



# Bluffton Police Department

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DATE: October 25, 2016  
RELEASE NUMBER: 16-87

## Illegal Sign Placement

Who:

Bluffton Code Enforcement Division

What:

Illegal Sign Placement

Where:

Various parts of Bluffton

Since Hurricane Matthew came through Bluffton, more and more temporary business signs are starting to be seen around Town. The problem – the majority of these temporary signs are illegal.

According to the Town of Bluffton Unified Development Ordinance Article 5.13 all temporary signs must be affiliated with a business that already has a Town of Bluffton business license. To date, most signs that have been placed recently are by businesses that are not licensed.

If a licensed business would like to display a temporary sign, they must receive a special permit through the Town's Growth Management Department. The Town UDO states: temporary signs announcing a sale, promotion, civic, philanthropic, educational, religious, or other special event shall require the issuance of a Temporary Sign Permit. The permit shall state the length of time any such sign may be displayed, and all such signs shall meet requirements.

If a sign is placed illegally, it is subject to impoundment without notice and fees can be required for recovery.

A copy of the Town's UDO regarding signs is attached for your reference.

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<b>Table 5.12.3.D.1 Illumination Levels</b>			
<b>Location or Type of Lighting</b>	<b>Minimum Level (FC)</b>	<b>Average Level (FC)</b>	<b>Maximum Level (FC)</b>
Landscape and decorative	0.0	0.50	5.0
Commercial parking areas	0.6	2.40	10.0
Multifamily residential parking areas	0.2	1.50	10.0
Canopy Area Lighting	2.0	12.0	20.0
Areas for display of outdoor merchandise	1.0	5.0	15.0
Walkways and streets	0.2	1.0	10.0

## **5.13 Signs**

### **5.13.1 Intent**

The intent of this Section is to:

- A. Encourage the effective use of signs as a means of communication in the Town of Bluffton;
- B. Maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth;
- C. Improve pedestrian and traffic safety; and
- D. Minimize the possible adverse effect of signs on nearby public and private property.

### **5.13.2 Applicability**

- A. A sign may be erected, placed, established, painted, or maintained in the Town only in conformance with the requirements of this Section.
- B. The effect of this UDO as more specifically set forth herein, is:
  1. To allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this UDO;
  2. To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this UDO, but without a requirement for permits; and
  3. To prohibit all signs not expressly permitted in this Ordinance.

### **5.13.3 Permissible Signs**

- A. The area and quantity of any freestanding sign for which a permit is required should conform to the following requirements. Planned Unit Developments (PUD), 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:

**Table 5.15.3.A  
Signs**

Type of Development	Quantity of Signs Allowed	Maximum Area per Sign	Maximum Faces per Sign	Maximum Area per Face
Residential 501 or more Units	One per Entrance	240 SF	4 Faces	80 SF
Residential 300 to 500 Units	One per Entrance	80 SF	4 Faces	40 SF
Residential 299 or less Units	One per Entrance	80 SF	4 Faces	40 SF
Non-residential 100,000+ SF	Four Signs Maximum	240 SF	4 Faces	80 SF
Non-residential 40,000 to 100,000 SF	Three Signs Maximum	240 SF	4 Faces	80 SF
Non-residential 2,500 to 40,000 SF	Two Signs Maximum	160 SF	4 Faces	40 SF
Non-residential Up to 2,500 SF	One Sign Allowed	40 SF	2 Faces	40 SF

- 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; and
  - 3. 12 feet where the sign face exceeds 60 square feet.
- C. The bottom edge of the sign shall not exceed three 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. 15 feet where the sign face does not exceed 40 square feet;
  - 2. 20 feet where the sign face does not exceed 60 square feet; and
  - 3. 25 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. Freestanding signs shall be separated by a distance of no 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 one sign shall be permitted along that frontage, notwithstanding that a greater number of signs may appear to be permitted by this Section.
- 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 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.

- I. Changeable copy signs are allowed for schools, churches, gas stations, and public agencies, provided that the letters are hand-change only and not electronic. The changeable copy portion of the sign cannot exceed 30% of the sign area.

#### **5.13.4 Wall Signs**

- A. The total area of wall signs shall not occupy more than ten percent of the area of the wall upon which they are placed with the maximum size of any one sign limited to 40 square feet.
- B. No more than two signs may be placed on any one façade of any one building except that shopping centers shall be permitted two signs per tenant space, per tenant façade, provided only one 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.
- C. Wall signs must be contained within any single wall panel, window, door, or other architectural component upon which they are placed.
- D. Tenant façade signs must be located on the façade of the tenant space being identified.

#### **5.13.5 Directory Signs**

- A. Shall be permitted where a particular site includes more than one tenant;
- B. May contain logos or business names with arrows or other directional information but shall not contain any commercial message;
- C. May be free-standing or affixed to an exterior wall; and
- D. Shall be consistent with the architectural style and colors of the principal structures.

#### **5.13.6 Sign Materials**

The finish materials to be used for signage throughout the Town shall include:

- A. Wood: painted, stained, or natural;
- B. Metal: copper, brass, galvanized steel, or aluminum;
- C. Stucco, Tabby, Stone, or Brick; or
- D. Any other material that is finished or painted and looks like painted wood.

#### **5.13.7 Prohibited Signs**

- A. Off-premise signs, except special event signs;
- B. A sign which contains any flashing or animated lights, gives the appearance of animation or movement, or contains a message board which utilizes individual bulbs or electronic means to produce the message, excluding time and temperature signs;
- C. Any sign that projects above the peak of a roof, or above the top of an awning or canopy on which it is erected;
- D. Any sign which exhibits statements, words, or pictures of an obscene or pornographic nature;

- E. Any sign which emits a sound, odor, or visible matter;
- F. Any sign which obstructs free ingress/egress from a door, window, fire escape, or other exit way;
- G. 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;
- H. Signs using the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might reasonably mislead, confuse, or distract a vehicle driver;
- I. Except as otherwise provided, no sign whether temporary or permanent, except by a public agency or with the approval of the Town and upon issuance of an Encroachment Permit, is permitted within any street right-of-way;
- J. Signs painted on, or attached to trees, rocks, or other natural features, telephone, or utility poles;
- K. No sign of any kind shall be erected or displayed in any salt marsh areas or on any land subject to periodic inundation by tidal salt water;
- L. Abandoned, hazardous, or dilapidated signs;
- M. Portable signs, except as provided for in this section;
- N. Attention-getting devices, including searchlights, spinners, streamers, balloons and similar devices, fluttering signs, pennants, ribbons, balloons, and other aerial devices;
- O. Internally illuminated signs, neon signs, or signs which contain a visible light source; and
- P. Vehicle signs.

#### **5.13.8 Exempt Signs**

The following signs are exempt from the regulations of this Ordinance, provided they are not located within the public right-of-way without an encroachment agreement:

- A. Nameplates of four square feet or less;
- B. Residence signs or street address numbers, not exceeding 4 square feet in size;
- C. Signs located on property within those portions of PUD 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;
- D. Signs directing and guiding traffic and parking on private property which do not exceed 1.5 square feet in area and bear no advertising matter;
- E. Projecting signs displaying the name of the business and having an area of two square feet or less when located under a pedestrian canopy;
- F. Buses, taxicabs, and similar common carrier vehicles which are licensed or certified by a public body or agency;
- G. Signs used for bona fide navigational aids;
- H. Historic Plaques;
- I. Traffic, directional, warning, or informational signs authorized by any public agency;

- J. Flags and insignia of the United States or the State of South Carolina which are five feet by eight feet or smaller, with a maximum flagpole height of 30 feet when displayed in connection with a commercial use. Government buildings are exempt from the size and height limitations. Official flags limited to three per establishment; and
- K. Official notices issued by any court, public agency, or public office, including signs erected on behalf of, or pursuant to, the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.

**5.13.9 Setbacks from right-of-way**

- A. All freestanding signs shall be set back at least 10 feet from the public right-of-way.
- B. Signs shall not be located within the vision clearance triangle at street intersections.

**5.13.10 Temporary Signs**

- A. Temporary signs announcing a sale, promotion, civic, philanthropic, educational, religious, or other special event shall require the issuance of a Temporary Sign Permit. The permit shall state the length of time any such sign may be displayed and all such signs shall meet the following requirements.
  - 1. Signs shall not exceed 16 square feet in area per sign face, 32 square feet in total sign area, and 6 feet in height if free-standing;
  - 2. Signs shall be affixed at all corners to the structure on which the sign is attached;
  - 3. No more than one temporary sign shall be permitted at any time;
  - 4. No temporary sign shall be illuminated; and
  - 5. Any tenant space or lot, if a single occupant, may display temporary signs, in aggregate, for up to 30 days in any 12 month period.
- B. **Sandwich Board Signs**
  - 1. One sandwich board sign may be permitted per tenant space or lot if a single occupant during business hours;
  - 2. Sign must not exceed 6 square feet in area per sign face, 12 square feet in total sign area, and 4 feet in height;
  - 3. In addition to being located on private property, such sign may be located on any common property associated with the private property for which the sign serves;
  - 4. Sign shall not be placed in any highway or roadside buffer.
  - 5. Sign must be located in a manner that maintains a minimum of 36 inches of unobstructed sidewalk clearance and does not impede pedestrian traffic; and
  - 6. Sign must be located in a manner that does not impede vehicular traffic or parking, including safety sight lines at intersections.

- C. The following signs shall be allowed without a permit provided the restrictions for the type of sign are met.
1. Political Signs:
    - a. Political signs shall not be located on public property or in public rights-of-way, and must be confined wholly to placement on private property, with permission of the property owner;
    - b. Signs shall not be erected earlier than 60 days prior to the election or referendum to which they apply;
    - c. Signs shall be removed within five days after the election or referendum to which they apply. Signs for candidates in a runoff election may be maintained until the final election to which the signs apply; and
    - d. Signs shall not exceed six square feet in area per sign face, 12 square feet in total sign area, and shall not exceed a height of four feet.
  2. Real Estate Signs:
    - a. Real estate "for sale" or "for lease" signs shall not be located on public property or in public rights-of-way, and must be confined wholly to placement on private property, with permission of the property owner;
    - b. For single-family residential lots or units, one real estate sign, not exceeding five square feet in area per sign face and ten square feet in total sign area, and if freestanding, not exceeding four feet in height, shall be permitted. Property with frontage on two or more streets shall be permitted one additional sign per frontage. If a framed metal freestanding sign is not used, then a single post sign may be used, not to exceed six feet in height and five square feet in area per sign face and ten square feet in total sign area;
    - c. For single-family subdivisions, multi-family, commercial, and industrial developments, one real estate or project sign not exceeding 48 square feet in area per sign face and 96 square feet in total sign area, and if freestanding, not exceeding eight feet in height, shall be permitted. Property with frontage on two or more streets shall be permitted one additional sign per frontage; and
    - d. Such signs shall be removed within 30 days of the rental, sale, or lease of a property.
  3. Project Signs:
    - a. Project signs shall not be located on public property or in public rights-of-way and must be confined wholly to placement on private property, with permission of the property owner;
    - b. Signs shall not exceed 32 square feet in area per sign face, 64 square feet in total sign area, and shall not exceed 8 feet in height; and
    - c. Signs shall not be erected prior to issuance of a development plan approval and shall be removed prior to issuance of the final Certificate of Occupancy.

#### **5.13.11 Automotive Service Station/Convenience Market Signs**

The following sign standards apply to automotive service station and convenience markets: