

AN ORDINANCE

TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ZONING CODE, BY REPEALING SECTION 155.288 TO ELIMINATE SEPARATE FREESTANDING SIGNAGE REQUIREMENTS WITHIN THE ARTERIAL ROADS DEVELOPMENT STANDARDS OVERLAY DISTRICT; BY AMENDING SECTION 155.471 TO PROVIDE THE ADDITIONAL DEFINITIONS FOR THE TERM “NIT” AND FOR ELECTRONIC AND MANUAL READER BOARDS; AND BY ADDING NEW SECTION 155.481 TO PROVIDE THE STANDARDS AND REQUIREMENTS FOR ELECTRONIC AND MANUAL READER BOARDS; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, has made the following legislative findings:

1.1 The Code of York County, South Carolina, should be amended by amending Chapter 155, ZONING CODE, by deleting Section 155.288, amending section 155.471, and adding Section 144.481, in order to repeal separate freestanding signage requirements within the Arterial Roads Development Standards Overlay District, to provide a definition and standards for electronic reader boards and a nit, and to amend the definition of a reader board within York County, South Carolina, and in order to promote, protect and provide for the health, safety and welfare of York County and its citizens.

1.2 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended and to exercise such other powers as may be authorized for counties under the South Carolina Local Government Comprehensive Planning Act of 1994, including, but not limited to Sections 6-29-760; 6-29-770, S.C. Code Ann., as amended.

1.3 Council finds that providing the amendments contemplated herein regarding, inter alia, the definitions and standards for electronic and manual reader boards will promote

the public health, safety, order, appearance, prosperity and general welfare within the County.

SECTION 2. Code of York County Amended.

Chapter 155, Section 155.288 within the York County Code of Ordinances, is hereby repealed in its entirety:

~~(A) General. Proposed signage must comply with the following requirements and §§ 155.470 et seq.~~

~~(B) Freestanding signs.~~

~~(1) All freestanding signs on aggregate business lots shall be ground signs, not to exceed 8½ feet in height and 100 square feet in size.~~

~~(2) All freestanding signs on individual lots shall be ground signs (see Appendix B-Exhibit 3) not to exceed 8 feet in height and 75 square feet in size.~~

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Chapter 155, Section 155.471, DEFINITIONS, within the York County Code of Ordinances, is hereby amended to add the following definitions within the Section in alphabetical order and as specified so that “NIT” follows “Monument Sign” and so that “Reader Board, Electronic” and “Reader Board, Manual” become subset definitions of “Reader Board”:

NIT. A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.

READER BOARD, ELECTRONIC. Any sign that uses changing lights, electronic, or digital display to form a changing sign message where in the message or sequence of messages and the rate of change can be modified by electronic processes. This area will be included in the total square footage allowed for the overall sign.

READER BOARD, MANUAL. An area of a sign which has manual changeable lettering. This area will be included in the total square footage allowed for the overall sign.

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Chapter 155, Section 155.481 within the York County Code of Ordinances, is hereby added to read as follows:

“155.481 READER BOARDS

(A) *Electronic Reader Boards.* Electronic reader boards may only be permitted under the following conditions for non-residential developments:

(1) Electronic reader boards may be incorporated into ground signs or freestanding business identification signs. Electronic reader boards may not be incorporated into gas canopies, wall signs, directory signs, or directional signs.

(2) The percentage of sign area that can be used for an electronic reader board shall be limited to forty percent (40%) of the allowable sign area. Electronic reader boards for churches, schools, theaters, movie theaters, auditoriums, stadiums, convention centers, and banquet halls shall be limited to seventy-five percent (75%) of the allowable sign area.

(3) The message can change no more frequently than every one (1) minute, and both the message itself and the transition to a new message must include no scrolling, animation, zoom, fade, dissolve, exploding, or other movement.

(4) All electronic reader boards shall consist of a black or similar dark colored background. In no case shall white be used as the background.

5) All electronic reader boards shall have ambient light monitors to automatically adjust the brightness of the sign so as not to exceed 5,000 nits during daylight hours and 500 nits from dusk to dawn.

(6) Electronic reader boards are not allowed within 150 feet of a dwelling unit.

(B) *Manual Reader Boards.* Reader boards may only be permitted under the following conditions for non-residential developments:

(1) Manual reader boards may be incorporated into ground signs, freestanding business identification signs, or gas canopies. Reader boards may not be incorporated into wall signs, directory signs, or directional signs.

(2) The percentage of sign area that can be used for a manual reader board shall be limited to forty percent (40%) of the allowable sign area. Manual reader boards for churches, schools, theaters, movie theaters, auditoriums, stadiums, convention centers, and banquet halls shall be limited to seventy-five (75%) of the allowable sign area.”

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least fifteen (15) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance.

SECTION 4. Severability.

The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by the final order of a court of competent jurisdiction, such declaration shall not affect the constitutionality, legality or enforceability of any other section or provision of this ordinance, which shall be deemed severable, valid, enforceable and effective.

SECTION 5. Repeal of Inconsistent Sections and Ordinances.


All sections of the York County Code of Ordinances and all York County ordinances in conflict with this ordinance are hereby amended to the extent of such conflict.

SECTION 6. Effective Date.

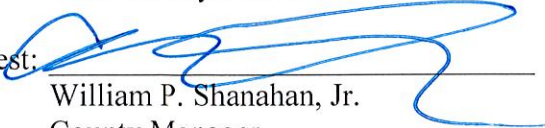
This ordinance shall take effect immediately upon adoption.

Adopted this 3 day of June, 2019.

YORK COUNTY COUNCIL

By: 

R. Michael Johnson, Jr., Chairman
York County Council

Attest: 

William P. Shanahan, Jr.
County Manager

First Reading: May 6, 2019
Second Reading: May 20, 2019
Public Hearing: May 20, 2019
Third Reading: June 3, 2019