

South Carolina Nonconforming Sign Upgrade/Removal (Pilot) Project

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South Carolina Nonconforming Sign Upgrade/Removal (Pilot) Project

The South Carolina Department of Transportation (SCDOT) in partnership with the Federal Highway Administration (FHWA) desires to reduce the number of nonconforming signs in the State of South Carolina while enhancing the beauty of our roadways.

Under current federal regulations,
reasonable repair and maintenance of a
nonconforming sign is permitted.

Specifically, 23 CFR §750.707(d) (5) provides:

Maintenance and continuance [of nonconforming signs].
The sign must remain substantially the same as it was on the effective date of the State law or regulations. Reasonable repair and maintenance of the sign, including a change of advertising message, is not a change that would terminate nonconforming rights. Each State shall develop its own criteria to determine when customary maintenance ceases and a substantial change has occurred which would terminate nonconforming rights.

Goal of the Project

Reduce the total number of nonconforming signs in the State of South Carolina while enhancing the beauty of our roadways.

SCDOT will allow sign owners the opportunity to ***upgrade*** one (1) nonconforming sign on Interstate 26 or 95 in exchange for the removal and cancellation of ***two (2) or more*** permitted nonconforming signs.

Who Pays?

- Sign owner will be responsible for all cost associated with the upgrade and removal of the nonconforming signs.
- No reimbursement or damages shall be made against SCDOT for the loss of leasehold or income interests or any other direct or indirect losses arising from the removal of the nonconforming signs or the upgraded nonconforming sign.
- SCDOT and FHWA will not pay any compensation to the landowner or sign owner as a result of the removal of any signs in this pilot.
- Any compensation due to the landowner(s) as a result of the removal of the signs shall be the responsibility of the sign owner.
- The removal of nonconforming signs is performed voluntarily by the sign owner.

How Long?

The Pilot will have a term of three (3) years and the Pilot criteria and enforcement will be subject to FHWA review for the three (3) year duration.

Upgrade defined as:

- Replacing wood or I-beam support poles with a steel monopole at the same location of the sign to be upgraded and
- In some cases reducing total square footage of the face of the sign to be upgraded to no more than 672 square feet.

Sign Status

The sign shall retain its nonconforming classification until such time as the sign meets the provisions of State law and State regulations.

Characteristics of Removed Sign

- 1). All signs must be located on a National Highway System (NHS) route.
- 2). Removal of two (2) or more qualified, nonconforming signs at the expense of the sign owner.
- 3). After written approval is granted sign owners will remove their signs. Removal means the dismantling and complete removal from the view of the motoring public all parts and materials of a sign, including its foundation.

How Will it Work?

- Upgrade locations limited to I-26 and I-95
- Application process
- Approval by SCDOT is required prior to acceptance into the program.
- \$200.00 nonrefundable participation fee / \$100.00 annual fee during duration of pilot
- Sign owner must complete an agreement form signed by the property owner of each removed sign (notarized).
- 5 x 7 digital image of each sign being upgraded and removed taken from the traveled way.

How Will it Work?

- The value of the upgraded nonconforming sign shall be based on the value of the original nonconforming sign structure prior to it being upgraded.
- The value of this sign shall be documented and agreed to by the parties on ***Pilot Project Upgrade Agreement Form*** prior to the sign being approved for participation in the Pilot.
- A completed copy of the ***Pilot Project Upgrade Agreement Form*** shall be kept on file within the SCDOT Outdoor Advertising and Right of Way Office.

HOW WILL IT WORK?

- Upgrade construction is limited to:
 1. Single face
 2. Single face back-to-back
 3. Single face V type sign
- LED, tri-vision, stacked and side by side signs are prohibited.
- Upgraded nonconforming signs may not exceed a height of thirty (30) feet above the centerline of the road to the lowest edge of the sign face.

How Will it Work?

- Nonconforming signs on interstate highways that are nonconforming due to spacing are excluded from participation in this Pilot and cannot be upgraded unless the spacing requirement is corrected.
- Nonconforming signs located in ramp areas are excluded from participation in the Pilot.

How Will it Work?

- Adding a electronic changeable message or tri-vision upgrade to a nonconforming sign is prohibited.
- The minimum size of the nonconforming signs eligible for removal or eligible to be upgraded is 350 square feet. Maximum size of upgraded nonconforming sign is 672 square feet.

How Will it Work?

- Lighting configuration will remain the same on upgraded nonconforming advertising signs. No lights for any direction of an upgraded nonconforming advertising sign may be added, i.e., upgraded nonconforming advertising may not be lit unless the original direction was previously lit.
- The sign owner, in the *Upgrade Agreement*, agrees to hold SCDOT and the State of South Carolina harmless from all causes of action, direct or indirect, resulting from the voluntary removal of the nonconforming sign or the upgrade of a sign. Removal of all signs is voluntary and at the expense of the sign owner. The sign owner is responsible for any damages to the landowner associated with the removal of the nonconforming sign.

How Will it Work?

- The parties agree that just compensation value for the (1) value of the original nonconforming sign structure, (2) any leasehold interest in the sign or the real property where the sign is located, will be the fair market value as determined by an appraiser identified on the SCDOT's Approved Appraiser List.
- The just compensation value will be agreed to by the applicant and DOT and will be permanently recorded and shall be binding on any subsequent owner or owners of the upgraded nonconforming sign. Federal participation in any future acquisition of this sign for any purpose will be limited to the established just compensation value of the original.

How Will it Work?

(Statewide Stakeholders)

- Outdoor Advertising Industry
- Local Government
- Civic Organizations
- Citizens of South Carolina
- Motoring Public
- Public Hearing
- Land Owners

How Will it Work?

Within sixty (60) days after the end of the Pilot term (3 years from the start date), SCDOT will submit to FHWA a written report on the benefits, harm, burdens, costs, and effects of the Pilot.

Potential Nonconforming Signs for Upgrade

I-26

■ approximately 254

Counties

- Spartanburg - 79
- Laurens - 19
- Newberry - 9
- Lexington - 43
- Richland - 17
- Calhoun - 15
- Orangeburg - 27
- Dorchester - 7
- Charleston - 30
- Berkeley - 8

I-95

■ approximately 598

Counties

- Dillon - 101
- Florence - 111
- Sumter - 27
- Clarendon - 161
- Orangeburg - 46
- Dorchester - 22
- Colleton - 38
- Hampton - 24
- Jasper - 68

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RESERVATIONS

SOUTH OF THE BORDER

RESTAURANT

Project Benefits

1. Protect public investment and preserves natural beauty.
2. Facilitates partnership efforts with local government and scenic groups regarding appearance of States roadways.
3. Reduces the number of nonconforming signs.

THE END

Pilot information may be obtained
by contacting:

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