

# TEXT AMENDMENT STAFF REPORT



Hearing Date: 1-21-16

[UPDATE: 2-18-16; 3-3-16]

Case File #: TA-16-01

General Description: Amend Article 11, Signs; Outdoor Advertising Structures to provide development standards for signage related to special events within Town limits.

Town Initiated

Citizen Initiated

Applicant(s): Town of Sunset Beach

## APPLICATION OVERVIEW:

The Sunset Beach Planning & Inspections Department has initiated an application to amend Article 11, Section 11.03(A) and Section 11.08 in the UDO to provide specific development standards for signs used in accordance with special events within the Town’s planning and zoning jurisdiction. This application is being initiated by Town staff. The concern from the Town staff is that with the increasing number of special events that are being applied for and conducted in the Town, the sign regulations need to be updated to reflect a more flexible, but efficient method of advertising.

## STAFF COMMENTARY

Staff has reviewed the UDO for the appropriate method to incorporate revised sign standards for special events.

Currently, the Town only has one general set of standards for special events in Town. It is staff’s opinion that these standards only address small scale events and do not take into account Town-wide, larger events and the desire for more flexible and appropriate advertising standards given the scale of the event. Staff is also of the opinion that the current standard is a “one size fits all” regulation and needs to be expanded upon as the Town continues to receive applications for larger events utilizing larger facilities.

After reviewing the ordinance, staff has divided and classified the applicable sign regulations based upon the scale of the event. Specifically, staff has created a classification of “temporary events” to accommodate small-scale, private events and used much of the existing language in the existing code. This classification focuses on events such as yard sales, fund raisers, auctions, and other similar activities on private property.

Secondly, staff created a classification of “special events” which has a focus on more community-wide activities such as concerts, fairs, road races, etc. These activities generally utilize Town resources or have a more community-wide impact. As such, staff focused on creating sign regulations according to such scale.

**PROPOSAL**

**[UPDATE: 2-18-2016] Based upon feedback received from the Planning Board at their January 21<sup>st</sup> meeting, staff has made changes to the proposed language. The proposed changes are in “blue” below.**

The proposed amendment is as follows:

**SECTION 11.03 RESIDENTIAL AND BUSINESS DISTRICTS STANDARDS BY USE**

**(A) Temporary signs in residential districts shall be governed according to Section 11.08 (A)**

**(11)-(12) Residential District Standards**

~~K. Temporary non illuminated signs publicizing a specific event of the town, county, or other non profit entity shall not exceed 32 square feet per sign.~~

~~1. No more than two signs publicizing the event shall be permitted on the site of the specified activity. The distance between said signs shall not be less than 100 feet.~~

~~2. No more than two signs publicizing the same event shall be located off the site of the activity advertised and may be located in any business district, upon approval of the land owner, or may be located on property owned and/or controlled by the sponsoring agency. All signs as described above will be allowed only during a time period of 10 days preceding the time and date of the event and must be removed no later than 48 hours following the conclusion of the event. No sign shall be placed in the public right of way.~~

~~3. Signs may not be installed on vegetation or by any method that is destructive to private property. Method of installation is subject to approval by the UDO Administrator.~~

**11.08 Exemptions**

~~(A)(11) Special Event Signs.~~

~~(a) Temporary non illuminated signs not exceeding twenty five (25) square feet in area publicizing a specific event of general public interest including, but not limited to festivals, public meetings, community fund raising events, auctions, grand openings, yard sales/garage~~

~~sales, or events sponsored by religious, charitable, or public service groups. No more than two (2) off-site directional **yard** sales/garage sales **signs** may be permitted, but only during the hours the sale is actively being conducted. No **signs** may be placed in the public right of way. No more than two (2) **signs** publicizing the same event may be located off-site, and will be allowed only during a time period of three (3) weeks preceding the time and date of the event. All **signs** must be removed no later than one (1) week following the conclusion of the event.~~  
~~(b) An exception to the allowed time periods is one (1) permanent **on-premises sign** publicizing an annual event that is beneficial to the community and has been approved by the **UDO Administrator**.~~

(A)(11) Temporary Event Signs.

Temporary events are defined as town-approved, short-term events focused around activities conducted upon a specific business site or individual property that do not involve use of public facilities, staff, or the use or closing of streets. Examples of such activities include, but are not limited to, business grand openings, yard sales, fund raising events, auctions, or events sponsored by religious, charitable, or public services groups. Signage for such events are subject to the following standards.

(a) One temporary non-illuminated sign not exceeding thirty-two (32) square feet in area publicizing a specific event of general public interest is allowed per street frontage.

(b) For yard or garage sales, no more than two (2) off-site directional **yard** sales/garage sales **signs** may be permitted, but only during the hours the sale is actively being conducted and shall not exceed 25 sq. ft. in area.

~~(c) Otherwise, no more than two (2) **signs** publicizing the same event may be located off site, and will be allowed only during a time period of two (2) weeks preceding the time and date of the event. All **signs** must be removed no later than forty eight (48) hours following the conclusion of the event.~~

(c) ~~With the exception of 11(b) above, For all other temporary events as classified in this section may erect **signage** up to 2 weeks prior to or within one week after the event.~~ **Signs** shall be allowed to be erected for up to 30 days following the initial placement of the **sign**. After 30 days, the signs shall be removed.

(c) No **signs** may be placed in the public right-of-way or on public facilities. **Signs** shall be placed on private property.

(12) Special Event Signs

Special Events are defined as events that have a community-wide impact, usually involve the use of or closing of streets, use of Town facilities and staff, require a Town permit, or are an event not otherwise classified as a temporary event. Such events include, circuses, concerts, festivals, street fairs, road races, and other such activities. Signage for such events are subject to the following standards.

(a) All temporary **banner signs** may be erected no more than 3 weeks prior to the event and shall be removed no later than 48 hours after the event has concluded, unless expressly stated in the Section. For any event lasting more than 2 consecutive days or for events that are recurring weekly up to 12 weeks, **signs** may not be displayed for more than thirty (30) days prior to the first event.

(b) No event shall display more than 200 cumulative square feet of total **signage** area, including all off-site and on-site **signage** allowed under this Section.

(c) No event shall display more than the allowable **signs** as detailed below.

i. Two **signs** may be located on the lot hosting the event for the allowable display period. This **sign** may be a **banner sign** if it is securely fastened and adequately vented to prevent uplifting. These **signs** shall be no larger than 32 square feet each.

ii. One **sign** may be a **banner sign** posted at each of the “Town of Sunset Beach” town entrance **sign** locations. These **signs** shall be no larger than 32 square feet each and shall not block the visibility of the entrance **signs**.

iii. Off-site **directional signs** to the event, may be displayed in different locations, may be located in the public right of way, but not in a driveway or intersection sight triangle. These **signs** must be of rigid construction (not **banner signs**) and may not exceed 6 square feet in area. These **signs** may be placed the day before the event and must be removed the day after the event. The **sign** locations must be included in the permit application materials and be approved by the Town.

~~(B) Unless otherwise expressed in this section, No exempt **sign** may be placed in the public right-of-way.~~

**[UPDATE for 3-3-2016] Based upon feedback received from the Planning Board at their February 18th meeting, staff has made changes to the proposed language. This draft was the final staff draft for Board consideration. To make the changes more legible and clear, staff has proposed to make a new version with noted comments and edits from the previous meeting for the Board to review**

The proposed amendment is as follows:

**SECTION 11.03 RESIDENTIAL AND BUSINESS DISTRICTS STANDARDS BY USE**

*(A) Residential District Standards*

(K) Temporary **signs** in residential districts shall be governed according to Section 11.08 (A) (11)- (12)

**11.08 Exemptions**

(A)(11) Temporary Event **Signs**.

Temporary events are defined as town-permitted, short-term events focused around activities conducted upon a specific business site or individual property that do not involve use of public facilities, staff, or the use or closing of streets. Examples of such activities include, but are not limited to, business grand openings, yard sales, fund raising events, auctions, or events sponsored by religious, charitable, or public services groups. **Signage** for such events are subject to the following standards.

(a) One temporary non-**illuminated sign** not exceeding thirty-two (32) square feet in area publicizing a specific event of general public interest is allowed per street frontage.

(b) For yard or garage sales, no more than two (2) off-site directional **yard sales/garage sales signs** may be permitted, only during the hours the sale is actively being conducted and each sign shall not exceed 4 sq. ft. in area.

(c) For all other temporary events as classified in this section **Signs** shall be allowed to be erected for up to 30 days following the initial placement of the **sign**. After 30 days, the signs shall be removed.

(d) No **signs** may be placed in the public right-of-way or on public facilities. **Signs** shall be placed only on private property.

(12) Special Event **Signs**

Special Events are defined as events that have a community-wide impact, usually involve the use of or closing of streets, use of Town facilities and staff, require a Town permit, or are an event not otherwise classified as a temporary event. Such events include, circuses, concerts, festivals, street fairs, road races, and other such activities. **Signage** for such events are subject to the following standards.

(a) All temporary **banner signs** may be erected no more than 3 weeks prior to the event and shall be removed no later than 48 hours after the event has concluded, unless expressly stated in the Section. For any event lasting more than 2 consecutive days or for events that are recurring weekly up to 12 weeks, **signs** located on the site of the event may remain on the site for the duration of the event, but shall be placed and removed as expressed herein.

(b) No event shall display more than 200 cumulative square feet of total **signage** area, including all off-site and on-site **signage** allowed under this Section.

(c) No event shall display more than the allowable **signs** as detailed below.

i. Up to two **signs** may be located on the lot hosting the event for the allowable display period. This **sign** may be a **banner sign** if it is securely fastened and adequately vented to prevent uplifting. These **signs** shall be no larger than 32 square feet each.

ii. One **sign** may be a **banner sign** posted at each of the "Town of Sunset Beach" town entrance **sign** locations. These **signs** shall be no larger than 32 square feet each and shall not block the visibility of the entrance **signs**. These

signs may be placed up to 3 weeks prior to the event and shall be removed within 48 hours of the start of the event.

iii. Off-site **directional signs** to the event may be displayed in different locations, but not in a driveway or intersection sight triangle. These **signs** must be of rigid construction (not **banner signs**) and may not exceed 6 square feet in area. These **signs** may be placed the day before the event and must be removed the day after the event. These signs shall only be placed for day events. The **sign** locations must be included in the permit application materials and be approved by the Town.

iv. Off-site **banner signs** for the event may be displayed in different locations, but not in a driveway or intersection sight triangle. Each **sign** shall not exceed 32 square feet in area and be located on private property.

(B) No exempt **sign** may be placed in the public right-of-way.

## **PLANNING BOARD SUMMARY**

### **Action:**

The Planning Board finds that the proposed amendments to Unified Development Ordinance   **X**   is        is not consistent with the Sunset Beach Comprehensive Land Use Plan.

Passed   **X**   Denied        (For   **5**   Against        Abstained       )

**Commentary:** The Planning Board approved the amendment with a modification. Please see below for details. The Planning Board recommends the amendment to Town Council for a public hearing and adoption consideration.

The Planning Board reviewed the latest draft of the ordinance at their 3-3-2016 meeting. The Board approved the amendment with one modification related to the amount of time banner signs may remain at the Town of Sunset Beach entrance signs (3 weeks to 2 weeks). The modification is highlighted in blue below.

The proposed amendment for Council consideration is as follows:

### **SECTION 11.03 RESIDENTIAL AND BUSINESS DISTRICTS STANDARDS BY USE**

(A) *Residential District Standards*

(K) Temporary **signs** in residential districts shall be governed according to Section 11.08 (A) (11)- (12)

### **11.08 Exemptions**

(A)(11) Temporary Event **Signs**.

Temporary events are defined as town-permitted, short-term events focused around activities conducted upon a specific business site or individual property that do not involve use of public facilities, staff, or the use or closing of streets. Examples of such activities include, but are not limited to, business grand openings, yard sales, fund raising events, auctions, or events sponsored by religious, charitable, or public services groups. **Signage** for such events are subject to the following standards.

- (a) One temporary non-**illuminated sign** not exceeding thirty-two (32) square feet in area publicizing a specific event of general public interest is allowed per street frontage.
- (b) For yard or garage sales, no more than two (2) off-site directional **yard sales/garage sales signs** may be permitted, only during the hours the sale is actively being conducted and each sign shall not exceed 4 sq. ft. in area.
- (c) For all other temporary events as classified in this section **Signs** shall be allowed to be erected for up to 30 days following the initial placement of the **sign**. After 30 days, the signs shall be removed.
- (d) No **signs** may be placed in the public right-of-way or on public facilities. **Signs** shall be placed only on private property.

(12) Special Event **Signs**

Special Events are defined as events that have a community-wide impact, usually involve the use of or closing of streets, use of Town facilities and staff, require a Town permit, or are an event not otherwise classified as a temporary event. Such events include, circuses, concerts, festivals, street fairs, road races, and other such activities. **Signage** for such events are subject to the following standards.

- (a) All temporary **banner signs** may be erected no more than 3 weeks prior to the event and shall be removed no later than 48 hours after the event has concluded, unless expressly stated in the Section. For any event lasting more than 2 consecutive days or for events that are recurring weekly up to 12 weeks, **signs** located on the site of the event may remain on the site for the duration of the event, but shall be placed and removed as expressed herein.
- (b) No event shall display more than 200 cumulative square feet of total **signage** area, including all off-site and on-site **signage** allowed under this Section.
- (c) No event shall display more than the allowable **signs** as detailed below.
  - i. Up to two **signs** may be located on the lot hosting the event for the allowable display period. This **sign** may be a **banner sign** if it is securely fastened and adequately vented to prevent uplifting. These **signs** shall be no larger than 32 square feet each.
  - ii. One **sign** may be a **banner sign** posted at each of the “Town of Sunset Beach” town entrance **sign** locations. These **signs** shall be no larger than 32 square feet each and shall not block the visibility of the entrance **signs**. These

signs may be placed up to 2 weeks prior to the event and shall be removed within 48 hours of the start of the event.

iii. Off-site **directional signs** to the event may be displayed in different locations, but not in a driveway or intersection sight triangle. These **signs** must be of rigid construction (not **banner signs**) and may not exceed 6 square feet in area. These **signs** may be placed the day before the event and must be removed the day after the event. These signs shall only be placed for day events. The **sign** locations must be included in the permit application materials and be approved by the Town.

iv. Off-site **banner signs** for the event may be displayed in different locations, but not in a driveway or intersection sight triangle. Each **sign** shall not exceed 32 square feet in area and be located on private property.

(B) No exempt **sign** may be placed in the public right-of-way.

### TOWN COUNCIL SUMMARY

**Action:**

The Town Council finds that the proposed amendments to Unified Development Ordinance \_\_\_ is \_\_\_ is not consistent with the Sunset Beach Comprehensive Land Use Plan.

**Adoption:**

Passed \_\_\_ Denied \_\_\_ (For \_\_\_ Against \_\_\_ Abstained \_\_\_)