

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2017-09**

**OCONEE COUNTY ORDINANCE 2017-09
AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY
CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND
PARTICULARS PERTAINING TO SIGN CONTROL, ONLY; AND OTHER
MATTERS RELATED THERETO.**

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina (the “State”), acting by and through its governing body, the Oconee County Council (the “County Council”), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended, from time to time; and

WHEREAS, the County, acting by and through the County Council, is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code, 1976, as amended, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, Chapter 32 of the Code of Ordinances contains terms, provisions and procedures applicable to performance standards in the County; and

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 32 of the Code of Ordinances involving billboards; and

WHEREAS, County Council has therefore determined to modify Chapters 32 of the Code of Ordinances, and to affirm and preserve all other provisions of the Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Article 8 of Chapter 32 of the Code of Ordinances, entitled *SIGN CONTROL*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and hereby incorporated by reference as fully as if set forth verbatim herein.

2. County Council hereby declares and establishes its legislative intent that Attachment A, hereto, as may be amended from time to time, amend Article 8 of Chapter 32 of the Code or Ordinances of the land use performance standards of the County, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and

as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the Attachments hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Article 8 of Chapter 32, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council, and will apply to all land use and zoning processes initiated after first (1st) reading hereof. All processes actually initiated by submitting a properly and legally completed petition to the County, at a minimum, prior to first (1st) reading of this ordinance and the establishment of the pending ordinance doctrine thereby, shall be completed under the zoning and performance standard rules and regulations of Chapters 32 of the Code of Ordinances, as in effect prior to final adoption of this ordinance.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2017.

ATTEST:

Katie Smith,
Clerk to Oconee County Council

Edda Cammick
Chairwoman, Oconee County Council

First Reading: May 2, 2017
Second Reading: _____
Third Reading: _____
Public Hearing: _____

ATTACHMENT A
To Ordinance 2017-09

ARTICLE VIII. - SIGN CONTROL

Sec. 32-515. - Title.

This article shall be known as the "Sign Control Ordinance of Oconee County, South Carolina."

(Ord. No. 2007-09, § 1, 8-21-2007)

Sec. 32-516. - Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement, for all billboard signage in the unincorporated areas of the county; also, this article shall establish penalties such as are necessary to discourage the violations of these standards, and to establish appropriate fees to offset costs associated with implementation.

(Ord. No. 2007-09, § 2(1), 8-21-2007)

Sec. 32-517. - Authority.

This article is adopted pursuant to the provisions of S.C. Code 1976 § 4-9-30. Personnel employed by the county administrator as code enforcement officers and personnel employed by the Sheriff of the county shall be vested with the authority to enforce and administer signage control within the county in accordance with the provisions of S.C. Code 1976 § 44-67-10 et. seq and all rules and regulations adopted hereunder and the same are incorporated herein by reference as if fully set forth verbatim and as may be amended from time to time.

(Ord. No. 2007-09, § 2(2), 8-21-2007)

Sec. 32-518. - Jurisdiction.

The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards constructed in the unincorporated areas of the county after the date of adoption of these standards shall be permitted under these regulations. Billboards existing at the time of adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

(Ord. No. 2007-09, § 3, 8-21-2007)

Sec. 32-519. - Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word "shall" is mandatory.

Abandoned sign means a sign which is not being maintained as required by S.C. Code of Laws § 57-25-110, or which is overgrown by trees or other vegetation not on the road right of way, or which has an

obsolete advertising message or no advertising message for a period of six months. Any public service signage shall not be considered abandoned under this definition

Billboard means any sign that advertises goods, products, services, or facilities, and that directs persons to a different location from where the sign is located. Sign area of a billboard shall be not less than 250 square feet, to a maximum of 672 square feet.

Existing billboard means for the purposes of these regulations, an 'existing billboard' shall be defined as any billboard either erected within the boundaries of the county prior to adoption of this article, or duly permitted by an agency of the county subsequent to adoption of this article.

Four-lane road means any public road or highway consisting of four or more travel lanes allowing traffic to flow in opposite directions, or a public road or highway consisting of two or more one-way travel lanes.

Sign means any sign structure or combination of sign structure and message in the form of outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, advertising structure, advertisement, logo, symbol or other form which is designated, intended or used to advertise or inform, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, nor specific information panels erected, caused to be erected, or approved by the South Carolina Department of Transportation.

Sign area means the entire face of a sign, including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

Sign permit means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard or a permit obtained for any temporary or political sign as defined by this article.

Stacked billboards means any billboard structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

Two-lane road means any public road or highway consisting of two travel lanes allowing traffic to flow in opposite directions. Such roads may or may not also have at various locations turning lanes, medians, islands, or other traffic control features designed to enhance the safe and efficient utilization of the thoroughfare.

(Ord. No. 2007-09, § 4, 8-21-2007)

Sec. 32-520. - Requirements for billboards and other commercial signs.

- (a) All billboards erected in the unincorporated areas of Oconee County shall be permitted under the provisions of this article.
- (b) No billboard visible (other than an in an incidental manner) from a four-lane road located within the unincorporated areas of the county, shall be erected within 1,300 feet of an existing billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thorough fare from the location of an existing billboard to the proposed site.
- (c) **Signs** with a sign area greater than or equal to 50 square feet, but less than or equal to 75 square feet, shall be permitted on two lane roads. No **signs** with a sign area greater than 75 square feet shall be permitted on two lane roads.
- (d) No billboard shall be located along any federal, state, or county designated scenic highways or roadways.
- (e) Billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of Oconee County. as such, the following materials shall be submitted to the planning director at the time of application:

- (1) A completed application form;
 - (2) A detailed site plan prepared and stamped by a surveyor licensed by the State of South Carolina, noting the proposed location of the structure, and verification that the new billboard meets with all location requirements set forth in this article;
 - (3) A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the State of South Carolina;
 - (4) Appropriate fees.
- (e) No stacked billboards shall be permitted within the unincorporated areas of Oconee County.
- (f) An abandoned sign, as defined by this article, shall be removed by the owner of the sign or the owner of the property upon which the sign is located within 45 days of notification by an the county building official that the sign is an abandoned sign. The sign owner and/or the property owner may appeal the county's designation of the sign as an abandoned sign under this article to the magistrate's court of the county during the 45-day period to remove the sign. If the property owner files a timely appeal, the time period for removing the sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned sign is removed, the sign owner and/or the property owner shall have the right to replace the sign with a new sign of the same size and height and for the same location for a period of six months from the date of removal.

(Ord. No. 2007-09, § 5, 8-21-2007)

Sec. 32-521. - Exemptions.

Any sign or billboard with a sign area less than 50 square feet shall be exempted from these regulations.

(Ord. No. 2007-09, § 6, 8-21-2007)

Sec. 32-522. - Fees.

Fees shall be established for the cost of a billboard permit by resolution of the county council from time to time.

(Ord. No. 2007-09, § 7, 8-21-2007)

Sec. 32-523. - Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director for construction of the billboard. The land use permit shall be valid for six months from the date of issue; the owner/agent may be granted a one-time six-month extension, provided a written request is submitted to the planning director no later than seven working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting reason for extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permit, certification or approval, shall be issued for a billboard or commercial sign prior to the issuance of the land use permit.

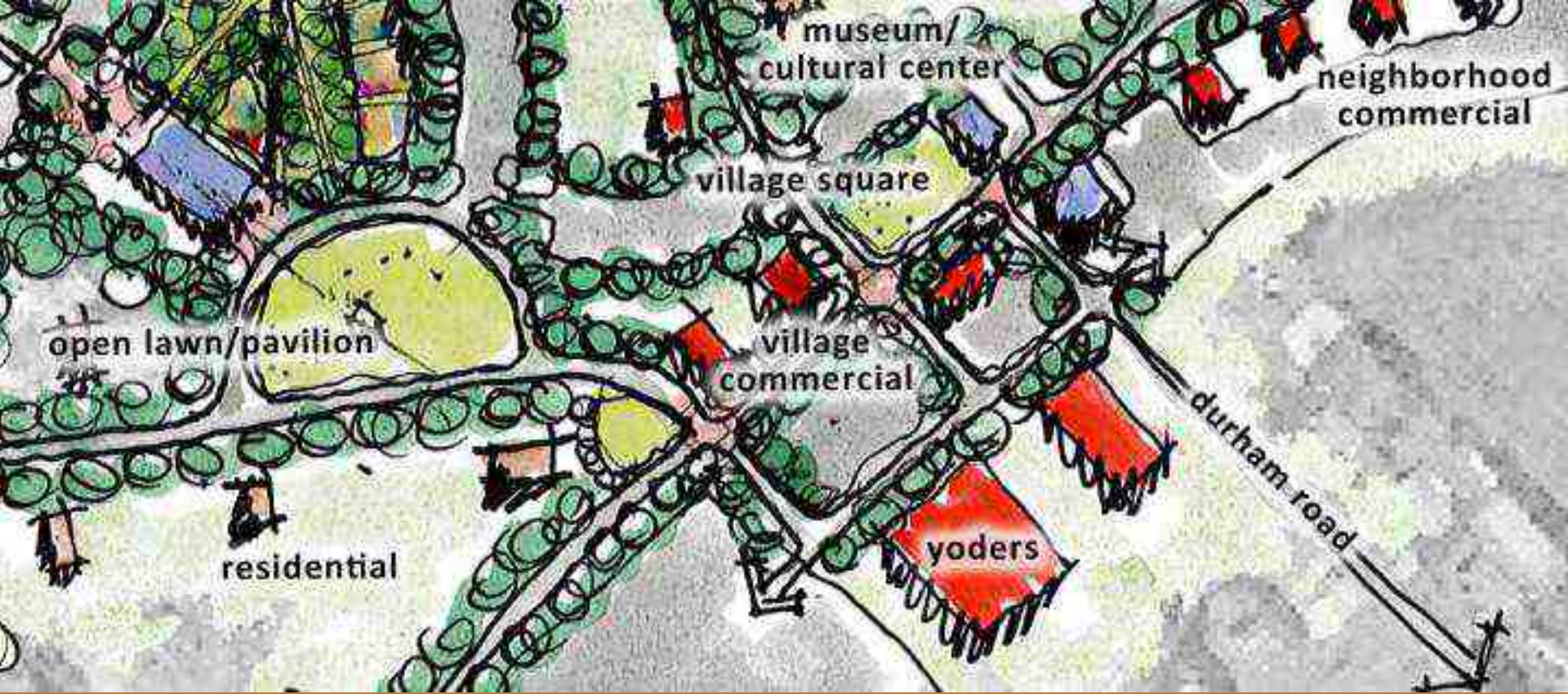
(Ord. No. 2007-09, § 8, 8-21-2007)

Sec. 32-524. - Penalties.

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to \$500.00 dollars or imprisoned for 30 days or both.

(Ord. No. 2007-09, § 9, 8-21-2007)

Secs. 32-525—32-600. - Reserved.



village of fair play master plan – oconee county south carolina

seamonwhiteside + associates - July 2012

village



SeamonWhiteside
+ ASSOCIATES

acknowledgements]

Beginning in April 2012, Oconee County and the Village of Fair Play commissioned a public design workshop, or charrette, to create a master plan for the future development the village and its surrounding corridors. The ideas of property owners, elected officials, staff and government agencies were collected and their input was used to create the following master plan.

Oconee County Planning
Art Holbrooks, Director of Planning

Oconee County Elected Officials
Reg Dexter, County Council

State Elected Officials
Representative Bill Sandifer, House District 2

Village of Fair Play
Jack Maciag
Dick Hughes
Ryan Honea
Glen McPheeters
Charlotte Cowden
Tim Mays
Bill Sandifer



The following objectives were presented during the stakeholder input meetings and worksession/charrette.

support the rural landscape

- tax credits for conservation
- right to farm policies
- buy local campaign
- rural home clustering



help existing places thrive

- prioritize infrastructure spending – fix it first
- historic preservation – sense of place
- streetscape improvements
- targeted new development
- adaptive reuse
- identify needs of local business



create great new places

- visioning
- walkability
- green streets



The following goals were determined from stakeholder input meetings and worksession/charrette.

creating opportunities

- generate interest
- preserve rural character
- promote local agribusiness
- planned commercial growth

+

improve visual appearance

- define entrances
- signage improvements
- create a village

+

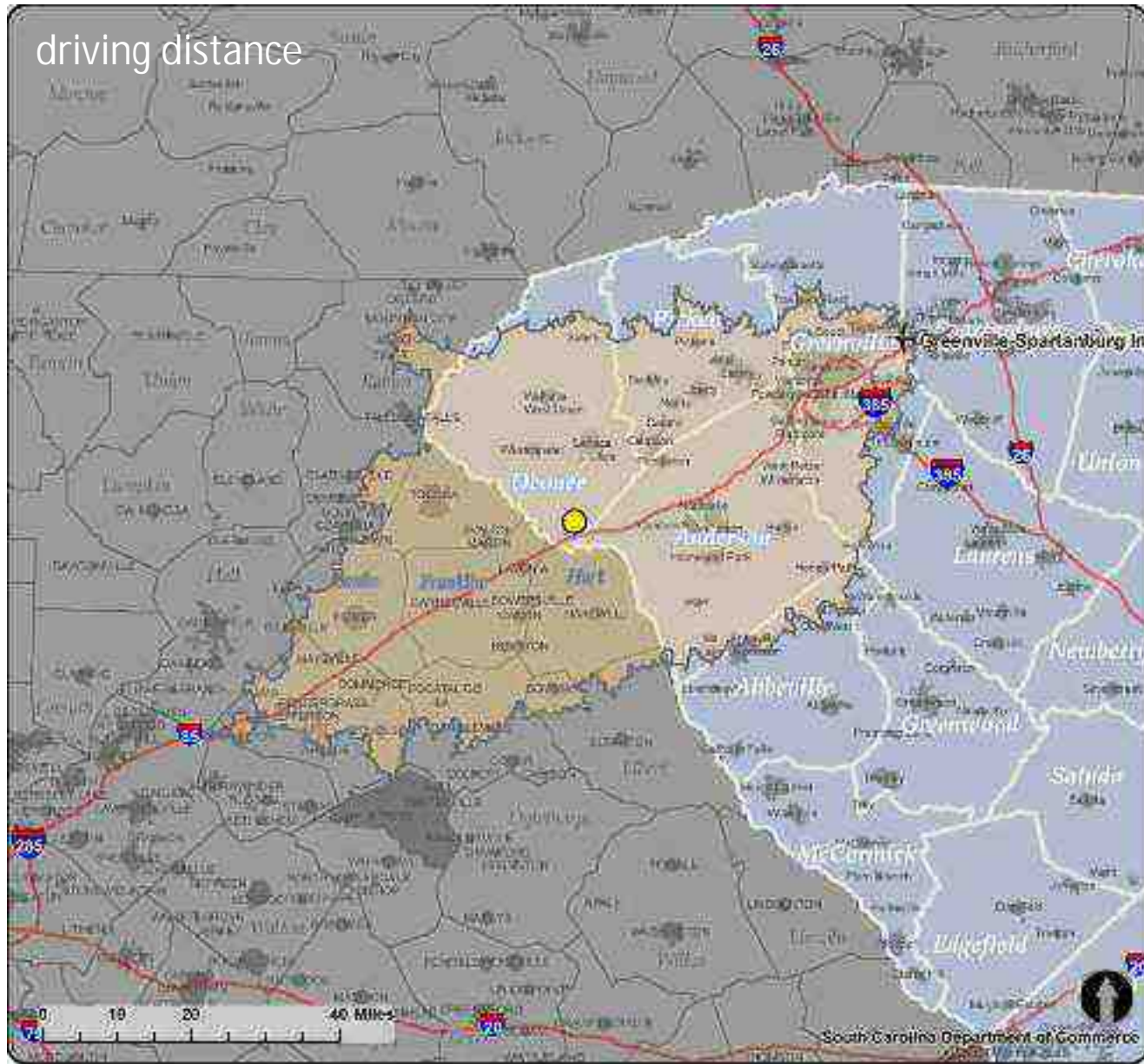
ensure quality of life remains

- design guidelines (site and architecture)
- community-oriented design



the process] understanding the site

driving distance



The Village of Fair Play is located in Oconee County along Interstate 85. Within a 40 mile driving distance are 10 counties, encompassing two states and three metropolitan urban areas (Spartanburg, Anderson, and Greenville).

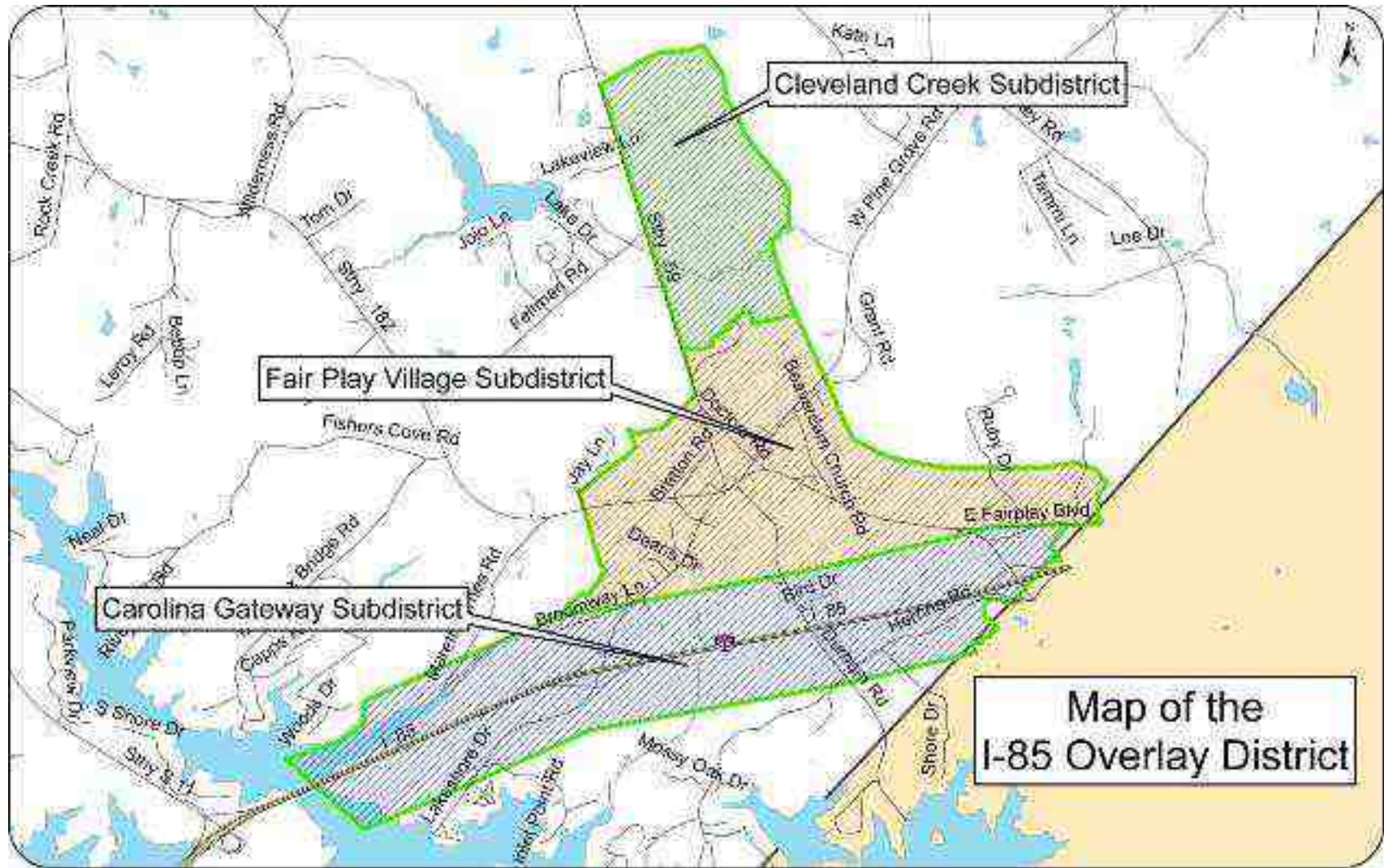
the process] understanding the site



The Village of Fair Play is located in Oconee County along Interstate 85 equal distant from the cities of Lavonia, GA and Anderson, SC. The Interstate Overlay District's boundaries run adjacent to the shores of Lake Hartwell, a man-made lake comprising 56,000 acres of water and a shoreline of 962 miles. The Village of Fair Play is defined by Exit 2 and Exit 4 from Interstate 85, creating a corridor loop through the village, primarily used as a by-pass route to surrounding municipalities.



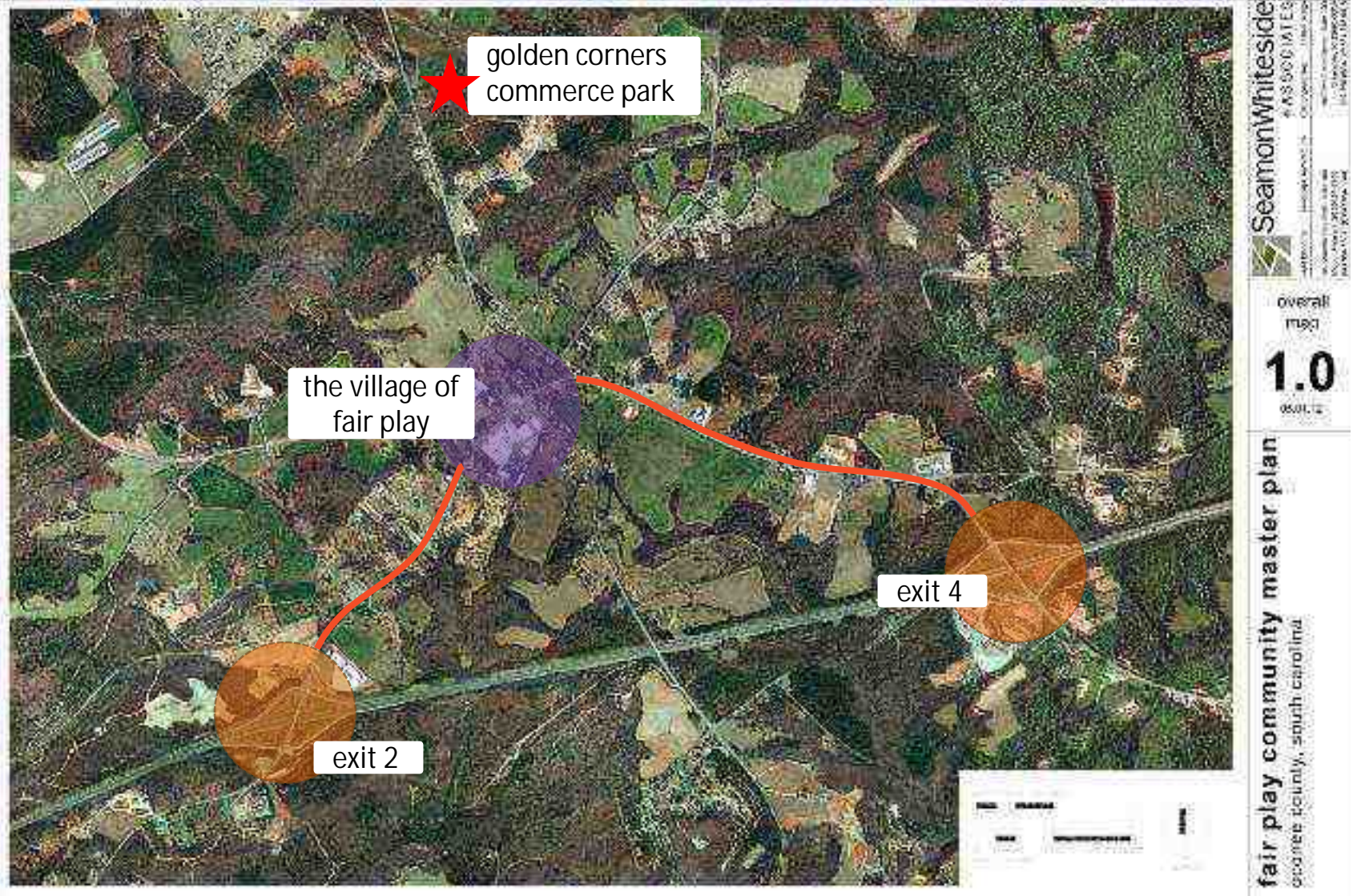
the process] understanding the site



The Fair Play Village Subdistrict will serve as the main study area for this master plan. The land use and parcel coverage vary from commercial outparcel development to undeveloped agricultural farmland.



the process] understanding the site





the process] photographic inventory



Upstate Heritage Quilt Trail



the process] photographic inventory



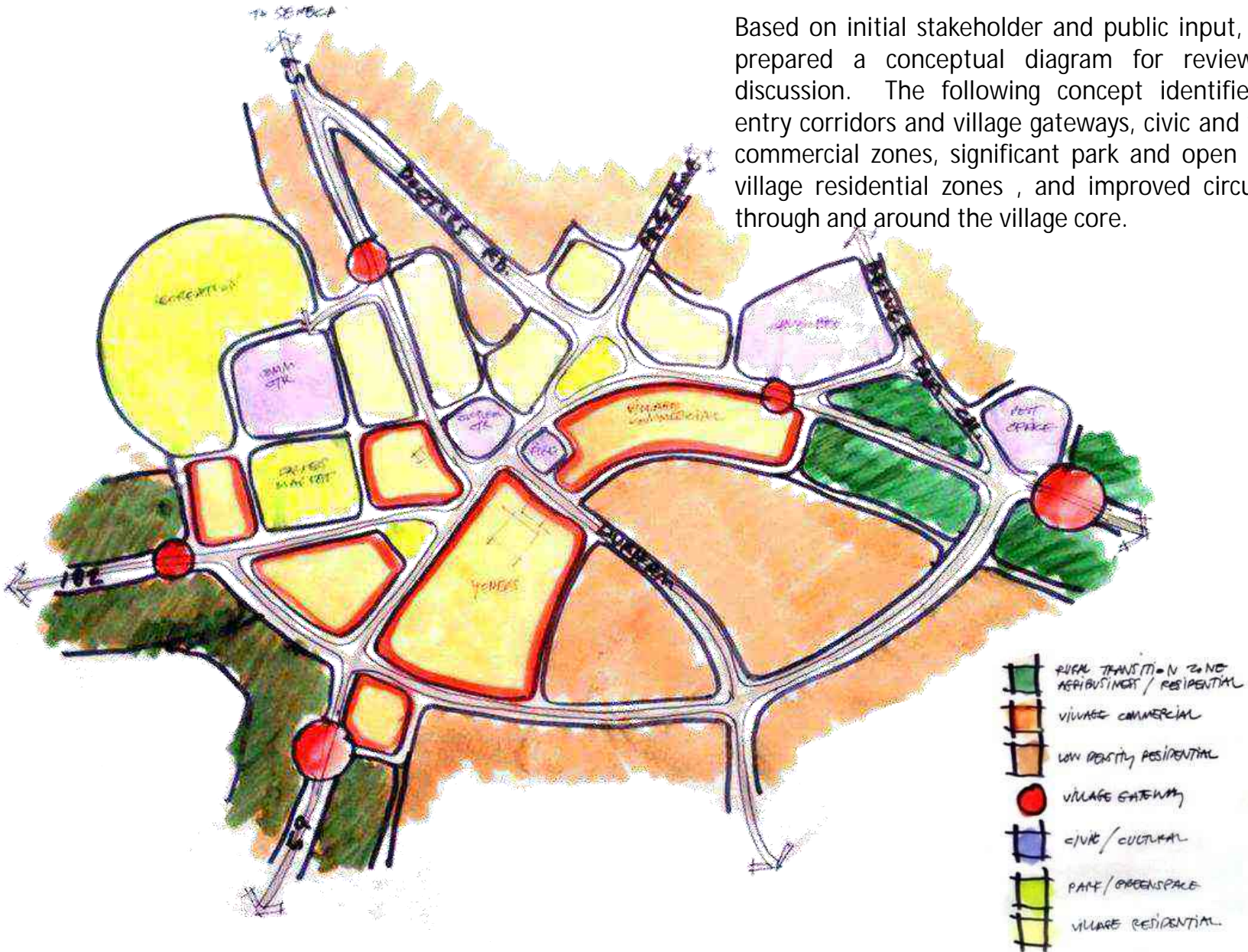
the charrette]

On June 7, 2012, designers and engineers from SeamonWhiteside + Associates held a public meeting at the Fair Play Community Center. The following primary concerns and opportunities were identified during these meetings. Conceptual design ideas were explored on site and have further been refined.

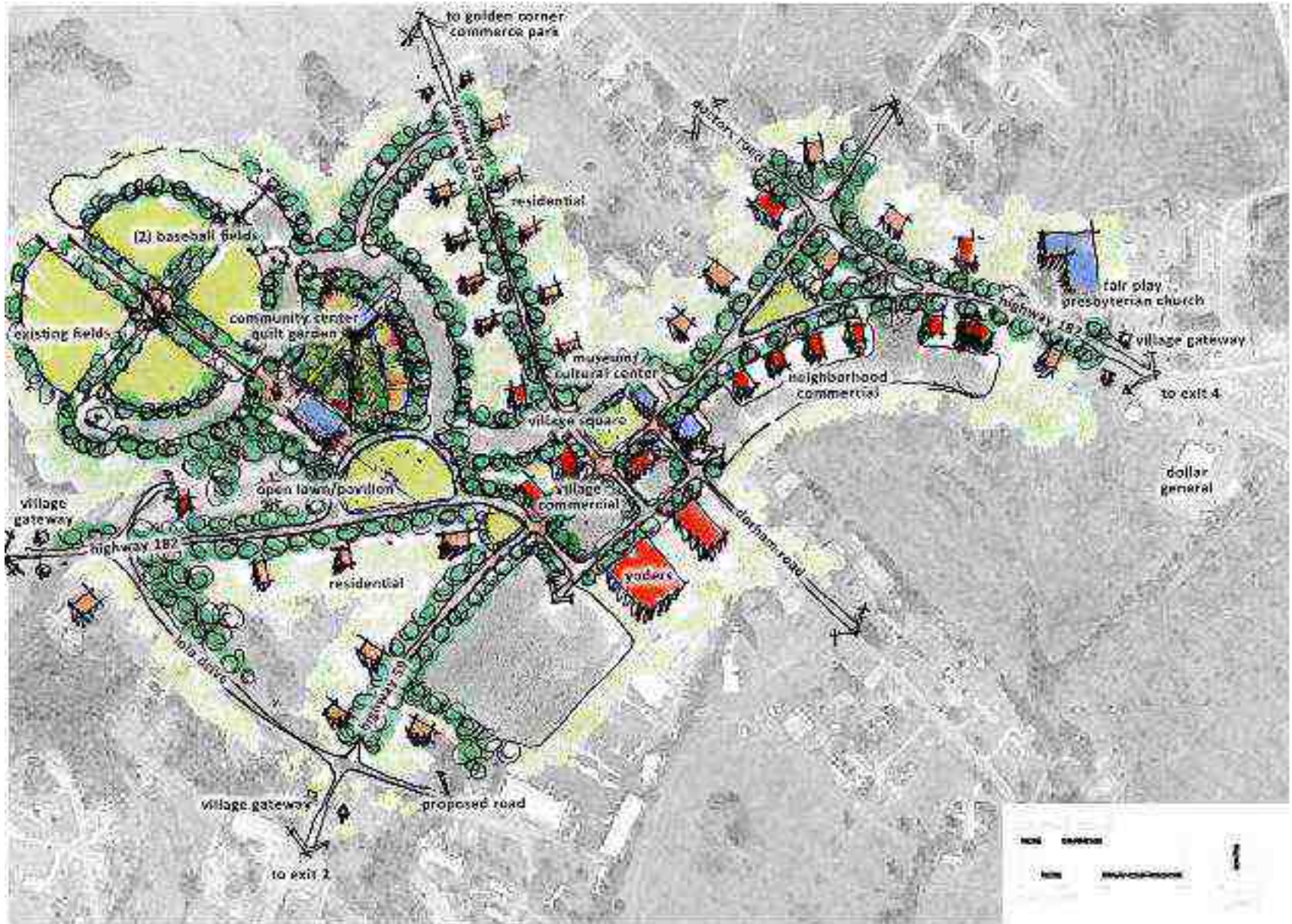


the concept] central village circulation diagram

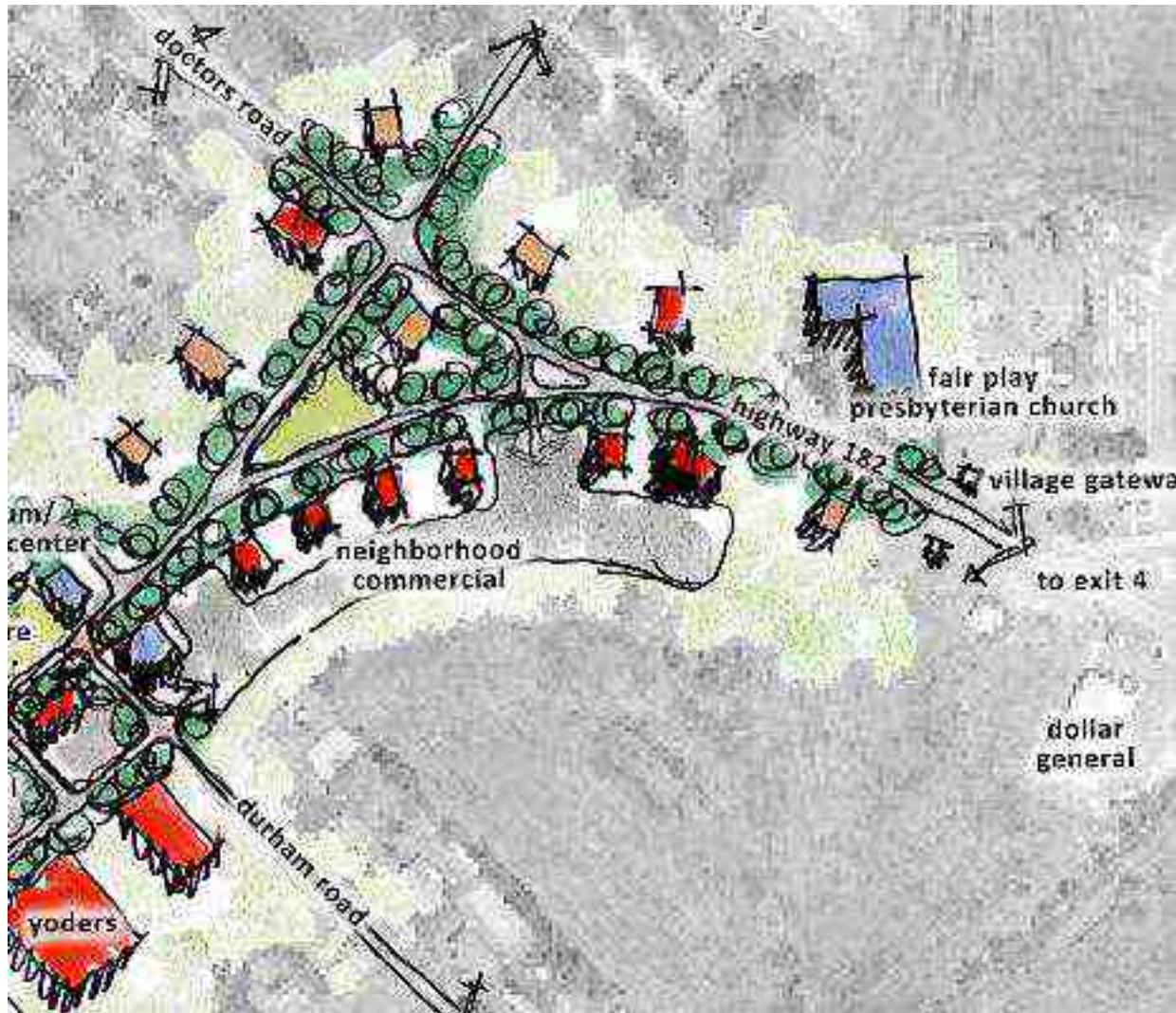
Based on initial stakeholder and public input, SW+A prepared a conceptual diagram for review and discussion. The following concept identified key entry corridors and village gateways, civic and village commercial zones, significant park and open space, village residential zones, and improved circulation through and around the village core.



the concept] the village master plan



the concept] primary village gateway

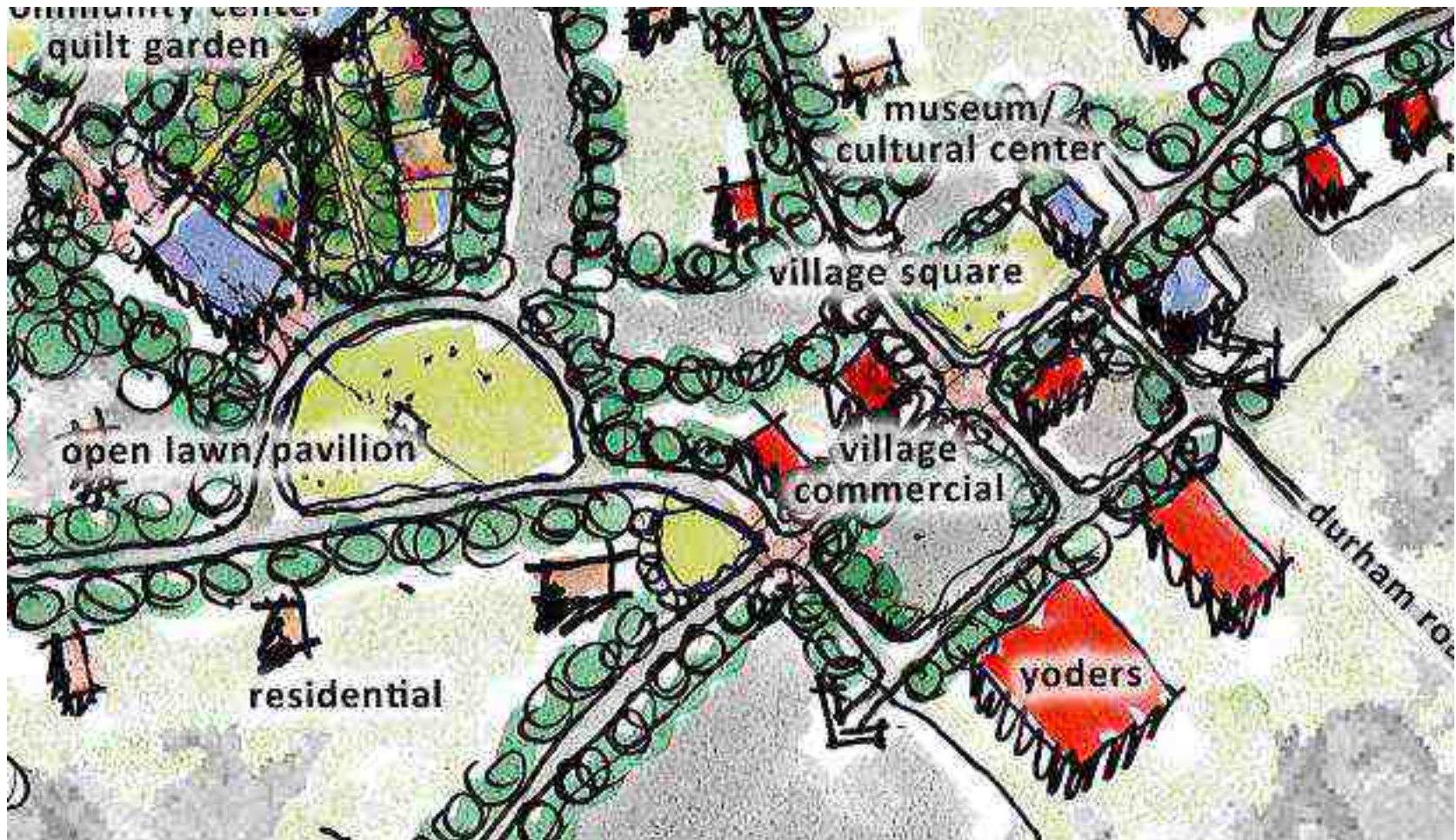


From Interstate 85 (exit 4), a new gateway at the historic Fair Play Presbyterian Church defines the village limits. Doctors Road has been realigned for improved vehicular circulation, which in turn creates movements through tree lined historic streets. The existing park has been rehabilitated to serve as a green buffer between the neighborhood commercial and historic homes.

Shared access points and parking create neighborhood commercial pockets, ideal for specialty retail and restaurant opportunities.

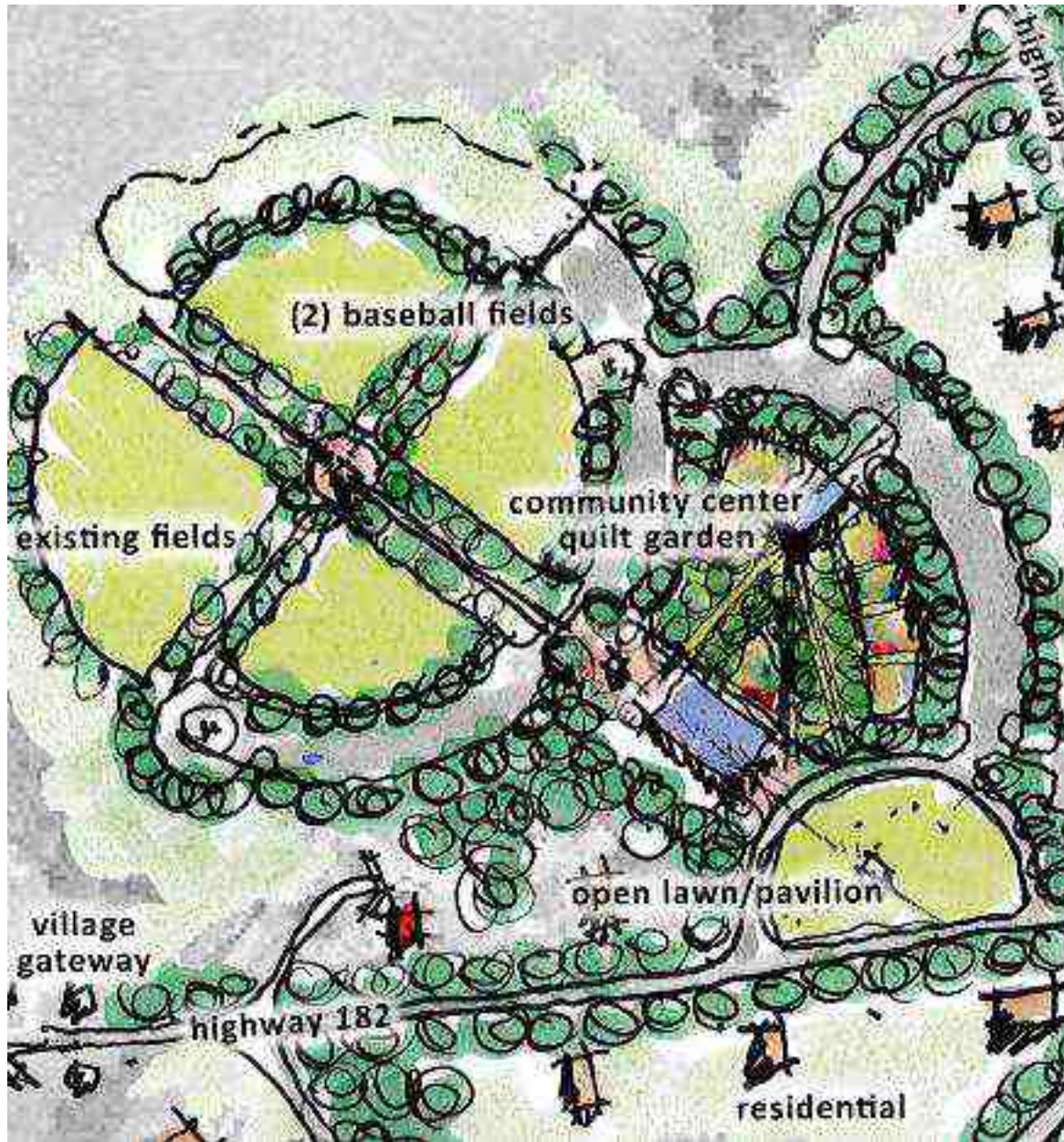
The development of the village commercial district begins with civic uses creating the first cross-roads within the village square.

the concept] the village square



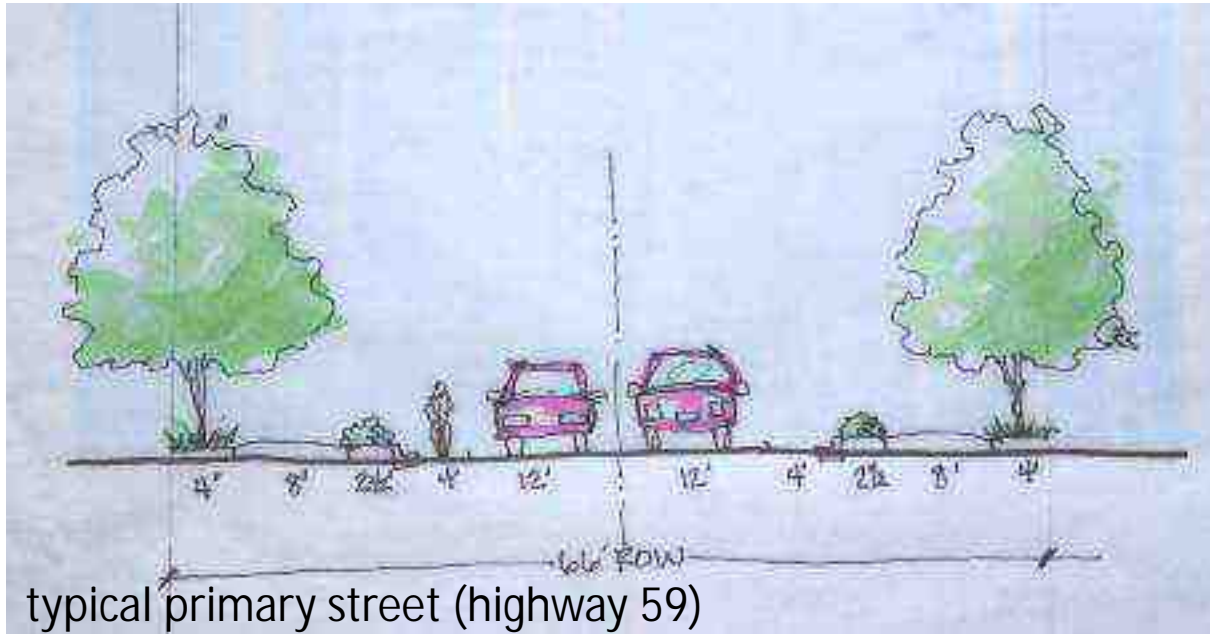
Located between Durham Road and a realigned Highway 59, the Village Square is the heart of the Village of Fair Play. The square is framed by one of the village's remaining historic structures and the redevelopment of two commercial properties. Housed in the historic general store, a cultural center and museum is the first stop along the Upstate Heritage Quilt Trail and serves to promote local history, agribusiness, and crafts. The public lawn provides opportunities for planned civic and cultural events. Streetscape elements along Highway 182 and Highway 59 and within private development (ie. Yoders) promote pedestrian circulation around the square and between the square and adjacent village parks, civic uses, retail businesses, restaurants, and the surrounding residential neighborhood.

the concept] the community center

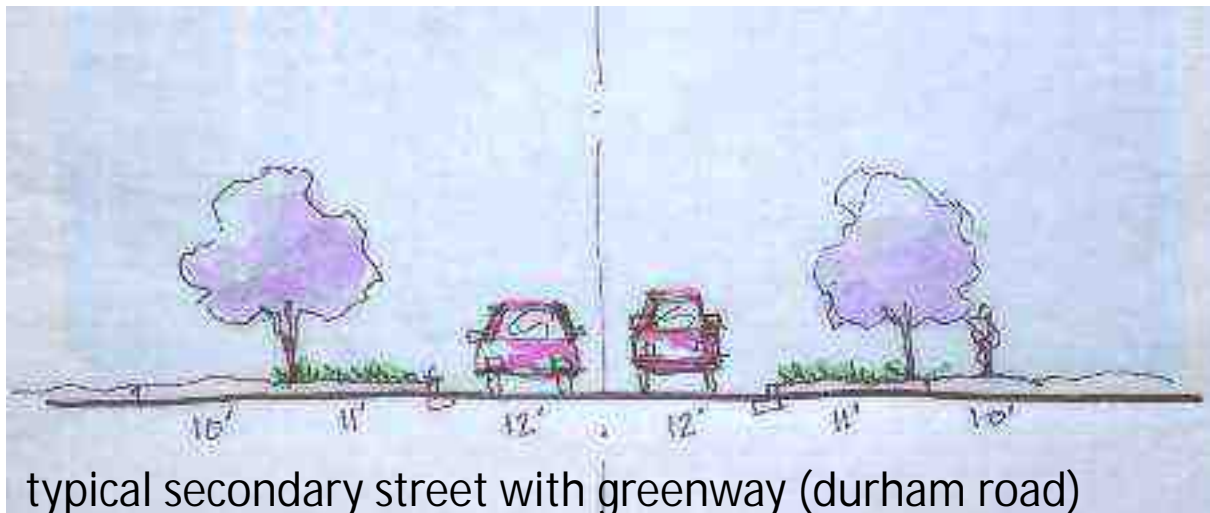


A short walk from the village square, the community center is a hub of village activity. Organized along a central axis, the center boasts a large lawn and pavilion designed to facilitate the Fair Play Village Farmers Market. The new community center and renovated school gymnasium provide ample space for events, banquets, meetings, classes, and recreation. The village quilt garden further promotes the village's prominence as the beginning of the upstate Heritage Quilt Trail and provides the local community with opportunities for public gardening. A large plaza serves as a threshold between the community center and the expanded Mark S. Miller Jr. Memorial Park. The addition of two new baseball fields, a central concession/press box tower, and ample parking makes the improved recreation complex a first class facility. Bratton Road is abandoned from Highway 182 to provide safe pedestrian access from convenient facility parking.

the concept] typical street sections

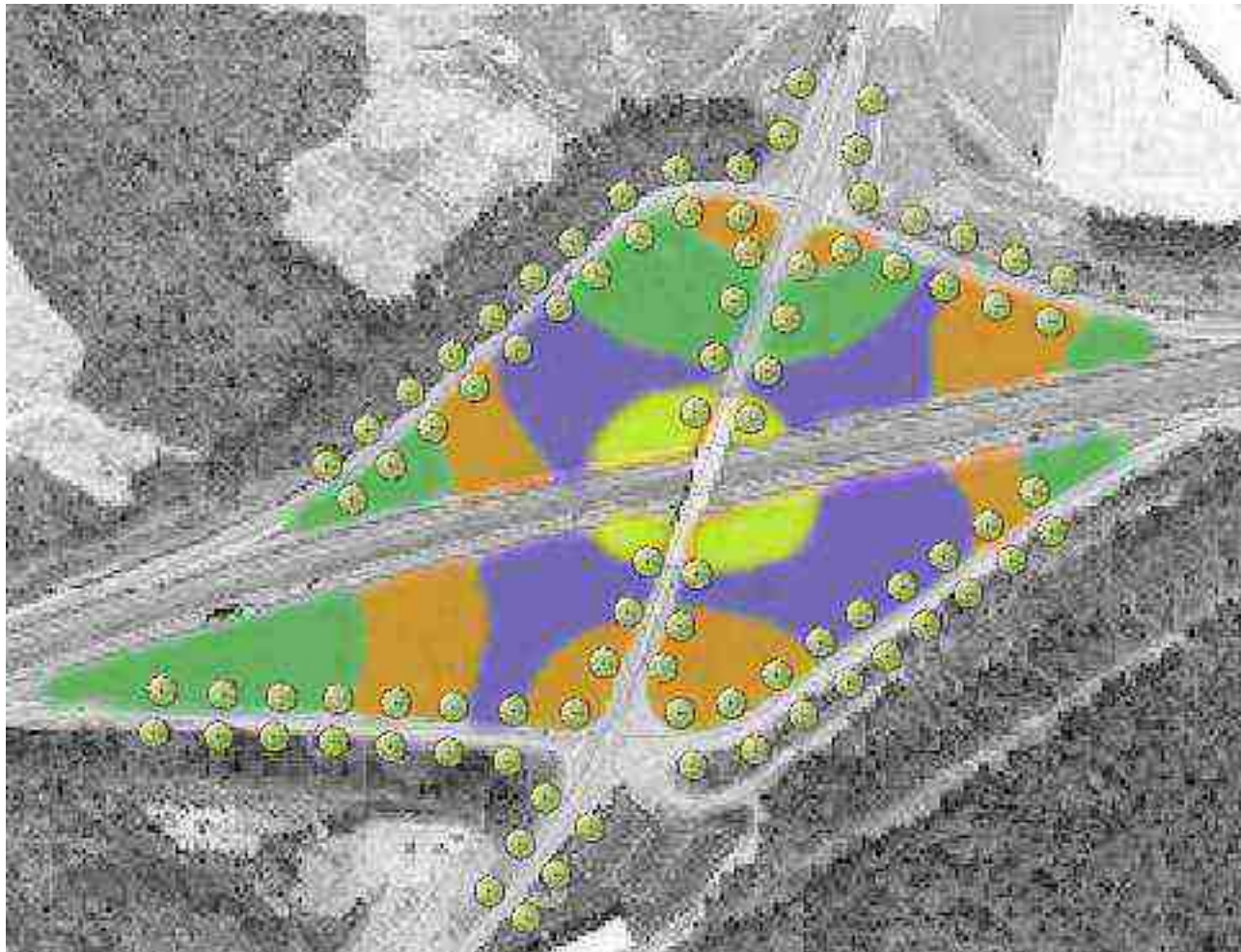


The primary vehicular and pedestrian route has an existing 66' right-of-way. Within this right-of-way, the vehicular lanes have maintained their existing width and a new designated bike lane with curb and gutter has been added. A landscaped verge has been added to serve as buffer between the new 8' sidewalk.



Secondary streets, or streets that serve the primary vehicular route, continue to maintain their existing lane widths. Curb and gutter has been added to calm traffic, in addition to understory trees. Secondary streets have a larger landscape verge with a 10' multi-use trail on both sides.

the concept] typical interstate gateway



Upstate Heritage Quilt Trail



With the interstate serving as a primary gateway for the majority of residents and visitors, the landscape of the interchange provides a unique opportunity to identify Fair Play as the first stop along the Upstate Heritage Quilt Trail. Large drifts of native wildflowers surrounded by large canopy trees along the on and off-ramps create a bold quilted landscape along the heavily trafficked interstate corridor.

Fair Play

a village stitched together



Fair Play

a foothills heritage village

FP

the thread
starts here



A brand or logo should capture the essence of a place with simple, but unique graphic and text. A successful brand is easily recognizable and should be an image that the local community connects with.

The brand or logo for the Village of Fair Play should celebrate the community's history while promoting its character as a unique rural village. The following associations might inform the brand of the Village of Fair Play.

- Native American Indian history
- Upstate Heritage Quilt Trail
- Foothills Heritage Fair
- Agriculture history or agribusiness
- the original Fair Play fair

The adjacent graphics are simply examples of how text and imagery can be woven together to create a simple graphic, or brand. A separate study is recommended in order to develop a unique and successful brand to promote the historic Village of Fair Play as a desirable destination.





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village

