

Town of Pine Ridge

2757 Fish Hatchery Road
West Columbia, SC 29172
Telephone (803) 755-2500
Facsimile (803) 955-0605



IN ACCORDANCE WITH GOVERNOR MCMASTER'S EXECUTIVE ORDER ON SOCIAL DISTANCING, THERE WILL ONLY BE TEN CITIZENS ALLOWED IN COUNCIL CHAMBERS. THE PUBLIC IS ENCOURAGED TO EMAIL WRITTEN COMMENTS TO THE MUNICIPAL CLERK AT skyzer@townofpineridgesc.com

JULY 28, 2020 REGULAR SCHEDULED PLANNING COMMISSION MEETING AGENDA

6:30 P.M. - Call to Order

Freedom of Information Act Compliance

Approval of Minutes

1. October 22, 2019 – Regular scheduled meeting
2. November 26, 2019 – Meeting cancelled
3. January 28, 2020 – Meeting cancelled
4. February 25, 2020 – Meeting cancelled
5. March 24, 2020 – Meeting cancelled
6. April 28, 2020 – Meeting cancelled
7. May 28, 2020 – Meeting cancelled
8. June 23, 2020 – Meeting cancelled

Old Business

No Old Business

New Business

1. Review & Recommendation to Town Council:
ZLDO Section 904.2 - Signs Exempt from Permit Requirement
(8) Signs announcing Candidates

Citizen's Comment Time– (email to skyzer@townofpineridgesc.com)

ADJOURN

For your convenience, an Agenda with attachments is available online at www.townofpineridgesc.com.

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



PLANNING COMMISSION MEETING – 6:30 P.M.

CALL TO ORDER

Vice-Chairman Merchant called the Planning Commission meeting to order at 6:30 P.M. with Commission Members Jowers, Jackson and Shealy present.

Staff present: Planning Official, Mrs. Miller and Municipal Clerk, Mrs. Kyzer.

Freedom of Information Act Compliance

Vice-Chairman Merchant stated that public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act.

Approval of Minutes

1. September 3, 2019 – Rescheduled August 27, 2019 Regular scheduled meeting
2. September 24, 2019 – Meeting cancelled due to non-quorum

Commission Member Jowers made a motion to approve the September 3, 2019 minutes and the September 24, 2019 minutes, as submitted. Commission Member Shealy seconded the motion, which was unanimously approved.

Old Business

No Old Business

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



New Business

1. Review & Recommendation to Town Council:
Text Amendment for a new Zoning District designated for property currently zoned PD-Planned Development District
 - (a) Amend Section 300 – Establishment of Districts
 - (b) Amend Section 301 – District Purposes
 - (c) Amend Section 301.1 – PD Planned Development District retired
 - (d) Add Section 511 – LPD Legacy Planned Development District
 - (e) Add Section 512 – LPD Legacy Planned Development District Regulations

Vice-Chairman Merchant asked the Planning Official, Mrs. Miller to explain to the Commission about the proposed new zoning district.

Mrs. Miller stated that both Items 1 and 2, related to Town Council approving a settlement in the ongoing lawsuit over Courtyards at Rockford Place. This settlement includes the text amendment to the Zoning and Land Development Ordinance (Item 1) and a map amendment (Item 2). The ordinance allows the Planning Official to submit the proposal to the Planning Commission for a review and recommendation for submittal to Council. Both amendments are recommended by the Town Attorney and needed for the settlement to proceed. Courtyards at Rockford Place was approved for a total of fifty-six lots in which seventeen have been built on. The remaining lots have been purchased by a new developer. The proposed new zoning district will allow the new owners to make certain changes from the existing PD requirements. Those changes include the option to reconfigure lots to create a better layout. Some lots are narrow and may or may not fit a front-loading garage, which would leave little side yard. The new zoning district would allow them to combine two lots for one home to be built on. In addition, the current zoning requires that all homes have an all brick exterior, the new zoning would require that at least twenty-five percent of the front fascia be comprised of brick or stone or some combination of both. The new owners stated they didn't want a cookie cutter subdivision but wanted the home to look like they belong there. The only design aspect the new owners discussed was the brick exterior requirement. The original developer proposed this to be the unique feature of the subdivision, in which was approved by Council in 2002. After the 2010 South Carolina Supreme Court clarification on Planned Development Districts (PDD/PUD), that they must contain a mixed use, which this PDD only contained a residential use, any change would nullify the original agreement.

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



The Planning Commission Members and Mrs. Miller discussed the following:

- Current lot sizes with the turnaround
- Mailboxes
- Original Covenants & Restrictions vs the revision by the new owners
- Two story vs a story & half
- All brick fascia vs new 25% front fascia
- Vinyl vs Hardi-plank siding
- Building codes on fire rated walls
- Square footage of proposed homes
- Price range of proposed homes
- Combination of lots for one home only
- No manufactured homes
- Proposed materials of homes
- Location of subdivision
- Road owned by Lot Store, LLC
- Erosion of property backing up to Leander Drive and Hyland Circle
- Retaining wall on property backing up to Leander Drive and Hyland Circle
- Overgrowth on property backing up to Leander Drive and Hyland Circle
- Sand in road from property backing up to Leander Drive and Hyland Circle
- Stormwater issues on property backing up to Leander Drive and Hyland Circle

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019**



COMMUNICATION: PINE RIDGE PLANNING COMMISSION

MEMORANDUM TO: Mayor and Town Council

FROM: Planning Commission

DATE: October 22, 2019

SUBJECT: Review & Recommendation to Town Council:



New Zoning District designated for property currently zoned PD-Planned Development District

- (a) Amend Section 300 – Establishment of Districts
- (b) Amend Section 301 – District Purposes
- (c) Amend Section 301.1 – PD Planned Development District retired
- (d) Add Section 511 – LPD Legacy Planned Development District
- (e) Add Section 512 – LPD Legacy Planned Development District Regulations

At its' regular meeting on October 22, 2019, the Planning Commission discussed and agreed upon the following recommendations:

(a) Section 300 ("Establishment of Districts") is amended to add a new entry to the chart to read:

<u>DISTRICT</u>	<u>USES</u>	<u>MINIMUM LOT</u>
LPD	Legacy Planned Development District	Per initial PDD description

(b) Section 301 ("District Purposes") is amended to add a new paragraph as its last paragraph, to read:

LPD Legacy Planned Development District: This district is intended to provide a new zoning district designation for properties that were zoned as Planned Development District at the time of the 2019 amendment creating this district. An LPD recognizes certain basic features of the District as approved by the Pine Ridge Town Council at the time of initial zoning as a Planned Development District but also provides certain revisions as to design to facilitate the future build out of the subdivision development.

(c) Section 301.1 ("PD Planned Development District retired") is amended to add a new last sentence to read:

A zoning district designation of LPD Legacy Planned Development District was added to the Zoning Ordinance in 2019 to provide an alternative district designation for properties zoned PD Planned Development District retired at the time of the adoption of the amendment.

(d) A new Section 511 LPD Legacy Planned Development District entry is added to the charts in Article 5 ("District Regulations"), to read:

<u>PERMITTED USES</u>	<u>PARKING SPACES REQUIRED</u>
a. Single-family residential (excluding mobile homes and manufactured homes)	Two (2) per dwelling unit


PVC PO

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



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MEMORANDUM TO: Mayor and Town Council

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DATE: October 22, 2019

SUBJECT: Review & Recommendation to Town Council:



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- b. Employment of workers primarily engaged in household operations (cooks, maids, butlers, nannies, sitters, caretakers, gardeners, etc.) None additional
- c. Accessory uses on same lot with principal use, as follows:
 - (1) private garage with front or side entry for vehicles;
 - (2) private garden in rear of residence; and
 - (3) private swimming pool.

CONDITIONAL USES

None, except customary home occupation in single-family dwelling with all conditions as in R-1.

SPECIAL EXCEPTIONS

None

(e) A new **Section 512 LPD Legacy Planned Development District** entry is added to the charts in Article 5 ("District Regulations"), to read:

LPD Legacy planned development regulations

The following regulations apply to all uses in the LPD districts:

- (a) Those regulations specified in the initial PD zoning and/or plat, including lot sizes, except that
 - (1) the front portion of the house facing the street shall be constructed as at least 25% brick and/or stone or a combination of brick and stone equal to 25%; and
 - (2) when two lots are side by side and the developer determines it to be not practical to put two houses on the two lots due to conditions on site, the owner shall be entitled to combine two adjacent lots to create one lot but can only put one house on the new lot.
- (b) In the absence of specified regulations in the initial PD zoning, and except as above in (a) above, the R-1 district regulations shall apply as appropriate.


PVC PO

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



COMMUNICATION: PINE RIDGE PLANNING COMMISSION

MEMORANDUM TO: Mayor and Town Council

FROM: Planning Commission

DATE: October 22, 2019

SUBJECT: Review & Recommendation to Town Council:

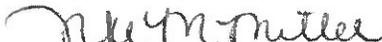


New Zoning District designated for property currently zoned PD-Planned Development District

- (a) Amend Section 300 – Establishment of Districts
- (b) Amend Section 301 – District Purposes
- (c) Amend Section 301.1 – PD Planned Development District retired
- (d) Add Section 511 – LPD Legacy Planned Development District
- (e) Add Section 512 – LPD Legacy Planned Development District Regulations

A motion was made by Commission Member Shealy to recommend to Town Council to adopt the amendment of Sections 300, 301, 301.1 and add Section 511 and 512, with the additional consideration of (1) a retainment wall to stop the erosion of the back property (2) Hardi-plank as exterior siding as there is a fire hazard due to the close proximity of the houses. Commission Member Jackson seconded the motion. The Planning Commission voted unanimously to approve the recommendation to Town Council.

Attest:


Viki M. Miller, Planning Official


Vice-Chairman, Planning Commission


PVC PO

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



A motion was made by Commission Member Shealy to recommend to Town Council to adopt the amendment of Sections 300, 301, 301.1 and add Section 511 and 512, with the additional consideration of (1) a retainment wall to stop the erosion of the back property and (2) Hardi-plank as exterior siding, as there is a fire hazard due to the close proximity of the houses. Commission Member Jackson seconded the motion. The Planning Commission voted unanimously to approve the recommendation to Town Council.

2. Review & Recommendation to Town Council:
Map Amendment#20191008 for Courtyard at Rockford Place subdivision from PD to LPD

Vice-Chairman Merchant asked the Planning Official, Mrs. Miller to explain to the Commission about the proposed map amendment.

Mrs. Millers stated that the entire subdivision is included in the map amendment proposal. If the existing homes were left at the current PD zoning district and something was to happen to that home where it was needing to be re-built, it would have to be built per the PD requirements as an all brick home. Mrs. Miller showed the Commission the original subdivision plat, which was available for anyone in attendance to view. The map amendment includes the detention pond and all lots with the exception of the one at the corner of Bachman Road and Fish Hatchery Road as it is not part of Courtyards at Rockford Place.

Mrs. Miller stated that she is recommending to change the Courtyards at Rockford Place subdivision zoning from PD to LPD. Item 1 was to recommend to Council the addition of the new LPD zoning district into the Zoning & Land Development Ordinance.

Vice-Chairman Merchant asked if anyone in attendance would like to speak.

A male in attendance, whom did not state his name and address, was happy that the Commission decided to include in the recommendation the use of fire proof materials.

A female in attendance, spoke but was unable to hear her comments in the recorded audio.

Mrs. Miller added that the map amendment required the description of the proposed development, which was hard as the infrastructure has already been completed in addition to seventeen houses.

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019**

**Town of Pine Ridge Planning Commission
Map Amendment Recommendation**

RECEIVED

Date Filed: 10/8/2019 Request #: 20191008 TMS# Courtyard at Rockford Place subdivision
Current Zoning: PD-Planned Development
Proposed Zoning: LPD-Legacy Planned Development

NOV 14 2019

Town of Pine Ridge

The Planning Commission held a regularly scheduled meeting on October 22, 2019 to consider the Map Amendment Application for the above referenced property. A Map Amendment is an official change in the zoning district of a property, allowing different land uses and density requirements on that property. After consideration of the evidence and arguments presented, the Planning Commission makes the following findings of fact and conclusions.

The proposal will - will not be in harmony with goals, standards and objectives of the Comprehensive Plan based on the following findings of fact: In accordance with Chapter 10, Goals and Objectives, the completion of the subdivision will offer additional housing and will not affect services to current residents as the services have already been established to accommodate the new residents.

The proposed amendment is - is not compatible with the present zoning and conforming uses of nearby property(ies) and with the character of the neighborhood based on the following findings of fact: Current PD zoning and the seventeen existing homes in the subdivision are all R-1, single family residential. Surrounding golf course and homes outside of the subdivision are also zoned R-1, single family residential.

The property affected by the amendment is - is not suitable for uses under the proposed zoning based on the following findings of fact: The proposed zoning of LPD, will also be single family residential. The only difference between PD and LPD, is that LPD allowed more variations in the front fascia and the ability to combine lots that are side by side due to the elevation and size of the lots where it is not conducive to build a home.

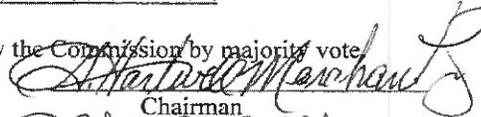
There are - are not available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed amendment based on the following findings of fact: Public services and infrastructure was set up/installed at the time the subdivision was approved to handle fifty-six single family residential homes.

The Commission concludes that the effect of the proposed map amendment would - would not be to allow the establishment of a use not otherwise permitted in the zoning district, based on Section 511 of the ordinance; would - would not extend physically a nonconforming use of the land; and would - would not change the zoning district boundaries shown on the official zoning map.

THE COMMISSION, THEREFORE, RECOMMENDS that the map amendment is DENIED - GRANTED, subject to the following conditions: that Town Council approves the addition of the LPD-Legacy Planned Development District into the Zoning and Land Development Ordinance under Section 300, 301, 301.1, 511 and 512.

Date issued: 10/22/2019

Approved by the Commission by majority vote


Chairman

Date mailed to parties in interest: 11/14/2019


Secretary

This recommendation shall be on the next Town Council Agenda that will allow for posting in a generally circulated newspaper and signage posted 15 days prior to the scheduled public hearing.

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
October 22, 2019



A motion was made by Commission Member Shealy to recommend to Town Council to approve the Map Amendment for Courtyards at Rockford Place, changing from PD Zoning District to LPD Zoning District, as submitted. Commission Member Jackson seconded the motion.

Vice-Chairman Merchant asked if there were any additional comments or questions.

The Planning Commission voted unanimously to approve the recommendation to Town Council.

ADJOURN

With no further business to discuss, Commission Member Shealy moved to adjourn, which was seconded by Commission Member Jackson. With the committee's unanimous approval, Vice-Chairman Merchant adjourned the meeting at 7:23 P.M.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairman, Planning Commission

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
November 26, 2019**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for January 28, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
January 28, 2020**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for February 25, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
February 25, 2020**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for March 24, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
March 24, 2020



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for April 28, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
April 28, 2020**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for May 28, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
May 28, 2020**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for June 23, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

**TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
June 23, 2020**



The Planning Commission meeting was cancelled due to lack of items on the agenda. The next Planning Commission meeting is scheduled for July 28, 2020.

Respectfully submitted,

Susan C. Kyzer, Municipal Clerk

APPROVED:

Chairperson

Date: _____

July 28, 2020
NO OLD BUSINESS

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

900 Purpose

The purpose of this Article is to promote the safety of persons and property by providing that signs:

1. Safety

a. Do not create traffic hazards by distracting or confusing motorists, impairing motorists' ability to see pedestrian traffic signs, other vehicles, obstacles, or to read traffic signs.

b. Do not create a hazard to collapse, fire, collision, decay or abandonment.

c. Do promote the aesthetics, safety, health, morals and general welfare and the assurance of protection of adequate lights and air within Pine Ridge by regulation of the posting, displaying, erection, use and maintenance of signs.

2. Information - Promote the efficient transfer of general public and commercial information through the use of signs.

3. Public welfare - Protect the public welfare and enhance the overall appearance and economic value of the landscape and preserve the unique natural environment that distinguishes the town.

901 Definitions

Except as specifically defined herein, each word used in this article has its customary definition in a dictionary of American English. For the purpose of this Article, certain words or terms used are herein defined as follows:

Abandoned sign: A permitted sign that was erected on property in conjunction with a particular use which use has been discontinued for a period of 30 days or more, or a permitted temporary sign for which the use permit has expired.

Back-to-back sign: A sign constructed on a single set of supports with messages visible on any side, provided that double message boards are physically contiguous.

Banners, pennants and balloons: Any animated, rotating, fluttering of non-stationary device made of flexible materials designed to attract attention.

Billboard sign: A permanent sign in a fixed location which meets any one or more of the following criteria: (1) it is used, in whole or in part, for the display of off-site commercial messages; (2) it constitutes principal, separate or secondary use, as opposed to an accessory, ancillary or appurtenant use, of the parcel on which it is located; (3) an outdoor sign used as advertising for hire or general advertising, i.e., on which display space is made available to parties other than the owner of the sign or the property on which it is placed, or (4) an off-site outdoor advertising sign on which space is leased or rented. *(Added 8-11-15/2015-06)*

Canopy: A structure constructed of rigid materials including, but not limited to metal, wood, concrete, plastic, canvas or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground. *(Amended 8-11-15/2015-06)*

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Canopy sign: Signs that are erected on a separate, freestanding roof-like covering. *(Amended 8-11-15/2015-06)*

Changeable copy sign: Changeable copy signs are signs or portions thereof with characters, letters, or illustrations that can be changed or rearranged by any means (manual, electronic [digital], atmospheric, mechanical, remote, etc.) without altering the face or surface of the sign. For the purposes of this Article, a sign on which the message or image changes more often than once every ten (10) seconds shall be considered a sign employing a confusion of motion and is not allowable.

Commercial or industrial center: Two or more separate occupancies located within the same or adjacent buildings or building on the same commercial or industrial plat of record.

Dilapidated sign: Any sign that is structurally unsound, has defective parts or is in need of painting or maintenance.

Directional sign:

- a. A sign, permanently erected or permitted in the public right-of-way or on private property by the Town of Pine Ridge, Lexington County, State of South Carolina, or other governmental agency to denote the name of any thoroughfare, the route to any city, town, village, educational institution, public building, historic place, religious shrine or hospital, to direct and regulate traffic to denote any railroad crossing, bridge, or other transportation or transmission *company* for the direction or safety of the public. *(Amended 8-11-15/2015-06)*
- b. An on-premises temporary sign that contains information regarding the time and place of regular meetings of civic or religious groups.

Directory sign: A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

Double-faced sign: A sign with two faces, which are usually, but necessarily, parallel.

Electrical sign: A self-illuminated sign or sign structure in which electric wiring, connections and/or fixtures are used as part of the sign proper.

Electronic Message Board: An electrical or electronic sign using digital technology or a pattern of lights to form static images, various words or graphics which is capable of changing copy continuously. *(Added 8-11-15/2015-06)*

Existing sign: Any sign that was erected, mounted, or displayed prior to the adoption of this article.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Facade: The vertical exterior surface of a building which faces a right-of-way or property line and includes main street wall face, parapet, fascia, windows, doors, canopy and roof. (*Amended 8-11-15/2015-06*)

Fixed projecting sign: A sign, other than a flat sign, which extends outward for more than six inches from the façade of any building and is rigidly affixed thereto.

Flashing sign: Any lighted or electrical sign that emits light in sudden transitory bursts.

Flat sign: A sign erected parallel to *and* extending not more than 12 inches from the façade of any building to which it is attached and supported throughout its entire length by the façade of the building and not extending above the building. (*Amended 8-11-15/2015-06*)

Free-standing sign: A sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or other support.

Frontage: The length of the property line of any one premises parcel serving as a public right-of-way line.

Frontage wall face: The building façade, excluding parapet, fascia, soffit, mansard and roof, which face a frontage of the premises.

Height of sign: The vertical distance measured from the top of the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.

Illuminated sign, External: Any sign which is directly lighted by an external source.

Illuminated sign, Internal: Any sign, which transmits light through its face or any part thereof.

Inflatable sign: A sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Ingress/egress sign: A sign, which designates only the direction of ingress or egress of a parking area or driveway, such as In, Out, One-way, Do Not Enter or No Exit.

Moving message board: Any electrical sign having a continuous message flow across its face by use of lights or other electrical impulses forming various words or designs, such as a time and temperature sign.

Nonconforming sign: Any sign which has a valid permit, was erected or displayed prior to the effective date of this Article or any subsequent amendment hereto and does not conform to any provision of this Article.

Occupancy: Any use or activity upon the premises.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Off-premises sign: Any sign located or proposed to be located at any place other than within the same platted parcel of land on which the specific business or activity being promoted on such sign is itself located or conducted. For purposes of this Article, easements and other appurtenances shall be considered to be outside such platted parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off-premises sign. Sign identifying public service, religious or civic club organizations not to exceed 4 square feet as approved by the Planning Official are exceptions to this definition.

On-premises sign: Any sign located or proposed to be located at any place, if otherwise permitted by this article, within the plat of record for the business or their activity identified on such sign.

Painted wall sign: A sign painted directly on any exterior building wall or door surface, exclusive of window and door glass areas on any outside wall or roof or on glass of any building.

Panel: The primary surface of a sign upon which the message of the sign is carried.

Parapet: A vertical false front or wall extension. *(Amended 8-11-15/2015-06)*

Pennant: See definition for banners, pennants and balloons in this section.

Permitted sign: a sign for which a valid permit has been issued.

Political sign: A sign erected by a political candidate, group or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the town shall vote.

Portable sign: Any sign which is not permanently affixed to a building, structure, or the ground, or which is attached to a mobile vehicle. No portable sign shall be displayed for longer than thirty days, unless extended by the Planning Official. *(Amended 8-11-15/2015-06)*

Premises: The plat of record, which is affected either directly or indirectly by the contents of this Article.

Project sign: Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor or materials vendor upon which property such individual is furnishing labor, services or material.

Public right-of-way line: The line where the property meets the public right-of-way at the public street or public waterway, provided that this definition shall not include unimproved alleys, easements or other similar dedicated uses.

Public way: Any street, highway, road, path or right-of-way, whether privately or publicly owned, which is designed or used for vehicular or pedestrian traffic either by public right or custom, or by initiation of 2 or more common owners.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Real estate sign: A temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, for lease or for sale.

Roof: The exterior upper covering of the top of a building.

Roof sign: A sign erected over or on, and wholly or partially dependent upon the roof of any building for support, or attached to the roof in any way.

Rotating sign: Any sign which revolves around one or more fixed areas.

Seasonal/holiday sign: A sign, used for emphasizing the celebration of a historical American holiday, which is erected for a limited period of time. *(Amended 8-11-15/2015-06)*

Sidewalk or sandwich sign: A movable sign not secured or attached to the ground or any building, structure or on a person. *(Amended 8-11-15/2015-06)*

Sign: Any letters, pictorial or graphic representation, symbol, insignia, emblem, flag, banner, illuminated or animated device, displayed in any manner whatsoever, which directs attention of persons to such device, and which is located within the view of the general public from a public way. Customary graphics found on vending machines, newspaper dispensers and similar machines shall not be considered as signs. *(Amended 8-11-15/2015-06)*

Sign, area of: The square foot areas enclosed by the perimeter of the sign face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, message, forms or panels, sign area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any “cutouts” or extensions, but shall not include any supporting structure or bracing.

Sign structure: A supporting structure erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied, provided, however, this definition shall not include a building, fence, wall or earthen berm. *(Amended 8-11-15/2015-06)*

Snipe sign: A sign which is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes or fences, or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

Special event sign: A sign that carries a message regarding a special event or function that is of general interest to the community.

Swinging sign: A sign that is attached to a bracket, arm or mast and is not permanently fastened to a wall or pole. *(Amended 8-11-15/2015-06)*

Time and temperature sign: An electrical sign using lights going on and off periodically to display the current time and temperature in the community.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Traffic direction/safety sign: A sign that is on-premises consisting of type and/or an arrow and is designed, sized and erected solely for the purpose of vehicular or pedestrian traffic direction or safety. Said sign shall have no advertising words or phrases.

Vehicle sign: A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under such circumstances as to location on the premises, time of day, duration, availability of other parking space on the premises, and the proximity of the vehicle to the area on the premises where it is loaded, unloaded or otherwise carries out its principal function, which circumstances 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 that is customary for said vehicle.

Window sign: Any sign that is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass areas, including doors, or located within 15 feet of the interior of a building glass area including doors, whose identification, message, symbol, insignia, visual representation, logotype, or any other form that communicated information, can be read from off premises contiguous property or public right-of-way.

Window sign, temporary: A window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of the business, including, but not limited to sign for sales, specials, going out of business, and grand openings.

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

902 Existing Signs

902.1. Illegal Signs

Any sign erected or existing as of the effective date of this article which does not have a valid permit from the Town, or any sign so reclassified pursuant to Section 902.3 and prohibited by Section 903, 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 Section 908 of this ordinance. *(Amended 8-11-15/2015-06)*

902.2. Legal Signs

Any existing and permitted sign which complies with the provisions of this article, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall not be undertaken until the permit required pursuant to Section 907 has been issued, unless the proposed alteration is specifically exempt from such permit requirement pursuant to Section 904.2. *(Amended 8-11-15/2015-06)*

Any legal sign which does not comply with the provisions of the article solely due to the enactment of amendment hereto subsequent to the effective date of this article shall, upon the effective date of such amendment, become a nonconforming sign and subject to the provisions of Section 902.3. *(Amended 8-11-15/2015-06)*

902.3. Nonconforming Signs

Any sign erected or existing as of the effective date of this article which has a valid permit from the Town, but which does not conform to the provisions of this article, or any sign pursuant to Section 903, is hereby deemed to be a nonconforming sign. A nonconforming sign may be maintained only by painting or refinishing the surface of the sign face or sign structure so as to keep the appearance of the sign as it was when the Town permit tag was affixed. Upon a determination by the Administrator and notice to the permittee that a nonconforming sign has become dilapidated or structurally unsound, such sign shall be moved within twenty (20) days unless an appeal of such determination has been previously filed with the Town. Any structural or other substantive maintenance to the conforming sign shall be deemed an abandonment of the nonconforming sign, shall render the prior permit void and shall result in the reclassification of such sign as an illegal sign pursuant to Section 902.1. All nonconforming signs must be replaced with or made to comply with Section 905 and 906 within five (5) years of becoming nonconforming. *(Amended 8-11-15/2015-06)*

Any nonconforming sign may become a legal sign if, after compliance with the provisions of Section 907 of this ordinance, it is brought into conformity with the provisions of this article. *(Amended 8-11-15/2015-06)*

903 Prohibited Signs

903.1 Prohibited Signs

Except as may be hereinafter specifically permitted, it shall be unlawful after the effective date of this article, or any amendment hereto, for any person to erect, place or use within the Town, when visible from any public way, any of the following signs.

1. Swinging signs.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

2. Sidewalk and sandwich signs except civic, charitable, religious or athletic organizations when first approved by the Administrator in accordance with Section 906.2. (Amended 8-11-15/2015-06)
3. Banners, pennants and balloons except civic, charitable, religious or athletic organizations when first approved by the Administrator in accordance with Section 906.2. (Amended 8-11-15/2015-06)
4. Off-premises signs.
5. A sign which contains any moving, flashing, animated lights, visible moving or movable parts, or giving the appearance of animation.
6. Roof signs.
7. Vehicle signs.
8. Any sign which emits a sound, odor or visible matter.
9. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
10. Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.
11. Any sign or sign structure other than free-standing and vertical wall extension, any portion of which extends above the parapet, building roof line or canopy against which the sign is located.
12. Signs displaying intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, rescue vehicles or other warning signals, and signs using the words "stop", "danger", or any other word, phrase, symbol, or character in a manner that might mislead or confuse motorist. (Amended 8-11-15/2015-06)
13. Moving message and time and temperature signs.
14. Except as otherwise provided, no sign whether temporary or permanent, except by a public agency, is permitted within any street or highway right-of-way.
15. Signs painted on or attached to trees, fence posts, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.
16. Abandoned or dilapidated sign.
17. Any sign which exhibits statements, words or pictures of obscene or pornographic subjects.
18. Portable signs except civic, charitable, religious, or athletic organizations when first approved by the Administrator in accordance with Section 906.2. (Amended 8-11-15/2015-06)
19. Signs affixed to a private residence or dwelling or displayed upon the grounds thereof, except one (1) personal identification sign not exceeding two (2) square feet, and one (1) non-illuminated "For Sale" or "For Rent" sign not exceeding six (6) square feet.
20. Inflatable signs.
21. Rotating signs.
22. Cardboard, poster board, plywood or OSB signs. (Added 8-11-15/2015-06)
23. Bench signs. (Added 8-11-15/2015-06)
24. Billboard signs. (Added 8-11-15/2015-06)

904 Permissible Signs

904.1. Permit Required

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

Unless specifically exempted pursuant to Section 904.2, no sign or sign structure shall be extended, displayed, moved or relocated, or altered, unless specifically exempted pursuant to Section 904.3, until a permit fee has been paid and a sign permit issued by the Administration pursuant to Section 907 of this ordinance. *(Amended 8-11-15/2015-06)*

904.2 Signs Exempt from Permit Requirement

A permit is not required for the following types of signs, after proper notification is made to the Administrator:

1. An official sign or notice issued by any court, public agency or office.
2. A traffic directional, warning or information sign authorized by any public agency.
3. A private street or road name sign or a traffic directional sign which does not exceed four (4) square feet per sign face.
4. A No trespassing, No hunting, No fishing, No loitering and like signs not exceeding one (1) square foot in area.
5. Any on-premises sign not exceeding one (1) square foot in area.
6. A residential real estate sign not to exceed six (6) square feet.
7. An ingress/egress sign which does not exceed four (4) square feet per sign face.
8. Signs announcing candidates seeking public office or relating to any election or public referendum. Such signs shall be confined to placement on private property and not exceeding fifteen (15) square feet per sign face. Such signs shall be removed within seven (7) days after the election or referendum has been decided.
9. Temporary garage sale signs in residential districts. Limitations: advertisement contained on any garage sale sign shall be limited to "Garage Sale" and address only and shall not exceed four (4) square feet per sign face. Sign must not be placed more than seven (7) days before the event and removed within twenty-four (24) hours of event. In accordance with the Zoning Ordinance Section 612.1, garage sales shall not be advertised by more than one off-site advertising sign and one on-site advertising sign. *(Added 8-11-15/2015-06)*

904.3 Sign Alterations Exempt from Permit Requirements

A permit is not required prior to engaging in sign alterations if such alterations involve only:

1. The changing of copy on a permitted changeable copy sign.
2. The painting or refinishing of the surface or a sign face or sign structure of a permitted sign so as to keep the appearance of such sign as it existed on the date such sign received a permit tag.

905 General Sign Standards

905.1 Setback from Right-of-Way

In order to provide room for future bicycle paths or sidewalks, all signs shall be required to be set back at least ten (10) feet from the street right-of-way. However, if a bike path or sidewalk exists or has been planned in such a manner as to make this impractical, this setback may be reduced or waived by the Administrator. The location and width of any easement proposed for public dedication must be acceptable to the Administrator. No sign shall be erected or maintained on any corner lot within the line connecting points on the street lot line 20 feet distance from the corner.

905.2 Sign Illumination

Electrical requirements. Electrical requirements pertaining to signs shall be prescribed by the

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

National Electrical Code, latest edition.

If externally illuminated, signs shall be illuminated only by the following means:

- (a) By a white, steady stationary light or reasonable intensity shielded and directed solely at the sign or from within the sign.
- (b) Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness so as to cause glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent residential districts.

905.3. Material and Style

1. Signs shall not have light-reflecting backgrounds but may use non-moving light-reflecting lettering.
2. The various parts of a sign shall be compatible.
3. Any multi-faced sign shall have the same name and same message on all used faces.
4. All signs shall be of standard geometric shapes.
5. Signs shall not be of or contain a commercial sponsor name or motif (soda bottles, hamburgers, or other figures) or other outdoor commercial displays.

905.4. Dimension and Quantity *(Amended 8-11-15/2015-06)*

1. Area and quantity. The area and quantity of any sign face shall conform to the following:
 - a. Major residential development consisting of more than 301 dwelling units shall be permitted one (1) freestanding sign per entrance with not more than two hundred forty (240) square feet of sign face per sign, equally divided among not more than four (4) sign faces. No single sign face shall exceed one hundred twenty (120) square feet.
 - b. Secondary residential development consisting of three hundred (300) dwelling units or less, but more than one hundred and one (101) dwelling units, shall be permitted one freestanding sign per entrance with not more than one hundred sixty (160) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) square feet.
 - c. Minor residential development consisting of one hundred (100) dwelling units or less shall be permitted one (1) freestanding sign per entrance with not more than eighty (80) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet.
 - d. Major commercial development consisting of retail and public commercial uses, either exclusively or mixed with residential uses, which contain seventy-five thousand (75,000) square feet or less, but more than twenty-five thousand (25,000) square feet, of heated floor space open to the public shall be permitted one (1) freestanding sign per entrance but no more than two (2) identification signs for the development. Said signs shall not have more than one hundred sixty (160) square feet of sign face per sign equally divided among not more than four (4) sign faces.

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

No single sign face shall exceed eighty (80) square feet, excepting that if the commercial use herein is mixed with residential use which exceeds three hundred and one (301) dwelling units, the provisions of subparagraph (1) shall apply to said development.

- e. Minor commercial development consisting of retail and public commercial uses, either exclusively or mixed with residential uses, which contains twenty-five thousand (25,000) square feet, of heated floor space open to the public shall be permitted one (1) freestanding sign per entrance, but no more than two (2) identification signs for the development, with not more than eighty (80) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet, excepting that if the commercial use herein is mixed with residential use which exceeds one hundred and one (101) dwelling units, the provisions of subparagraph (a) or (b) shall apply, as the case may be.
- f. A commercial development consisting of retail and public commercial uses which contains two thousand five hundred (2,500) square feet or less of heated floor space open to the public shall be permitted one (1) freestanding sign. Said sign shall not have more than forty (40) square feet of sign face equally divided between not more than two (2) sign faces. If an applicant in this category shall waive the right to have a freestanding sign, the applicant shall be permitted to exceed the building sign, wall graphics, and window graphics limitations of Section 906.1 by fifty (50) percent. *(Amended 8-11-15/2015-06)*
- g. Development in the Industrial or Public and Semi-Public districts shall be permitted one (1) freestanding sign. Said sign shall not have more than forty (40) square feet of sign face equally divided between not more than two (2) sign faces. If an applicant in this category shall waive the right to have a freestanding sign, the applicant shall be permitted to exceed the building sign, wall graphics, and window graphics limitations of Section 906.1 by fifty (50) percent. *(Added 8-11-15/2015-06)*
- h. Developments which, because of their composition may qualify for more than one of the above categories, may select the single category that provides them with the largest sign. The above categories shall not be cumulative.
- i. Height - The maximum height of any freestanding sign shall not exceed twelve (12) feet above the average elevation of the nearest public highway.
- j. The bottom edge of the sign face shall not exceed four (4) feet in height from average grade.
- k. Width - The maximum width of the entire sign structure shall not exceed twenty (20) feet.
- l. Structure Size: The size of the support structure for any freestanding sign shall not exceed the sign face by more than 100%.

906 Special Sign Standards

906.1. On-Premises Sign Standards

- 1. Building and wall graphics signs shall not occupy more than ten (10) percent of the signable space on any one facade of a building, with a maximum size of the sign limited to forty (40) square feet.
- 2. Window graphics, which otherwise comply with this article, may be displayed, provided

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

no more than twenty-five (25) percent of the area of a window may be occupied by signage.

3. Freestanding signs on any premises shall be spaced at minimum two hundred (200) foot intervals along each public way that views the premises. In the event that less than two hundred (200) feet of any premises is visible from any one public way, only one sign shall be permitted along that public way, notwithstanding that a greater number of signs may be permitted by Section 905.4, 906.3 and 906.5 herein. *(Amended 8-11-15/2015-06)*
4. Obstruction - An on-premises sign shall be erected so as to not obstruct or impair driver vision at business ingress/egress points and intersections.

906.2 Temporary Signs and Standards

1. Types - The following types of signs are classified as temporary signs:
 - a. Special event signs.
 - b. Grand opening, or going-out-of-business and sale signs of business and services.
 - c. Signs for work under construction.
 - d. Land subdivision or development signs.
 - e. Signs advertising the sale or lease of property upon which they are located.
2. Area; Height; Location
 - a. Area. The total area of temporary signs shall not exceed sixty-four (64) square feet or thirty-two (32) square feet per sign face, except for real estate signs for residential property, which shall not exceed the limitations of Section 904.2.6. *(Amended 8-11-15/2015-06)*
 - b. Height. The lower edge of the sign face shall not exceed four (4) feet in height from the average grade. The maximum height of temporary signs shall not exceed eight (8) feet. *(Amended 8-11-15/2015-06)*
 - a. Location.
 - i. No temporary sign shall be located so as to obstruct or impair driver vision at
 - ii. business ingress/egress points and at intersections.
 - iii. No temporary sign shall be located nearer than one hundred (100) feet to any church, cemetery, public building, historic site or district, and intersection of two (2) or more public streets or highways.
 - iv. Temporary signs are not to be located any closer than one hundred (100) feet from any other sign on the same premises.
 - b. Time Limits:
 - i. Special event signs - Special event signs may be erected no sooner than fourteen (14) days preceding a special event and shall be removed within forty-eight (48) hours following the special event. The same or similar special event shall not be advertised more frequently than four (4) times a year.
 - ii. Grand opening signs - Temporary grand opening signs shall be erected for a period not to exceed fourteen (14) days.
 - iii. Going-out-of-business and sale signs - Going-out-of-business and sale signs may be erected for a period not to exceed thirty (30) days for going-out-of-

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

- business signs and fourteen (14) days for sale signs.
- iv. Project signs - Signs for work under construction may be erected upon the issuance of a final development permit on the construction site during the construction and shall be removed within seven (7) days following the issuance of the certificate of occupancy.
 - v. Signs announcing the subdivision of land - Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when one hundred percent (100%) of the development lots are conveyed, or for a term not to exceed six (6) months, whichever comes sooner. An extension may be permitted by the Administrator.
 - vi. Removal - Signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised or for a term not to exceed six (6) months, whichever comes sooner. An extension may be permitted by the Administrator.
- c. Permits –
- i. Unless specifically exempted pursuant to Section 904.2 or Section 904.3, a temporary sign is subject to the permit requirements of Section 907.
(Amended 8-11-15/2015-06)

906.3. Real Estate Signs

One (1) commercial real estate sign, not exceeding six (6) square feet in sign area per face and, if freestanding, not exceeding four (4) feet in height shall be permitted. Property with two (2) or more on-premises frontages shall be permitted one (1) additional sign per frontage.

906.4. Canopy Signs

A commercial center shall be permitted one (1) canopy sign per occupancy, not to exceed six (6) feet in length and eighteen (18) inches in height, placed entirely under a canopy (marquee) directly in front of said location, identifying the occupancy.

906.5. Message Boards for Institutional Use

Message board signs are digital or manual changeable copy signs that are permitted only for institutional uses and are intended to provide schedules of events, rules, regulations, announcements, or similar messages, excluding commercial advertisement or promotional messages (refer to regulations for changeable copy signs below). Institutional uses are nonprofit and quasi-public organizations and government-owned or government-operated uses. Institutional uses include public and private schools, religious institutions, hospitals, libraries, recreational, civic, municipal, and other institutional uses including historic markers that are allowable in any zoning district under the zoning district regulations.

Message boards for institutional use are permitted as follows:

- 1) One (1) such sign oriented per street frontage per premise may be erected. The maximum sign surface area of an institutional use message board sign that contains no facility identification or logo shall be no greater than 20 square feet. If the principal identification sign and the message board are combined to serve as one (1) sign, the maximum surface area shall be 45 square feet.

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

- 2) The maximum height is 12 feet. Where additional height is required to raise the base of the sign to mean elevation (average street level) of the fronting street, the Planning Official may allow greater heights.
- 3) Message board signs shall be set back from the right-of-way per the setback requirements of these regulations.
- 4) Signs shall be illuminated as specified in the illumination provisions of these regulations.
- 5) Such signs may not include commercial advertisement or promotional messages of any sort.
- 6) Locations with permanent message board signs shall not employ the use of temporary signs of any type.

906.6 Changeable Copy Signs

Changeable copy signs are signs or portions thereof with characters, letters, or illustrations that can be changed or rearranged by any means (manual, electronic [digital], atmospheric, mechanical, remote, etc.) without altering the face or surface of the sign. For the purposes of this Article, a sign on which the message or image changes more often than once every ten (10) seconds shall be considered a sign employing a confusion of motion and is not allowable. Digital changeable copy signs are permitted as follows:

- 1) Digital changeable copy is permitted only on permanent principal freestanding signs and marquees and shall comply with all the regulations of freestanding and marquee signs as applicable.
- 2) Sign copy or image shall maintain a static message or image for at least fifteen (15) seconds.
- 3) The actual change between sign message and/or image shall be instantaneous.
- 4) Changeable copy signs shall not employ motion or the illusion of motion by any means to depict action or create a special effect or scene.
- 5) Such signs are not permitted to create the illusion of blinking, alternating, chasing, contracting or expanding, flashing, fading, repeating, oscillating, pulsating, rotating, rolling, running, scrolling, strobing, or twinkling, or to simulate moving video images, etc.
- 6) Signs shall not employ flashing lights or lights of changing degree or intensity of color.
- 7) Signs containing 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 to ensure that the sign is visible but not necessarily radiant.
- 8) Digital changeable copy signs, including digital message board signs, shall not be operated between the hours of 10:00 p.m. and 5:00 a.m. if located 300 feet of a residential dwelling unless the sign face is visually obscured from the residence.

906.7 Multiple-Use Shopping, Business, Office and Professional Centers; Freestanding Directory Signs

1. Any multiple-use shopping, business, office and professional center or mall shall be allowed to have not more than two (2) freestanding directory signs for individual businesses provided they meet the following requirements:
 - i. Information - Signs shall be for directory information purposes only.
 - ii. Location - Either the area of the directory sign shall be contained within the limits for total signage area at said center or mall or the sign shall not be visible from any

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

public way.

2. Freestanding signs on outlying parcels that do not have direct traffic access to the adjacent roadway will be permitted a sign of one-half (2) the size authorized in Section 6-4 905.4.
(Amended 8-11-15/2015-06)

906.7 Petroleum Service Stations

Petroleum products pumps and dispensers which are within view of a public way shall be permitted to display only information required by law and in addition, the brand name and type of product being dispensed.

Premises which dispense retail bulk petroleum products by pump shall be permitted one (1) additional sign on the premises announcing the price per gallon of no more than four (4) products with characters not exceeding twelve (12) inches in height. In lieu of the one (1) additional sign permitted above, the price per gallon may be displayed on each individual pump structure with characters not exceeding six (6) inches in height.

906.8 Flags

Non-governmental flags are deemed to be signs and shall be subject to the provisions of this article, except that no such flag shall exceed forty (40) square feet per face.

Governmental flags must be displayed in a dignified non-commercial manner. No such flag shall exceed forty (40) square feet per face.

Flagstaff shall not exceed thirty (30) feet above grade.

907 Administration

907.1 Application for Permit

Where to apply - Any application for a sign permit shall be submitted to the Administrator on a form supplied by the Town.

Information required - The following information shall be submitted with an application for a sign permit:

1. Name, address, telephone number, and signature of the owner or duly authorized lessee of the premises granting permission for the construction, operation, maintenance, or displaying of sign or sign structure.
2. Name, address, telephone numbers, Town of Pine Ridge business license number and signature of sign contractor, if any. *(Amended 8-11-15/2015-06)*
3. Legal description and/or street address of premises or property upon which the sign is to be located.
4. The approximate value of the sign to be installed, including the installation cost.
5. Type of sign for which a permit is being sought.
6. One copy of a sketch, blueprint, blue line print or similar presentation drawn to scale and dimensioned, showing elevations of the sign as proposed on a building facade, awning or canopy; provided, further, the relationship to other existing adjacent signs shall also be shown. In the case of a freestanding sign, said sketches shall include a site

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

plan showing the sign location and any existing or proposed landscaping which is affected by such sign. *(Amended 8-11-15/2015-06)*

If requested by the Administrator, copy of stress sheets and calculations indicating that the sign is properly designed for dead load and wind pressure in any direction, as required in Chapter 12 of the Standard Building Code.

If applicable, the appropriate Town of Pine Ridge zoning permit number.

Such other information as the Administrator may require which is necessary to verify full compliance with all applicable provisions contained in the Town of Pine Ridge Code of Laws.

907.2 Reserved. *(Amended 8-11-15/2015-06)*

907.3 Sign Permit Fees

1. Regular fee. When application for a permit is approved and before a permit is issued, a permit fee shall be paid based on the following schedule of rates *(Amended 9-13-16/2016-12)*:
 - a. Electrical (not electronic) signs:
 - i. Up to 40 square feet (each face) \$50.00
 - ii. Over 40 square feet (per square foot, each face) \$ 0.35
 - b. Non-electrical signs:
 - i. Up to 40 square feet (each face) \$50.00
 - ii. Over 40 square feet (per square foot, each face) \$ 0.35
 - c. Temporary signs:
 - i. Up to 32 square feet (each face) \$10.00
 - d. Penalty fee
 - i. A double fee will be charged for sign(s) posted without prior permit.

907.4 Contents of Permit

Upon compliance with the provisions of this article, the Administrator shall make a decision to issue, deny or issue with conditions a permit for such sign structure within thirty (30) days of receipt of a complete permit application. Permits shall contain the following information *(Amended 8-11-15/2015-06)*:

1. The type of sign as defined in this article.
2. The street address of the property upon which said sign is proposed to be located and the proposed location of the sign on said property; in the absence of a street address, an acceptable method of location shall be used.
3. The amount of the fee paid for such permit.
4. The date of issuance.
5. In the case of a temporary sign, the date of expiration of permit.

907.5 Expiration of Permit

If the work described in the permit has not begun within six (6) months from the date of the

TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS

permit, or within the time specified in a special exception, the permit shall expire and be void upon written notice by the Administrator. *(Amended 8-11-15/2015-06)*

907.7 Changes in Ownership or Removal

Transfer of ownership; dismantling or removal of sign - In the case of ownership transfer, provided no changes are made to the sign, or, if a permitted sign is dismantled or removed, the Administrator shall be notified. *(Amended 8-11-15/2015-06)*

908 Enforcement

908.1 Violation Notice

The Administrator and duly authorized staff shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person subject to this article for the purpose of enforcing the provisions herein.

The Administrator shall serve written notice by mail upon the owner, or his agent, and the occupant of property upon which conditions exist in violation of this article requiring that the conditions be corrected or removed within thirty (30) days. The notice shall state the appeals and variance guidelines stated in Section 909. *(Added 8-11-15/2015-06)*

908.2 Reserved *(Amended 8-11-15/2015-06)*

908.3 Impoundment of Signs

1. The Administrator and staff shall have the authority to remove all signs, without notice to the owners thereof, placed within any street or highway right-of-way, signs attached to trees, fence posts, telephone and utility poles, other natural features, or signs otherwise prohibited by this article, and to impound them for a period of ten (10) days.
2. The owner of a sign impounded may recover same upon the payment of fifty dollars (\$50.00) for each sign, prior to the expiration of the ten-day impoundment period; in the event it is not claimed within the ten (10) days, the Administrator shall have authority to dispose of such sign.

908.4 Penalties

Any person violating any provision of this ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 plus any applicable court assessments mandated by S.C. State Law or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. *(Amended 8-11-15/2015-06)*

909 Appeals

909.1 Appeal

Any person aggrieved, sign owner or applicant, or any officer, department, board or bureau of the municipality who alleges that the administrative official acted erroneously in enforcing this article may appeal the decision of that administrative official to the Board of Zoning Appeals. Such appeal, including any appeal fee, shall be filed within twenty (20) days of receipt of an official notice of decision.

**TOWN OF PINE RIDGE
ZONING & LAND DEVELOPMENT ORDINANCE
ARTICLE 9 - SIGNS**

909.2 Appeal Fee

A fee of one hundred dollars (\$100.00) shall be paid for each appeal filed. If the decision of the appeal is in favor of the appellant, the fee shall be refunded.