



The Town of Hilton Head Island Regular Town Council Meeting

Tuesday, May 15, 2012

4:00 P.M.

AGENDA

**As a Courtesy to Others Please Turn Off All Cell Phones and Pagers During
the Town Council Meeting**

- 1) **Call to Order**
- 2) **Pledge to the Flag**
- 3) **Invocation**
- 4) **FOIA 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.
- 5) **Proclamations and Commendations**
 - a. Building Safety Month
 - b. Emergency Medical Services Week
- 6) **Approval of Minutes**
 - a. Town Council Meeting – May 1, 2012
 - b. Town Council Budget Workshop – May 1, 2012
- 7) **Report of the Town Manager**
 - a. Town Manager's Items of Interest
 - b. April, 2012 Quarterly Report
 - c. Consider joining the Lowcountry Economic Alliance – Kim Statler
 - d. Presentation of the IAFC Heart Safe Community Award for 2012
- 8) **Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
 - c. Report of the Personnel Committee – Lee Edwards, Chairman
 - d. Report of the Planning & Development Standards Committee – Bill Ferguson, Chairman
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman
 - f. Report of the Public Safety Committee – Bill Harkins, Chairman
 - g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member
- 9) **Appearance by Citizens**

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2012-09

Second Reading of Proposed Ordinance 2012-09 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.

b. Second Reading of Proposed Ordinance 2012-14

Second Reading of Proposed Ordinance 2012-14 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

11) New Business

a. Consideration of a Recommendation

Consideration of a Recommendation from the Accommodations Tax Advisory Committee for the Chamber of Commerce Visitor and Convention Bureau's proposed 2012-2013 "30 Percent" Budget.

b. Consideration of a Resolution regarding a proposed casino

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island opposing the inclusion of a proposed casino within the Hilton Head Lakes Development located in Jasper County, South Carolina.

c. First Reading of Proposed Ordinance 2012-11

First Reading of Proposed Ordinance 2012-11 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 of all the language in Chapter 5, Article XIII; and providing for severability and an effective date.

d. First Reading of Proposed Ordinance 2012-12

First Reading of Proposed Ordinance 2012-12 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.

12) Executive Session

a. Land Acquisition

b. Appointments to Boards & Commissions

13) Adjournment

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS, our Town's continuing efforts to address the critical issues of safety, energy efficiency and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

WHEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states, and;

WHEREAS, "Building Safety Month" encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa and hot tub safety; and new technologies in the construction industry. Building Safety Month 2012, encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Drew Laughlin, Mayor of the Town of Hilton Head Island, do hereby proclaim the month of May 2012 as

BUILDING SAFETY MONTH

And I encourage our citizens to join with their communities in participation in Building Safety Month activities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this fifteenth day of May, in the Year of our Lord, two thousand and twelve.



Drew A. Laughlin, Mayor
Attest:



Cori Brock, Town Clerk

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS, emergency medical technicians are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the EMS system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others ; and

WHEREAS, the members of EMS teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Hilton Head Island Fire & Rescue firefighters responded to 4,123 EMS emergencies in 2011; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of EMS and all of its activities by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Drew A. Laughlin, Mayor, of the Town of Hilton Head Island, South Carolina do hereby proclaim May20-26, 2012 as

EMERGENCY MEDICAL SERVICES WEEK

*in the Town of Hilton Head Island, South Carolina, with the theme, **EMS: More than a Job ~ a Calling**, I encourage the community to observe this week and thank their local EMS personnel.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this **fifteenth day of May, in the Year of our Lord, Two Thousand and twelve.***

Drew A. Laughlin, Mayor



Attest:



Cori Brock, Town Clerk

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, May 1, 2012

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, Lee Edwards, Bill Ferguson, Bill Harkins, Kim Likins, *Council Members*.

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Lavarn Lucas, *Fire Chief*; Brad Tadlock, *Deputy Fire Chief – Operations*; Tom Fultz, *Director of Administrative Services*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Brian Hulbert, *Staff Attorney*; Julian Walls, *Facilities Manager*; Jill Foster, *Deputy Director of Community Development*; Teri Lewis, *LMO Official*; Victoria Shanahan, *Accounting Manager*; Chris Nelson, *Senior Accountant*; Natalie Majorkiewicz, *Systems and Reporting Administrator*; Darrin Shoemaker, *Traffic and Transportation Engineer*; Harvey Bethea, *Lieutenant/Fire and Rescue*; Linda Marrero, *Senior Dispatcher*; Marcy Benson, *Senior Grants Administrator*; Nicole Dixon, *Senior Planner*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Tom Barton, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA 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.

5) Proclamations and Commendations

a. Bike Month

Frank Babel and Marcy Benson accepted the proclamation.

b. Public Service Recognition Week

Jill Foster, Chris Nelson, Harvey Bethea and Linda Marrero accepted the proclamation.

6) Approval of Minutes

a. Town Council Meeting – April 17, 2012

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes of the April 17, 2012 Town Council meeting were unanimously approved by a vote of 7-0.

7) Report of the Town Manager

a. Town Manager's Items of Interest

Mr. Riley reported on some items of interest.

b. April, 2012 Policy Agenda, Management Targets and CIP Updates

Mr. Riley noted the above report was included in the packet and he would gladly answer any questions.

c. FY 2012 Financial Statements through March 31, 2012

Mr. Riley stated he and Susan Simmons were available to answer any questions pertaining to the financial statements.

8) Reports from Members of Council

a. General Reports from Council

Mr. Williams stated he attended a recent LCOG Transportation Committee Meeting along with representatives from the four county area and members of the SCDOT. He reported that South Carolina and Georgia are planning to repair the back bridge going into Savannah beginning in August of 2012. He also said there are plans to widen US17 from SC315 to the Georgia State line. Mr. Williams noted that the Windmill Harbour project is now in the STIP Plan which will require surveys. He said they are contemplating going to contract in 2015 and suggested it should be in conjunction with the planned flyovers. He noted it may be best if the SCDOT is requested to accelerate the study on Windmill Harbour.

Mr. Williams said he is very concerned that the proposed casino is going to have Hilton Head in its name and how it will impact the Town of Hilton Head Island. He suggested Town Council consider taking a position against the casino. Mayor Laughlin informed Council the issue would be addressed at the May 15, 2012 Town Council Meeting.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

No report.

c. Report of the Personnel Committee – Lee Edwards, Chairman

No report.

d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman

Mr. Ferguson stated the Committee met on April 25, 2012 reviewing three items. He reported the first item was a rezoning request for five properties on William Hilton Parkway and it was on the agenda for today's meeting as Item 11.a.. He said the committee recommendation was to deny the request. He reported there was also a request for rezoning from OL to PD-1 of property at 807 William Hilton Parkway which the Committee recommended approval and the item will come forward to Town Council at the May 15, 2012 meeting.

Mr. Ferguson requested Teri Lewis report on the third item concerning LMO sign amendments. Ms. Lewis gave a brief overview and stated the Committee considered the proposed amendments and voted for a recommendation of disapproval. She said the item will come forward to Town Council at the May 15, 2012 meeting.

e. Report of the Public Facilities Committee – Kim Likins, Chairman

Mrs. Likins reported the Committee met today and there was a presentation of the preliminary development plans for Chaplin Linear Park. She said the Committee suggested discussion of the plans at a future workshop meeting.

f. Report of the Public Safety Committee – Bill Harkins, Chairman

No report.

g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

No report.

9) **Appearance by Citizens**

None.

10) **Unfinished Business**

a. **Second Reading of Proposed Ordinance 2012-10**

Second Reading of Proposed Ordinance 2012-10 authorizing the execution of a deed for the sale of an undivided one half (1/2) interest in three (3) parcels of real property located on Beach City Road to Beaufort County, South Carolina pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

11) **New Business**

a. **First Reading of Proposed Ordinance 2012-09**

First Reading of Proposed Ordinance 2012-09 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.

Mr. Heitzke moved to approve. Mr. Ferguson seconded. Mr. Riley explained this proposed ordinance came with a committee recommendation against approval. Mr. Harkins stated he felt the Long Cove representatives presented legitimate arguments as to why they were against the rezoning. Mr. Williams stated he attended the Planning and Development Standards Committee meeting and his concern was an overabundance of commercial districts. He stated he felt the rezoning went against the concept of limiting those high traffic areas. He noted the Town is in the process of rewriting the LMO and results have not been determined. Mr. William said his main concern is once the zoning is changed, a multitude of different businesses could be placed in the buildings. Mr. Heitzke concurred.

Mr. Ferguson commented that during the Planning and Development Standards Committee meeting it was suggested a moratorium be considered on this type of rezoning until the LMO Rewrite Committee consultants complete their recommendations. He added that he traveled to the property in question and it is heavily wooded and buffered and he cannot see where it would disturb the residents of Long Cove. Mr. Edwards stated he tended to agree with Mr. Williams and also had concerns and did not feel a moratorium should take place but with the results from the LMO Rewrite Committee due soon, it might be good to wait until then.

The applicant, Mr. Joe Ryan, Mr. Mark Rhinehart, Director of Administration for Hargray and Jocelyn Steiger spoke in favor of the rezoning, all stating they felt it would benefit the Town if it was approved. Mr. Jerry Grimm, a resident of Long Cove spoke in opposition to the rezoning.

Mayor Laughlin stated he felt this was a very difficult decision because both sides have merit. He stated he would favor approving this because the area leans toward being a CC district and there is such an abundance of office space on the Island which will have to be re-tasked in to other uses. The motion was approved by a vote of 4-3. (Mr. Harkins, Mr. Heitzke and Mr. Williams were opposed.)

b. Consideration of a Reimbursement Resolution for Sewer Projects

Consideration of a Resolution relating to the declaration of intent by the Town Council of the Town of Hilton Head Island, South Carolina, to reimburse certain expenditures prior to the issuance by the town of its tax-exempt debt.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

c. First Reading of Proposed Ordinance 2012-14

First Reading of Proposed Ordinance 2012-14 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Heitzke moved to approve. Mr. Williams seconded. Mr. Williams asked questions concerning carrying over projects that were budgeted but not completed and how they would be placed in the new budget year. Susan Simmons and Scott Liggett explained the procedure used and changes that had been made concerning funding sources. The motion was unanimously approved by a vote of 7-0.

d. First Reading of Proposed Ordinance No. 2012-13

First Reading of Proposed Ordinance 2012-13 to raise revenue and adopt a budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2013; to establish a property tax levy; to establish funds; to establish a policy for acquisition of rights of way and easements; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Williams seconded. Steve Riley presented an overview of the proposed FY13 Budget. The motion was unanimously approved by a vote of 7-0.

After discussion of upcoming workshops, members of Town Council agreed to change the starting time of the May 8, 2012 Town Council Budget Workshop from 4:00 p.m. to 3:00 p.m. and to cancel the May 10, 2012 Town Council Budget Workshop.

12) Executive Session

Mr. Riley stated he needed an executive session for contractual matters pertaining to land acquisition, including a potential land swap with Blanchard and Calhoun; contractual matters pertaining to the franchise agreement with Republic Waste.

At 5:35 p.m. Mr. Heitzke moved to go into Executive Session for the reasons given by the Town Manager. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:47 p.m. and asked if there was any business to take up as a result of executive session.

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt a resolution authorizing the Town Manager to execute a property owner's consent on behalf of the Town to allow Shelter Cove Towne Center, LLC to apply for a rezoning of Town owned property adjacent to the Shelter Cove Mall. Provided however, this resolution shall not constitute an approval of any rezoning, nor any other type of approval which requires a separate approval process in accordance with South Carolina law.

13) Adjournment

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0. The meeting was adjourned at 6:48 p.m.

Vicki Pfannenschmidt

Executive Assistant

Approved:

Drew A. Laughlin, Mayor

THE TOWN OF HILTON HEAD ISLAND
TOWN COUNCIL BUDGET WORKSHOP

Date: Tuesday, May 1, 2012

Time: 6:50 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, Lee Edwards, Bill Ferguson, Bill Harkins, Kim Likins, *Council Members*.

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Lavarn Lucas, *Fire Chief*; Brad Tadlock, *Deputy Fire Chief – Operations*; Brian Hulbert, *Staff Attorney*; Tom Fultz, *Director of Administrative Services*; Victoria Shanahan, *Accounting Manager*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Tom Barton, *Island Packet*

1) Call to Order

Mayor Laughlin called the workshop to order at 6:50 p.m.

2) FOIA 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) Big Picture Issues/Overview

• **CIP funding**

○ **GO Bonding**

○ **Conversion of hospitality funds to operations of new Capital improvements**

Mr. Riley explained the capacity and flexibility in funding to pay for projects. He reviewed the ability to reprioritize debt, maintain stable millage and refunding opportunities.

• **Millage Caps – three-year look back**

Mr. Riley reminded Town Council there is a three year look back stating he is not recommending a millage increase this year. He said the State has not yet recorded what the allowable increase would be this year. He said as time goes on Council needs to be reminded annually what is allowable due to the “use it or lose it” mandate.

• **Reassessment – This fall**

Mr. Riley reviewed the expectations of decline in values noting there is a law that seems to suggest if the values decline there is a roll up formula to increase millage.

• **Mainland Transportation Funding Commitment: Need to revisit**

Mr. Riley stated there was a past commitment made by Council. He explained the commitment and reviewed suggestions as to how to keep or modify the commitment and

benefit the Town. He noted this item will need to go through Committee before consideration by the full Council.

- **Becoming a Metropolitan Planning Organization (MPO) for Transportation Planning purposes: Implications**

Mr. Riley explained there are federal dollars allocated to local governments designated for urban areas and rural areas. He said Hilton Head Island is now designated an urban area along with portions of Beaufort County and the Town of Bluffton and is required to participate in or create a MPO. He noted the boundaries of the area Hilton Head Island is in and that the funding is for improvements to existing state or federal highways. He explained some of the available options concerning participation.

- **Funding Economic Development Initiatives**

Mr. Riley reviewed the opportunities available and the need to move forward.

- **Changes to State Retirement System: Implications**

Mr. Riley noted that Town Hall staff does not participate in the State Retirement System but Fire and Rescue employees do participate. He explained there are proposed changes concerning retirement benefits which could affect 21 staff members. He said the changes could take place as soon as July 1 and they would have financial implications on the Town. Chief Lucas updated Town Council on the proposed changes and the status.

- **Funding of Arts Organizations**

Mr. Riley stated the need to discuss the issue. He said it could be an item of discussion at the Mid-Year Town Council Workshop on May 30.

CIP Related

- **New Shelter Cove Park**

Mr. Riley said the cost is not included in the CIP. He explained it will probably be a 50/50 cost share and something would be coming forward in the future, but exactly when is not known. He added discussion needs to take place for future plans.

- **Coligny: TIF Implications**

Mr. Riley expressed concern that TIF expires in 18 months and he doubts that the Town will be able to use the TIF funds for this project. He said as much as Council wanted to utilize the funds for Coligny, they may need to redirect the funds to another project.

- **Chaplin Linear Park**

Mr. Riley explained funding will need to be set in to place for this project and maybe funds committed elsewhere could be redirected.

- **Mitchelville**

Mr. Riley said it has been two years since Council agreed to participate upon receiving a business plan and a master plan. He explained that to the plans have not been submitted.

Mr. Riley said there was a lot of work to do and discussion to take place on the above big picture issues and asked if there were any they wanted to add. Mayor Laughlin stated he would like to add discussion concerning recreational facilities.

Appearance by Citizens

None.

4) Adjournment

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0. The meeting was adjourned at 7:50 p.m.

Vicki Pfannenschmidt
Executive Assistant

Approved:

Drew A. Laughlin, Mayor



Items of Interest

May 15, 2012

1. Noteworthy Events

a) Some of the upcoming meetings at Town Hall:

- Planning Commission – May 16, 2012, 3:00 p.m.
- Town Council Budget Workshop - Affiliated Agencies – May 16, 2012, 5:00 p.m.
- Board of Zoning Appeals – May 21, 2012, 2:30 p.m.
- Design Review Board – May 22, 2012, 1:15 p.m.
- Construction Board of Adjustments and Appeals - May 22, 2012, 5:30 p.m.
- Planning & Development Standards Committee – May 23, 2012, 4:00 p.m.
- Town Hall Closed – Memorial Day – May 28, 2012
- Public Safety Committee – June 4, 2012, 10:00 a.m.
- Public Projects & Facilities Committee – June 5, 2012, 2:00 p.m.
- Town Council – June 5, 2012, 4:00 p.m.
- Town Council Budget Workshop – CIP Continued/Stormwater Utility Fund/Debt Services – June 5, 2012, 5:00 p.m.

(Meetings subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for meeting agendas

2012 Hilton Head Island Events

Saturday, May 19, 2012 12:00pm-4:00pm	Kiwanis Rib Burnoff	Honey Horn
Saturday, May 19, 2012 2:00pm-6:00pm	Hilton Head Island Taste of Summer Craft Beer Festival	Shelter Cove Harbour
Saturday, May 26, 2012 10:00am-6:00pm Sunday, May 27, 2012 10:00am-5:00pm	Hilton Head Art Festival at Shelter Cove Harbour	Shelter Cove Harbour Parking Lot
Monday, May 28, 2012 9:00am-12:00pm	Memorial Day Observance	Shelter Cove Veterans Memorial Park

APRIL 2012 QUARTERLY REPORT

TOPIC:	Formation of MPO
CONTACT:	Jill Foster, Deputy Director of Community Development
STATUS:	ongoing
ISSUE:	We are currently researching the best set up for a Metropolitan Planning Organization.
BACKGROUND:	Because the population has increased in Hilton Head Island and Bluffton to be over 50,000, we are required by Federal law to form a Metropolitan Planning Organization. This MPO is a policy board charged with creating a long range transportation plan and a traffic improvement plan, to be approved by the state government. Because we would be a MPO, we would be eligible for certain Federal money for transportation improvements. We would no longer be eligible for the 'rural' non-MPO funds.
OUTLOOK:	Deadline to receive approval from the state for the MPO organization is March 2013.
TOPIC:	Vacant Property Inventory
CONTACT:	Shawn Colin, Comprehensive Planning Manager
STATUS:	Ongoing
ISSUE:	Quantifying the current condition of vacant commercial space on the Island
BACKGROUND:	The state of commercial property on the Island has been debated over the past few years. Developing a database of vacant commercial space will provide real numbers that can be used to determine the real state of the Island regarding vacancies and help outline the right mix of office, retail and other commercial spaces to meet future needs. In an effort to provide support for prospective businesses and assist the Economic Development Citizens Committee in its work this effort has been initiated.
OUTLOOK:	The initial inventory is 90% complete. Complete database inventory is expected by mid may. Filtering and mapping functions will follow to allow quick access to information and reporting. Relationships with commercial realtors will also be established to allow for efficient updating of the database.
TOPIC:	Mayor's Youth Volunteer Service Award
CONTACT:	Faidra Smith, Administration Manager/Public Information Coordinator
STATUS:	Awards Ceremony scheduled for 3:00 p.m. on May 14, 2012
ISSUE:	Recognize Hilton Head Island middle and high school students for community service hours.
BACKGROUND:	1 st Ceremony for new Award
OUTLOOK:	47 students qualified for completing at least 50 hours of community service.



Memorandum

TO: Town Council
FROM: Steve Riley, Town Manager
DATE: May 10, 2012
RE: **Lowcountry Economic Alliance**

As mentioned previously, the six regional Mayors have been in discussions with the Lowcountry Economic Alliance staff and individual Board members regarding having the municipalities join the LEA and become an active participant in regional economic development efforts. The various Economic Alliances throughout the State are the conduits through which the SC Department of Commerce works with local officials to bring prospects to each region. The municipal Councils of Beaufort and Port Royal have previously voted to participate in the LEA. The Town Council of Bluffton voted unanimously earlier this week to become participants.

Kim Statler, Executive Director of the Alliance (at least through the end of the month), has submitted the attached letter asking the Town to become a member at the Board level. She will be available to answer questions at the meeting.

We had funds budgeted this year for the renewal of our membership in the former Lowcountry Economic Network, which is now defunct. This is the replacement entity and while it is within budget and within my authority, given the circumstances, it would be preferable to have Council take action to join this Alliance.

May 8, 2012



Mr. Drew Laughlin
Mayor
Town of Hilton Head
One Town Center Court
Hilton Head Island, SC 29928

Dear Mayor Laughlin,

I want to start by thanking you for your community's past and current commitment to economic development. Your dedication to job creation for this Region and building the right strategy is critical in moving the Alliance forward in a positive and aggressive direction.

As you know we have been working over the last few months to complete an in-depth Targeted Industry Study and to build the Alliance organization structure with additional investors to broaden our regional and business perspective. We are seeking the addition of each municipality and (30) Director Level investors from across the Region to add to our existing Board structure.

Municipal investors are voting Board members of the Alliance and help to guide and direct the strategic vision. It is requested that each municipality contribute \$10,000 annually and those funds are used to support the work of the organization and match critical funds that come from the State of South Carolina for additional marketing and recruitment.

It is without question that you are a critical member for our Board and hope you consider this invitation favorably. I look forward to our continued work together and would be happy to answer any questions you might have moving forward.

All my best,

A handwritten signature in black ink that reads "Kim Statler". The signature is written in a cursive, flowing style.

Kim Statler
Executive Director
Lowcountry Economic Alliance



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, C.M., *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Nicole Dixon, CFM, *Senior Planner*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: May 1, 2012
SUBJECT: Proposed Ordinance No. 2012-09
ZMA110007 – Hargray Area Rezoning

Town Council made no changes to proposed Ordinance No. 2012-09 as a result of the first reading on May 1, 2012.

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 disapprove 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 approve 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: May 1, 2012
Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, Town Manager

VIA: Susan Simmons, Director of Finance

DATE: May 3, 2012

RE: **Second Reading of Proposed Ordinance No. 2012-14**

Recommendation:

Staff recommends Council approve 2nd reading of Proposed Ordinance No. 2012-14 amending fiscal year 2012 Capital Projects, Debt Service and Stormwater Utility Funds' budgets for current year changes.

There are no changes for the 2nd reading.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2012; TO PROVIDE FOR THE EXPENDITURES OF CERTAIN FUNDS; AND TO ALLOCATE THE SOURCES OF REVENUE FOR THE SAID FUNDS.

WHEREAS, Section 5-7-260 of the Code of Laws of South Carolina requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, the Town Council did adopt the budget on June 21, 2011, and

WHEREAS, pursuant to the budget amendment policy as stated in the Town's annual budget document, the Town Council is desirous of amending the budget so as to provide for the expenditures and certain other commitments from the Fund Balance and other revenue sources, as well as to correct budget appropriations for certain capital projects in the Capital Projects, Stormwater, and Debt Service Funds.

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 THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1 Amendment. The adopted 2012 fiscal year budget is amended to make the following changes as increases and decreases to the funds from prior years and to the projected revenue and expenditure accounts as follows:

Capital Projects Fund

<u>Account Description</u>	<u>Source of Funds</u>	<u>Amount</u>
Revenues:		
Beach Fees		\$ (13,809)
GO Bond		300,000
Grant		40,000
Hospitality Bond		(3,473,609)
Hospitality Tax		(2,392,147)
Property Taxes		(129,775)
Sunday Liq. Permit Fees		(53,390)
TIF Bond		(1,718,141)
TIF Property Taxes		(441,086)
Traffic Impact Fees		(30,392)
Total Revenues		<u><u>\$ (7,912,349)</u></u>

Capital Projects Fund

Expenditures:**Pathways**

Palmetto Bay Road	TIF Bond	\$ (7,774)
"	TIF Property Taxes	7,774
Mathews Drive (US 278 N. to Beach City)	TIF Bond	(151,258)
"	TIF Property Taxes	83,115
Dunnagan's Alley	TIF Bond	(42,952)
"	TIF Property Taxes	42,952
278 @ N Oleans to Shipyard and Town Hall	TIF Bond	(74,535)
"	TIF Property Taxes	74,535
Honey Horn	HTAX Fees	48,842
"	Property Taxes	49,817
		<u>30,516</u>

Road Improvements

Intersection Improvements	HTAX Fees	(48,842)
"	TIF Bond	(67,497)
"	TIF Property Taxes	67,497
F&R Emergency Access Points	HTAX Fees	(131,756)
Horseshoe Road Connector	TIF Bond	(16,417)
Gumtree/Squire Pope Roundabout	TIF Bond	(1,744)
Roadway Safety Improvements	Property Taxes	20,000
"	TIF Bond	(3,201)
"	Traffic Impact Fees	(1,114)
Directional Neighborhood Signs	TIF Bond	(52,305)
"	TIF Property Taxes	(44,371)
Mainland Transportation Improvements	HTAX Fees	(1,897,681)
Stoney Secondary Road (South)	TIF Bond	(44,463)
"	TIF Property Taxes	(50,000)
"	Traffic Impact Fees	(29,278)
Nassau Street Extension	TIF Property Taxes	(100,000)
Summit Dr. Realignment	Hospitality Bond	(21,640)
Intersection/Crosswalk Lighting	TIF Bond	(42,223)
Dunnagan's Alley Roundabout	TIF Property Taxes	(23,101)
Marshland Rd. Roundabout	TIF Bond	(39,758)
"	TIF Property Taxes	(1,047,130)
Mathews Dr. N.-Roundabout @ Beach City	TIF Bond	(227,660)
"	TIF Property Taxes	182,660
Honey Horn Entrance	Property Taxes	(49,817)
"	TIF Property Taxes	(155,000)
Mathews Dr./Marshland Rd. Connectivity	TIF Property Taxes	(106,165)
US 278 Gateway Imp. - Windmill Harbor	HTAX Fees	(59,758)
"	Property Taxes	(140,000)
		<u>(4,130,764)</u>

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

Capital Projects Fund

Expenditures:

Park Development

Parks Upgrades	Sunday Liq. Permit Fees	(12,926)
Rock's/Remy's Tract Park	TIF Bond	(10,000)
"	TIF Property Taxes	(20,000)
Compass Rose Park	TIF Bond	(4,370)
"	TIF Property Taxes	4,370
Bristol Skate Park	Sunday Liq. Permit Fees	(5,464)
Chaplin Tennis Courts	Sunday Liq. Permit Fees	(35,000)
"	TIF Bond	(71,240)
"	TIF Property Taxes	71,240
Share Center Tenant Upfit	GO Bond 2012	<u>100,000</u>
		16,610

Existing Facilities/Infrastructure

Apparatus/Vehicle Replacement	Beach Fees	(8,309)
"	Property Taxes	(9,775)
Fire Station # 5 Replacement	Hospitality Bond	(60,721)
Fire Station # 6 Repair	HTAX Fees	62,086
Fire Station # 1 Replacement	Hospitality Bond	(191,248)
"	TIF Property Taxes	(390,206)
Rehab & Renov Fixed Capital	Property Taxes	(20,000)
"	HTAX Fees	(110,540)
Fire Station # 2 Repair	HTAX Fees	48,454
Fire Station # 2 Replacement	HTAX Fees	(275,000)
Facilities Surveillance Cameras	HTAX Fees	(32,952)
Enhance HQ Security Cameras	HTAX Fees	5,000
Fire Station # 6 Replacement	Hospitality Bond	<u>(3,200,000)</u>
		(4,183,211)

New Facilities/Infrastructure

Coligny/Pope Ave. Area Improv.	TIF Bond	(100,038)
"	TIF Property Taxes	200,038
Dunnagan's Alley/Arrow Rd. Initiative Area	TIF Bond	(128,590)
"	TIF Property Taxes	128,590
Sewer Service Projects	TIF Bond	(632,116)
"	TIF Property Taxes	632,116
Fire/Medical Systems & Equip.	Grant-Homeland Security	40,000
Site Infrastructure-Emg. Town Hall	Property Taxes	20,000
BCSO Tenent Upfit	GO Bond	<u>200,000</u>
		360,000

Beach Maintenance

Beach Management/Monitoring	Beach Fees	(60,000)
Dunes Refurbishment	Beach Fees	(5,500)
Beach Parks	Beach Fees	<u>60,000</u>
		(5,500)

Total Expenditures

\$ (7,912,349)

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

Debt Service Fund

<u>Account Description</u>	<u>Source of Funds</u>	<u>Amount</u>
Revenues:		
Fund Balance - Property Taxes		\$ 534,435
Fund Balance - Hospitality Taxes		509,895
Federal Grant - BABS Subsidy		(16,158)
Bond Proceeds		
Series 2011A GO Refunding Bonds \$12,385,000 issued August 2011		12,385,000
Series 2011B SO Bonds \$8,250,000 (Hospitality Tax) issued Oct. 2011		8,250,000
Bond Premiums		
Series 2011A GO Refunding Bonds \$12,385,000 issued August 2011		194,479
Series 2011B SO \$8,250,000 (Hospitality Tax) issued October 2011		33,584
Transfers In:		
Hospitality Tax		1,278,346
Beach Preservation Fees		64,924
Real Estate Transfer Fees		(544,923)
Total Revenues		<u>\$ 22,689,582</u>
Expenditures:		
Principal		
Series 2011A GO Refunding Bonds \$12,385,000 issued August 2011	Fund Balance - Property Taxes	\$ 295,000
Series 2011A SO Bonds \$15,250,000 issued October 2011	Hospitality Taxes	240,000
Series 2011B SO Bonds \$8,250,000 issued October 2011	Hospitality Taxes	535,000
Series 2004 Revenue Bond \$10,775,000 issued June 2004	Hospitality Taxes	(350,000)
Series 2005A GO Bonds \$24,265,000 - increase in value of mil	Real Estate Transfer Fees	(98,000)
Series 2005A GO Bonds \$24,265,000 - increase in value of mil	Fund Balance - Property Taxes	98,000
Series 2005A GO Bonds \$24,265,000 - \$750,000 from PY (\$825k-\$75k)	Real Estate Transfer Fees	(750,000)
Series 2005A GO Bonds \$24,265,000 - \$750,000 from PY (\$825k-\$75k)	Fund Balance - Property Taxes	750,000
Series 2008A General Obligation Bonds \$12,215,000	Fund Balance - Property Taxes	(305,277)
Series 2008A General Obligation Bonds \$12,215,000	Real Estate Transfer Fees	305,277
Interest		
Series 2004A General Obligation Bonds \$15,000,000 - partially refunded	Fund Balance - Property Taxes	(535,965)
Series 2011 GO Refunding Bonds \$12,385,000 issued August 2011	Fund Balance - Property Taxes	216,519
Series 2011A SO Bonds \$15,250,000 issued October 2011	Hospitality Taxes	356,971
Series 2011B Special Obligation Bonds \$8,250,000 issued Oct. 2011	Hospitality Taxes	146,375
Series 2011A SO Bonds \$11,000,000 issued Nov. 2011	Beach Preservation Fees	65,424
Series 2004 Revenue Bond \$10,775,000 issued June 2004	Hospitality Taxes	(404,732)
Cost of Issuance		
Series 2011 GO Refunding Bonds \$12,385,000 issued Aug. 2011	Series 2011A GO Bond	298,029
2004 Hospitality Bond Fee Payment Fund - 400-10027	Fund Balance - Hospitality Taxes	153,783
Payment to Escrow Agent		
Series 2011 GO Refunding Bonds \$12,385,000 issued Aug. 2011	Series 2011A GO Bond	12,281,450
2004 Hospitality Bond Fee Payment Fund - 400-10027	Fund Balance - Hospitality Taxes	41,719
2004 Hospitality Bond Reserve Fund - 400-10013	Fund Balance - Hospitality Taxes	887,891
2004 Hospitality Bond Projects Fund - 300-10026	Fund Balance - Hospitality Taxes	560
Series 2011B SO Bonds \$8,250,000 issued October 2011 - Proceeds	Bond Proceeds - Hospitality Bonds	8,250,000
Series 2011B SO Bonds \$8,250,000 issued October 2011 - Premium	Bond Premium - Hospitality Bonds	33,584
Series 2011B SO Bonds \$8,250,000 issued Oct. 2011 - Reserve Fund	Fund Balance - Hospitality Taxes	(574,058)
Series 2004 Revenue Bond \$10,775,000 issued June 2004 - principal	Transfer f from Hospitality Tax	350,000
Series 2004 Revenue Bond \$10,775,000 issued June 2004 - interest	Transfer f from Hospitality Tax	404,732
Administrative		
Administrative Charges	Real Estate Transfer Fees	(2,200)
Administrative Charges	Beach Preservation Fees	(500)
Total Expenditures		<u>\$ 22,689,582</u>

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

Stormwater Fund

<u>Account Description</u>	<u>Amount</u>
Revenues:	
Stormwater Bond	\$ (1,955,000)
Stormwater Fees	<u>(336,048)</u>
Total Revenues	<u><u>\$ (2,291,048)</u></u>

Expenditures:	<u>Source of Funds</u>	
	<u>Bond</u>	<u>SWU Fees</u>
Infrastructure		
Arrow Road	\$ (200,000)	\$ 75,000
Port Royal Grasslawn CIPP	-	(11,432)
Miller's Pond	-	(825,000)
Port Royal Plantation Culvert Upgrade	(100,000)	87,000
Fish Haul Culverts	(150,000)	50,000
Hilton Head Plantation Pond Control	(244,000)	125,000
Port Royal Plantation Canal Dredging	(100,000)	-
Shipyard Canal/Pond Dredging	(50,000)	-
Palmetto Hall Plantation Weir/Inlet	(85,000)	-
Jarvis Bypass Channel	(98,000)	-
Gumtree Road South Outfall	(20,000)	20,000
Bay Pines Point Comfort Outfall	(150,000)	-
Wiler's Creek Stabilization	-	30,000
Broad Creek Shelter Cove BMP Retrofit	(50,000)	-
Wexford Generator Permanent Mount	(33,000)	5,000
Contingency Services	(110,000)	-
Total Infrastructure	<u><u>\$ (1,390,000)</u></u>	<u><u>\$ (444,432)</u></u>

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

Stormwater Fund

Account Description

Amount

<i>Expenditures:</i>	<u>Source of Funds</u>	
	Bond	SWU Fees
Non-PUD		
Oakmarsh Road Outfall	\$ -	\$ (10,000)
Mathews/Matilda - Bank Erosion	-	(12,000)
Shelter Cove Park Sinkhole	-	(2,000)
Palmetto Headlands- Ditch Cleanouts	-	-
Mathews Culvert Outfall	-	(80,000)
Folly Field - Channel Cleanout	-	(75,000)
Woodlake Villas Outflow Backflow	-	3,000
Old Woodlands - Pond Weir/Channels	-	(20,000)
Beaufort County	-	25,000
Shamrock Circle - Roadside Ditches	-	(80,000)
Crossings Park Vac Haul & Pipe Jetties	-	6,000
Bermuda	-	4,000
Firethorn	-	20,817
Folly Field Turn Land Drng Imprmnt	-	57,000
Northridge	-	3,826
Summit	-	9,891
Tabby Walk	-	8,425
Tanglewood	-	95,000
State Misc.	-	4,000
FY12 Misc. Vac Haul	-	-
Channel Cleaning	-	(50,000)
Misc. Ditch Mowing	-	(25,000)
Video of Misc. Failing Pipe	-	(25,000)
Contingency Projects	-	(50,000)
Total Non-PUD	\$ -	\$ (192,041)
Shipyard		
Cottages Sinkhole & Shipmaster Sinkhole	\$ -	\$ -
Galleon Fairways Flooding	-	(20,000)
Tennismaster	-	(15,000)
Jet Pipe Btwn Old Isl Packet & Lagoon	-	(3,000)
Gloucester Rd - Extend Culvert Etc	-	(5,000)
Ditch Cleaning, Vac Haul, Stabilization	-	(50,000)
Total Shipyard	\$ -	\$ (93,000)

Stormwater Fund

Account Description

Amount

<i>Expenditures:</i>	<u>Source of Funds</u>	
	Bond	SWU Fees
Hilton Head Plantation		
Ditch Cleaning, Vac Haul, Stabilization	\$ -	\$ (25,000)
Dolphin Head Drive - Ditch Cleaning	-	-
Golden Hind	-	7,000
Highbluff	-	8,000
Myrtle Bank Lane	-	35,000
Total Hilton Head Plantation	\$ -	\$ 25,000
Port Royal Plantation		
Scarborough Channel Widening/Stabil.	\$ -	\$ (50,000)
Port Royal Maint	-	-
Century Drive Area Ditch/Channel Cleaning	-	-
Clearing Siltation in Lagoon-Coggins	-	-
Clearing D/S of 90 Degree Turn	-	-
Clearing U/S and D/S of Pipes at BR	-	-
Clearing Siltation U/S of Outfall Lagoon	-	-
Coggins Pt at 278 Flooding	-	-
Total Port Royal Plantation	\$ -	\$ (50,000)
Indigo Run		
Vegetation Trimming, Vac Haul, Ditch Work	\$ -	\$ (8,296)
Owner's Club Bank Erosion Survey	-	(12,000)
Mead Lane	-	8,296
Total Indigo Run	\$ -	\$ (12,000)
Wexford Plantation		
Ditch Cleaning, Vac Haul, Stabilization	\$ -	\$ (10,000)
Ditch Work Along Powerline Easment	-	(50,000)
Total Wexford Plantation	\$ -	\$ (60,000)
Misc. Contingency		
Drainage Maintenance and Repairs	\$ -	\$ (75,000)
Total Misc. Contingency	\$ -	\$ (75,000)

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2012-14

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 enactment by the Town Council of the Town of Hilton Head Island on this _____ day of _____, 2012.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2012.

Drew A. Laughlin, Mayor

ATTEST:

Cory Brock, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member:



MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, Town Manager

DATE: May 3, 2012

RE: Chamber of Commerce Visitor and Convention Bureau Proposed 2012-2013 Budget

CC: Accommodations Tax Advisory Committee Members

According to law, 30% of two percent of the bed tax funds collected by the State of South Carolina go to the pre-determined Agency, which is the V&CB of the Hilton Head Island Chamber of Commerce.

After a full review by the Accommodations Tax Advisory Committee of the 2012-2013 plan, the Committee voted to recommend to Town Council that the proposed budget be approved for the fiscal year 2012-2013.

Attached is a memo from the ATAX Committee Chairman, Bret Martin, and a synopsis of the V&CB's proposed budget. The detailed budget proposal is available at Town Hall for your review.

TOWN OF HILTON HEAD ISLAND
ACCOMMODATIONS TAX ADVISORY COMMITTEE

TO: The Honorable Drew A. Laughlin, Mayor, Town of Hilton Head Island

COPIES: Members of Town of Hilton Head Island Town Council, The
Town of Hilton Head Island Accommodations Tax Advisory Committee

DATE: May 3, 2012

The Accommodations Tax Advisory Committee has completed its annual review of the proposed budget of the Hilton Head Island-Bluffton Chamber of Commerce's Visitors and Convention Bureau (VCB) for the expenditure during the ensuing fiscal year of the 30% of the State accommodations tax funds (ATAX) allocated to the VCB as the Town-designated marketing organization. The following is a summary of that review as well as the Committee's recommendation.

On April 17, 2012, the Committee met and heard from a number of representatives from the Hilton Head Island Visitor & Convention Bureau. Steve Birdwell, President of Sea Pines Resort, Vice-Chairman of Hilton Head Island Visitor and Convention Bureau, and Chairman of the new Hilton Head Island Marketing Council made opening comments to the Committee.

The Hilton Head Island Marketing Council was formed by the Visitor and Convention Bureau earlier in 2012 to provide direct input from the local tourism and hospitality industry into the VCB's Sales and Marketing program. The Marketing Council is made up of a cross section of the local industry representatives and was involved with reviewing and establishing short and long term goals to drive Hilton Head Island tourism. The short term goals (now through the calendar year 2013) are to identify Hilton Head's top assets that target affluent travelers, and build packaging with lodging around them; develop social media strategy and allocate resources to fully optimize, and develop ROI metrics; start a campaign to communicate the story of Destination Marketing Organization programs and successes locally; improve partnerships and create high impact co-op programs; and to improve Search Engine Optimization and keyword search. The long term goals (up to 10 years) include: growing funding for destination marketing;

tourism product development; possible licensing of the Lighthouse as the Hilton Head brand image; airport / air service improvements including a low cost carrier, and auxiliary off-season events around the Concours d'Elegance. Mr. Birdwell noted that the number of visitors to Hilton Head has increased over the past 2 years; more visited the Island in 2011 than visited any year before the recession, and stated that the Island is perfectly positioned to gain additional visitors, especially if the Chamber/VCB's marketing plan is followed. Mr. Birdwell answered questions from the Committee regarding the composition of the Marketing Council itself, and the short term and long term goals, specifically the goal of attracting the affluent traveler. Attached is a copy of a report prepared by Willis Shay, Chairman of the "Residents Sub-Committee" for the Town of Hilton Head Island, entitled "The Case for Attracting the Affluent Traveler" for your reference.

Susan Thomas, Vice President of the Chamber of Commerce joined Mr. Birdwell to further elaborate on the extensive research that has been conducted on the affluent traveler, which provides the basis of the marketing plan. Susan Thomas then began her presentation with a comparison of travel over the last 10 years. She showed a chart of US Travel Expenditures and GDP from 2000 to 2010, which shows a significant dip in both around September 11, 2001 through 2002, then a slow climb from 2003 through 2006, a downward trend starting in 2007, which severely dropped in 2008-2009, and finally an upswing starting again in 2010. She then showed information on local travel expenditures, which experienced the same wave as the national expenditures. The good news is the expenditures are now increasing and there has been an increase in occupancy, ADR, RevPAR, as well as local ATAX.

The Chamber/VCB anticipates that the 30% will amount to \$1,095,000. In addition to the \$1,095,000, the Chamber includes in its proposed budget, the \$240,000 it received this year in supplemental Town ATAX funds.

The total budget assigned by the Chamber to the VCB is \$4,133,500, made up of the Town's 30% and supplemental funds, private sector funds, plus funds from Beaufort County, Bluffton, significant co-op funds from SCPRT and private match funds and SCPRT Destination Specific Funds. The expense budget is equal to the income budget.

The marketing plan presented by the Chamber/VCB appears to the

Committee, to be appropriately structured to sustain and seek to improve tourism market share.

Recommendation:

The Committee recommends that Council approve the Chamber/VCB's proposed 2012-2013 budget as the Town's designated non-profit organization to manage and direct the expenditure of the State Accommodation Tax 30% Fund for tourism promotion.

Last year Chairman Shay requested that "Council should issue specific guidelines to the Committee as to what Council intends for the Committee to accomplish", in its annual review of the proposed budget of the Hilton Head Island-Bluffton Chamber of Commerce's Visitors and Convention Bureau for the expenditure of the 30% Fund of the State Accommodations Tax Funds (ATAX) allocated to the VCB. I would like to reiterate this request. The destination marketing organization is the key and most critical agency for generating visitors to Hilton Head Island. As such, its' funding and related plan are critical to tourism, the Island economy as well as to the related tax revenues visitors generate for the Island. Any additional guidance Council could provide to the Committee as to Council's expectation of the Committee would be appreciated.

Additionally, two years ago the Committee suggested an amendment to the Town Code to require home and villa owner's of "one" or more rental units to get a business license. This would help identify rental units for the purpose of Accommodations Tax collection. It has been the belief of the Committee that there is a significant number of non-reporting home and villa rental units. This action could help to significantly increase Accommodations Tax collections. To the Committee's knowledge no action has been taken on this suggestion.

Respectfully submitted by the Accommodations Tax Advisory Committee

Bret Martin, Chairman

November 2010

THE CASE FOR ATTRACTING THE AFFLUENT TRAVELER

As chairman of the Residents subcommittee, I need to share some thoughts I have regarding the importance of the affluent traveler to our Island's economy, from the perspective of a 29-year-long resident.

We have all agreed that tourism is the Island's principal economic driver. Anywhere from 65% to 70% of the economic input is from tourism. That said, it remains to determine from whom those dollars are derived. They can come from any number of tourist types, Myrtle Beach or Palm Beach or an eclectic mix. What we don't want is just "anyone" coming here to make up the mix, for while it is all dollars to the businessman, it is not the least bit attractive to the resident who has little concern for the prosperity of the businesses on the Island. Say what you will about the many businesses which serve us well and may not be here if we didn't have substantial tourist traffic, I do not believe that that fact is enough to bring the residents on board to support a Town Council program which emphasizes the importance of tourism to the future prosperity of the Island, without recognizing what's in it for the residents.

So, what about the affluent traveler? While doing everything within reason to bringing tourist business to the Island, it is extremely important—and a major selling point to bring residents on board—that the visitors be as affluent as we can attract. Not just for their dollars but for them to experience our Island and its many unique features, and thereby be enticed to come back, buy property and ultimately come here to live.

The sales pitch we must make to the residents is that the best and perhaps the only way they will ever be able to get anything like fair

value for their residential property is to encourage affluent tourists to come, like their experience on the Island, and become buyers. That pitch will appeal to the resident property owners, when merely telling them the tourist industry brings \$1,000,000,000 a year to the Island simply won't do it. That makes for good PR for the Chamber but decidedly not to the non-business oriented resident.

Furthermore, it is not enough merely to get the affluent traveler to come to the Island. If we want him/her to come back and become a potential property buyer, we must provide a variety of events, functions, facilities and attractions which give visitors an enjoyable intellectual and recreational experience, convincing him/her that the Island is the preferred choice for retirement living.

To that end, Council needs to foster a coordinated "entertaining" Island atmosphere, perhaps at a "community center", with a Town-supported Arts and Cultural structure to serve non-profit entities which educate/entertain the locals as well as the visitors. Once clustered, many of our volunteer-driven organizations could collectively render vital services to these two entities.

Provide the affluent traveler with a variety of pleasant experiences and he/she is more likely to return and become a property owner. That is the message the residents need to hear, understand and agree with. They will not support Council on the economic value of tourism to business alone. They need a hook which will appeal to their selfish interests. A beneficial market for the sale of their property—in most cases, a substantial part of their estate--could do that.

Respectfully submitted

Willis Shay

Hilton Head Island-Bluffton Chamber of Commerce

Hilton Head Island Visitor Convention Bureau Schedule of Functional Revenues Expenditures
FY 2012-13 Budget

Revenues	VCB TOTALS	Town of HHI DMO	VCB Private Sector	SCPRT Dest. Specific	SCPRT Co-ops	Town of Bluffton DMO	Beaufort Co DMO	Membership
Town of HHI DMO	1,095,000	1,095,000						
Town of HHI Supplemental Grant	240,000	240,000						
VCB Private Sector	368,500		368,500					
SCPRT Destination Specific	770,000			770,000				
SCPRT Coop	430,000				430,000			
Private Match Coop	860,000				860,000			
Town of Bluffton DMO	65,000					65,000		
B/C Bluffton & Daufuskie	305,000						305,000	
Total Revenues	4,133,500	1,335,000	368,500	770,000	1,290,000	65,000	305,000	
Membership								1,700,000
Total Revenues with Membership	5,833,500							
Expenses								
Research & Planning	88,000	43,146	14,520	30,334				
Packaging Promotions								
Webinars/Workshops	10,000							
Facebook Promos	10,000							
Sub-total	20,000	9,806	3,300	6,894				
Destination PR								
Agency Fees	144,000							
Out-of-Pocket/ Promos	18,000							
UK Culinary Promo	8,000							
Sub-total	170,000	83,351	28,050	58,599				
Destination Photography	50,000	24,515	8,250	17,235				
Social Media								
Agency Promotions	40,000							
Blog/Writers	27,000							
Video Production	12,000							
Sub-total	79,000	38,734	13,035	27,231				
Digital Marketing								
VERB Daily Site Work	36,000							
Special Section Updates	20,000							
SEO/Ad Serve/Hosting	24,000							
SEM Marketing	105,000							
Trip Advisor DMO Promo	50,000							
Mobile site/App Updates	12,000							
Mobile Promotions	12,000							
YouTube Promos	12,000							
SCPRT Coops	25,000							
Media Contingency	15,000							
Sub-total	311,000	152,483	51,315	107,202				

Hilton Head Island-Bluffton Chamber of Commerce

Hilton Head Island Visitor Convention Bureau Schedule of Functional Revenues Expenditures
FY 2012-13 Budget

	VCB TOTALS	Town of HHI DMO	VCB Private Sector	SCPRT Dest. Specific	SCPRT Co-ops	Town of Bluffton DMO	Beaufort Co DMO	Membership
Consumer Promos & Lead Gen								
Oprah Magazine	34,988							
America's Best Vacations	9,990							
Ad Production	<u>12,000</u>							
Sub-total	56,978	27,936	9,401	19,640				
Sweet Tea Partnership								
Atlanta Dining App	15,000							
Collaborate	5,000							
NY Fall Media Promo	<u>15,000</u>							
Sub-total	35,000	17,161	5,775	12,065				
Insiders/Collateral/Fulfillment								
E-Promos/E-News	24,000							
Vacation Planner	140,000							
Envelopes	6,000							
Digital VP	5,000							
Fulfillment Mail Ops/ Postage/Visitor Database	55,000							
Toll-Free Phone	<u>3,600</u>							
Sub-total	233,600	114,534	38,544	80,522				
Group Sales & Marketing								
Lead Prospecting/SDR	42,000							
Trade Sponsorships	33,000							
Healthcare Events	10,000							
Backyard Marketing	5,000							
Select Service Sales Blitz	10,000							
Select Service FAM	5,000							
Site inspections	3,000							
Sales Industry Dues	2,600							
Website Refresh	15,000							
Mobile Template	6,000							
Social Media	5,000							
Promotional Giveaways	6,000							
Trade Shows	<u>29,350</u>							
Sub-total	171,950	84,307	28,372	59,271				
International								
Coastal SC USA Coop	48,000							
Brand USA Coops	25,000							
ITB Trade Show	6,000							
Ontario Motorcoach Show	2,500							
Pow Wow Trade Show	8,000							
Web SEO & Translations	<u>6,000</u>							
Sub-total	95,500	46,824	15,758	32,919				
VCB Contingency	20,472	9,952	3,350	7,170				

Hilton Head Island-Bluffton Chamber of Commerce

Hilton Head Island Visitor Convention Bureau Schedule of Functional Revenues Expenditures
FY 2012-13 Budget

	VCB TOTALS	Town of HHI DMO	VCB Private Sector	SCPRT Dest. Specific	SCPRT Co-ops	Town of Bluffton DMO	Beaufort Co DMO	Membership
HHI Destination Marketing Operations & Management								
VCB Sales, Mkt, Visitor Services, Admin & Ops:								
Personnel	577,280							
Benefits	144,320							
Operations	180,400							
Sub-total	902,000	442,251	148,830	310,919				
HHI Supplemental Grant								
Golf	150,000							
Culinary	65,000							
Cultural Heritage	25,000							
VCB Sales, Mkt, Visitor Services & Operations	0							
Sub-total	240,000	240,000						
SCPRT Coops								
RBC Heritage	675,000							
Leisure Coops	196,500							
Specialty Market Coops	75,000							
Meetings & Group Coops	150,000							
VCB Sales, Mkt, Visitor Services & Operations	193,500							
Sub-total	1,290,000				1,290,000			
Town of Bluffton DMO								
Promotions	42,250							
VCB Sales, Mkt, Visitor Services & Operations	22,750							
Sub-total	65,000					65,000		
B/C Bluffton & Daufuskie DMO								
Promotions	198,250							
VCB Sales, Mkt, Visitor Services & Operations	106,750							
Sub-total	305,000						305,000	
TOTAL EXPENSES	4,133,500	1,335,000	368,500	770,000	1,290,000	65,000	305,000	
Membership								1,700,000
Total Expenses with Membership	5,833,500							
Revenues Minus Expenses:	0	0	0	0	0	0	0	0
= Expenses for Hilton Head Island Specific Programs								
= Expenses for Other Marketing Programs								

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND
OPPOSING THE INCLUSION OF A PROPOSED CASINO WITHIN THE HILTON HEAD LAKES
DEVELOPMENT LOCATED IN JASPER COUNTY, SOUTH CAROLINA.**

WHEREAS, Town Council is aware of a proposed casino and resort located at Hilton Head Lakes in Jasper County, two miles off I-95 along U.S. 278, that would include a Conference Center; a 400 room hotel; a shopping and dining complex with 20-30 businesses; and a full scale casino; and

WHEREAS, Town Council understands the need for more jobs and development in Jasper County; and

WHEREAS, Town Council understands that in order for the casino to be built, the Hilton Head Lakes developer must gain approval from the Governor of South Carolina; and

WHEREAS, to date, Town Council is aware that Governor Nikki Haley has publicly stated that the gambling industry is not the type of industry needed for Jasper County and that other industries may be more suitable for the County and, therefore, she opposes the casino element of the proposed development; and

WHEREAS, Town Council members have heard from some constituents who oppose the casino element to the proposed development; and

WHEREAS, Town Council, while taking no position on the proposed development in general, does oppose the casino element to the plan because of its concerns over the associated impact on, among other things: (1) the potential to dilute the existing Hilton Head Island-Bluffton Chamber of Commerce marketing and advertising (Branding) campaign that is, in part, designed to attract affluent travelers and families to the Island versus a marketing and advertising campaign by "Hilton Head " Lakes designed to, in part, attract gamblers; (2) the volume of vehicle traffic on U.S. 278 and exit 8 on I-95, particularly during the summer months that will directly impact visitors bound for Hilton Head Island; and (3) the potential for social costs, for example, increase in crime, gambling addiction that may affect other costly behaviors including smoking, suicide, depression, domestic violence, bankruptcy, and family stress.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT the Town Council of the Town of Hilton Head Island opposes the casino element of the proposed Hilton Head Lakes Casino Resort because of its potential impact on our Island and area.

MOVED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, MAY, 2012.

Drew A. Laughlin, Mayor

ATTEST:

By: _____
Cori Brock, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, CM, *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
CC: Charles Cousins, AICP, *Director of Community Development*
FROM: Anne Cyran, AICP, *Senior Planner*
DATE: May 2, 2012
SUBJECT: Proposed Ordinance No. 2012-11
Land Management Ordinance (LMO) Sign Amendments

Recommendation: The Planning & Development Standards Committee considered the proposed amendments on April 25, 2012 and voted 2-1-0 to forward the proposed amendments as presented by staff to Town Council with a recommendation of disapproval.

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 Town Council approve the proposed amendments.

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.

Local attorney Chester Williams questioned whether the prohibition of off-premises signs is legal. Gregg Alford and Mitch Thoreson of Alford, Wilkins and Coltrane reviewed this issue and determined that the prohibition of off-premises signs is legal because the prohibition is directly related to and advances the objectives of public health, safety and welfare, which are listed in the article's Purpose.

Background: Town Council's 2008 Policy Agenda included Amending LMO Sign Standards as a Moderate Priority. Town Council's 2009 Policy Agenda included a Comprehensive Re-Write of the LMO as a Top Priority. Town Council's 2010 Management Agenda included Sign Regulation and Direction as a High Priority. Accordingly, staff was directed to rewrite the LMO sign standards, which were enacted as part of the original LMO in 1987.

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.

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. 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 approve 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 approve 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 Municipal Code, and the master plan for Palmetto Dunes Resort (including Shelter Cove), as referred to in Section 16-4-209(C) of the Municipal Code and incorporated in the Official Zoning Map, 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; and that the Palmetto Dunes Resort Master Plan text be amended to include said parcel and to limit the permitted uses on said parcel to commercial uses, provided that the land uses designated in the Use Table, Section 16-4-1204 of the Municipal Code, as eating establishment with drive-thru, auto repair, boarding kennel, water park, taxicab service, and towing service shall not be permitted uses on said parcel, and the land uses designated in said Use Table as indoor recreation, indoor entertainment, and outdoor recreation shall be special exception uses on said parcel, requiring the approval of the Board of Zoning Appeals pursuant to a Special Exception Review Application; and that said Master Plan text be further amended to provide that the maximum commercial density on said parcel shall be 38,161 square feet, that the maximum size of any one commercial establishment on the said parcel shall be 10,000 square feet, and that the maximum height of any structure on said parcel shall be forty-five (45.0') feet, not to exceed two habitable stories over one level of parking. 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: May 15, 2012
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

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.

SUMMARY AND EXPLANATION BY SECTION

EXPLANATIONS ARE IN TEXT BOXES.

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

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.

DRAFT

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.

DRAFT

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.

DRAFT

SIGNS ALLOWED WITHOUT A PERMIT – HOLIDAY DECORATIONS

CURRENTLY DECORATIONS ARE ONLY PERMITTED DURING THE PERIOD BETWEEN THANKSGIVING AND JANUARY 10TH. 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 1ST AND JANUARY 15TH INSTEAD OF BETWEEN THANKSGIVING AND JANUARY 10TH.
- 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 1ST AND JANUARY 15TH INSTEAD OF BETWEEN THANKSGIVING AND JANUARY 10TH. 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 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.

**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 10TH. 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

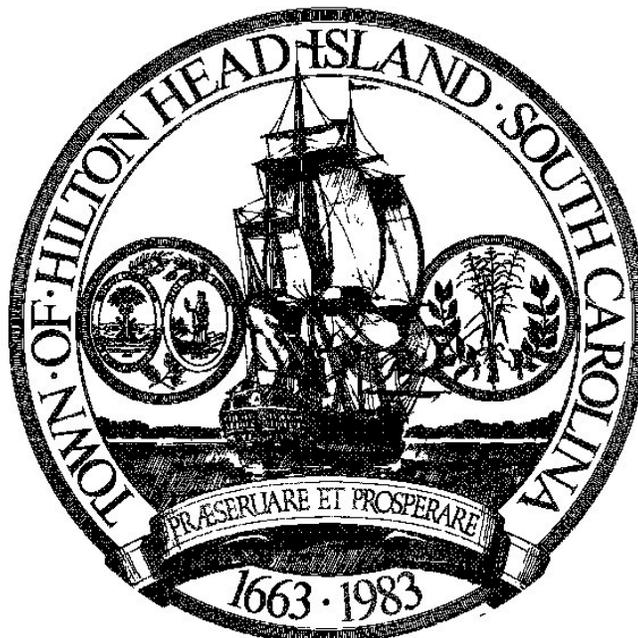
EARTH TONES: COLORS SHOWN ON PAGE 14 OF THE TOWN OF HILTON HEAD ISLAND DESIGN GUIDE.

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 3RD, FEBRUARY 6TH AND FEBRUARY 9TH) 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 3RD 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



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, C.M., *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Shea Farrar, *Senior Planner*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: May 2, 2012
SUBJECT: Proposed Ordinance No. 2012-12
ZMA120003 – Plantation Center Rezoning

Recommendation: The Planning and Development Standards Committee met on April 25, 2012 to review the attached application for Zoning Map Amendment (ZMA120003) and voted unanimously to recommend that Town Council approve the proposed application for rezoning.

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 recommended that the application be forwarded 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 approve 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 approve 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: May 15, 2012

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:
ZMA120003	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:

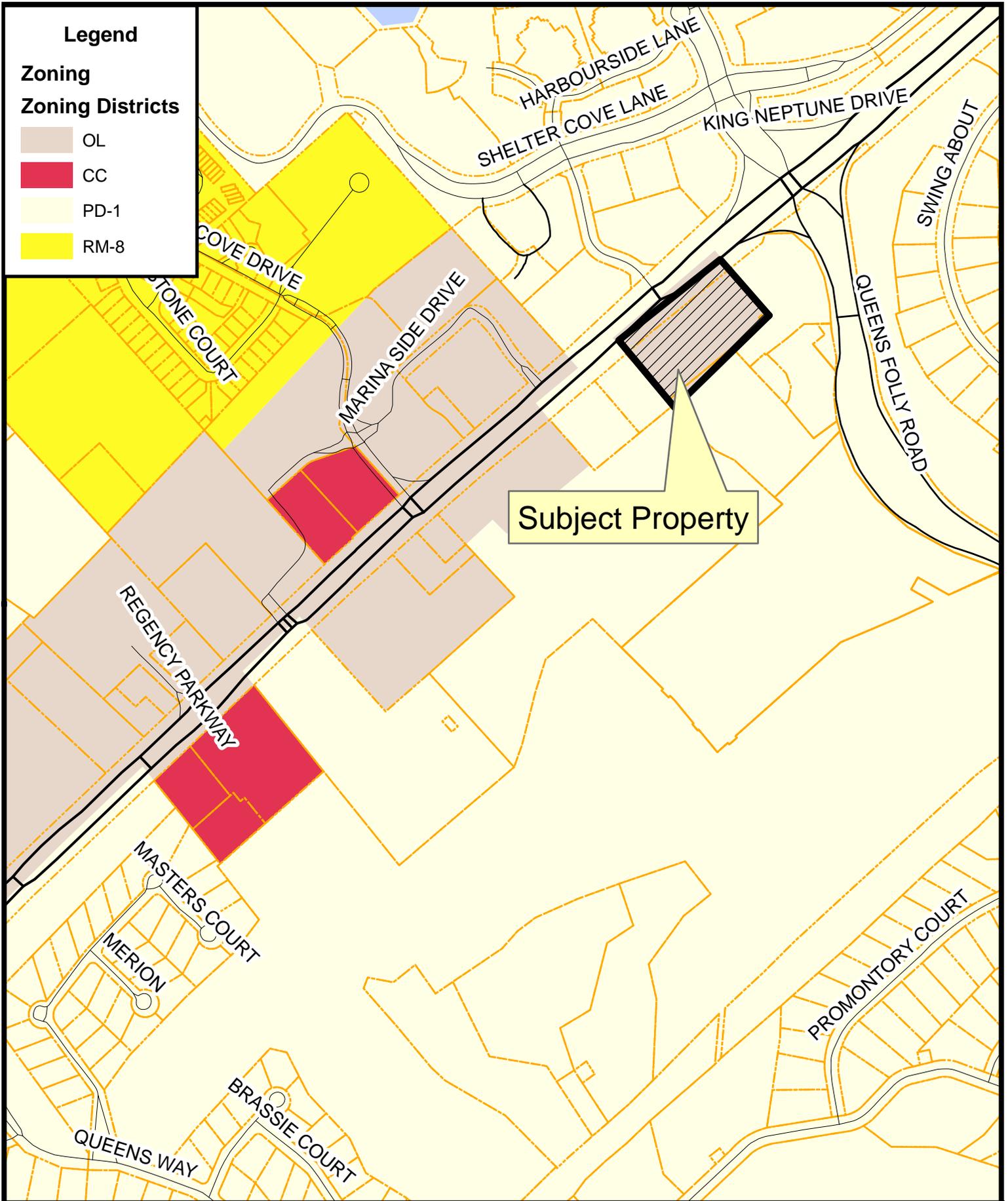
- A) Zoning Map
- B) Aerial
- C) Use Comparison Table
- D) Applicant's Narrative

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

Commercial Uses		
Eating Establishments		
With Drive-thru		
With Seating, High Turnover	PC	P
With Seating, Low Turnover	PC	P
Without Seating	PC	P
Indoor Recreation/Entertainment		
Indoor Recreation		SE
Indoor Entertainment		SE
Outdoor Recreation/Entertainment		
Outdoor Recreation		SE
Outdoor Entertainment*		
Water Park		
Office		
Health Services Except Hospitals	P	P
Real Estate Sales/Rental	P	P
Other Offices	P	P
Parking, Commercial		P
Resort Accommodation		
Bed and Breakfast Inn		
Central Reception or Check-in Facility		
Divisible Dwelling Unit*		
Hotel or Motel		
Inn		
Interval Occupancy*		
RV Park		
Retail Sales and Service		
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
Kennel, Boarding		
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
Vehicle Sales and Services		
Auto Rental*		
Auto Repair		
Auto Sales*		
Car Wash		P
Gas Sales*		
Taxicab Service		
Towing Service		
Truck or Trailer Rental*		
Industrial Uses		
Aviation Services		
Light Industrial Services		
Contractor's Office		
Other Light Industrial Service		
Manufacturing and Production		
Seafood Processing		
Other Manufacturing and Production		
Limited Manufacturing		
Weight and Freight Movement		
Moving and Storage		
Self-Service Storage		
Warehousing		

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

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



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

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:

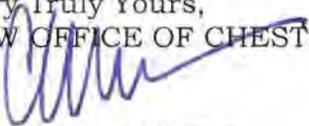
We are pleased to deliver to you herewith for filing an application we have prepared on behalf of our client, Miller Family Limited Partnership VI, to amend the Palmetto Dunes Resort Master Plan so as to include therein the 2.48 acre tract located at 807 William Hilton Parkway commonly known as Plantation 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, 1998.¹

¹ 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.²

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, 1984.³

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

² 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.

³ 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.⁴

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.⁵ 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, 1986.⁶ 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.⁷

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

⁴ See LMO §16-4-209(A).

⁵ See LMO §16-4-209(D).

⁶ 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.

⁷ 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 regime⁸ 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.⁹ 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.¹⁰ In fact, there are no retail sales and service uses or eating establishment uses that are permitted by right in the OL

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

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

¹⁰ 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;¹¹ (3) that the maximum size of any one commercial establishment on the Property not exceed

¹¹ 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;¹² 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.¹³ 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.¹⁴ Accordingly, many, if not most, of the current and historic uses on the Property have been non-conforming uses.

¹² 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.

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

¹⁴ 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.¹⁵ Given that density limitation, the existing buildings on the Property are non-conforming structures.¹⁶

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

¹⁵ See the Density Standards Table at LMO §16-4-1601.

¹⁶ 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.¹⁷ 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

¹⁷ 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.¹⁸ 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.¹⁹ 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.²⁰ 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.²¹

¹⁸ See the Comprehensive Plan, at Page 59.

¹⁹ See the Comprehensive Plan, at Page 88.

²⁰ See the Comprehensive Plan, at Page 88.

²¹ 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.²² 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.²³ 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,

²² See the Comprehensive Plan, at Page 92.

²³ See the Comprehensive Plan, at Page 100.



in particular Section 8.2 – Building Permit Trends,²⁴ Section 8.6 – Build Out,²⁵ Section 8.9 – Age of Structures,²⁶ and Section 8.11 – Land Use Goals,²⁷ 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,²⁸ Goal 8.8 – Nonconforming Parcels by Use,²⁹ Goal 8.9 – Age of Structures,³⁰ and Goal 8.10 – Zoning Changes³¹ are particularly

²⁴ “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.

²⁵ 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.

²⁶ “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.

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

²⁸ “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.

²⁹ “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.

³⁰ 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.

³¹ “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,³² 8.8 – Nonconforming Parcels by Use,³³ 8.9 – Age of Structures,³⁴ and 8.10 – Zoning Changes³⁵ 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

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

³³ “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.

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

³⁵ “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.³⁶ 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

³⁶ 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 1st day of March, 2012.



This signature is an electronic reproduction

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843-842-5411
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Firm@CCWLaw.net



Exhibit A to Attachment 1 (5 Pages)

4/10 PL

64418

1358

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

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

i 361

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 - RMC
BEAUFORT COUNTY, S.C.

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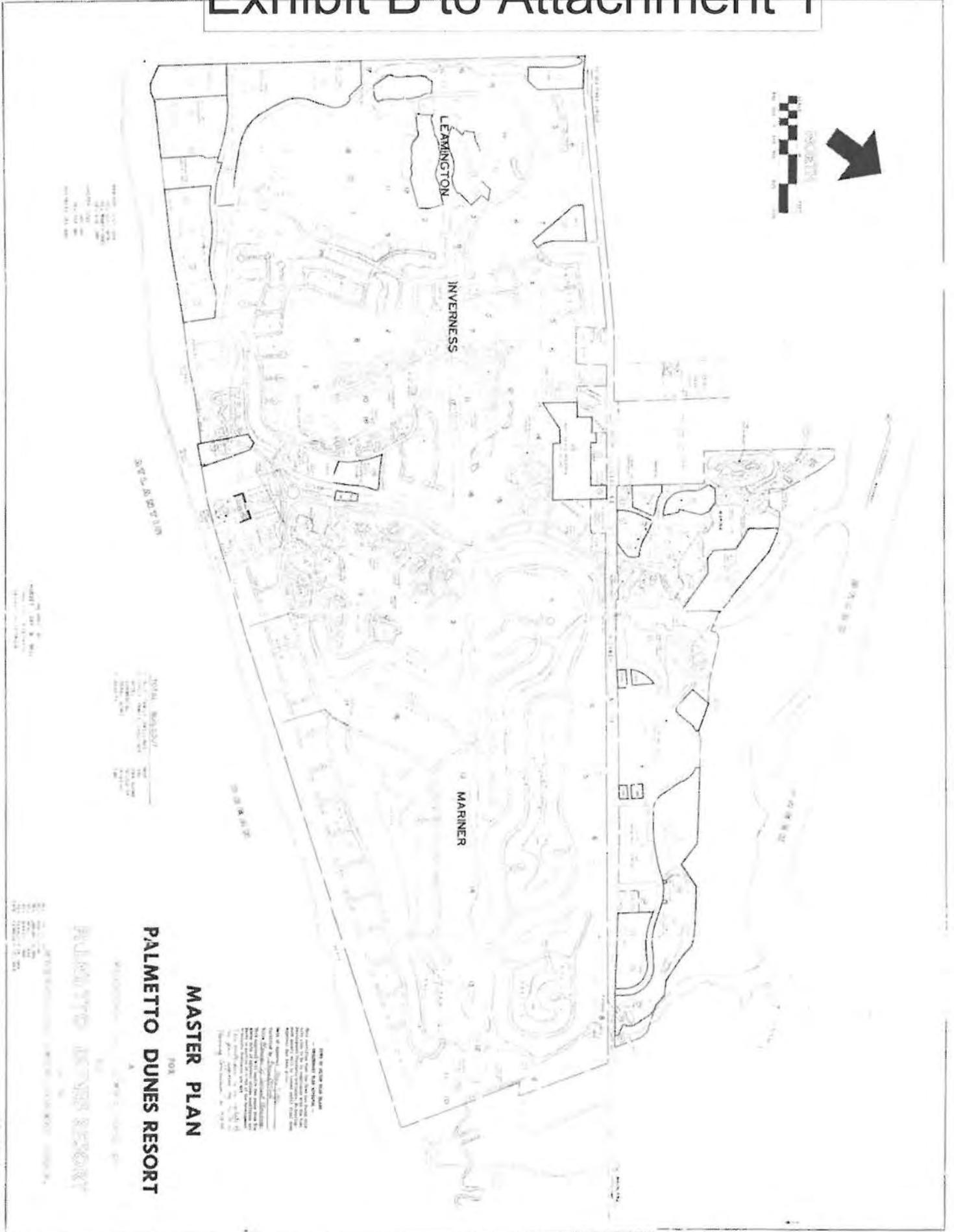
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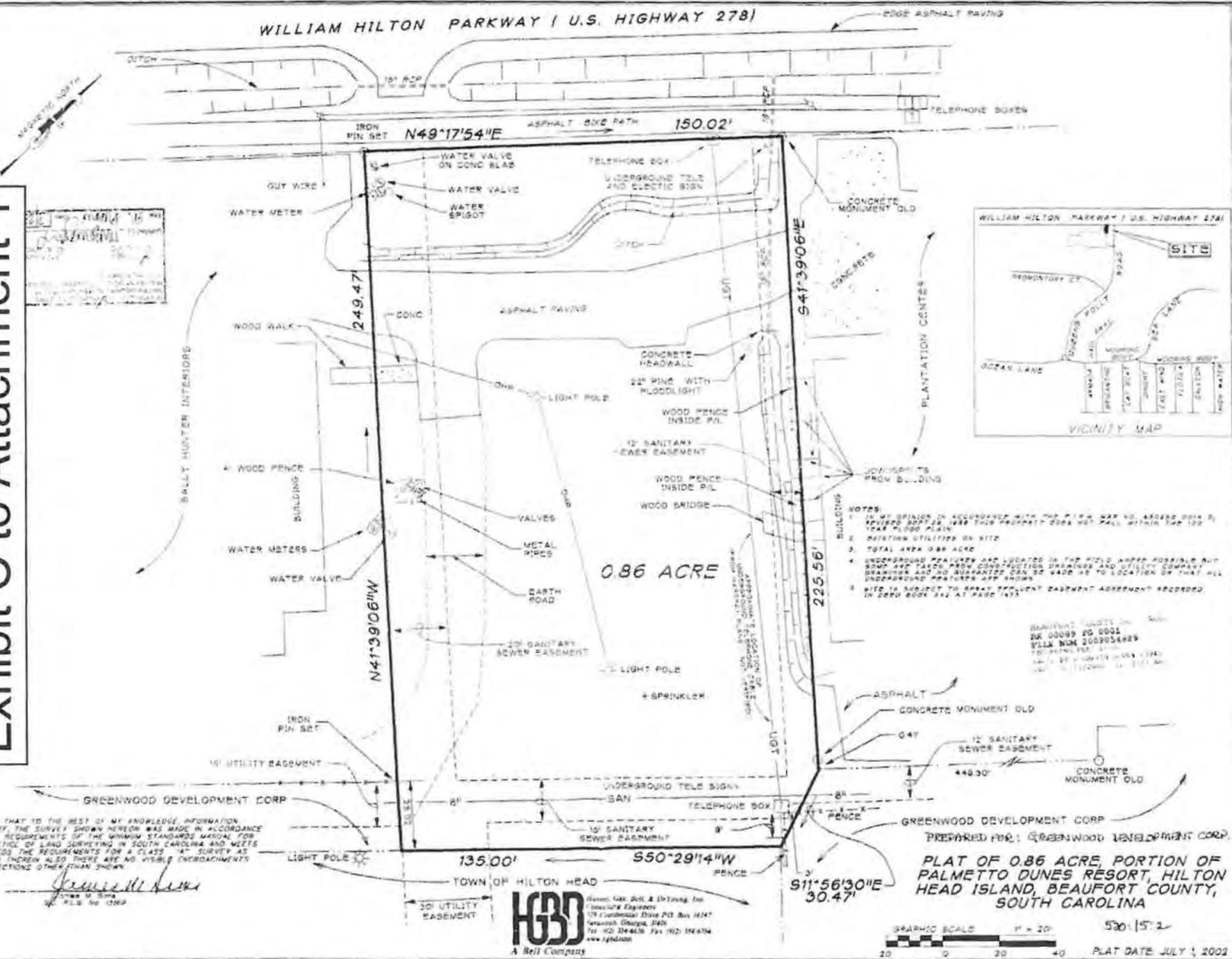
Sharon P. Burris
AUDITOR, BEAUFORT COUNTY, S.C.

Exhibit B to Attachment 1



REURZEPPEU PARSONARTIF_DND_278

Exhibit C to Attachment 1



I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

James H. Hays
 James H. Hays
 P.L.S. No. 12169

HGBD
 A Bell Company
 James H. Hays & Company, Inc.
 Professional Engineers
 177 Courthouse Drive P.O. Box 16147
 Columbia, Georgia, 31515
 Tel: 803-324-6430 Fax: 803-324-6704
 www.hgbd.com

- NOTES:**
1. ALL UTILITY SPACES IN ACCORDANCE WITH THE P.L.S. MAP NO. 430203 DATED BY REVISED 06/27/20. 1988 TOWN PLANNING CODE WILL FALL WITHIN THE 100' YEAR FLOOD PLAIN.
 2. EXISTING UTILITIES ON SITE.
 3. TOTAL AREA 0.86 ACRES.
 4. UNDERGROUND UTILITIES ARE LOCATED IN THE FIELD, WHERE POSSIBLE, BUT SOME ARE TAKEN FROM CONDUITS, DRAINAGE AND UTILITY COMPANY DRAWINGS AND NO GUARANTEE CAN BE MADE AS TO LOCATION OR THAT ALL UNDERGROUND UTILITIES ARE SHOWN.
 5. SITE IS SUBJECT TO ANY RELEVANT EASEMENT AGREEMENT RECORDED IN DEED BOOK 342 AT PAGE 1433.

BEAUFORT COUNTY, SOUTH CAROLINA
 BOOK 00089 PG 0001
 FILE NUM 2007054429
 TELEPHONE 1-800-368-1111
 FAX 1-800-368-1111
 WWW.BEACOUNTY.SOUTH-CAROLINA.GOV

PREPARED FOR: GREENWOOD DEVELOPMENT CORP.
PLAT OF 0.86 ACRE, PORTION OF PALMETTO DUNES RESORT, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA



530:15:2
 PLAT DATE JULY 1, 2002

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

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
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Hilton Head Island, SC 29938-6028
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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

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

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

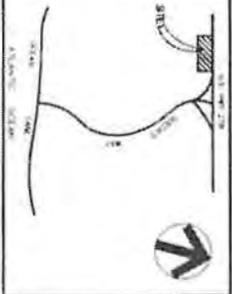
Chester C. Williams

CCW:

Enclosure

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

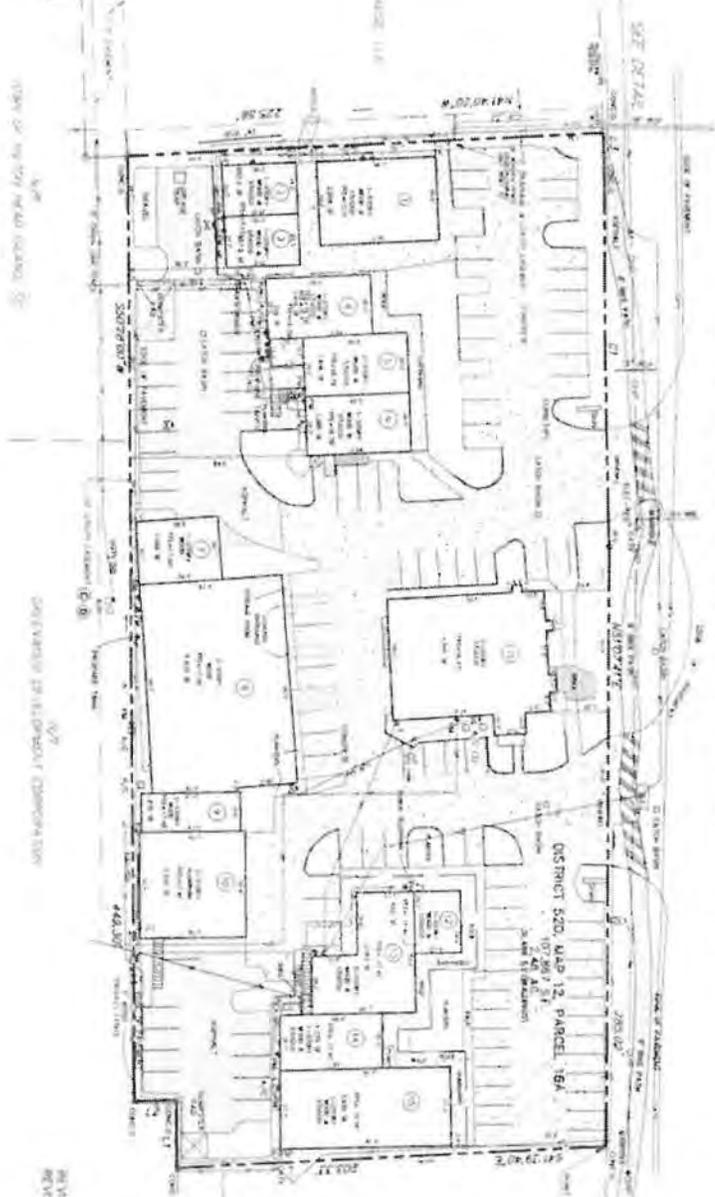
Attachment 4



LINE	LENGTH	BEARING	AREA
1	166.44	S 79.00° E	13,113.97
2	10.49	N 89.00° W	1,719.07
3	10.49	N 89.00° W	1,719.07

LINE	LENGTH	BEARING
1	31.95	S 82.00° W
2	20.00	S 82.00° W
3	10.49	N 89.00° W

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



LEGEND

- 1. 1/4" = 10' SCALE
- 2. 1/4" = 10' SCALE
- 3. 1/4" = 10' SCALE
- 4. 1/4" = 10' SCALE
- 5. 1/4" = 10' SCALE
- 6. 1/4" = 10' SCALE
- 7. 1/4" = 10' SCALE
- 8. 1/4" = 10' SCALE
- 9. 1/4" = 10' SCALE
- 10. 1/4" = 10' SCALE

NOTES

1. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
2. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
3. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
4. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
5. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
6. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
7. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
8. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
9. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.
10. SEE LOT 12 MAP 12, DISTRICT 16A, PARCEL 16A.

REVISIONS

NO.	DATE	DESCRIPTION
1	04/08/05	ISSUED FOR PERMIT
2	08/01/05	REVISED FOR PERMIT

PLANNING

PREPARED FOR: MILLER FAMILY LIMITED PARTNERSHIP

DATE: 04/08/05

JOB NO.: 08-6124

DRAWN BY: LBP

CHECKED BY: WJ

COASTAL SURVEYING CO., INC.
1100 S. RIVER ST.
MILWAUKEE, WI 53214
TEL: 414-224-4444

BEAUFORT COUNTY NC, REG. NO. 112 PLS 001-003
DATE: 05/09/2005 09:51:52 AM
NET: 210001028 RCP144134

PLANTATION CENTER SHOPPING CENTER

A PORTION OF

PALMETTO DUNES RESORT

REVISED 6/20/05 - PLANT, ADJOINING & ELEVATION DETAILS

REVISED 6/20/05 - GENERAL/PARKING

AN AS-BUILT SURVEY

BEAUFORT COUNTY NC, REG. NO. 112 PLS 001-003
DATE: 05/09/2005 09:51:52 AM
NET: 210001028 RCP144134