

August 10, 2017

Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

Subject: Proposed Amendments to the Zoning Ordinance – Sign Regulations

Dear Planning Commissioners:

At the June 7, 2017 Planning Commission meeting we discussed several concerns with the sign regulations of the Northfield Township Zoning Ordinance that are stated in our letter of June 1, 2017. In that letter, we also proposed several recommendations for making the sign regulations more clear and defensible.

Enclosed for your review are the proposed amendments to the Sign Regulations article of the Zoning Ordinance. Proposed additions are underlined, proposed deletions are noted as such in the margin, and our editorial comments are also in the margin. Significant changes are summarized as follows:

- **Purpose (Section 36-788).** The purpose statements were written to be more robust and comprehensive. Because the sign regulations essentially regulate speech, municipalities must be careful that such regulations are based on public safety, community aesthetics, and sound planning and zoning principles.
- **Definitions (Section 36-789).** The definitions are moved from the beginning of the Zoning Ordinance into the Sign Regulations article. While it is best to have general zoning ordinance definitions in one article, sign-related definitions are best kept in the sign article so that they are easier to administer and understand. In addition to moving the existing sign-related definitions to this article, several new definitions are added. Most of the new definitions simply describe sign types and include graphics. By having clear definitions of sign types, it will become much easier to adopt and administer regulations of these sign types later in the article.
- **General Sign Regulations (Section 36-790).** Additional provisions are included that require noncombustible material and proper maintenance. Additionally, the sign lighting regulations were relocated to this section.
- **Substitution (Section 36-791).** This is a new section that permits noncommercial copy to be substituted for commercial copy on any lawful sign. Because the courts have prohibited favoring commercial speech over noncommercial speech, this section will ensure that any lawful sign may contain noncommercial copy.
- **Signs Permitted in Recreation-Conservation and Agricultural Districts (Section 36-792).** There are 2 groups within these districts: Single-family lots and all other uses (residential developments, non-residential uses, etc.). There are many comments in the margin that describe why changes were made. The off-premises commercial signs are limited to 30 days per calendar year and would generally apply to “open house” signs, farm stand directional signs, and any other temporary sign with off-premise commercial content. The most difficult regulations in this section are for noncommercial yard signs, especially during election season. Because we cannot regulate noncommercial signs based on an event, the Township may want to consider

allowing additional noncommercial signage for a certain number of days in a calendar year if more signage is desired.

- **Signs Permitted in Residential Districts (Section 36-793).** There are 2 groups within these districts: Single-family lots and all other uses (residential developments, non-residential uses, etc.). There are many comments in the margin that describe why changes were made. These regulations are very similar to those of the RC and AR districts.
- **Signs Permitted in Business Districts (Section 36-794).** This section consolidates all commercial districts into a table, and separates them into 3 groups based on the current Zoning Ordinance regulations. There are many comments in the margin that describe why changes were made. Overall, we tried to simplify the regulations without making them more restrictive. If more sections or tables are needed to make the regulations easier to administer and understand, they can easily be created based on this new format.
- **Signs Permitted in Industrial Districts (Section 36-795).** Similar to the other zoning districts, the table consolidates the existing regulations. There are comments in the margin that describe why changes were made, though there are not many significant changes.
- **Signage in Conjunction with an Approved Temporary Use in the WLD, LC, GC, RO, LI, GI, PSC, RTM, and Non-residential PUD Districts (Section 36-796).** Rather than allowing certain types of temporary signs in these districts at any time, we recommend allowing them in conjunction with a temporary use permit so that the use and time limits can be explicit. The Zoning Ordinance already requires a sign permit for these types of signs, so perhaps the Township could administratively include a temporary use provision to the sign permit to make permitting easier.
- **Billboards (Section 36-797).** Only minor changes were made, which make the section more user-friendly.
- **Electronic Message Signs (Section 36-798).** Only minor changes were made.
- **Exemptions (Section 36-799).** Several types of signs were added to the list of exempt signs, many of which are now defined and/or better described to be more content neutral.
- **Prohibited Signs (Section 36-800).** Several types of signs were added to the list of prohibited signs, many of which are now defined and/or are a reworded version of current prohibited signs.
- **Permit and Fees (Section 36-801).** No changes.
- **Computation of Surface Area (Section 36-802).** Added a graphic to support the text.
- **Removal (Section 36-803).** Instead of the Township removing the sign, the language is changed for the Township to “take action to force the removal of the sign.” Also, additional language was added to clarify the description of an Abandoned Sign or a sign that becomes an off-premises commercial sign due to a business closing.
- **Nonconforming Signs (Section 36-804).** No changes.
- **Responsibilities for Signs (Section 36-805).** Changed “advertiser” to “sign user.”
- **Registry (Section 36-806).** Changed “advertiser” to “sign user.”

We look forward to working with you to review the proposed amendments. Because the overall changes and format proposed are significant, please feel free to take as much time as needed to review the changes and ask questions.

Respectfully submitted,

McKENNA ASSOCIATES

A handwritten signature in black ink, reading "Patrick J. Sloan". The signature is written in a cursive, flowing style.

Patrick J. Sloan, AICP
Senior Principal Planner

A handwritten signature in black ink, reading "Stephen Hannon". The signature is written in a cursive, flowing style.

Stephen Hannon
Assistant Planner

cc: Marlene Chockley, Township Supervisor
Kathleen Manley, Township Clerk

ARTICLE XXVI. - SIGN REGULATIONS^[9]

Footnotes:

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State Law reference— Highway advertising act of 1972, MCL 252.301 et seq.

Sec. 36-788. - Purpose.

The purpose of this article is to provide regulations for signs in a manner that will minimize their negative effects while allowing for creative and effective communication of information. These regulations are intended to balance the public and private interests, with the goal of promoting a safe, well-maintained, vibrant, and attractive community while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information. It is a basic tenet of this article that unrestricted signage does not benefit the community. The objectives of this Article are;

- (a) **Public Safety.** To promote free flow of motorized and non-motorized traffic and protect motorists, passengers, and pedestrians from injury and property damage caused by, or which may be fully or partially attributable to, visual clutter that confuses or misleads traffic, obstructs vision and is potentially harmful to property values, businesses, and community appearance, and to protect public safety by prohibiting or removing signs that are structurally unsafe or poorly maintained.
- (b) **Free Speech.** To ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication.
- (c) **Community Aesthetics.** To preserve the appearance of the township by preventing the placement of oversized signs that are out of scale with surrounding buildings and structures, or the placement of signs with materials or illumination that detracts from the character of the surrounding area, so as to protect the character of neighborhoods in the Township, and to protect the public welfare.
- (d) **Effective Communication.** To encourage the appropriate design, scale, and placement of signs in a manner that communicates effectively to the intended reader.
- (e) **Economic Development.** To allow for adequate and effective signage for businesses to inform, identify, and communicate effectively.
- (f) **Ease of Administration.** To have standards and administrative review procedures that are simple for property owners, tenants, and sign installers to understand and follow, and are easily enforceable by Township staff.
- (g) **Reduce Blight.** To reduce blight caused by poorly maintained signs and the proliferation of signs beyond what is permitted in this article.

(Ord. of 7-22-2013, § 62.01; Ord. of 6-4-2014, § 62.01)

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(b) The principal features are the restriction of advertising to the use of the premises on which the sign is located and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purposes of identification or for advertising a use conducted therein or thereon shall be deemed to be accessory and incidental to such land, building, or use. It is intended that the display of signs will be appropriate to the land, building, or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. With respect to signs advertising business uses, it is specifically intended, among other things, to avoid excessive competition and clutter among sign displays in their demand for public attention. It is further intended that all signs within one complex or center be coordinated with the architecture in such a manner that the overall appearance is harmonious in color, form, and proportion. ¶

(c) . It is also intended by this article that all temporary signs erected for directional purposes, for public information or to call attention to special events shall be confined to those that are of general public interest and that such signs shall be limited to the giving of information. ¶

Sec. 36-789. - Definitions.

(a) **Sign Definitions, Sign Types.** The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:

(1) **Animated Sign.** A sign that has any visible moving part either constantly or at intervals; flashing, scintillating, intermittent, or osculating lights; visible mechanical movement of any description; or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance to depict action, create an image of a living creature or person, or create a special effect or scene. An "Animated Sign" does not include an "Electronic Message Sign" as defined in this chapter.

(2) **Awning Sign or Canopy Sign.** A sign that is painted on or attached to an awning or canopy.



Awning Sign

Canopy Sign

(3) **Banner Sign.** A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached flat either to a wall or temporarily to a permanent sign face.



Banner Sign

(4) **Billboard.** See **Outdoor Advertising Sign.**

(5) **Building-Mounted Sign.** Display sign that is painted on, adjacent to or attached to a building wall, door, and window or related architectural feature including building directories, canopy signs, projecting signs or marquee signs, wall signs, and window signs.

(6) **Changeable Copy Sign.** A permanent sign or portion thereof on which the copy or symbols change, either automatically through electrical or electronic means, or manually through the placement of copy and symbols on a panel mounted in or on a track system.

- (7) **Electronic Message Sign (EMS).** An electrically activated changeable copy sign whose variable message capability can be electronically programmed.
- (8) **Festoon.** A string of ribbons, pennants, spinners, streamers, tinsel, small flags, pinwheels, or lights, typically strung overhead and/or in loops.
- (9) **Flag.** A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached to a permanent conforming pole or attached flat to a wall.
- (10) **Freestanding Sign.** Any sign that is affixed to the ground surface and supported by one or more uprights, poles, pylons, monuments, or braces placed in the ground and independent of any building or other structure. Signs on water towers or other elevated tanks should be considered as free standing signs.
- (a) **Freestanding Sign, Ground Sign or Monument Sign.** A freestanding sign supported by structures, columns, braces, or other supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A Ground Sign or Monument Sign must have a solid supporting base equal to or greater than the width of the sign face constructed of a decorative and durable material, and shall have no separations between the sign face and the base.



Monument Sign

- (b) **Freestanding Sign, Pole Sign.** A type of freestanding sign that is elevated above the ground on poles or braces.



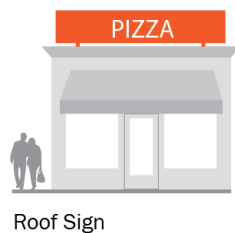
Pole Sign

- (11) **Incidental Sign.** A small sign, usually 2 square feet or less, designed and located to be read only by people within the site and generally not visible or legible from the right-of-way or adjacent properties. Examples of incidental signs include, but are not limited to, credit card signs, signs indicating hours of business, no smoking signs, signs used to designate bathrooms, handicapped signs, traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices, and other signs providing information to be read at close proximity. The Zoning Administrator shall determine whether a sign is an Incidental Sign, based on the visibility of the sign from the lot line and right-of-way and/or the number of signs in close proximity of each other, and the Zoning Administrator may deny a Incidental Sign if it is a sign that is regulated by another standard in this Article.

- (12) **Interior Sign.** A sign placed within a building, but not including a window sign as defined by this Ordinance, that is not visible from any public street, sidewalk, alley, park or public property.
- (13) **Mural.** Any noncommercial image or design that is painted or otherwise attached flat to a wall that is primarily artwork and does not function like a sign. For purposes of this Ordinance, a mural shall not be considered a sign. The Building Inspector shall as necessary make a determination as to whether a design is a mural or a sign.
- (14) **Outdoor Advertising Sign.** A sign intended to advertise a use located on other premises and which is intended primarily for advertising purposes. Such sign, by virtue of its size and scale, would constitute the principal use of the premises on which the sign is located.
- (15) **People Sign.** A portable sign held by a person and displayed for the purposes of expressing a message.
- (16) **Projecting Sign.** A display sign attached to or hung from a structure projecting from and supported by the building and extending beyond the building wall, building line or street right-of-way line. A "Projecting Sign" is differentiated from a "Wall Sign" based on the distance the sign projects from the surface of the building.



- (17) **Roof Sign.** A display sign that is erected, constructed and maintained on or above the roof of the building, or that extends above the roofline.



- (18) **Street Furniture Sign.** A sign applied to or affixed to the seat or back of a bench, lamp post, garbage can, tree, utility pole, or other public street furniture.
- (19) **Temporary Sign.** A sign, with or without a structural frame, intended for a limited period of display.

- (a) **Temporary Sign, Air-Activated Sign.** A Temporary Sign that is an air inflated object, which may be of various shapes, is made of flexible fabric, rests on the ground or structure and is equipped with a portable blower motor that provides a constant flow of air into the device. Air-activated signs are restrained, attached, or held in place by a cord, rope, cable, or similar method.
- (b) **Temporary Sign, Balloon Sign.** A Temporary Sign that is an air inflated object, which, unlike air-activated signs, retains its shape. A balloon sign is made of flexible fabric, rests on the ground or structure, and may be equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached, or held in place by a cord, rope, cable, or similar method.
- (c) **Temporary Sign, Portable Sidewalk, Sandwich Board, or A-Frame Sign.** A sign that is not permanent, not affixed to a building or structure, or permanently attached to the ground. Such sign is usually placed along the sidewalk or road frontage of a business and is capable of being moved within the zoning lot on which it is located or from one zoning lot to another. Often referred to as "sidewalk signs," sandwich board signs include, but are not limited to, so called "A" frame, "T" shaped, or inverted "T" shaped stands.
- (d) **Temporary Sign, Support Pole Sign.** A Temporary Sign that is attached as an appendage to a sign, sign support, light pole, utility pole, or any part of a pole or support.
- (e) **Temporary Sign, Yard Sign.** A portable temporary sign or sign board that is freestanding and temporarily anchored or secured to the ground.
- (20) **Vehicle Sign.** Any sign on a vehicle, trailer, truck, and similar vehicle used for transport, where the primary purpose of the vehicle is for transportation as part of the normal course of business.
- (21) **Wall Sign.** Any sign attached parallel to a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and displays only one sign surface. A wall sign shall not project from the surface of the building wall more than 12 inches.



- (22) **Window Sign.** A sign affixed to a window or so as to be observable from the exterior of the window to which such sign is located or affixed, including signs located inside a building but visible from the outside of the building.



Window Sign

(b) Sign Definitions, General.

- (1) Abandoned Sign.** A sign that is no longer regularly maintained or a sign located on a lot with a vacant building. Whether a sign has been abandoned shall be determined by the intent of the sign owner and shall be governed by the applicable Case Law and Statutory Law on abandoned structures.
- (2) Alteration.** Any change in copy, color, size, or shape, which changes appearance of a sign, or a change in position, location, construction, or supporting structure of a sign, except that a non-structural copy change on a sign is not an alteration.
- (3) Awning.** A fireproof space frame structure with translucent flexible reinforced vinyl or canvas covering designed in awning form, and extending outward from the building wall.
- (4) Building Frontage.** The length of the front (entry) portion of a building occupied by a single tenant, often facing a street fronting to the premises on which the tenants is located.
- (5) Canopy.** A multi-sided overhead structure used as a common building architectural feature.

 - (a) Canopy, Attached.** A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points.
 - (b) Canopy, Freestanding.** A multi-sided overhead structure supported by columns, but not enclosed by a wall.
- (6) Clearance.** The vertical distance between the surface grade beneath the sign and the lowest point of the sign, including framework and embellishments.
- (7) Damaged Sign.** A sign or supporting structure that is torn, defaced, dented, smashed, broken, vandalized, or destroyed.
- (8) Decorative Display.** A decorative, temporary display designed for the entertainment or cultural enrichment of the public and intended to serve as a cosmetic adornment rather than to convey a message. A decorative display shall not be considered a sign.
- (9) Directional Sign.** A sign that controls or directs traffic, pedestrian, or parking movements.
- (10) Grade, Sign.** The average elevation of an area within a radius (of the sign base) equal to the height of the sign.

- (11) **Height, Sign.** The vertical distance measured from the average grade at the sign location to the highest point of the sign.
- (a) **Height, Maximum.** Shall be measured from grade to the highest edge of the sign surface or its projecting structure.
- (b) **Height, Minimum.** Shall be measured from grade to the lowest edge of the sign surface or its projecting structure.
- (12) **Illegal Sign.** A sign for which no valid permit was issued by the Township at the time such sign was erected, or a sign that is not in compliance with the current zoning chapter and does not meet the definition of a nonconforming sign.
- (13) **Noncombustible Material.** Any material that will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.
- (14) **Nonconforming Sign.** A sign that was lawful at the time of its construction but which is not in compliance with current ordinance provisions for signs.
- (15) **Owner.** A person, firm, partnership, association, company, or corporation and/or its legal heirs, successors, and assigns.
- (16) **Sign.** Any structure or part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, code mark, or other representation used as, or in the nature of, an announcement, advertisement, direction, or designation of any person, firm, organization, place, commodity, service, business, profession, or industry which is located upon any land or in any building, in such manner as to attract attention from outside the premises.
- (17) **Sign Area.** The entire area within a circle, triangle, rectangle, oval, or other geometric shape enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material or element forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. An awning shall not be deemed to be a sign frame.
- (18) **Sign Copy.** The words and images constituting the message of a sign.
- (a) **Sign Copy, Animated Copy.** Any type of sign copy that flashes, moves, revolves, cycles or is otherwise altered or changed by mechanical or electrical means.
- (b) **Sign Copy, Changeable.** Moveable letters or other forms of sign copy, not including animated copy that can be altered by natural, mechanical or electrical means without replacing the sign copy area.
- (19) **Sign, Non-Commercial.** Any sign consisting only of non-commercial content.
- (20) **Sign, On-Premise Commercial.** A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered for sale upon the premises where the sign is located. Examples of on premise commercial signs include, but are by no means limited to, signs advertising a permitted on-site commercial use and signs of a contractor or other commercial entity affiliated with an on-site project under development.

(21) Sign, Off-Premise Commercial. A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered for sale off the premises of where the sign is located.

(22) Unsafe Sign. A sign that is not properly secured; is in danger of falling or has otherwise been found to be in a condition that is hazardous to the public health, safety or welfare by the Building Inspector.

Sec. 36-~~790~~. - General sign regulations.

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The following general sign regulations apply to all zoning districts within the township:

- (1) *Traffic control.* No sign shall be erected or replaced at any location where, by reason of position, size, shape, color, or illumination, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal, or device so as to interfere with, mislead, or confuse traffic.
- (2) *Sign character and setbacks.* All signs shall be designed, constructed, and maintained so as to be appropriate in appearance with the existing or intended character of their vicinity so as not to change the essential character of such area. All ground signs shall maintain a minimum setback of 15 feet from all road rights-of-way and shall be located no closer than 15 feet from the edge of the principal entrance driveway and all property lines.
- (3) *Permit required.* Unless exempt under the provisions of this article, a permit for any sign, whether freestanding or mounted on or applied to a building, including signs painted on building walls or other structures, or for any change in copy, shall be obtained from the township zoning administrator before such sign may be erected, replaced, or relocated.
- (4) *Sign height.*
 - a. No freestanding sign shall exceed a height of 15 feet.
 - b. Computation of height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:
 1. Existing grade prior to construction; or
 2. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
 - c. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

Deleted: -foot setback

Deleted: . Strings of pennants or flags attached to or part of a sign, or independently displayed for purposes of advertising, unless permitted elsewhere within these provisions, shall be prohibited.

(5) Material. All signs must be constructed with noncombustible material.

(6) Maintenance. All portions of signs and sign structures shall undergo maintenance as needed to keep them in good repair and working order, so as to present a neat and orderly appearance. Non-galvanized or corrosion-prone materials shall be painted as often as necessary to prevent corrosion.

(7) Illumination. The following regulations shall apply to all signs.

- a. The light from any illuminated sign or from any light source, including the interior of a building, shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect onto or into residential structures.
- b. No sign shall have blinding, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing. Illumination for electronic message signs (EMS) shall be regulated pursuant to section 36-797(6). Illumination for LED billboards shall be regulated pursuant to section 36-796(6). Nothing contained in this article shall, however, be construed as preventing the use of lighting as a decorative display.
- c. No exposed reflective type bulbs and no strobe lights or incandescent lamps shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to any public street or adjacent property.

(Ord. of 7-22-2013, § 62.02; Ord. of 6-4-2014, § 62.02),

Sec. 36-791. - Substitution.

Notwithstanding anything stated herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure, and any sign permitted by the regulations in this article may contain a noncommercial message.

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Sec. 36-790. - Signs permitted in all zoning districts. ¶
Subject to the other conditions of this chapter, the following signs shall be permitted anywhere within the township: ¶

- (1) One sign shall be permitted for all building contractors, one for all professional design firms and one for all lending institutions on sites under construction, each sign not to exceed six square feet overall, with not more than a total of three such signs permitted on one site. The above signs may be combined into a single sign not to exceed 32 square feet in area. The sign shall be confined to the site of the construction, construction shed, or construction trailer and shall be removed within 14 days of the issuance of a certificate of occupancy. ¶
- (2) . One temporary real estate "for sale" sign located on the property and not exceeding six square feet in area shall be permitted for each lot. If the lot or parcel has multiple frontages, one additional sign not exceeding six square feet in area shall be permitted on the property on each street frontage. Under no circumstances shall more than two such signs be permitted on a lot. Such signs shall be removed within seven days following the sale. ¶
- (3) Street banners advertising a public entertainment or event, if such banners are approved by the township board and in locations designated by the township board, may be displayed 14 days prior to and seven days after the public entertainment or event. ¶
- (4) . Name, directional and informational signs and emblems of service clubs, places of worship, civic organizations, and quasi-public uses shall be permitted on private property and set back in accordance with these standards. Each sign shall not be more than three square feet in area. The top of such sign shall not exceed eight feet above grade. In the event that more than one sign is to be placed at one location, all civic organizations and service clubs signs must be consolidated and confined within a single frame, and all signs for places of worship shall be consolidated and confined within a single frame which may be separate from that for civic organizations and service clubs. ¶

(Ord. of 7-22-2013, § 62.03; Ord. of 6-4-2014, § 62.03)

Sec. 36-792. - Signs permitted in recreation-conservation and agricultural districts.

Signs permitted in the AR and RC zoning districts include the following:

	<u>AR and RC Districts (Single-Family Lots)</u>	<u>AR and RC Districts (Residential Developments [e.g., subdivisions, site condominiums] and Non-Residential Uses only)</u>
<u>Permanent Freestanding Signs</u>	<u>Not permitted</u>	<u>Maximum Number: 1 per street frontage</u> <u>Maximum Area: 18 square feet per sign.</u>
<u>Yard Signs (Non-Commercial)</u>	<u>Maximum Area (Total): 24 sq. ft. per lot</u> <u>Maximum Height: 8 feet</u>	
<u>Yard Signs (On-Premises Commercial)</u>	<u>Maximum Number: 1 per lot</u> <u>frontage, not to exceed 2 per lot</u> <u>Maximum Height: 6 feet</u> <u>Maximum Area: 6 sq. ft. per sign</u>	<u>Maximum Number: 1 per lot or development</u> <u>Maximum Height: 8 feet</u> <u>Maximum Area: 32 sq. ft.</u>
<u>Yard Signs (Off-Premises Commercial)</u>	<u>Maximum Number: 1 per lot</u> <u>Maximum Height: 3 feet</u> <u>Maximum Area: 3 sq. ft.</u> <u>Maximum Time Placement: 30 days in a calendar year</u>	

Deleted: recreation-conservation and agricultural districts

Commented [PS1]: Section 36-791(2) currently allows 1 sign per street frontage for parks and schools not exceeding 18 sq. ft. Because these regulations are based on the speaker, we recommend broadening them to apply to all developments and non-residential uses in these districts.

Commented [PS2]: Currently, Section 36-797 exempts political signs but limits other noncommercial signs (e.g., religious events) to 24 sq. ft. Because these regulations are based on the content of a noncommercial message, they must be amended to treat all noncommercial speech the same. While our initial recommendation is to limit the area to 24 sq. ft. to be consistent with religious event signage, the Township may want to allow a larger signage area.

Commented [PS4]: Section 36-790(1) allows for temporary building contractor signs of 32 sq. ft. and 36-791(1) allows for signs advertising farm products of 32 sq. ft. Because these regulations are based on the speaker and content of the message, we recommend broadening them to allow commercial signage for all developments and non-residential uses in these districts.

Commented [PS3]: Section 36-790(2) allows for 1 real estate sales sign per lot frontage (maximum of 2 per lot) not exceeding 6 sq. ft. each. Because these regulations are based on the content of the message, we recommend broadening them to allow temporary commercial signage for single-family lots.

Commented [PS5]: Section 36-797(5) currently exempts off-site real estate "Open House" signs, which is a content-based regulation. We recommend a more content-neutral regulation that could apply to other off-site commercial activity (e.g., farmstands, etc).

(Ord. of 7-22-2013, § 62.04; Ord. of 6-4-2014, § 62.04)

Deleted: (1) One incidental sign advertising the type of farm products grown on the farmstead premises. Such sign shall not exceed 32 square feet in area. ¶
(2) One sign for each public street frontage identifying a park, or school building, other authorized use, or a lawful nonconforming use, each sign not to exceed 18 square feet in area. ¶

Sec. 36-793. – Signs permitted in residential districts.

Signs permitted in the LR, MR, MHP, SR1, and SR2 zoning districts include the following:

	<u>LR, MR, MHP, SR1, and SR2 Districts (Single-Family Lots)</u>	<u>LR, MR, MHP, SR1, and SR2 Districts (Residential Developments [e.g., subdivisions, site condominiums] and Non-Residential Uses only)</u>
<u>Permanent Freestanding Signs</u>	<u>Not permitted</u>	<u>Maximum Number: 1 per street frontage</u> <u>Maximum Area: 18 square feet per sign.</u>
<u>Permanent Wall Signs</u>	<u>Not permitted</u>	<u>Maximum Area: 32 sq. ft.</u>
<u>Yard Signs (Non-Commercial)</u>	<u>Maximum Area (Total): 24 sq. ft. per lot</u> <u>Maximum Height: 8 feet</u>	
<u>Yard Signs (On-Premises Commercial)</u>	<u>Maximum Number: 1 per lot</u> <u>frontage, not to exceed 2 per lot</u> <u>Maximum Height: 6 feet</u> <u>Maximum Area: 6 sq. ft. per sign</u>	<u>Maximum Number: 1 per lot or development</u> <u>Maximum Height: 8 feet</u> <u>Maximum Area: 32 sq. ft.</u>
<u>Yard Signs (Off-Premises Commercial)</u>	<u>Maximum Number: 1 per lot</u> <u>Maximum Height: 3 feet</u> <u>Maximum Area: 3 sq. ft.</u> <u>Maximum Time Placement: 30 days in a calendar year</u>	

(Ord. of 7-22-2013, § 62.05; Ord. of 6-4-2014, § 62.05)

Deleted: residential

Commented [PS6]: Section 36-792(3) and (5) currently allows 1 sign per street frontage for multi-family buildings, subdivisions, developments, schools, religious institutions, public building, or other lawful use not exceeding 18 sq. ft. Because these regulations are based on the speaker, we recommend broadening them to apply to all developments and non-residential uses in these districts.

Commented [PS7]: Currently, wall signs are not permitted in these districts. However, we recommend allowing some permanent wall signage for non-single family buildings.

Commented [PS8]: Currently, Section 36-797 exempts political signs but limits other noncommercial signs (e.g., religious events) to 24 sq. ft. Because these regulations are based on the content of a noncommercial message, they must be amended to treat all noncommercial speech the same. While our initial recommendation is to limit the area to 24 sq. ft. to be consistent with religious event signage, the Township may want to allow a larger signage area.

Commented [PS10]: While Section 36-790(1) allows for temporary building contractor signs of 32 sq. ft., Section 36-792(1) and (5) permits similar signage of up to 18 sq. ft. Because these regulations are inconsistent and based on the speaker and content of the message, we recommend having a general classification of on-premise commercial signage.

Commented [PS9]: Section 36-790(2) allows for 1 real estate sales sign per lot frontage (maximum of 2 per lot) not exceeding 6 sq. ft. each. Because these regulations are based on the content of the message, we recommend broadening them to allow temporary commercial signage for single-family lots.

Commented [PS11]: Section 36-797(5) currently exempts off-site real estate “Open House” signs, which is a content-based regulation. We recommend a more content-neutral regulation that could apply to other off-site commercial activity (e.g., farmstands, etc).

Deleted: (1) One sign for each public street frontage advertising a recorded subdivision or development, each sign not to exceed 18 square feet in area. Such sign shall be removed within one year after the sale of 90 percent of all lots or units within said subdivision or development. ¶
(2) . One sign on each street frontage of a new multiple-family development advertising the new dwelling units for rent, not to exceed 18 square feet in area. Such sign shall be removed within 60 days of the initial rental of 90 percent of the dwelling units within the development or within the first phase, whichever is applicable. ¶
(3) One sign for each public street frontage identifying a multiple-family building, subdivision, or development, not having commercial connotations, each sign not to exceed 18 square feet in area. ¶

Sec. 36-794. - Signs permitted in business districts.

Signs permitted within the LC, GC, RO, WLD-DD, WLD-NV, WLD-W, PSC, and RTM zoning districts include the following:

Deleted: and industrial

	LC and GC Districts	WLD-DD, WLD-NV, and WLD-W Districts	RO, PSC, and RTM Districts
Permanent Freestanding Signs	Maximum Number: 1 per street frontage of the lot. Maximum Area: 36 sq. ft. per sign, except that a lot with multiple tenants may have 1 sq. ft. per front foot of building provided the sign does not exceed 200 sq. ft.		
Freestanding Canopy Signage	Maximum Area: On a lot with an approved freestanding canopy, 6 sq. ft. of sign area is permitted on each side of the freestanding canopy.		
Permanent Wall Signs	Maximum Number: 1 per building, or 1 per tenant in a multi-tenant building Maximum Area: 2 sq. ft. for each foot of length of the front wall to which the sign is affixed. Minimum Separation Distance Between Wall Signs: Where there are 2 or more wall signs, the minimum distance between such signs must be at least 2 feet.		
Permanent Projecting Sign	Not permitted in LC and GC.	Maximum Number: 1 per first floor business. Maximum Area: 8 sq. ft., which is included in the total amount of wall signage for the building. Minimum Height (Vertical Clearance): 8 feet from the grade below to the bottom of the sign. Maximum Projection: Up to 4 feet from the face of the building.	Not permitted in RO, PSC, and RTM.
Rear and Side Entrance Location Wall Signs	Maximum Number: 1 per rear or side entrance to the building. Maximum Area: 4 sq. ft. per sign, which is excluded from the total amount of wall signage for the building.		
Yard Signs	Maximum Area (Total): 32 sq. ft. per lot Maximum Height: 8 feet		
Portable Sidewalk Signs	Maximum Number: 1 per business, plus up to 1 additional sidewalk sign per business if the business has more than 160 feet of lot frontage. Maximum Area: 7 sq. ft. per side of the sidewalk sign. Maximum Height and Width: 3.5 feet. Location: On the building side of the sidewalk, provided that a pedestrian travel area of at least 5 feet is maintained, that there is no obstruction of ingress or egress to any building cause by the sign, and that the sign shall not interfere with the view, access to, or use of the subject or adjacent property. Duration: The sidewalk sign may only be placed outdoors when the building is open to the public.		
Window and Door Signs	Maximum Area (Total): 25% of the window and door area. Any area of window or door signage exceeding 25% of the window and door area shall be counted as wall signage.		

(Ord. of 7-22-2013, § 62.06; Ord. of 6-4-2014, § 62.06; Ord. No. 17-53, §§ 12, 13, 2-14-2017)

Commented [PS12]: Section 36-793(a)(3) allows a 36-sq. ft. sign for offices and an 80-sq. ft. sign for other uses. Additionally, Section 36-793(a)(4) allows a 36-sq. ft. sign for research park/office center, and Section 36-793(a)(5) allows a sign up to 200 sq. ft. (based on 1 sq. ft. for each linear foot of front building) for shopping centers and commercial developments. Because these regulations are based on the speaker, we recommend making them more uniform. While the 36-sq. ft. maximum would apply in most cases, all multi-tenant developments would be permitted to have additional freestanding sign area.

Commented [PS13]: Currently, Section 36-795 allows canopy signs for only gas stations, which is a speaker-based regulations. As an alternative, we recommend applying this requirement to any use in these districts with an approved freestanding canopy. While this will mostly apply to gas stations, the regulation won't be speaker-based.

Commented [PS14]: The wall sign standards are consistent with the existing standards of Section 36-973(a)(1) and (2).

Commented [PS15]: The projecting sign standards are consistent with the existing standards of Section 36-973(a)(8).

Commented [PS16]: The entrance sign standards are consistent with the existing standards of Section 36-973(a)(6).

Commented [PS17]: Currently, Section 36-797 exempts political signs but limits other noncommercial signs (e.g., religious events) to 24 sq. ft. At the same time, Section 36-790(1) allows for temporary building contractor signs of 32 sq. ft. Because distinguishing between commercial and non-commercial signage is not as important in a commercial district as it is in a residential district, we recommend allowing a maximum allowable area of temporary signage without regard to the content of the message.

Commented [PS18]: The portable sidewalk sign standards are consistent with the existing standards of Section 36-973(a)(9).

Commented [PS19]: The window signage standards are consistent with Section 36-973(a)(10).

Sec. 36-795. – Signs permitted in industrial districts.

Signs permitted within the LI and GI zoning districts include the following.

	LI and GI Districts
Permanent Freestanding Signs	Maximum Number: 1 per street frontage of the lot. Maximum Area: 80 sq. ft. per sign.
Permanent Wall Signs	Maximum Number: 1 per building, or 1 per tenant in a multi-tenant building Maximum Area: 1 sq. ft. for each foot of length of the front wall to which the sign is affixed.
Rear and Side Entrance Location Wall Signs	Maximum Number: 1 per rear or side entrance to the building. Maximum Area: 4 sq. ft. per sign, which is excluded from the total amount of wall signage for the building.
Yard Signs	Maximum Area (Total): 32 sq. ft. per lot Maximum Height: 8 feet

Sec. 36-796 – Signage in Conjunction with an Approved Temporary Use in the WLD, LC, GC, RO, LI, GI, PSC, RTM and Non-residential PUD Districts

Banners, pennants, searchlights, balloons, or other gas-filled or fan powered figures shall be permitted in conjunction with an approved temporary use permit in the WLD, LC, GC, RO, LI, GI, PSC, RTM, and nonresidential PUDs for a period not to exceed 14 days in any 30-day period. The days of display must be specified on the temporary use permit and sign permit. Each of these types of signs shall require a separate permit. Six of these types of signs (occasions) shall be permitted in any one calendar year per zoning lot. Such signs shall not obstruct pedestrian or vehicular view and shall not interfere in any way with traffic flow. Banners shall have a maximum area of 32 square feet. Balloons and gas-filled or fan-powered figures shall not exceed the maximum height restrictions for the district in which they are located. The setback standards of section 36-789(2) must be met for these types of signs.

Sec. 36-797. - Billboards (outdoor advertising signs).

Billboards shall be permitted in LI—Limited Industrial District, RTM—Research/Technology/Manufacturing District, and GI—General Industrial District, and shall be considered a principal use of the lot. In addition, billboards must meet the following regulations:

- (1) *Spacing.* Billboards shall be spaced so that not more than three (3) billboards structures may be located per linear mile of street or highway regardless of the fact that such billboards may be located on different sides of the subject street or highway. The linear mile measurement shall not be limited to the boundaries of the township where the particular street or highway extends beyond such boundaries.
- (2) *Display areas.* Billboards that face U.S. 23 within an appropriate district shall have a maximum surface display area of six-hundred seventy-two (672) square feet, known as a bulletin billboard. Billboards facing all other streets within the township within an appropriate zoning district shall have a maximum surface display area of two-hundred eighty-eight (288) square feet, known as a poster billboard. The maximum size limitations shall apply to each side of a

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Commented [PS20]: The standards for freestanding signs in industrial districts is consistent with Section 36-973(b)(2).

Commented [PS21]: The wall sign standards are consistent with the existing standards of Section 36-973(b)(1).

Commented [PS22]: The entrance sign standards are consistent with the existing standards of Section 36-973(a)(3).

Commented [PS23]: Currently, Section 36-797 exempts political signs but limits other noncommercial signs (e.g., religious events) to 24 sq. ft. At the same time, Section 36-790(1) allows for temporary building contractor signs of 32 sq. ft. Because distinguishing between commercial and non-commercial signage is not as important in a commercial district as it is in a residential district, we recommend allowing a maximum allowable area of temporary signage without regard to the content of the message.

Commented [PS24]: These standards are consistent with Section 36-793(c), except that they will apply to an approved temporary land use permit instead of specific event.

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sign structure. Signs may be placed back to back or in V-type construction. Stacked signs and side by shall not be permitted. If both sides of a V-type sign are visible from any one location it shall ~~not~~ be considered a single sign for the purposes of calculating maximum sign area.

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- (3) *Height.* The billboard shall not exceed ~~thirty (30)~~ feet above the average grade of:
- The ground on which the billboard sits; or
 - The grade of the abutting roadway, whichever is higher.
- (4) *Placement on roof.* The billboard shall not be on top of, cantilevered, or otherwise suspended above the roof of any building.
- (5) *Setbacks.* No billboard shall be located closer than ~~fifty (50)~~ feet to a non-right-of-way property line and must maintain a minimum of ~~fifteen (15)~~ feet from any right-of-way on the property. No billboard shall project over public property. Billboard signs shall be no closer than ~~twenty-five (25)~~ feet to any other nonresidential structure on or off the same premises upon which the billboard is located. Billboards ~~are prohibited from locating~~ within ~~three-hundred (300)~~ feet of a residential zone and/or existing residence. No digital or LED billboard shall be located within ~~one-thousand (1,000)~~ feet of an existing residence.
- (6) *Illumination.* Digital or LED billboards are allowed if the digital or electronic changeable copy portion of the billboard and the billboard meet all the following additional standards:
- A billboard shall ~~have~~ automatic dimming capabilities so that the maximum luminescence level is not more than 0.3 footcandles over ambient light levels measured at the following distance in relation to billboard size, ~~rounded to the nearest whole square foot:~~

Deleted: pursuant to section 36-789(2)

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Billboard Sign Face Area (sq. ft.)	Distance from Sign (ft.)
0 – 300	150
301 – 378	200
379 – 671	250
672	350

- Any illumination shall be concentrated on the surface of the sign and is so located to avoid glare or reflection onto any portion of the street or highway, the path of on-coming vehicles, or any adjacent properties.
- No billboard shall have flashing, strobing, intermittent, moving, rotating, or oscillating lights or images.
- No digital or LED billboard shall be ~~permitted~~ within ~~four-thousand (4,000)~~ feet of another digital or LED billboard or, ~~three-thousand (3,000)~~ feet of a nondigital or non-LED billboard.
- The rate of change between two static messages shall be one second or less.
- There shall be a minimum of no less than seven ~~(7)~~ seconds between copy changes.
- The owner of a digital or LED billboard must reasonably coordinate with relevant public agencies to allow for the display of real-time emergency information such as Amber Alerts or natural disaster directives.

Deleted: 1. A distance of 150 feet for sign faces less than or equal to 300 square feet; ¶
 2. . A distance of 200 feet for sign faces greater than 300 square feet but less than or equal to 378 square feet; ¶
 3. A distance of 250 feet for sign faces greater than 378 square feet but less than 672 square feet; and ¶
 4. . A distance of 350 feet for sign faces equal to 672 square feet. ¶

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h. The digital or LED billboard will not distract, endanger, or disorient motorists.

- (6) *Construction.* Billboards shall be self-supported, pole-mounted structures constructed in such a fashion that it will withstand all wind and vibration forces that can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness and continued readability of message.

(Ord. of 7-22-2013, § 62.07; Ord. of 6-4-2014, § 62.07; Ord. No. 17-53, § 14, 2-14-2017)

Sec. 36-798. - Electronic message signs.

Electronic message signs (EMS) shall be permitted within all nonresidential zoning districts, as either a free-standing or wall-mounted sign subject to the sign regulations for each zoning district and to the following additional regulations:

- (1) An electronic message sign (EMS) shall only be permitted as part of a static sign and shall be limited to 50% of the total sign area of the static sign.
- (2) Frequency of message change shall be no more than once every thirty (30) seconds.
- (3) The rate of change between two static messages shall be one second or less.
- (4) Scrolling words or images are prohibited;
- (5) EMS owners shall permit township, state, and federal governments to post messages in the event of an emergency; and
- (6) The electronic message sign may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance. Maximum sign luminance shall not exceed 0.3 footcandles above ambient light measurement based upon the size of the sign rounded to the nearest whole square foot, and the distance measured perpendicular to the sign face in accordance with the following table:

Sign Face Area (sq. ft.)	Distance from Sign (ft.)*
0 – 10	32
11 – 15	39
16 – 20	45
21 – 25	50
26 – 30	55
31 – 35	59
36 – 40	63
41 – 45	67
46 – 50	71
51 – 55	74
56 +	77

*Measured in feet, perpendicular to the face of the sign.

Source: Model Code, Illuminating Engineering Society of North America

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Deleted: Sec. 36-795. - Signs for automobile service stations. ¶

Signs for automobile service stations shall be regulated as set forth in section 36-793(a). In addition, the following regulations shall apply: ¶

(1) The permitted wall sign or legend may be attached either to a wall of the building or to the canopy of a fuel pump island. ¶

(2) . One permanent sign for the purpose of advertising gasoline prices and similar announcements, when mounted on a freestanding structure or on the structure of another permitted sign, may be installed along each street frontage, provided that clear views of street traffic by motorists or pedestrians are not obstructed in any way. Such signs shall not exceed six square feet in area. All temporary signs for such purposes and all banners, streamers, flags (other than state or national flags) and similar advertising objects shall be prohibited. ¶

(Ord. of 7-22-2013, § 62.08; Ord. of 6-4-2014, § 62.08) ¶

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Moved (insertion) [3]

Moved (insertion) [4]

(7) Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory-programmed not to exceed the above listed light levels.

(8) In no case shall EMS luminance exceed 0.1 footcandles above ambient light along any adjacent property line that is zoned or used for residential purposes.

(Ord. of 7-22-2013, § 62.09; Ord. of 6-4-2014, § 62.09)

Sec. 36-~~799~~. - Exemptions.

The following types of signs shall not require a permit and are exempted from all the provisions of this article except for construction and safety regulations, the setback provisions of section 36-789(2), and the following standards:

(1) Signs erected by an official governmental agency or a public officer in the performance of their public duty, as necessary to preserve the health, safety, and welfare of the community.

(2) Sign copy carved into stone, concrete, or other similar material or permanent type construction and made an integral part of the structure or architecture of the building.

(3) Signs recognizing an official national or state historical site or building.

(4) Directional signs as necessary to direct traffic movement onto a property or within a property, not exceeding eight (8) square feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from these standards.

(5) Non-commercial flags.

(6) Incidental signs, subject to the approval of the Zoning Administrator.

(7) "No trespassing," "no hunting," and similar signs prohibiting invasion of private property, provided the area of such sign shall not exceed two square feet. The basis for exempting these types of signs is for the public safety benefit provided informing people that trespassing is prohibited.

(8) Address numbers, being essential for public safety and emergency response, with a numeral height no greater than six (6) inches for each dwelling unit and eighteen (18) inches for any other use, including multiple-family buildings. The Police Chief or Fire Chief may approve a larger numeral height if deemed necessary for public safety and emergency response.

(9) Interior signs.

(10) Non-commercial people signs.

(11) Vehicle signs, provided the vehicle is licensed, registered, and lawfully parked in accordance with this Ordinance.

(12) Any lawful sign in a public or private right-of-way installed by an authorized public agency.

(Ord. of 7-22-2013, § 62.10; Ord. of 6-4-2014, § 62.10)

Sec. 36-~~800~~. - Prohibited signs.

Deleted: Maximum Light Levels of Electronic Signs ¶
Area of Sign (sq. ft.)

Moved up [3]: *Measured in feet, perpendicular to the face of the sign.

Moved up [4]: Source: Model Code, Illuminating Engineering Society of North America

Moved down [2]: (1) Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as directional signs, regulatory signs, and informational signs. ¶

Deleted: (2) Temporary signs announcing any public, charitable, educational, or religious event or function, located entirely within the premises of that institution and set back not less than 15 feet from the property line. Maximum sign area shall be 24 square feet. Such signs shall be allowed no more than 14 days prior to the event or function and must be removed within seven days after the event or function. If building mounted, these signs shall be flat wall signs and shall not project above the roof line. If ground mounted, the top shall be no more than six feet above ground level.

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Deleted: of a noncommercial nature and in the public interest,

Deleted: , or on the order of, a public officer

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Deleted: Names of buildings, dates of erection, monument citations, commemorative tablets and the like, when

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Deleted: (5) Temporary real estate directional signs, not exceeding three square feet in area and four in number, showing a directional arrow and placed back of the property line, shall be permitted on approach routes to an "open house" and shall be displayed only during daylight hours. The tops of such signs shall not exceed three feet in height. ¶

(6) Political campaign signs announcing candidates seeking public political office and other data pertinent thereto. ¶

The following signs are prohibited anywhere within the township:

- (1) Signs which imitate an official traffic sign or signal, which contain the words "stop," "go," "slow," "caution," "danger," "warning," or similar words.
- (2) Signs which are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.
- (3) Signs which are placed on a street or other public right-of-way, unless otherwise permitted by these regulations.
- (4) All temporary signs, unless authorized elsewhere within this chapter.
- (5) Abandoned signs.
- (6) Festoons, except for decorations commemorating a holiday or approved in conjunction with a temporary land use.
- (7) Street furniture signs, unless otherwise permitted within this chapter.
- (8) Signs attached to other signs, unless otherwise permitted within this chapter.
- (9) Animated signs.
- (10) Roof signs.
- (11) Illegal signs.
- (12) Damaged signs.
- (13) Unsafe signs.
- (14) Commercial people signs. The basis for prohibiting commercial people signs is that the movement and proliferation of commercial people signs would degrade traffic safety and community aesthetics.
- (15) Any sign containing off-premise commercial content, except as permitted in this article.

(Ord. of 7-22-2013, § 62.11; Ord. of 6-4-2014, § 62.11)

Sec. 36-~~801~~. - Permit and fees.

- (a) Application for a permit to erect or replace a sign, or to change copy thereon, shall be made by the owner of the property on which the sign is to be located, or his authorized agent; to the township zoning administrator, by submitting the required forms, fees, exhibits, and information. Fees for sign permits shall be determined by resolution of the township board and no part of such fee shall be returnable to the applicant. No fee shall be required of any governmental body or agency.
- (b) The application shall contain the following information:
 - (1) The applicant's name and address in full, and a complete description of relationship to the property owner.
 - (2) The signature of the property owner concurring in submittal of said application.
 - (3) An accurate survey drawing of the property showing location of all buildings and structures and their uses, and location of the proposed sign.

Deleted: except as provided in section 36-794(4).

Deleted: (3) Signs which contain or consist of pennants, ribbons, streamers, spinners, strings of light bulbs, or other similar devices. ¶

Moved (insertion) [1]

Deleted: (8) . All temporary signs, unless authorized elsewhere within this chapter. ¶

Deleted: signs which are pasted or attached to utility poles, trees, or other signs, except as provided in section 36-797(8).

Deleted: Signs which move in any manner or have a major moving part or give an illusion of motion unless otherwise permitted by these regulations. ¶
(7) Signs which swing or otherwise noticeably move as a result of wind pressure because of the manner of suspension or attachment.

Moved up [1]: (8) . All temporary signs, unless authorized elsewhere within this chapter.

Deleted: (8) All temporary signs, unless authorized elsewhere within this chapter.

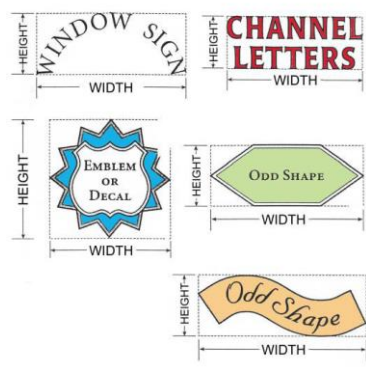
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- (4) A complete description and scale drawings of the sign, including all dimensions and the area in square feet.
- (c) All signs shall be inspected by the township zoning administrator for conformance to this chapter prior to placement on the site. Foundations shall be inspected by the building inspector on the site prior to pouring of the concrete for the sign support structure.
- (d) Any sign involving electrical components shall be wired by a licensed electrician in accordance with the township electrical code and the electrical components used shall bear an Underwriters Laboratories, Inc., seal of inspection.
- (e) A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. A permit may be renewed prior to expiration and no additional fee shall be collected for the renewal.
- (f) Painting, repainting, cleaning, and other normal maintenance and repair of a sign or a sign structure, unless a structural or copy change is made, shall not require a sign permit.
- (g) All signs shall comply with the requirements of the building code of the township.

(Ord. of 7-22-2013, § 62.12; Ord. of 6-4-2014, § 62.12)

Sec. 36-802. - Computation of surface area.

The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing copy or display material shall not be included in computation of surface area. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back, parallel to one another, and no more than 24 inches apart, the area of the sign shall be the area of one face.



(Ord. of 7-22-2013, § 62.14; Ord. of 6-4-2014, § 62.14)

Sec. 36-803. - Removal.

Deleted: Sec. 36-800. - Illumination. ¶

(a) The light from any illuminated sign or from any light source, including the interior of a building, shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect onto or into residential structures. ¶

(b) No sign shall have blinding, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing, except that movement showing the date, the time, and the temperature exclusively may be permitted. Illumination for electronic message signs (EMS) shall be regulated pursuant to section 36-796(6).

Illumination for LED billboards shall be regulated pursuant to section 36-794(6). Nothing contained in this article shall, however, be construed as preventing the use of lights or decorations related to religious and patriotic festivities. ¶

(c) No exposed reflective type bulbs and no strobe lights or incandescent lamps shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to any public street or adjacent property. ¶

(Ord. of 7-22-2013, § 62.13; Ord. of 6-4-2014, § 62.13) ¶

(a) The zoning administrator shall order the removal of any sign erected or maintained in violation of this article. Thirty days' notice in writing shall be given to the owner of such sign or of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance with the article. Upon failure to remove the sign or to comply with this notice, the township shall take action to force the removal of the sign. The township shall also remove a sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any cost of removal incurred by the township shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge shall be a lien on the property.

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(b) A sign shall be removed by the owner or lessees of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises, thereby making the sign an Abandoned Sign and/or an off-premises commercial sign. If the owner or lessee fails to remove the sign, the township shall take action to force the removal of the sign in accordance with subsection (a) of this section. These removal provisions shall not apply where a subsequent owner or lessee agrees to maintain the signs as provided in this article, and provided the signs comply with the other provisions of this chapter.

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Deleted: or changes the copy on the signs to advertise the type of business being conducted on the premises

(Ord. of 7-22-2013, § 62.15; Ord. of 6-4-2014, § 62.15)

Sec. 36-804. - Nonconforming signs.

Copy may be changed on nonconforming signs, provided that the sign area is not increased, and provided that no structural changes are made in the sign. All nonconforming signs are subject to the provisions included in article XXIX of this chapter, pertaining to nonconformities.

(Ord. of 7-22-2013, § 62.16; Ord. of 6-4-2014, § 62.16)

Sec. 36-805. - Responsibilities for signs.

The following regulations apply to all signs:

Deleted: , except those signs permitted in sections 36-790, 36-791, and 36-792(a), (b) and (d)

(1) The sign user is hereby made responsible for copy, structure, lighting, and all other parts of a sign.

Deleted: advertiser

(2) Signs shall be constructed and erected only by individuals or companies licensed in the State of Michigan for such purpose.

(3) All signs requiring permits shall display, in a conspicuous place, evidence of the permit and containing such data as might be required by the zoning administrator, including the name of the individual or company erecting the sign.

(4) Each individual or company erecting signs within the township shall annually provide the zoning administrator with a certificate of public liability insurance. A permit for erecting a sign shall not be issued unless such certificate is on file with the zoning administrator.

(5) All signs and components thereof shall be kept in good repair and in a safe, clean, neat, and attractive appearance.

(Ord. of 7-22-2013, § 62.17; Ord. of 6-4-2014, § 62.17)

Sec. 36-806. - Registry.

The zoning administrator shall maintain an up-to-date registry of each sign erected in the township after the effective date of the ordinance from which this article is derived. The registry shall contain the following information: location of the sign, name and address of the property owner, sign user, and individual or company erecting a sign and height, dimensions, and face area, and date of placement on the site.

Deleted: advertiser,

(Ord. of 7-22-2013, § 62.18; Ord. of 6-4-2014, § 62.18)

Secs. 36-807—36-831. - Reserved.

June 1, 2017

Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

Subject: Proposed Update to Zoning Ordinance – Sign Regulations

Dear Planning Commissioners:

As a follow-up to our discussion from the March 28, 2017 Township Board Joint Session with the Planning Commission, and to our letter on this topic from March 31, 2017, we would like to provide you with more information regarding upcoming amendments to the Sign Regulations article of the Zoning Ordinance to make the regulations more content-neutral and user-friendly.

Background of Recent Legal Requirements

On June 18, 2015, the United States Supreme Court decided the case of *Reed v. Gilbert* and held the Town of Gilbert's sign ordinance unconstitutional because it violated the First Amendment. Additional details on this case are included in our letter from March 31, 2017. As a result, all communities in the United States must now review their sign ordinances to determine which regulations might be in conflict with the Court's ruling and how to legally amend any portions of the ordinance as necessary to comply.

The Court maintained that communities can still enact reasonable sign regulations in a content-neutral way. Three of the nine justices included a list of sign aspects that could be regulated in a content-neutral way:

- Size of signs.
- Locations in which signs may be placed.
- Distinguishing between freestanding signs and those attached to buildings.
- Lighted and unlighted signs.
- Distinguishing between signs with fixed messages and messages that change.
- Distinguishing between signs on private and public property.
- Distinguishing between signs on commercial and residential property.
- Distinguishing between on-premises and off-premises signs.
- Total number of signs allowed per mile of roadway.
- Time restrictions on signs advertising a one-time event.

The following includes recommendations for updating the sign regulations of the Zoning Ordinance based on the above findings. We recommend that the Planning Commission consider these recommendations and to add any items that should be addressed in the sign regulations update.

Purpose

The purpose statement should be more robust to clearly state the intent of the sign regulations. Also, the purpose statement is an ideal place within the ordinance to pronounce "the right to free speech as guaranteed in the First Amendment of the United States Constitution shall be protected" by the ordinance. In this regard, signs are intended as a medium of free speech, communication, and ideas.

Definitions

Definitions may be included with the other definitions or in the sign ordinance chapter. Currently, the sign definitions are listed at the beginning of the Zoning Ordinance with all of the other definitions. We recommend creating additional definitions to clarify the meaning of different sign types. Some of these may include projecting signs, banner signs, and window signs. Some of the existing definitions have content-based provisions that should be removed and refined. Finally, adding graphics to the definitions can clarify the meaning of the sign types or define certain aspects or dimensions of signs.

General Sign Regulations

The General Provisions section as currently written is largely content neutral. Regulations applicable to all signs of a given type in all zoning districts should be located in this section. Regulations that are dependent on the zoning district should be located later in the ordinance. The Township may want to consider adding general provisions for sign illumination, maintenance for keeping signs in good repair, or other similar standards.

Communities should include additional review standards for appeals from the sign regulations. While applicants must meet the general variance standards to obtain a variance from the Zoning Board of Appeals, there are additional standards unique to signs that should also be included.

Signs Permitted in All Zoning Districts

All regulations in this section currently have content-based elements. Regulations that are content-neutral can be reused as part of the exempt signs section or other parts of the ordinance.

Signs Permitted in Recreation-Conservation and Agricultural Districts, Signs Permitted in Residential Districts, and Signs Permitted in Business and Industrial Districts

The regulations in these sections include content-based elements. Regulations that are content-neutral can be reused in other parts of the ordinance, or as part of a reorganization of each section that clearly creates regulations for permitted signs by district by sign type, not by content.

Billboards

There are no major content issues with the current Zoning Ordinance language.

Signs for Automobile Service Stations

These are speaker-based regulations that also include content-based regulations. Therefore, this should be regulated by district and structure type (i.e., uses in a non-residential district that have a lawful canopy may have signage on that canopy).

Electronic Message Signs

There are no major content issues with the current Zoning Ordinance language.

Exemptions

Minimizing exemptions from the sign ordinance is generally recommended, and there are relatively few in the Zoning Ordinance. Some recommended changes include the following:

- Content-based parts of these provisions should be removed. This includes the temporary signs for specific organizations or events, temporary real estate signs, political campaign signs, and

national, state, municipal, and university flags. These could be separated into temporary commercial sign and temporary non-commercial signs.

- Any provisions that reference content should clarify why these provisions are in the interest of the safety or welfare of the general public. For example, signs directing traffic movement are for the protection of public safety.
- Other signs may be added to this section, such as address numbers or nameplates, where the signs have a compelling government interest requiring their exemption.

Prohibited Signs

There are no major content issues with the current Zoning Ordinance language.

Illumination

The regulations refer to allowing the use of lights or decorations related to religious and patriotic festivities. These are event-based regulations that may need to be removed to allow lights and decorations all the time or only a certain number of days in a calendar year. Several communities have allowed lights as decorations, and some have specifically defined these lights as not being signs. This section, along with the definitions, may need to be clarified to distinguish a decoration from other types of illumination (i.e. window outline tubing), and to ensure general illumination standards such as light intensity and flashing apply to decorations as well as signs.

Computation of Surface Area

There are no major content issues with the current Zoning Ordinance language. Adding graphics could help readers understand the language in this section, especially for finding the area of signs with odd shapes.

Removal

The regulation states that a sign shall be removed by the owner or lessees of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. This could be considered content-based, though signs of this nature are often referred to as “abandoned signs.” The language could be changed to state that a sign cannot be the primary use on the property, or that a sign may not be located on a parcel without a building, or something similar, and it could potentially be moved to a different part of the ordinance.

Nonconforming Signs

There are no major content issues with the current Zoning Ordinance language.

Responsibilities for Signs – Registry

There are generally no major content issues with the current Zoning Ordinance language, besides a specific reference to the “advertiser” of the sign. This portion of the ordinance could be changed without changing its general structure.

We look forward to discussing the sign regulations article with you at an upcoming Planning Commission meeting. Please let us know if you have any questions.

Respectfully submitted,

McKENNA ASSOCIATES

A handwritten signature in cursive script, reading "Patrick J. Sloan".

Patrick J. Sloan, AICP
Senior Principal Planner

A handwritten signature in cursive script, reading "Stephen Hannon".

Stephen Hannon
Assistant Planner

cc: Marlene Chockley, Township Supervisor
Kathleen Manley, Township Clerk