CONSTRUCTED OF ONE-HALF (1/2) INCH MDO OR A MATERIAL OF EQUAL DURABILITY, MOUNTED ON FOUR-BY-FOUR (4x4) WOOD POSTS.
  3. THE AMOUNT OF INFORMATION ON THE SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE EVENT OR OTHER INFORMATION TO BE CONVEYED.
  4. SIGNS SHALL BE DISPLAYED NO SOONER THAN ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
  5. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
- D. ON-PREMISES SIGNS.** SIGNS DISPLAYED WITHIN A SPECIAL EVENT ARE SUBJECT TO THE FOLLOWING STANDARDS:
1. SIGNS SHALL BE DISPLAYED NO SOONER THAN ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
  2. BANNERS AND PENNANTS ARE PERMITTED WITHIN SPECIAL EVENTS.

### **SEC. 16-5-1310. – TEMPORARY SIGNS**

- B. TAX EXEMPT ORGANIZATION TEMPORARY SIGNS.** TAX EXEMPT ORGANIZATIONS CONDUCTING AN EVENT WITHIN THE LIMITS OF THE TOWN MAY BE ISSUED A PERMIT FOR A TEMPORARY SIGN TO IDENTIFY THE EVENT. SUCH TAX EXEMPT ORGANIZATION TEMPORARY SIGNS SHALL CONFORM TO THE FOLLOWING:
1. ONLY 2 SIGNS PER PREMISES WITH NO MORE THAN 4 SIGN FACES. ANY SINGLE SIGN FACE NOT TO EXCEED 16 SQUARE FEET.
  2. SIGN TO BE CONSTRUCTED OF 1/2 INCH DUROPLY, OR A MATERIAL OF EQUAL DURABILITY, MOUNTED ON FOUR BY FOUR WOOD POSTS.
  3. THE SIGNS MUST BE PLACED ON THE PREMISES OF THE EVENT WITH NO PORTION OF THE SIGN IN ANY RIGHT-OF-WAY OR EASEMENT.
  4. COPY AND COLORS MUST BE APPROVED BY THE ADMINISTRATOR.
  5. THE TAX EXEMPT ORGANIZATION TEMPORARY SIGN IS TO BE DISPLAYED ONLY FOR THE DURATION OF THE EVENT, FOR A MAXIMUM OF 4 DAYS. SIGNS NOT SO REMOVED WILL BE SUBJECT TO IMPOUNDMENT PURSUANT TO CHAPTER 8.
  6. TAX EXEMPT ORGANIZATION TEMPORARY SIGNS SHALL NOT BE ILLUMINATED.

**SIGNS WITH CHANGEABLE COPY**

STAFF PROPOSES NO CHANGE.

**SIGNS WITH CHANGEABLE COPY**

*SEC. 16-5-1318*

- I. SIGNS WITH CHANGEABLE COPY ARE LIMITED TO ONE (1) SIGN PER STREET FRONTAGE PER PARCEL.
- II. THE TOTAL SIZE OF CHANGEABLE COPY SHALL NOT EXCEED TWENTY (20) SQUARE FEET PER SIGN FACE, WITH NO MORE THAN THREE (3) LINES OF COPY.
- III. COPY HEIGHT SHALL BE EIGHT (8) INCHES MAXIMUM AND FOUR (4) INCHES MINIMUM.
- IV. COPY SHALL BE SECURELY FASTENED TO THE SIGN FACE AND NEATLY MAINTAINED.
- V. CHANGEABLE COPY SHALL BE LIMITED TO ANNOUNCING:
  1. ON-PREMISES SPECIAL EVENTS.
  2. MOTION PICTURES OR ENTERTAINMENT AT A THEATER WHOSE PRIMARY FUNCTION IS TO PROVIDE MUSICAL OR DRAMATIC EVENTS; OR
  3. GASOLINE PRICES AS DESCRIBED IN SEC. 16-5-1319.
- VI. PERMANENT SPECIAL EVENT SIGNS AS DESCRIBED IN SEC. 16-5-1316 ARE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION.

**SEC. 16-5-1320. – CHANGEABLE COPY**

- A. NO MORE THAN ONE SIGN PER STREET FRONTAGE OF ANY PREMISES SHALL CONTAIN CHANGEABLE COPY.
- B. THE AREA OF CHANGEABLE COPY SHALL NOT EXCEED 20 SQUARE FEET PER SIGN FACE WITH NO MORE THAN 3 LINES OF COPY. COPY HEIGHT SHALL BE 8 INCHES MAXIMUM AND 4 INCHES MINIMUM.
- C. CHANGEABLE COPY SHALL BE LIMITED TO ANNOUNCING:
  1. ON PREMISES SPECIAL EVENTS CONTAINING ONLY NON-COMMERCIAL COPY;
  2. MOTION PICTURES OR ENTERTAINMENT AT A THEATER WHOSE PRIMARY FUNCTION IS TO PROVIDE MUSICAL OR DRAMATIC EVENTS; OR
  3. GASOLINE PRICES AS DESCRIBED IN SEC. 16-5-1317.
- D. CHANGEABLE COPY SHALL BE SECURELY FASTENED TO THE SIGN FACE AND NEATLY MAINTAINED TO APPEAR AS INITIALLY DESIGNED AND PLACED.
- E. SPECIAL EVENT SIGNS AS DESCRIBED IN SEC. 16-5-1313 ARE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION.

### PRICE DISPLAYS AT GASOLINE FILLING STATIONS

STAFF PROPOSES REMOVING “DISPLAYED ON EACH INDIVIDUAL PUMP STRUCTURE WITH CHARACTERS NOT EXCEEDING 6 INCHES IN HEIGHT” BECAUSE THE PRICE PER GALLON IS ALREADY DISPLAYED ON PUMPS.

### PRICE DISPLAYS AT GASOLINE FILLING STATIONS

#### *SEC. 16-5-1319*

- A. PETROLEUM PRODUCT PUMPS AND DISPENSERS WHICH ARE WITHIN VIEW OF A PUBLIC WAY SHALL BE ALLOWED TO DISPLAY ONLY THE INFORMATION NEEDED TO REASONABLY IDENTIFY THE PRODUCTS DISPENSED.
- B. PREMISES FROM WHICH RETAIL PETROLEUM PRODUCTS ARE DISPENSED BY PUMP SHALL BE ALLOWED ONE (1) ADDITIONAL SIGN WITH A MAXIMUM SIZE OF TEN (10) SQUARE FEET ANNOUNCING THE PRICE PER GALLON OF THE PRODUCTS. THE ADDITIONAL SIGN SHALL REQUIRE A PERMIT.
  - 1. IN LIEU OF THE ONE (1) ADDITIONAL SIGN ALLOWED ABOVE, THE PRICE PER GALLON MAY BE DISPLAYED BY INCREASING BY TEN (10) SQUARE FEET THE AREA ALLOWED WITHIN THIS SECTION FOR A SINGLE FREESTANDING SIGN.

#### **SEC. 16-5-1317. – GASOLINE FILLING STATIONS**

- A. PETROLEUM PRODUCT PUMPS AND DISPENSERS WHICH ARE WITHIN VIEW OF A PUBLIC WAY SHALL BE PERMITTED TO DISPLAY ONLY INFORMATION REQUIRED BY LAW AND THE BRAND NAME AND TYPE OF PRODUCT BEING DISPENSED.
- B. PREMISES FROM WHICH RETAIL PETROLEUM PRODUCTS ARE DISPENSED BY PUMP SHALL BE PERMITTED ONE ADDITIONAL SIGN WITH A MAXIMUM AREA OF 10 SQUARE FEET ANNOUNCING THE PRICE PER GALLON OF THE PRODUCTS. IN LIEU OF THE ONE ADDITIONAL SIGN PERMITTED ABOVE, THE PRICE PER GALLON MAY BE:
  - 1. DISPLAYED ON EACH INDIVIDUAL PUMP STRUCTURE WITH CHARACTERS NOT EXCEEDING 6 INCHES IN HEIGHT; OR
  - 2. DISPLAYED BY INCREASING BY 10 SQUARE FEET THE AREA ALLOWED BY SEC. 16-5-1308 FOR A SINGLE FREESTANDING SIGN.

## PLANNED UNIT DEVELOPMENT OFF-PREMISES SIGNS

STAFF PROPOSES THE FOLLOWING REVISIONS:

- FOR **OFF-PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM ANY PUBLIC WAY**, REPLACE “COPY SHALL BE LIMITED TO THE NAME OF THE DEVELOPMENT AND QUALIFIED FACILITIES, THE DIRECTION VEHICLES MUST TURN, AND THE DISTANCE TO THE TURN. GRAPHICS SHALL BE LIMITED TO A LOGO AND DIRECTIONAL ARROW” WITH “THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE DESTINATION(S) AND DIRECTION THERETO.” THIS WILL CONFORM WITH THE FOLLOWING IN APPLICABILITY AND PROVISIONS: “NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO SIGN SHALL BE SUBJECT TO ANY LIMITATION BASED ON THE CONTENT OF THE MESSAGE CONTAINED ON SUCH SIGN.”
- FOR **OFF-PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM ANY PUBLIC WAY**, REMOVE THE FOLLOWING: “SUCH SIGNS SHALL IDENTIFY ONLY THE DEVELOPMENT AND ANY FACILITIES WITHIN THE DEVELOPMENT WHICH HAVE EACH OF THE FOLLOWING: A) ON PREMISES 24 HOUR CHECK-IN AND ON PREMISES OVERNIGHT ACCOMMODATIONS OFFERED ON A DAILY BASIS; AND B) AN AVERAGE TRAFFIC TRIP GENERATION ABOVE 3000 AS DETERMINED BY MULTIPLYING THE NUMBER OF SLEEPING ROOMS AT THE FACILITY TIMES THE WEEKDAY TRIP RATE LISTED FOR RESORT HOTELS IN THE MOST RECENT EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) TRIP GENERATION MANUAL.” THIS CHANGE WOULD ALLOW BUSINESSES OTHER THAN HOTELS OR RESORTS TO IDENTIFY THEIR LOCATION.
- FOR **OFF-PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM PRIVATE STREETS INTERNAL TO THE DEVELOPMENT**, REPLACE “COPY FOR SUCH SIGNS SHALL LIST ONLY DESTINATIONS WITH DIRECTIONAL ARROWS” WITH “THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE DESTINATION(S) AND DIRECTION THERETO.” THIS WOULD CONFORM WITH THE FOLLOWING IN APPLICABILITY AND PROVISIONS: “NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO SIGN SHALL BE SUBJECT TO ANY LIMITATION BASED ON THE CONTENT OF THE MESSAGE CONTAINED ON SUCH SIGN.”
- FOR **PLANNED UNIT DEVELOPMENT OFF-PREMISES IDENTIFICATION SIGNS**, ADD “THE AMOUNT OF INFORMATION ON SUCH SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE PUD.” THIS WOULD CONFORM WITH THE FOLLOWING IN APPLICABILITY AND PROVISIONS: “NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO SIGN SHALL BE SUBJECT TO ANY LIMITATION BASED ON THE CONTENT OF THE MESSAGE CONTAINED ON SUCH SIGN.”

## PLANNED UNIT DEVELOPMENT OFF-PREMISES SIGNS

### *SEC. 16-5-1320*

- A. **PLANNED UNIT DEVELOPMENT OFF-PREMISES DIRECTIONAL SIGNS.** AS DESCRIBED IN SEC. 16-4-209, PLANNED UNIT DEVELOPMENTS (PUDs) MAY ERECT FREESTANDING OFF-PREMISES DIRECTIONAL SIGNS FOR THE PURPOSE OF DIRECTING VEHICLE TRAFFIC TO DESTINATIONS WITHIN THE DEVELOPMENT. SUCH SIGNS MUST BE LOCATED WITHIN THE BOUNDARY OF THE PUD OR ON A PARCEL WITHIN FIVE HUNDRED (500) FEET OF THE BOUNDARY THAT FRONTS ON THE MAJOR ARTERIAL SERVING THE PUD.
1. OFF-PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM ANY PUBLIC WAY SHALL MEET THE FOLLOWING REQUIREMENTS:

- A. THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE DESTINATION(S) AND DIRECTION THERETO.
  - B. SUCH SIGNS MUST BE LOCATED WITHIN ONE (1) MILE OF THE INTERSECTION WHERE VEHICLES MUST TURN TO REACH THE PUD. NO MORE THAN TWO (2) SIGNS SHALL BE PLACED IN ANY ONE (1) DIRECTION FROM SUCH INTERSECTION WITH NO MORE THAN THREE (3) SIGNS FOR ANY ONE (1) DEVELOPMENT.
  - C. THE TOTAL AREA OF ALL SIGNS FOR ANY ONE (1) DEVELOPMENT SHALL NOT EXCEED TWO HUNDRED (200) SQUARE FEET OF SIGN FACE WITH NO SINGLE SIGN FACE GREATER THAN EIGHTY (80) SQUARE FEET. SIGN HEIGHT, WIDTH AND STRUCTURE SHALL MEET THE REQUIREMENTS OF SEC. 16-5-1306.
2. OFF-PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM PRIVATE STREETS INTERNAL TO THE DEVELOPMENT SHALL MEET THE FOLLOWING REQUIREMENTS:
- A. THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE DESTINATION(S) AND DIRECTION THERETO.
  - B. SUCH SIGNS MUST BE LOCATED WITHIN TWO HUNDRED (200) FEET OF AN INTERSECTION WITH NO MORE THAN ONE (1) SIGN VIEWED FROM ANY ONE (1) DIRECTION.
  - C. SUCH SIGNS SHALL BE LIMITED TO TWENTY (20) SQUARE FEET OF SIGN FACE.
- B. **PLANNED UNIT DEVELOPMENT OFF-PREMISES IDENTIFICATION SIGNS.** A PLANNED UNIT DEVELOPMENT WHOSE PRIMARY ENTRANCE (RIGHT-OF-WAY OR EASEMENT) IS LOCATED ON A PUBLIC STREET BUT IS NOT WITHIN THE BOUNDARY OF THE PUD SHALL BE ALLOWED ONE (1) OFF-PREMISES IDENTIFICATION SIGN, WHICH SHALL BE LOCATED WITHIN THE RIGHT-OF-WAY OR EASEMENT FOR THE ENTRANCE ROAD. THIS SIGN SHALL MEET THE FOLLOWING REQUIREMENTS:
1. THE AMOUNT OF INFORMATION ON SUCH SIGN SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE PUD.
  2. SUCH SIGN SHALL BE SUBJECT TO THE STANDARDS OF SEC. 16-5-1306.

**SEC. 16-5-1314. – PLANNED UNIT DEVELOPMENT OFF PREMISES DIRECTIONAL SIGNS**

- A. PLANNED UNIT DEVELOPMENTS AS DESCRIBED IN CHAPTER 3, ARTICLE XVII, MAY ERECT FREESTANDING OFF PREMISES DIRECTIONAL SIGNS FOR THE PURPOSE OF DIRECTING VEHICLE TRAFFIC TO DESTINATIONS WITHIN THE DEVELOPMENT. SUCH SIGNS MUST BE LOCATED WITHIN THE BOUNDARY OF THE PUD OR ON A PARCEL WITHIN 500 FT. OF THE BOUNDARY THAT FRONTS ON THE MAJOR ARTERIAL SERVING THE PUD.
- B. OFF PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM ANY PUBLIC STREET SHALL MEET THE FOLLOWING REQUIREMENTS:
  1. SUCH SIGNS SHALL IDENTIFY ONLY THE DEVELOPMENT AND ANY FACILITIES WITHIN THE DEVELOPMENT WHICH HAVE EACH OF THE FOLLOWING:
    - A. ON PREMISES 24 HOUR CHECK-IN AND ON PREMISES OVERNIGHT ACCOMMODATIONS OFFERED ON A DAILY BASIS; AND
    - B. AN AVERAGE TRAFFIC TRIP GENERATION ABOVE 3000 AS DETERMINED BY MULTIPLYING THE NUMBER OF SLEEPING ROOMS AT THE FACILITY TIMES

THE WEEKDAY TRIP RATE LISTED FOR RESORT HOTELS IN THE MOST RECENT EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) TRIP GENERATION MANUAL.

2. COPY SHALL BE LIMITED TO THE NAME OF THE DEVELOPMENT AND QUALIFIED FACILITIES, THE DIRECTION VEHICLES MUST TURN, AND THE DISTANCE TO THE TURN. GRAPHICS SHALL BE LIMITED TO A LOGO AND DIRECTIONAL ARROW.
  3. SUCH SIGNS MUST BE LOCATED WITHIN ONE MILE OF THE INTERSECTION WHERE VEHICLES MUST TURN TO REACH THE DEVELOPMENT. NO MORE THAN 2 SIGNS SHALL BE PLACED IN ANY ONE DIRECTION FROM SUCH INTERSECTION WITH NO MORE THAN 3 SIGNS FOR ANY ONE DEVELOPMENT.
  4. TOTAL AREA OF ALL SIGNS FOR ANY ONE DEVELOPMENT SHALL NOT EXCEED 200 SQUARE FEET OF SIGN FACE WITH NO SINGLE SIGN FACE GREATER THAN 80 SQUARE FEET. SIGN HEIGHT, WIDTH, DEPTH AND STRUCTURE SHALL MEET THE REQUIREMENTS OF SEC. 16-5-1308 AND SEC. 16-5-1309.
- C. OFF PREMISES DIRECTIONAL SIGNS WHICH ARE VIEWED FROM PRIVATE STREETS INTERNAL TO THE DEVELOPMENT SHALL MEET THE FOLLOWING REQUIREMENTS:
1. SUCH SIGNS SHALL BE LIMITED TO 20 SQUARE FEET OF SIGN FACE;
  2. SUCH SIGNS MUST BE LOCATED WITHIN 200 FEET OF AN INTERSECTION WITH NO MORE THAN ONE SIGN VIEWED FROM ANY ONE DIRECTION; AND
  3. COPY FOR SUCH SIGNS SHALL LIST ONLY DESTINATIONS WITH DIRECTIONAL ARROWS.

#### **SEC. 16-5-1315. – PLANNED UNIT DEVELOPMENT OFF-PREMISES IDENTIFICATION SIGN**

A PLANNED UNIT DEVELOPMENT (PUD) WHOSE PRIMARY ENTRANCE (RIGHT-OF-WAY OR EASEMENT) IS LOCATED ON A PUBLIC STREET BUT IS NOT WITHIN THE BOUNDARY OF THE PUD SHALL BE ALLOWED ONE OFF-PREMISES IDENTIFICATION SIGN. THE SIGN SHALL BE LOCATED WITHIN THE RIGHT-OF-WAY OR EASEMENT FOR THE ENTRANCE ROAD AND SHALL BE SOLELY FOR IDENTIFYING THE ENTRANCE TO THE PUD. SUCH SIGN SHALL BE SUBJECT TO THE STANDARDS OF SEC. 16-5-1308.

**SIGN ALTERATIONS EXEMPT FROM PERMIT**

FOR CLARITY, STAFF PROPOSES REPLACING “THE CHANGING OF ANY TENANT PANELS ON A PERMITTED DIRECTORY SIGN PROVIDED SUCH TENANT PANEL MATCHES THE APPROVED TENANT PANEL DESIGN” WITH “THE CHANGING OF ANY TENANT PANELS ON A PERMITTED DIRECTORY SIGN, PROVIDED SUCH TENANT PANEL MATCHES THE APPROVED TENANT PANEL DESIGN IN DIMENSION, COLORS AND MATERIALS” TO MATCH THE LANGUAGE IN SEC. 16-5-1312.

**SIGN ALTERATIONS EXEMPT FROM PERMIT**

*SEC. 16-5-1321*

A PERMIT IS NOT REQUIRED PRIOR TO ENGAGING IN THE FOLLOWING ALTERATIONS:

- A. THE CHANGING OF COPY ON A SIGN PERMITTED FOR CHANGEABLE COPY.
- B. THE PAINTING OR REFINISHING OF THE SURFACE OF A SIGN FACE OR SIGN STRUCTURE OF A PERMITTED SIGN SO AS TO KEEP THE APPEARANCE OF SUCH SIGN AS PERMITTED.
- C. THE CHANGING OF ANY TENANT PANELS ON A PERMITTED DIRECTORY SIGN, PROVIDED SUCH TENANT PANEL MATCHES THE APPROVED TENANT PANEL DESIGN IN DIMENSION, COLORS AND MATERIALS.

**SEC. 16-3-903. – SIGN ALTERATIONS EXEMPT FROM PERMIT**

A PERMIT IS NOT REQUIRED PRIOR TO ENGAGING IN SIGN ALTERATIONS IF SUCH ALTERATIONS INVOLVE ONLY:

- A. THE CHANGING OF COPY ON A SIGN PERMITTED FOR CHANGEABLE COPY;
- B. THE PAINTING OR REFINISHING OF THE SURFACE OF A SIGN FACE OR SIGN STRUCTURE OF A PERMITTED SIGN SO AS TO KEEP THE APPEARANCE OF SUCH SIGN AS APPROVED ON THE DATE SUCH SIGN RECEIVED A PERMIT; OR
- C. THE CHANGING OF ANY TENANT PANELS ON A PERMITTED DIRECTORY SIGN PROVIDED SUCH TENANT PANEL MATCHES THE APPROVED TENANT PANEL DESIGN.

## SIGNS ALLOWED WITHOUT A PERMIT

*SEC. 16-5-1322*

THE FOLLOWING SIGNS SHALL BE ALLOWED AND NO SIGN PERMIT SHALL BE REQUIRED. THE PROPERTY OWNER'S CONSENT SHALL BE OBTAINED BEFORE ERECTING SUCH SIGNAGE.

### SIGNS ALLOWED WITHOUT A PERMIT – FLAGS

CURRENTLY NON-GOVERNMENTAL FLAGS ARE NOT ALLOWED. STAFF PROPOSES REVISING THIS LANGUAGE TO CREATE THE FOLLOWING NEW STANDARDS FOR FLAGS:

- EACH PARCEL SHALL BE ALLOWED TO DISPLAY NO MORE THAN THREE (3) FLAGS WITH NO COMMERCIAL LOGOS OR MESSAGES. NO MORE THAN ONE (1) OF THESE FLAGS MAY BE A NON-GOVERNMENTAL FLAG WITH NO COMMERCIAL LOGO OR MESSAGE.
- THE NAME AND LOGO OF SPORTS TEAMS AND RESIDENTIAL DEVELOPMENTS SHALL NOT BE CONSIDERED COMMERCIAL LOGOS OR MESSAGES.

THIS WOULD BRING PUD FLAGS INTO COMPLIANCE WITH THE SIGN ORDINANCE. THIS WOULD ALSO ADD FLEXIBILITY TO THE ORDINANCE TO ALLOW BUSINESSES THAT SUPPORT SPORTS TEAMS OR THAT WANT TO DECORATE FOR HOLIDAYS WITH A FLAG TO DISPLAY THOSE FLAGS.

A. **FLAGS.** FLAGS ARE CONSIDERED SIGNS, AND ARE SUBJECT TO ALL SIZE, HEIGHT, AND SETBACK RESTRICTIONS AS DESCRIBED ELSEWHERE IN THIS ARTICLE, UNLESS OTHERWISE PROVIDED FOR HEREIN. FLAGS SHALL NOT REQUIRE A SIGN PERMIT BUT SHALL CONFORM TO EACH OF THE FOLLOWING:

1. EACH PARCEL SHALL BE ALLOWED TO DISPLAY NO MORE THAN THREE (3) FLAGS.
2. FLAGS SHALL NOT EXCEED FIFTEEN (15) SQUARE FEET PER FACE AND SHALL BE RECTANGULAR IN SHAPE. THE ADMINISTRATOR MAY WAIVE THIS SIZE PROVISION WHEN THE DESIGN REVIEW BOARD APPROVES A LARGER FLAG FOR USE ON A TELECOMMUNICATIONS TOWER DESIGNED AS A FLAGPOLE OR WHEN THE TOWN COUNCIL APPROVES A LARGER FLAG FOR DISPLAY ON PUBLIC PROPERTY OR OTHER APPROPRIATE NON-COMMERCIAL SITES AS DETERMINED BY TOWN COUNCIL.

### EXAMPLE OF CONFORMING FLAGS



**SEC. 16-5-1318. – FLAGS**

- A. NON-GOVERNMENTAL FLAGS ARE DEEMED TO BE SIGNS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS ARTICLE.
- B. THE OFFICIAL FLAGS OF THE FEDERAL, STATE, COUNTY, OR MUNICIPAL GOVERNMENTS ARE NOT DEEMED TO BE SIGNS PROVIDED NO SUCH FLAG SHALL EXCEED 40 SQUARE FEET PER FACE. THE ADMINISTRATOR MAY WAIVE THIS SIZE PROVISION FOR THE UNITED STATES FLAG WHEN:
  - 1. THE DESIGN REVIEW BOARD APPROVES A LARGER FLAG FOR USE ON A TELECOMMUNICATIONS TOWER DESIGNED AS A FLAGPOLE. OR;
  - 2. THE TOWN COUNCIL APPROVES A LARGER FLAG FOR DISPLAY ON PUBLIC PROPERTY OR OTHER APPROPRIATE NON-COMMERCIAL SITES AS DETERMINED BY TOWN COUNCIL.

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### SIGNS ALLOWED WITHOUT A PERMIT – HOLIDAY DECORATIONS

CURRENTLY DECORATIONS ARE ONLY PERMITTED DURING THE PERIOD BETWEEN THANKSGIVING AND JANUARY 10<sup>TH</sup>. STAFF PROPOSES LOOSENING THIS RESTRICTION TO ALLOW DECORATIONS YEAR-ROUND, SUBJECT TO THE FOLLOWING STANDARDS:

- SUCH DECORATIONS SHALL BE MAINTAINED IN CONDITION SO THAT THEY WILL NOT BECOME SAFETY HAZARDS.
- STRINGS OF LIGHTS USED AS HOLIDAY DECORATIONS ARE ALLOWED DURING THE PERIOD BETWEEN NOVEMBER 1<sup>ST</sup> AND JANUARY 15<sup>TH</sup> INSTEAD OF BETWEEN THANKSGIVING AND JANUARY 10<sup>TH</sup>.
- HOLIDAY DECORATIONS CONTAINING COMMERCIAL LOGOS OR MESSAGES ARE CONSIDERED SIGNS.

B. **HOLIDAY DECORATIONS.** DECORATIONS THAT ARE NOT INTERNALLY ILLUMINATED SHALL NOT REQUIRE A PERMIT. SUCH DECORATIONS SHALL BE MAINTAINED IN A GOOD CONDITION AT ALL TIMES AND SHALL BE REMOVED OR REPLACED WHEN THEY ARE OVERLY WEATHERED, TORN, BROKEN OR OTHERWISE PRESENT A POTENTIAL SAFETY HAZARD.

1. STRINGS OF LIGHTS USED AS HOLIDAY DECORATIONS SHALL BE SUBJECT TO THE PROVISIONS OF SEC. 16-5-1322.L.
2. INFLATED AND WINDBLOWN DECORATIONS ARE PROHIBITED AT ALL TIMES.

### EXAMPLE OF CONFORMING HOLIDAY DECORATIONS WITH STRING LIGHTS



### EXAMPLE OF CONFORMING HOLIDAY DECORATIONS WITHOUT STRING LIGHTS



### SEC. 16-5-1319. – HOLIDAY DECORATIONS

- A. DECORATIONS SHALL NOT BE INTERNALLY ILLUMINATED. SUBJECT TO THE ADMINISTRATOR'S APPROVAL, DECORATIONS ARE PERMITTED DURING THE PERIOD FROM THE FRIDAY AFTER THE FOURTH THURSDAY OF NOVEMBER TO THE FOLLOWING JANUARY 10TH. STRINGS OF LIGHTS MAY BE USED FOR OUTLINE LIGHTING OR TREE DECORATION DURING THE PERIOD FROM THE FRIDAY AFTER THE FOURTH THURSDAY OF NOVEMBER TO THE FOLLOWING JANUARY 10TH, PROVIDED SUCH LIGHTS ARE LIMITED TO MINIATURE BULBS, 2.5 VOLT MAXIMUM. FLASHING OR BLINKING LIGHTS SHALL NOT BE ALLOWED.
- B. DECORATIONS SHALL CONTAIN NO COMMERCIAL COPY OR COMMERCIAL GRAPHICS.

#### SIGNS ALLOWED WITHOUT A PERMIT – INCIDENTAL SIGNS

STAFF PROPOSES REVISING THIS LANGUAGE TO EXPANDING THE ALLOWABLE SIZE OF INCIDENTAL SIGNS FROM ONE (1) SQUARE FOOT TO FOUR (4) SQUARE FEET TO ALLOW GREATER FLEXIBILITY IN DIRECTIONAL SIGNS AND OTHER NOTIFICATIONS.

- C. **INCIDENTAL SIGNS.** ADDRESSES, BUILDING NUMBERS, ENTRANCE AND EXIT SIGNS, AND TRAFFIC DIRECTIONAL SIGNS. SUCH SIGNS SHALL NOT REQUIRE SIGN PERMITS IF THEY DO NOT EXCEED FOUR (4) SQUARE FEET IN AREA PER SIGN.

#### EXAMPLE OF A CONFORMING INCIDENTAL SIGN



### SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT

- I. ANY SIGN NOT EXCEEDING ONE SQUARE FOOT IN AREA, PROVIDED IT DOES NOT CONTAIN FLUORESCENT COLORS OR COMMERCIAL COPY OR GRAPHICS AND IS NOT LEGIBLE FROM ANY STREET RIGHT-OF-WAY, BEACH OR NAVIGABLE WATERWAY.

**SIGNS ALLOWED WITHOUT A PERMIT – INTERIOR SIGNS**

STAFF PROPOSES NO CHANGES.

- D. **INTERIOR SIGNS.** ANY SIGN WHICH IN THE ADMINISTRATOR'S REASONABLE OPINION IS TO BE VIEWED FROM THE INSIDE OF A BUILDING ONLY.

**SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT**

- J. **ANY SIGN WHICH IN THE ADMINISTRATOR'S REASONABLE OPINION IS TO BE VIEWED FROM THE INSIDE OF A BUILDING ONLY.**

**SIGNS ALLOWED WITHOUT A PERMIT –**

**NON-RESIDENTIAL REAL ESTATE FOR LEASE OR RENT SIGNS**

STAFF PROPOSES ADDING THIS LANGUAGE TO COMPLEMENT SEC. 16-5-1312.

- E. **NON-RESIDENTIAL REAL ESTATE FOR LEASE OR RENT SIGNS.** SUCH SIGNS SHALL MEET THE REQUIREMENTS IN SEC. 16-5-1312.

**SIGNS ALLOWED WITHOUT A PERMIT – MENUS**

STAFF PROPOSES ADDING THIS LANGUAGE TO SPECIFICALLY ALLOW MENUS AS FAÇADE SIGNS THAT DO NOT REQUIRE A PERMIT TO ALLOW BUSINESSES THE FLEXIBILITY TO DISPLAY THEIR PRICES. THE CURRENT REGULATIONS CONSIDER MENU SIGNS FAÇADE SIGNS THAT REQUIRE A PERMIT AND COUNT TOWARD THE TOTAL NUMBER AND SIZE OF FAÇADE SIGNS ALLOWED FOR A BUSINESS.

- F. **MENUS.** MENUS ATTACHED TO THE FAÇADE OF A BUILDING WITH NO MORE THAN FOUR (4) SQUARE FEET OF SIGN FACE AREA LOCATED AT THE ENTRANCE OR SERVICE WINDOW OF A BUSINESS.

### SIGNS ALLOWED WITHOUT A PERMIT – PARKING SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE TO LIMIT THE SIZE AND NUMBER OF PARKING SIGNS TO REDUCE CONFUSION AND VISUAL CLUTTER. STAFF PROPOSES PROHIBITING SUCH SIGNS IN SHOPPING CENTERS BECAUSE THE PARKING SPACES ON SUCH SITES ARE MEANT TO BE SHARED BY ALL OF THE TENANTS.

- G. **PARKING SIGNS.** SIGNS THAT RESERVE PARKING SPACES FOR SPECIFIC USES OR BUSINESSES EXCEPT THAT SUCH SIGNS ARE NOT ALLOWED IN SHOPPING CENTERS PER SEC. 16-5-1323. PARKING SIGNS SHALL NOT EXCEED ONE AND A HALF (1.5) SQUARE FEET IN AREA PER SIGN. NO MORE THAN THREE (3) PARKING SIGNS SHALL BE DISPLAYED AT ANY GIVEN TIME ON EACH PARCEL.

### SIGNS ALLOWED WITHOUT A PERMIT – PUBLIC SIGNS

STAFF PROPOSES NO CHANGES.

- H. **PUBLIC SIGNS.** SIGNS ERECTED BY THE FEDERAL, STATE, OR LOCAL GOVERNMENT, OR GOVERNMENTAL ENTITY, INCLUDING INTERPRETIVE SIGNS LOCATED ON TOWN-OWNED PROPERTY.

#### **SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT**

- ANY LEGAL NOTICE OR PUBLIC TRAFFIC DIRECTIONAL/SAFETY SIGN ISSUED AND REQUIRED TO BE POSTED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL GOVERNMENT OR AN OFFICIAL SIGN AS SO DESIGNATED BY RESOLUTION OF TOWN COUNCIL.
- INTERPRETIVE SIGNS LOCATED ON TOWN OWNED PROPERTY.

**SIGNS ALLOWED WITHOUT A PERMIT –  
SANDWICH BOARDS & CHALKBOARDS**

STAFF PROPOSES ADDING THIS LANGUAGE TO ALLOW SANDWICH BOARDS AND CHALKBOARDS ON EASELS, WHICH ARE CURRENTLY NOT ALLOWED. THIS CHANGE WILL ALLOW BUSINESSES GREATER FLEXIBILITY IN ADVERTISING MENUS, SPECIALS AND SALES. THE DESIGN STANDARDS OF THIS SECTION MEET THE STANDARDS IN THE DESIGN GUIDE.

- I. **SANDWICH BOARDS & CHALKBOARDS.** FREESTANDING, FRAMED CHALKBOARD SIGNS THAT CONFORM TO EACH OF THE FOLLOWING STANDARDS:
  1. ONE (1) SIGN PER BUSINESS MAY BE DISPLAYED DURING HOURS OF OPERATION.
  2. SIGNS SHALL BE PLACED WITHIN TEN (10) FEET OF THE ENTRANCE OF THE BUSINESS DISPLAYING THE SIGN.
  3. SIGNS SHALL BE PLACED TO ALLOW FOR A MINIMUM OF AT LEAST THIRTY-SIX INCHES (36”) OF UNOBSTRUCTED PEDESTRIAN CLEARANCE ADJACENT TO THE SIGN.
  4. SIGNS SHALL BE LIMITED TO A MAXIMUM OF SIX (6) SQUARE FEET IN TOTAL AREA.
  5. SIGN FRAME COLORS ARE LIMITED TO EARTH TONES. SIGN FACE COLORS ARE LIMITED TO BLACK (PANTONE® BLACK OR EQUIVALENT) OR DARK GREEN (PANTONE® 574 U OR EQUIVALENT) WITH A MATTE FINISH.
  6. PLASTIC OR DRY ERASE BOARDS SHALL NOT BE NOT ALLOWED.

**EXAMPLE OF A CONFORMING SANDWICH BOARD SIGN**



**SEC. 16-5-1304. – PROHIBITED SIGNS**

- ANY SIGN WHICH IS PORTABLE OR NOT SECURELY ATTACHED TO A BUILDING OR TO THE GROUND.

**SIGNS ALLOWED WITHOUT A PERMIT – SHOPPING CART RETURN**

STAFF PROPOSES ADDING THIS LANGUAGE TO SPECIFICALLY ALLOW SHOPPING CART RETURN SIGNS, WHICH ARE NOT SPECIFICALLY ALLOWED IN THE CURRENT ORDINANCE.

- J. **SHOPPING CART RETURN.** SIGNS IDENTIFYING SHOPPING CART RETURN AREAS, PROVIDED THAT SUCH SIGNS ARE NO LARGER THAN TEN (10) SQUARE FEET.

**SIGNS ALLOWED WITHOUT A PERMIT – STADIUM SIGNS**

STAFF PROPOSES REVISING THIS LANGUAGE TO REMOVE THE REQUIREMENT THAT STADIUM SIGNS CONFORM TO A DRB APPROVED SIGN SYSTEM, SINCE SUCH SIGNS WILL NOT BE VISIBLE FROM OUTSIDE OF A STADIUM.

- K. **STADIUM SIGNS.** SIGNS OR BANNERS LOCATED WITHIN A STADIUM, WHICH ARE NOT INTENDED TO BE VISIBLE FROM OUTSIDE OF A STADIUM.

**SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT**

ADVERTISING SIGNS IN AN OUTDOOR STADIUM IF NOT VISIBLE FROM ANY ARTERIAL STREET RIGHT-OF-WAY PROVIDED SUCH SIGNS CONFORM TO A DESIGN REVIEW BOARD'S APPROVED SIGN SYSTEM ADDRESSING SIZE AND LOCATION.

**SIGNS ALLOWED WITHOUT A PERMIT –  
STRING LIGHTS FOR DECORATION**

STAFF PROPOSES REVISING THIS LANGUAGE TO ALLOW STRING LIGHTS FOR DECORATION BETWEEN NOVEMBER 1<sup>ST</sup> AND JANUARY 15<sup>TH</sup> INSTEAD OF BETWEEN THANKSGIVING AND JANUARY 10<sup>TH</sup>. THIS WOULD ALLOW MORE FLEXIBILITY FOR BUSINESSES TO DECORATE FOR THE HOLIDAY SHOPPING SEASON.

- L. **STRING LIGHTS FOR DECORATION.** STRINGS OF LIGHTS MAY BE USED FOR OUTSIDE LIGHTING OR TREE DECORATION FROM NOVEMBER 1 THROUGH JANUARY 15 OF EACH YEAR. BECAUSE MANY COLORS ARE USED TO CELEBRATE VARIOUS HOLIDAYS DURING THIS TIME, MULTI-COLOR LIGHTS ARE ALLOWED. FLASHING, BLINKING AND CHASING LIGHTS ARE PROHIBITED.

**SEC. 16-5-1319. – HOLIDAY DECORATIONS**

- A. DECORATIONS ARE PERMITTED DURING THE PERIOD FROM THE FRIDAY AFTER THE FOURTH THURSDAY OF NOVEMBER TO THE FOLLOWING JANUARY 10<sup>TH</sup>. STRINGS OF LIGHTS MAY BE USED FOR OUTLINE LIGHTING OR TREE DECORATION DURING THE PERIOD FROM THE FRIDAY AFTER THE FOURTH THURSDAY OF NOVEMBER TO THE FOLLOWING JANUARY 10<sup>TH</sup>, PROVIDED SUCH LIGHTS ARE LIMITED TO MINIATURE BULBS, 2.5 VOLT MAXIMUM. FLASHING OR BLINKING LIGHTS SHALL NOT BE ALLOWED.

### SIGNS ALLOWED WITHOUT A PERMIT –

#### STRING LIGHTS FOR AMBIENT ILLUMINATION

CURRENTLY STRING LIGHTS ARE ONLY ALLOWED AS DECORATIONS, AND ARE ONLY ALLOWED BETWEEN THANKSGIVING AND JANUARY 10<sup>TH</sup>. STAFF PROPOSES ADDING THIS LANGUAGE TO ALLOW WHITE STRINGS OF LIGHTS TO BE USED FOR AMBIENT ILLUMINATION FOR OUTDOOR SEATING AREAS OF RESTAURANTS. THIS CHANGE WOULD ALLOW RESTAURANTS GREATER FLEXIBILITY IN USING OUTDOOR SPACE FOR SEATING AREAS.

- M. **STRING LIGHTS FOR AMBIENT ILLUMINATION.** STRINGS OF WHITE LIGHTS MAY BE USED TO PROVIDE AMBIENT LIGHTING FOR OUTDOOR SEATING AREAS OF EATING ESTABLISHMENTS. SUCH STRING LIGHTS SHALL BE LIMITED TO THE DINING AREA. COLORED BULBS, COLORED LANTERNS OR OTHER HOUSING AND ROPE LIGHTS ARE PROHIBITED. FLASHING, BLINKING AND CHASING LIGHTS ARE PROHIBITED. STRINGS OF WHITE LIGHTS MAY BE HUNG FROM OR DISPLAYED ON TREES BUT MAY NOT BE ATTACHED TO TREES WITH NAILS, HOOKS, FASTENERS OR OTHER MATERIALS THAT PENETRATE THE TREE'S BARK.

#### EXAMPLE OF CONFORMING STRINGS OF LIGHTS USED FOR AMBIENT ILLUMINATION



### SIGNS ALLOWED WITHOUT A PERMIT – TOWING SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE TO SPECIFICALLY ALLOW TOWING SIGNS WITHOUT REQUIRING A PERMIT. CURRENTLY, SUCH SIGNS ARE NOT ALLOWED WITHOUT A PERMIT BECAUSE THEY CONTAIN COMMERCIAL COPY (THE NAME AND CONTACT INFORMATION OF THE TOWING COMPANY) AND ARE CONSIDERED COMMERCIAL SIGNS.

- N. **TOWING SIGNS.** PUBLIC NOTICE REQUIRED BY APPLICABLE LAW TO BE DISPLAYED ON A PROPERTY WHERE VEHICLES MAY BE TOWED. SUCH SIGNS SHALL NOT EXCEED FOUR (4) SQUARE FEET IN SIZE AND SHALL BE LIMITED TO ONE (1) SIGN PER VEHICULAR ENTRANCE TO THE PROPERTY.

#### EXAMPLE OF A CONFORMING TOWING SIGN



**SIGNS ALLOWED WITHOUT A PERMIT – TRAFFIC CONTROL SIGNS**

STAFF PROPOSES NO CHANGE.

- O. **TRAFFIC CONTROL SIGNS.** ANY PUBLIC NOTICE OR WARNING REQUIRED BY APPLICABLE FEDERAL, STATE OR LOCAL LAW, REGULATION OR ORDINANCE. WHEN SUCH SIGNS ARE LOCATED ON PRIVATE PROPERTY, THEY ARE SUBJECT TO EACH OF THE FOLLOWING:
1. SIGN FACES SHALL NOT EXCEED FOUR (4) SQUARE FEET PER SIGN FACE.
  2. THE ADMINISTRATOR SHALL HAVE AUTHORITY TO LIMIT THE NUMBER, LOCATION AND COLOR OF SUCH SIGNS.
  3. SIGN FACES SHALL MEET SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARDS.

**SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT**

- A. ANY LEGAL NOTICE OR PUBLIC TRAFFIC DIRECTIONAL/SAFETY SIGN ISSUED AND REQUIRED TO BE POSTED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL GOVERNMENT OR AN OFFICIAL SIGN AS SO DESIGNATED BY RESOLUTION OF TOWN COUNCIL.
- B. ANY PRIVATE STREET NAME SIGN OR A TRAFFIC DIRECTIONAL/SAFETY SIGN WHERE THE SIGN FACE DOES NOT EXCEED 4 SQUARE FEET PER SIGN FACE AND DOES NOT CONTAIN ANY COMMERCIAL COPY OR GRAPHICS. THE ADMINISTRATOR SHALL HAVE THE AUTHORITY TO LIMIT THE NUMBER, LOCATION AND COLOR OF SUCH SIGNS.

**SIGNS ALLOWED WITHOUT A PERMIT – WINDOW SIGNS**

STAFF PROPOSES REVISING THIS LANGUAGE TO ALLOW WINDOW SIGNS BASED ON THE AMOUNT OF GLASS ON EACH SIDE OF A BUILDING. SIGNS COULD COVER UP TO 25% OF THE GLASS SURFACE, BUT NO SINGLE WINDOW SIGN COULD EXCEED FOUR SQUARE FEET.

THIS WOULD ALLOW GREATER FLEXIBILITY BY ALLOWING WINDOW SIGNS PROPORTIONAL TO THE AMOUNT OF DISPLAY AREA ON EACH BUILDING AND BY NOT LIMITING THE TOTAL NUMBER OF WINDOW SIGNS.

- P. **WINDOW SIGNS.** SIGNS ON THE INSIDE OR ATTACHED TO THE OUTSIDE OF WINDOW GLASS ARE SUBJECT TO EACH OF THE FOLLOWING:
1. WINDOW SIGNS SHALL COVER NO MORE THAN TWENTY FIVE (25%) PERCENT OF THE GROSS AREA OF GLASS ON ANY ONE SIDE OF A BUILDING.
  2. WINDOW SIGNS SHALL NOT BE SEPARATELY ILLUMINATED.
  3. NO SINGLE WINDOW SIGN SHALL EXCEED FOUR (4) SQUARE FEET IN TOTALITY.

**SEC. 16-3-902. – SIGNS EXEMPT FROM PERMIT**

ANY TEMPORARY SIGN DISPLAYED IN OR ON A WINDOW WHICH DOES NOT EXCEED FOUR SQUARE FEET IN AREA AND DOES NOT CONTAIN FLUORESCENT COLORS. THE NUMBER OF SUCH SIGNS SHALL BE LIMITED TO:

FACADE WIDTH	NUMBER
UP TO 50 FEET	2
51 TO 100 FEET	3
ABOVE 100 FEET	4

## PROHIBITED SIGNS

*SEC. 16-5-1323*

THE FOLLOWING TYPES OF SIGNS ARE PROHIBITED:

### PROHIBITED SIGNS – ABANDONED SIGNS AND SIGN STRUCTURES

STAFF PROPOSES REVISING THIS LANGUAGE TO SPECIFY THAT APPROVED FREESTANDING SIGN STRUCTURES CAN BE USED TO DISPLAY REAL ESTATE SIGNS TO ALLOW GREATER FLEXIBILITY IN DISPLAYING SUCH SIGNS. SUCH USES ARE CURRENTLY NOT PROHIBITED, BUT THIS WOULD ENSURE PROPERTY OWNERS AND REALTORS ARE AWARE OF THIS OPTION.

- A. **ABANDONED SIGNS AND SIGN STRUCTURES.** THE SIGN PANELS WITHIN THE ABANDONED SIGN STRUCTURE MAY BE REMOVED AND REPLACED WITH SIGN PANELS OF NEUTRAL COLOR AND CONTAINING NO MESSAGE OR REPLACED WITH A PERMITTED REAL ESTATE SIGN.

### SEC. 16-5-1304. – PROHIBITED SIGNS

- **ABANDONED OR DILAPIDATED SIGNS.**

### PROHIBITED SIGNS – ANIMATED OR MOTION SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE TO ADDRESS NEW STYLES OF ANIMATED SIGNS AND TO SPECIFY THAT THIS PROHIBITION DOES NOT APPLY TO DEMONSTRATIONS, POLITICAL RALLIES AND SIMILAR EVENTS.

- B. **ANIMATED OR MOTION SIGNS.** SIGNS WITH ANIMATED OR MOVING EFFECTS (INCLUDING BUT NOT LIMITED TO SIGN FACES THAT PERIODICALLY CHANGE TO SHOW DIFFERENT IMAGES OR MESSAGES) ARE PROHIBITED. SIGNS CARRIED, WAVED OR OTHERWISE DISPLAYED BY PERSONS EITHER ON PUBLIC RIGHTS-OF-WAY OR IN A MANNER VISIBLE FROM PUBLIC RIGHTS-OF-WAY ARE PROHIBITED. THIS PROVISION IS DIRECTED TOWARD SUCH DISPLAYS INTENDED TO DRAW ATTENTION FOR A COMMERCIAL PURPOSE, AND IS NOT INTENDED TO LIMIT THE DISPLAY OF PLACARDS, BANNERS, FLAGS OR OTHER SIGNAGE BY PERSONS PARTICIPATING IN DEMONSTRATIONS, POLITICAL RALLIES AND SIMILAR EVENTS.

### SEC. 16-5-1304. – PROHIBITED SIGNS

- **SIGNS OR PORTIONS OF SIGNS WHICH MOVE BY ANY MEANS OR SIGNS THAT GIVE THE APPEARANCE OF MOVEMENT IN ANY MANNER EXCEPT FOR FLAGS AS DESCRIBED IN THIS ARTICLE;**

### PROHIBITED SIGNS – BALLOONS

STAFF PROPOSES SEPARATING INFLATED OR WINDBLOWN SIGNS FROM BALLOONS FOR CLARITY.

C. **BALLOONS.**

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- INFLATABLE SIGNS OR BALLOONS OF ANY TYPE;

### PROHIBITED SIGNS – BANNERS

STAFF PROPOSES SEPARATING BANNERS FROM PENNANTS FOR CLARITY.

D. **BANNERS**, EXCEPT WITHIN THE BOUNDARIES OF A SPECIAL EVENT. SEE SEC. 16-5-1317.

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- BANNERS OR PENNANTS.

### PROHIBITED SIGNS – BENCH SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE BECAUSE COMMERCIAL BENCH SIGNS ARE CURRENTLY NOT PROHIBITED, BUT THEY ARE PROHIBITED BY SIMILAR COMMUNITIES.

E. **BENCH SIGNS.** COMMERCIAL SIGNS ON BENCHES. THIS PROVISION IS NOT INTENDED TO PROHIBIT HONORARY PLAQUES OR SIMILAR MEMORIAL SIGNS.

### PROHIBITED SIGNS – DILAPIDATED OR DAMAGED SIGNS

STAFF PROPOSES NO CHANGE.

F. **DILAPIDATED OR DAMAGED SIGNS.**

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- ABANDONED OR DILAPIDATED SIGNS.

### PROHIBITED SIGNS – DOCK SIGNS

- G. **DOCK SIGNS.** SIGNS ATTACHED TO OR PAINTED UPON PIERS, DOCKS, OR SEAWALLS, OTHER THAN OFFICIAL REGULATORY OR WARNING SIGNS.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN LOCATED ON ANY LAND SUBJECT TO PERIODIC INUNDATION BY TIDAL SALTWATER;

### PROHIBITED SIGNS – EMITTING SIGNS

STAFF PROPOSES REVISING THE LANGUAGE IN THIS SECTION FOR CLARITY.

- H. **EMITTING SIGNS.** SIGNS THAT EMIT SOUND, VAPOR, SMOKE, ODOR, PARTICLES, OR GASEOUS MATTER.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN WHICH EMITS A SOUND, ODOR OR VISIBLE MATTER SUCH AS SMOKE OR VAPOR;

### PROHIBITED SIGNS – INFLATED SIGNS

STAFF PROPOSES SEPARATING INFLATED SIGNS FROM BALLOONS FOR CLARITY.

- I. **INFLATED SIGNS.**

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- INFLATABLE SIGNS OR BALLOONS OF ANY TYPE;

### PROHIBITED SIGNS –

#### INFORMATION BOX NOT ATTACHED TO A REAL ESTATE SIGN

STAFF PROPOSES ADDING THIS LANGUAGE TO COMPLEMENT SEC. 16-5-1313.

- J. **INFORMATION BOX NOT ATTACHED TO A REAL ESTATE SIGN.**

**PROHIBITED SIGNS – INTERNALLY ILLUMINATED SIGNS**

STAFF PROPOSES NO CHANGE.

- K. **INTERNALLY ILLUMINATED SIGNS.** NEON SIGNS OR SIGNS WHICH CONTAIN A VISIBLE LIGHT SOURCE, EXCEPT FOR THOSE SIGNS COMPLYING WITH THE PROVISIONS OF SEC. 16-5-1304.

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- INTERNALLY ILLUMINATED SIGNS, NEON SIGNS, OR SIGNS WHICH CONTAIN A VISIBLE LIGHT SOURCE;

**PROHIBITED SIGNS – NON-PERMITTED SIGNS**

STAFF PROPOSES REMOVING THE FIRST DEFINITION BECAUSE IT IS REDUNDANT.

- L. **NON-PERMITTED SIGNS.** SIGNS WHICH ARE DISPLAYED OR ERECTED FOR WHICH A PERMIT HAS BEEN DENIED.

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- ANY SIGN WHICH REQUIRES A PERMIT AND DOES NOT MEET THE REQUIREMENTS OF THIS ARTICLE; OR
- ANY SIGN WHICH IS DISPLAYED OR ERECTED FOR WHICH A PERMIT HAS BEEN DENIED.

**PROHIBITED SIGNS – OBSCENE OR PORNOGRAPHIC SIGNS**

STAFF PROPOSES NO CHANGE.

- M. **OBSCENE OR PORNOGRAPHIC SIGNS.** SIGNS WHICH EXHIBIT STATEMENTS, WORDS, OR PICTURES OF AN OBSCENE OR PORNOGRAPHIC NATURE.

**SEC. 16-5-1304. – PROHIBITED SIGNS**

- ANY SIGN WHICH EXHIBITS STATEMENTS, WORDS OR PICTURES OF AN OBSCENE OR PORNOGRAPHIC NATURE;

### PROHIBITED SIGNS – OFF-PREMISES SIGNS

STAFF PROPOSES NO CHANGE.

- N. **OFF-PREMISES SIGNS.** SIGNS THAT ARE NOT LOCATED ON THE PARCEL OF THE BUSINESS OR DEVELOPMENT IT IDENTIFIES, EXCEPT THAT SPECIAL EVENT SIGNS, DIRECTIONAL SIGNS, PUBLIC PARK SIGNS AND OTHER SIGNS WHICH ARE SPECIFICALLY ALLOWED UNDER THIS ARTICLE ARE EXEMPT.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- OFF-PREMISES SIGNS EXCEPT SPECIAL EVENT SIGNS, DIRECTIONAL SIGNS, PUBLIC PARK SIGNS AND OUTDOOR STADIUM ADVERTISING SIGNS AS DESCRIBED ELSEWHERE IN THIS ARTICLE.

### PROHIBITED SIGNS – PARKING SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE COMPLEMENT SEC. 16-5-1322.G.

- O. **PARKING SIGNS.** SIGNS THAT LIMIT PARKING SPACES TO CERTAIN USES OR BUSINESSES WITHIN A SHOPPING CENTER.

### PROHIBITED SIGNS – PENNANTS

STAFF PROPOSES SEPARATING BANNERS FROM PENNANTS FOR CLARITY.

- P. **PENNANTS,** EXCEPT WITHIN THE BOUNDARIES OF A SPECIAL EVENT. SEE SEC. 16-5-1317.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- BANNERS OR PENNANTS.

### PROHIBITED SIGNS – PORTABLE SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE TO COMPLEMENT SEC. 16-5-1322.G.

- Q. **PORTABLE SIGNS.** ANY SIGN NOT PERMANENTLY ATTACHED TO THE GROUND OR OTHER PERMANENT STRUCTURE, INCLUDING BUT NOT LIMITED TO SIGNS ATTACHED TO, OR PAINTED ON, VEHICLES OR TRAILERS, EITHER PARKED OR BEING DRIVEN, AND VISIBLE FROM THE RIGHT-OF-WAY, UNLESS SAID VEHICLE IS USED AS A VEHICLE IN THE NORMAL DAY-TO-DAY OPERATIONS OF THE BUSINESS, EXCEPT THAT SANDWICH BOARDS, CHALKBOARDS AND OTHER SIGNS WHICH ARE SPECIFICALLY ALLOWED UNDER THIS ARTICLE ARE EXEMPT.

### EXAMPLES OF PROHIBITED PORTABLE AND OFF-PREMISES SIGNS



#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY VEHICLE SIGN LARGER THAN ONE SQUARE FOOT WHERE THE SIGN PROJECTS BEYOND THE MANUFACTURER'S PROFILE OF THE VEHICLE OR IS DISPLAYED IN PUBLIC VIEW UNDER SUCH CIRCUMSTANCES AS TO INDICATE THAT THE PRIMARY PURPOSE OF SAID DISPLAY IS TO ATTRACT THE ATTENTION OF THE PUBLIC RATHER THAN TO SERVE THE BUSINESS OF THE OWNER THEREOF IN THE MANNER WHICH IS CUSTOMARY FOR SAID VEHICLE;
- ANY SIGN WHICH IS PORTABLE OR NOT SECURELY ATTACHED TO A BUILDING OR TO THE GROUND;

### PROHIBITED SIGNS – RIGHTS-OF-WAY SIGNS

STAFF PROPOSES NO CHANGE.

- R. **RIGHTS-OF-WAY SIGNS.** SIGNS LOCATED IN THE PUBLIC RIGHTS-OF-WAY EXCEPT SIGNS IN LANDSCAPED MEDIANS OF PRIVATE STREETS WHERE THE SIGN MEETS THE MINIMUM SIGHT TRIANGLE DISTANCES OF SEC. 16-5-508.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN, OTHER THAN A TRAFFIC DIRECTIONAL/SAFETY SIGN, IN ANY STREET RIGHT-OF-WAY EXCEPT SIGNS IN LANDSCAPED MEDIANS OF PRIVATE STREETS WHERE THE SIGN MEETS THE MINIMUM SIGHT TRIANGLE DISTANCES OF SEC. 16-5-508.

### PROHIBITED SIGNS – ROOF SIGNS

STAFF PROPOSES NO CHANGE.

- S. **ROOF SIGNS.** SIGNS WHERE THE SIGN OR ANY PORTION OF THE SIGN IS LOCATED ON OR EXTENDS ABOVE THE ROOF OF THE BUILDING WHERE THE SIGN IS LOCATED.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ROOF SIGNS OR SIGNS WHERE ANY PORTION OF THE SIGN EXTENDS ABOVE THE ROOF OF THE BUILDING WHERE THE SIGN IS LOCATED;

### PROHIBITED SIGNS – SIGNS ON TREES

STAFF PROPOSES NO CHANGE.

- T. **SIGNS ON TREES.** SIGNS ATTACHED TO, PLACED ON, PAINTED ON OR OTHERWISE DISPLAYED ON OR FROM ANY TREE OR OTHER VEGETATION.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN PAINTED ON OR ATTACHED TO TREES, OTHER NATURAL FEATURES, OR UTILITY POLES;

### PROHIBITED SIGNS – SIGNS IN WATER

STAFF PROPOSES ADDING LANGUAGE TO ALLOW THE ADMINISTRATOR TO DETERMINE THAT A SIGN CAN BE LOCATED IN OR UPON A BODY OF WATER IF THERE IS NO OTHER REASONABLE LOCATION FOR THAT SIGN.

- U. **SIGNS IN WATER.** SIGNS IN OR UPON ANY BODY OF WATER, OTHER THAN OFFICIAL REGULATORY OR WARNING SIGNS, INCLUDING ANY SIGN LOCATED ON ANY LAND SUBJECT TO PERIODIC INUNDATION BY TIDAL SALTWATER. THE DESIGN REVIEW BOARD MAY APPROVE A PERMANENT MONUMENT SIGN IN OR UPON A BODY OF WATER WITHIN A PARCEL IF THE ADMINISTRATOR DETERMINES THAT THERE IS NO OTHER REASONABLE LOCATION FOR THAT SIGN ON THAT PARCEL.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN LOCATED ON ANY LAND SUBJECT TO PERIODIC INUNDATION BY TIDAL SALTWATER;

### PROHIBITED SIGNS – TOWED SIGNS

STAFF PROPOSES NO CHANGE.

V. **TOWED SIGNS.** SIGNS TOWED BEHIND A VEHICLE, WATERCRAFT, OR AIRCRAFT.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- ANY SIGN TOWED BEHIND A VEHICLE, WATERCRAFT, OR AIRCRAFT;

### PROHIBITED SIGNS – WINDBLOWN SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE TO MIRROR THE PREVIOUS LANGUAGE ON MOVING SIGNS.

W. **WINDBLOWN SIGNS.** SIGNS, OTHER THAN PERMITTED HANGING SIGNS, WHICH MOVE BY THE FORCE OF MOVING AIR.

#### SEC. 16-5-1304. – PROHIBITED SIGNS

- SIGNS OR PORTIONS OF SIGNS WHICH MOVE BY ANY MEANS OR SIGNS THAT GIVE THE APPEARANCE OF MOVEMENT IN ANY MANNER EXCEPT FOR FLAGS AS DESCRIBED IN THIS ARTICLE;

### PROHIBITED SIGNS – ALL OTHER SIGNS

STAFF PROPOSES ADDING THIS LANGUAGE FOR CLARITY.

X. ALL OTHER SIGNS THAT ARE NOT EXPRESSLY EXEMPT FROM REGULATION OR EXPRESSLY ALLOWED UNDER THIS ARTICLE.

## DEFINED TERMS

STAFF PROPOSES ADDING DEFINITIONS FOR CLARITY.

## DEFINED TERMS

*SEC. 16-10-201*

**EARTH TONES:** COLORS SHOWN ON PAGE 14 OF THE TOWN OF HILTON HEAD ISLAND DESIGN GUIDE.

**ILLEGAL SIGN:** ANY EXISTING SIGN THAT DOES NOT HAVE A PERMIT ISSUED BY THE TOWN OF HILTON HEAD ISLAND PURSUANT TO THIS SECTION, AND DOES NOT FALL WITHIN THE PROVISIONS OF SEC. 16-5-1322, IS HEREBY DEEMED TO BE AN ILLEGAL SIGN AND SUCH SIGN, AND THE PERSON OR PERSONS RESPONSIBLE FOR SUCH SIGN, SHALL BE SUBJECT TO THE PROVISIONS OF CHAPTER 8.

**LEGAL SIGN:** ANY PERMITTED SIGN THAT COMPLIES WITH THE PROVISIONS OF THIS ARTICLE, OR ANY SIGN WHICH FALLS WITHIN THE PROVISIONS OF SEC. 16-5-1322, IS HEREBY DEEMED TO BE A LEGAL SIGN.

**SIGN:** A SIGN SHALL BE CONSIDERED ANY WORDS, LETTERING, PARTS OF LETTERS, FIGURES, NUMERALS, PHRASES, SENTENCES, EMBLEMS, DEVICES, STRUCTURES, COSTUMES, DESIGNS, TRADE NAMES, OR TRADEMARKS BY WHICH ANYTHING IS MADE KNOWN SUCH AS ARE USED TO DESIGNATE AN INDIVIDUAL, A FIRM, AN ASSOCIATION, A CORPORATION, A PROFESSION, A BUSINESS, OR A COMMODITY OR PRODUCTS, WHICH ARE VISIBLE FROM ANY PUBLIC STREET OR ADJACENT PROPERTY AND USED TO ATTRACT ATTENTION. THIS DEFINITION INCLUDES THE STRUCTURE OR THE FACE ON WHICH A SIGN MESSAGE IS DISPLAYED.

# TOWN OF HILTON HEAD ISLAND SIGN REGULATIONS



## RECORD OF PUBLIC COMMENTS ON THE PROPOSED AMENDMENTS

STAFF HELD THREE INFORMATIONAL MEETINGS (FEBRUARY 3<sup>RD</sup>, FEBRUARY 6<sup>TH</sup> AND FEBRUARY 9<sup>TH</sup>) FOR THE PUBLIC TO DISCUSS AND COMMENT ON THE PROPOSED AMENDMENTS TO THE SIGN REGULATIONS. THE AMENDMENTS WERE POSTED ON THE TOWN'S WEBSITE ON FEBRUARY 3<sup>RD</sup> AND THE PUBLIC HAS THE OPPORTUNITY TO SUBMIT COMMENTS VIA EMAIL.

STAFF REVISED SOME PARTS OF THE PROPOSED AMENDMENTS BASED ON COMMENTS FROM THE PUBLIC. COMMENTS ABOUT THE PURPOSE AND ENFORCEMENT OF THE SIGN REGULATIONS AND COMMENTS STAFF DID NOT ACT ON ARE INCLUDED IN THIS DOCUMENT.

1. PLEASE DO NOT CHANGE THE SIGN ORDINANCE TO ALLOW BUSINESSES TO USE SIGNS TO ADVERTISE SPECIALS! HILTON HEAD IS SPECIAL AND DIFFERENT BECAUSE WE DO NOT ALLOW THAT. IT'S ONE OF THE REASONS HILTON HEAD MAINTAINS ITS BEAUTY. DO NOT ALLOW IT TO BECOME LIKE EVERY OTHER PLACE.

**BEVERLY JAMES**

2. I AM ON RECORD WITH STEVE RILEY AS BEING OF THE OPINION THAT THE ORDINANCE ON "FOR LEASE" SIGNS SHOULD BE THE SAME AS "FOR SALE" SIGNS (WHICH IT IS NOT CURRENTLY) AND THAT ANYTHING ELSE IS PATENTLY UNFAIR. NO ONE NOTICES A SMALL "FOR LEASING INFO..." ON A MONUMENT SIGN. EVERYONE NOTICES A LARGE "FOR SALE" SIGN.

**BILL BOSLEY, SPERRY VAN NESS | BOSLEY ASSET-PROPERTY MANAGEMENT**

3. I AM DEFINITELY IN FAVOR OF MAKING SIGNS MORE VISIBLE FROM THE ROADWAYS AS A CONVENIENCE FOR NEW RESIDENTS AND TOURISTS.

MY BROTHER AND HIS WIFE VISITED LAST YEAR AND WANTED TO EAT BREAKFAST ON THE ROAD ON THE DAY OF THEIR DEPARTURE. THEY DROVE 278 BUSINESS AND DID NOT EAT BREAKFAST UNTIL INTERSTATE 95. WHEN THEY ARRIVED HOME AND CALLED, THEY SAID THEY DIDN'T SEE ANYWHERE TO EAT BREAKFAST EXCEPT THE HILTON HEAD DINER AND THEY WERE PAST IT BEFORE THEY SAW THE BUILDING. THINKING THERE WOULD BE SOMETHING AHEAD THEY DID NOT MAKE THE U TURN TO DRIVE BACK TO IT.

I AM SURE THIS HAPPENS TO OTHER VISITORS AS WELL, WHICH CAUSES IRRITATION TO THEM AND LOSS OF REVENUE FOR LOCAL BUSINESSES. I HAVE ALSO SEEN NEAR REAR END COLLISIONS WHEN A CAR WAS RIGHT AT THE BUSINESS TURN IN BEFORE REALIZING IT WAS THERE, SLAMMING ON BREAKS AND EVEN ONCE BACKING UP IN THE TRAFFIC LANE. THIS CREATES A DANGEROUS SITUATION FOR ALL DRIVERS. I WOULD NOT WANT UNRESTRICTED SIGNAGE ALL OVER, BUT I DO THINK BUSINESSES SHOULD BE ABLE TO HAVE MORE VISIBLE SIGNS. IT WOULD BE A SERVICE TO OUR VISITORS AND PROVIDE A SAFER DRIVING EXPERIENCE FOR ALL OF US.

**WEB USER**

4. I WOULD HOPE THERE IS MORE FLEXIBILITY IN REAL ESTATE RIDERS. I.E. ALLOW 2 RIDERS PER SIGN AND ALLOW DIFFERENT THINGS ON THE RIDERS, BUSINESS FOR SALE, FOR LEASE AND FOR SALE RIDERS ON THE SAME SIGN ETC.

**JOE RYAN, WEICHERT REALTORS-COASTAL PROPERTIES**

5. IT WOULD BE INCREDIBLY HELPFUL IF WE COULD USE A SIGN TO ANNOUNCE AN OPEN HOUSE IN ALL HHI NEIGHBORHOODS MUCH LIKE THEY DO IN PORT ROYAL PLANTATION. ALL UNIFORM IN APPEARANCE IS FINE. IT REALLY WOULD HELP KEEP THE REAL ESTATE INDUSTRY MORE VIABLE AND ALLOW SELLERS A BETTER CHANCE OF ATTENDANCE AND VISIBILITY. LET'S FACE IT, REAL ESTATE IS MEANT TO KEEP MOVING. PEOPLE WANT TO COME AND OTHERS MAY NEED TO LEAVE, LET'S HELP THEM ALL. PLEASE CONSIDER ANY AND ALL ALTERNATIVES!  
**DEE GRAMOY, CENTURY 21 A LOW COUNTRY REALTY**

6. HILTON HEAD ISLAND IS ONE OF THE MOST BEAUTIFUL PLACES IN THE ENTIRE UNITED STATES. THAT'S WHY SO MANY VISITORS COME HERE FROM ALL OVER THE WORLD. EVEN THOUGH I CURRENTLY LIVE IN BLUFFTON, MY WIFE AND I VISIT THE ISLAND ABOUT ONCE A WEEK, TO WALK THE BEACH, CATCH A SHOW, OR ENJOY A SPECIAL RESTAURANT. I EVEN JOINED A TENNIS TEAM ON THE ISLAND SO THAT I COULD PLAY IN ALL THE WONDERFUL COURTS AND PLANTATIONS THERE. WHY WE'LL EVEN GO TO THE ISLAND FOR A ONE OR TWO DAY GET-AWAY NOW AND THEN. THE LAST THING I WANT TO SEE ON HILTON HEAD ISLAND ARE REAL ESTATE SIGNS!  
**LARRY STOLLER**

7. SIZE AND COLOR: SOME SIGNS ARE LARGER THAN OTHERS AND THE COLORS SHOULD BE CONSISTENT. BLENDING WITH NATURE: THE YELLOW AND AQUA SIGNS DON'T BLEND.  
**PATRICIA GRAHAM**

8. SINCE I AM UNABLE TO ATTEND THE PUBLIC MEETINGS ON THE SIGN ORDINANCE, I WOULD LIKE TO EXPRESS MY VIEWS TO YOU TO BE FORWARDED TO ALL PERSONS INVOLVED WITH THE DECISION.

TEN YEARS AGO, I MOVED TO HILTON HEAD FROM CANADA, PRISTINE CANADA, THAT IS WHAT MOST PEOPLE BELIEVE. HOWEVER, ONE OF THE REASONS THAT WE LEFT WAS THE SIGN POLLUTION, PORTABLE SIGN POLLUTION. THEY HAD INFILTRATED EVERY TOWN AND CITY ACROSS THE COUNTRY. THEY WERE NOT ONLY IN THE COMMERCIAL AREA, BUT ALSO IN NEIGHBORHOOD. IT STARTED OUT AS AN OPPORTUNITY FOR BUSINESSES, TO ANNOUNCE THEIR SPECIALS TO THE PUBLIC AND GREW TO WHERE EVERY EVENT KNOWN, WAS POSTED ON THESE HIDEOUS SIGNS.

IT HAS BEEN STATED THAT SOME BUSINESS OPERATIONS ALREADY DISOBEY THE ORDINANCE AND THEY ARE NOT CHASTISED. IF YOU RELAX THE RULES, THEY WILL JUST DISOBEY THE NEW ORDINANCE AND THE SIGNS WILL GROW IN SIZE AND FREQUENCY. THE DIRECTION OF THE TOWN COUNCIL TO MAKE BUSINESS MORE VISIBLE HAS ALREADY BEEN ACCOMPLISHED BY THE DESTRUCTION OF ALL THE

UNDERGROWTH ALONG HIGHWAY 278. EVERY BUILDING , GAS STATION AND PARKING LOT IS NOW FULLY EXPOSED, CREATING A VERY UNDESIRABLE PICTURE OF OUR ISLAND. IF ANYONE BELIEVES THAT LOOKING AT THE BP STATION ON THE CORNER OF MATTHEWS AND 278 IS A DRAWING CARD FOR THE TOURISTS TO OUR AREA, THEY ARE TOTALLY OUT OF TOUCH WITH REALITY. OUR ISLAND IS BEGINNING TO LOOK LIKE ANYWHERE USA, INSTEAD OF THE WONDERFUL RETREAT FOR WHICH IT WAS KNOWN.

FOR YEARS OUR FRIENDS FROM ALL OVER BOTH COUNTRIES HAVE EXPRESSED THE OPINIONS OF HOW LOVELY IT IS TO SEE NATURE AND NOT PARKING LOTS. ON THEIR LAST TRIPS, THEY INQUIRED AS TO WHAT HAD HAPPENED TO OUR BEAUTY. THEIR NEXT VACATIONS ARE GOING TO BE TO PLACES LIKE EDISTO BEACH.

THESE WERE PEOPLE WHO SPENT MONEY HERE, AS DID WE WHEN THEY VISITED. NOW WE ARE SAVING MONEY AND THE LOCAL BUSINESS IS LOSING OUT.

I SINCERELY HOPE THAT COUNCIL WILL NOT CHANGE THE ORDINANCE AND WILL ALSO CONSIDER REPLANTING SOME OF THE SHRUBBERY THAT HAS BEEN ELIMINATED AND ALLOW THOSE THAT REMAIN TO GROW TO A HEIGHT THAT PROVIDES A MORE PLEASING LOOK TO HILTON HEAD. OUR ISLAND IS NOT THAT LARGE THAT IT IS DIFFICULT TO FIND ANYTHING. THOSE HERE ON VACATION CAN TAKE A FEW MINUTES TO FIND A PLACE, THEY MAY EVEN DISCOVER SOMETHING THAT THEY DO NOT HAVE AT HOME.  
**ANNE MARIE LAUZON**

9. I STARTED TO REVIEW THE PROPOSED ORDINANCE THAT I OBTAINED AT THE FEB 6TH MEETING AND WAS IMMEDIATELY DISMAYED BY THE CHANGE OF SEC.16.5-1301 - PURPOSE. THE ORDINANCE AS WRITTEN HAS SECTION A STATING "PRESERVING THE AESTHETIC QUALITIES OF THE UNIQUE NATURAL ENVIRONMENT THAT DISTINGUISHES THE TOWN. THE PRESERVATION OF SUCH ENVIRONMENT FROM EXCESSIVE AND OBTRUSIVE SIGNS IS A MATTER OF CRITICAL IMPORTANCE TO THE TOWN BECAUSE OF ITS ECONOMIC RELIANCE ON THE RESORT AND TOURISM INDUSTRY."

THE PROPOSED SECTION A, "MAXIMIZE THE VALUE OF COMMERCIAL SIGNAGE AS A MEANS OF LOCATING AND IDENTIFYING COMMERCIAL ESTABLISHMENTS" SEEMS TO ME TO CHANGE THE PURPOSE FROM PROTECTING THE ISLAND'S UNIQUE CHARACTER TO PUTTING COMMERCIAL INTERESTS FIRST. I SEE THAT SECTION D MENTIONS THE "UNIQUE AESTHETIC CHARACTER, BEAUTY AND CHARM OF THE TOWN" BUT ADDS A SENTENCE "TO ENCOURAGE CONTINUED ECONOMIC DEVELOPMENT OF THE TOWN." THE WORDING IN THE PRESENT ORDINANCE, SECTION A, SHOULD NOT BE CHANGED AND SHOULD BE SECTION A OF THE PROPOSED ORDINANCE.

IT APPEARS TO ME THAT THE NEW ORDINANCE IS A DRASTIC CHANGE IN PURPOSE AND I OBJECT TO THIS CHANGE. IT APPEARS TO ME THAT THIS IS A SURRENDER TO COMMERCIAL INTERESTS AND NOT IN THE INTEREST OF US RESIDENTS THAT LIVE HERE. THE ISLANDS UNIQUE CHARACTER IS WHY WE MOVED HERE 12 YEARS AGO AND IS THE REASON THE POPULATION OF THE ISLAND INCREASES EACH YEAR. KEEP THE STATED PURPOSE IN THE NEW ORDINANCE THE SAME AS IN THE OLD AND AS THE FIRST ITEM UNDER SECTION A.

**CHARLES F. LENZINGER**

10. CONSIDER ALLOWING WELL-DESIGNED INTERNALLY ILLUMINATED FAÇADE SIGNS, SUCH AS THOSE AT THE VILLAGE AT WEXFORD.

SIGN SYSTEMS SHOULD BE ENFORCED, ESPECIALLY FOR DEVELOPMENTS THAT ARE PROMINENT ALONG MAJOR AND MINOR ARTERIALS, SUCH AS MAIN STREET VILLAGE.

ALLOW THE ADMINISTRATOR SOME FLEXIBILITY TO PERMIT SIGNS THAT ARE OUTSIDE THE DIMENSION LIMITS.

TYING THE SIZE OF THE SIGN ALLOWED TO THE AMOUNT OF HEATED SQUARE FEET ON A SITE LIMITS CREATIVITY IN SIGN DESIGN.

**ALEX SINEATH, DESIGNEATH, INC.**

11. ALLOW AWARD SIGNS TO BE DISPLAYED IN A PROMINENT PLACE AT THE ENTRY TO THE ISLAND.

**FRANK BABEL, SQUEAKY WHEELS**

12. ALLOW EATING ESTABLISHMENTS WITH A DRIVE-THRU TO USE SOME KIND OF TEMPORARY SIGN IN THE DRIVE-THRU LANE TO ADVERTISE SPECIALS.

**CHIP WINTERS, OWNER OF ARBY'S**

13. WE STRONGLY OPPOSE ALLOWING RESTAURANTS TO PUT UP LARGER SIGNS FOR "SPECIALS." THERE WILL ALWAYS BE SPECIALS SO THERE WOULD ALWAYS BE LARGER SIGNS. WE LOVE THE NATURAL BEAUTY OF HILTON HEAD AND DON'T WANT TO ALLOW COMMERCIAL ACTIVITY TO DESTROY THE APPEARANCE OF OUR ISLAND. IN THE END, IF HILTON HEAD'S NATURAL BEAUTY IS DIMINISHED THIS WILL HURT COMMERCIAL ACTIVITY ITSELF--SINCE PEOPLE COME HERE TO ESCAPE URBAN BLIGHT AND ENJOY A MORE NATURAL SETTING.

**KAY AND GREY HODNETT**

14. I HAVE LIVED HERE FOR 15 YEARS AND DO NOT WANT ANY CHANGES TO SIGNAGE ORDINANCE. WE DO NOT NEED SPECIAL SALES SIGNS UP FOR BUSINESSES 7 DAYS A WEEK. THERE COULD ALSO REALLY BE BETTER LANDSCAPING ENFORCEMENT AT SELECTED BUSINESSES.

**BILL DIEHL**

15. I HAVE LIVED HERE FOR A YEAR AND A HALF. I MOVED HERE TO ENJOY THE BEAUTIFUL LANDSCAPE AND ISLAND VEGETATION. SHOULD THIS ISLAND BE TRANSFORMED INTO A MYRTLE BEACH WITH SIGNAGE I WILL BE VERY DISAPPOINTED IN THE CITY OF HILTON HEAD, AS WILL THE TOURISTS WHO COME TO THIS EXQUISITE ISLAND. IT IS TRULY UNIQUE AND NEEDS TO REMAIN AS MR. FRASER PLANNED - PRISTINE AND UNSPOILED!

**SUZANNE GERHART**

16. I AM STRONGLY AGAINST HAVING SIGNS POSTED FOR SPECIAL SALES, ETC. THE BEAUTY OF HILTON HEAD IS THE LACK OF SIGNS ALL OVER AND THE HEAVY LANDSCAPING AROUND BUILDINGS, SHOPPING CENTERS, ETC. I HAVE CHOSEN TO LIVE IN HILTON HEAD AS IT ISN'T "HONKEY TONKEY" LIKE MYRTLE BEACH AND MANY OTHER VACATION RESORTS. THE AREA HAS MANAGED TO GROW WITHOUT ALL OF THE EXTRA SIGNS AND ADVERTISING AND THERE IS NO REASON TO SPOIL THE BEAUTY OF HILTON HEAD AT THIS POINT. PLEASE TAKE THIS INTO CONSIDERATION AND REALIZE THAT MANY PEOPLE MOVE HERE FOR WHAT THE COMMUNITY HAS BEEN; THEY WILL NOT MOVE HERE ONCE IT BECOMES COMMERCIAL WITH SIGNS ALL OVER. I STRONGLY APPEAL THIS SUGGESTION.

**JO-ANNE PERCHICK**

17. I AM A SC RESIDENT, LIVING IN PORT ROYAL PLANTATION. I HAVE BEEN A PROPERTY OWNER FOR OVER 10 YEARS. WHEN I FIRST VISITED HHI IN 1978, I WAS DRAWN TO THE FACT THAT THE ISLAND DIDN'T LOOK COMMERCIAL. ALL THE BUILDINGS WERE SHELTERED, COLORS WERE ONLY NATURAL TONES, AND NO LARGE SIGNS WERE VISIBLE. I HAVE SEEN OVER THE YEARS THAT BUILDINGS HAVE BEEN BUILT WITHOUT PROPER LANDSCAPING AND THAT THE LAWS ALREADY DON'T SEEM TO BE ENFORCED PROPERLY.

IF YOU AMEND THIS LAW, YOU WILL CHANGE THE CHARACTER OF THE ISLAND WHICH IS THE REASON THAT MOST OF US MOVED HERE. WE PAY HEFTY PROPERTY TAXES TO LIVE HERE. DON'T CHASE US OUT! PLEASE DON'T LET THE ISLAND MERCHANTS WHO SEEK PERSONAL GAIN ON THIS ISSUE PERSUADE YOU THAT WHAT THEY WANT IS FOR THE GOOD OF THE ISLAND. IT ISN'T!!!

**PAULINE LELAND**

18. PLEASE, NO MORE SIGNS OF ANY KIND, ESPECIALLY THOSE IN FRONT OF BUSINESS WITH "SPECIALS." THE TOWN AND ISLAND HAVE EACH CHANGED VERY MUCH, SOME FOR THE BETTER, SOME CHANGES HAVE MADE US LOOK "CHEAP." IS THAT THE IMPRESSION THAT THE TOWN REALLY WANTS TO GIVE ?

**MILDRED TIMMERMAN**

19. WE ARE OPPOSED TO THE PROPOSED SIGN CHANGES OF THE LMO REVISION REGARDING TEMPORARY SIGNS OUTSIDE BUSINESSES HAVING "SPECIALS" SEVEN DAYS A WEEK. WE FEEL THAT SUCH "SPECIAL" SIGNS DETRACT FROM THE ATTRACTIVE APPEARANCE OF WELL LANDSCAPED AND UNOBTRUSIVE ISLAND BUSINESSES. ONE OF OUR REASONS FOR MOVING HERE ELEVEN YEARS AGO WAS THE NATURAL BEAUTY OF THE ISLAND AND THE ABSENCE OF TACKY SIGNS ADVERTISING COMPETING BARGAINS AND SPECIALS. LET'S KEEP THE BUILT ENVIRONMENT FREE FROM SUCH SHABBY COMMERCIALISM.

WE ALSO BELIEVE THAT THE RECENT CLEARING OF UNDERBRUSH AND LANDSCAPING IN FRONT OF SOME BUSINESSES IS A REAL STEP BACKWARD. OUR ATTRACTIVE NATURAL LOOKING ENVIRONMENT IS ONE OF THE FACTORS WHICH ATTRACT PROPERTY BUYERS AND BOOST REAL ESTATE VALUES. THE SAME CHARACTER OF OUR ISLAND'S APPEARANCE ALSO ATTRACTS MANY RENTERS OF PROPERTY. NEIGHBORS POINT OUT THAT CLEARANCE OF UNDERBRUSH NEAR BUSINESSES REMOVES NEEDED PROTECTION FOR OUR WIDE VARIETIES OF BIRDS. FINALLY, WE NOTE THE GOAL OF HILTON HEAD'S FOUNDERS IN THE 1950'S TO PROTECT THE ISLAND'S NATURAL RESOURCES AND BEAUTY, A GOAL REAFFIRMED RECENTLY IN THE MAYOR'S VISION TASK FORCE OF 2010. LET'S MAINTAIN THIS WORTHY GOAL IN THE FUTURE.

**RICHARD AND ELIZABETH BECKER**