

ORDINANCE NO.: 2009-097

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,  
Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12,  
Sec. 17-401 Definitions and Sec. 17-404 Prohibited signs*

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BE IT ORDAINED by the Mayor and Council this 7th day of October, 2009, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12, Sec. 17-401, Definitions and Sec. 17-404 Prohibited signs are amended to read as follows:

**Sec. 17-401. Definitions.**

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

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

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

*Festoon* means a string of ribbons, tinsel, flags, pennants, or pinwheels.

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

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

- (1) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- (2) Flags and insignia of any government except when displayed in connection with commercial promotion.

- (3) Legal notices, identification, information or directional signs erected or required by governmental bodies.
- (4) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- (5) Signs directing and guiding traffic only when such signs are located upon the same property as the location to which persons are directed or guided, and such signs shall contain no advertising matter.

*Sign, advertising means* any sign which relates in its subject matter to buildings, businesses, establishments, occupants, uses, functions, addresses and other like identifying elements, products, accommodations, services, or activities found, located, sold, or offered elsewhere than upon the premises on which the sign is located. Mobile signs and portable signs may be advertising signs, and advertising signs include but are not limited to those signs commonly referred to as outdoor advertising signs, billboards or poster boards.

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

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

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

*Sign, inflatable means* a sign that holds its shape by receiving a one-time or continuous supply of air or other gas, including balloons.

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

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

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

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

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

#### **Sec. 17-404. Prohibited signs.**

(a) *Signs imitating traffic or emergency signals.* No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, size, shape or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles, except as a part of a permitted private or public traffic control sign.

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

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

(d) *Lighting.* No sign shall be illuminated in such a way that it casts illumination onto any residential premises located in any residential district in a manner which by intensity, duration, location or other characteristic is incompatible with the residential character of the district into which the illumination is cast. Signs that contain changeable copy produced by

light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and ensure that the sign is visible but not necessarily radiant.

(e) *Advertising signs.*

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

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

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

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- (3) Advertising signs are prohibited in C-1, C-2, C-4, C-5, C-6, PUD-R, PUD-C, PUD-LS and historic districts.
- (4) Notwithstanding the provisions of Division 7 of this article, the fixed display surface area of a legal nonconforming outdoor advertising sign may be replaced in whole or in part by display surface area with changeable copy, except under no circumstance is changeable copy permitted upon an outdoor advertising sign when that sign is within 300 feet of any residential district, including property zoned PUD-R. Generally, this permissibility does not include the replacement of, or some other substantial alteration to, the sign support structure, except where existing metal sign support structures would be replaced with new metal sign support structures.

(f) *Festoons and inflatable signs.* Festoons and inflatable signs are prohibited. Notwithstanding the provisions within Division 7 of this Article, all festoons and inflatable signs existing upon the effective date of this amendment to the Zoning Ordinance shall be removed within 12 months of the date of adoption of this amendment to the Zoning Ordinance.

Requested by:

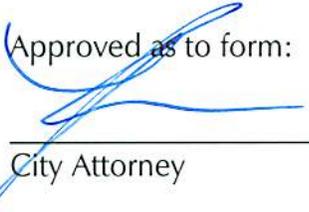
Planning & Development Services

  
MAYOR

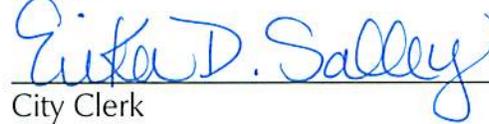
Approved by:

  
Interim City Manager

Approved as to form:

  
City Attorney

ATTEST:

  
City Clerk

Introduced: 9/16/2009

Final Reading: 10/7/2009