

Owosso Planning Commission



*Regular Meeting
7:00pm, Monday, April 25, 2016
Owosso City Council Chambers*



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: April 21, 2016
TO: Chairman Wascher and the Owosso Planning Commission
FROM: Susan Montenegro, asst. city manager/director of community development
RE: Regular Planning Commission Meeting: April 25, 2016

The planning commission shall convene at 7:00pm on Monday, April 25, 2016 in the city council chambers of city hall.

The purpose of the meeting will be to hear the rezoning petition for 1007 S. Washington and to continue the discussion potential changes to the current sign ordinance.

Please **RSVP for the meeting.** Feel free to contact me at 989.725.0544 if you have questions.

Sue

AGENDA
Owosso Planning Commission
Regular Meeting
Monday, April 25, 2016 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

CALL MEETING TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA: April 25, 2016

APPROVAL OF MINUTES: March 28, 2016

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes from March 28, 2016.
3. Rezoning application packet – 1007 S. Washington.
4. Sign ordinances from: Owosso, Grand Haven, Greenville, Holland and Traverse City.

COMMISSIONER/PUBLIC COMMENTS:

PUBLIC HEARINGS:

1. 1007 S. Washington Street - rezoning

SITE PLAN REVIEW:

1. None.

BUSINESS ITEMS:

None.

ITEMS OF DISCUSSION:

1. Sign ordinance updating.

COMMISSIONER/PUBLIC COMMENTS:

ADJOURNMENT: **Next meeting will be Monday, May 23, 2016**

Commissioners, please call Sue at 725-0544 if you will be unable to attend the meeting on Monday, April 25, 2016.

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500]. The City of Owosso website is: www.ci.owosso.mi.us

Affirmative Resolutions
Owosso Planning Commission
Regular Meeting
Monday, April 25, 2016 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

Resolution 160425-01

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the agenda of April 25, 2016 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 160425-02

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the minutes of March 28, 2016 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 160425-03

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the zoning changes for 1007 S. Washington Street from B-1 to B-4.

OR

The Owosso Planning Commission rejects the zoning changes for 1007 S. Washington Street from B-1 to B-4 based on the following:

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 160425-04

Motion: _____

Support: _____

The Owosso Planning Commission hereby adjourns the April 25, 2016 meeting, effective at _____pm.

Ayes: _____

Nays: _____

Approved: ____

Denied:____

APPLICATION FOR REZONING
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. **PROPERTY TO BE REZONED:** Street Address 1007 S. WASHINGTON ST OWOSSO
Description: (lot, block or metes and bounds) LOTS 22, 23, 24, 8, 9, 10, 11, 12, 13
Frontage in Feet 80' Depth in Feet 264'
2. **PROPERTY OWNERSHIP:** (Name, Address, and Phone Number)
CROWE PROPERTIES LLC PO BOX 1627 OWOSSO MI 989-666-6339
3. **ZONING REQUEST** Current Zoning B-1 Requested Zoning B-4
Proposed Use of the Property _____

Indicate why, in your opinion, the requested change is consistent with the Ordinance in prompting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

OUR AUCTION BUSINESS REQUIRES US TO HAVE A DEALERS LICENSE TO SELL VEHICLES BY AUCTION, SO WE NEED TO HAVE THE LICENSE.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

(Signature of Applicant)

PO BOX 1627 OWOSSO MI
(Address)

(Signature of Co-Applicant)

989-666-6339
(Phone)

- Legal Representative
 Owner
 Option to Purchase

FOR OFFICIAL USE ONLY

Case # _____
Receipt # _____
Date Filed _____
Description Checked _____

Planning Commission Hearing Date _____
Action Taken _____
City Council Hearing Date _____
Action Taken _____

OFFICIAL NOTICE OF PROPOSED REZONING

A Public Hearing will be held on a proposal to rezone the properties described below at the Owosso City Planning Commission Regular Meeting on Monday, April 25, 2016. Proposed use of the property would be for business. Owner needs correct zoning to obtain a dealer's license to sell cars at auction.

APPLICANT: #2016-01 Crowe Properties, LLC
 PO Box 1627
 Owosso, MI 48867

PROPERTY ADDRESS: 1007 S. Washington Street

PROPOSED REZONING: FROM: B-1 Local Business District
 TO: B-4 General Business District

PROPERTY DESCRIPTION: Parcel number 050-652-011-013-00
 LOT 22-24 BLK 11 A L WILLIAMS 2ND ADD INCLDG 1/2 CLSD ALLEY

LOT SIZE: Frontage 88' Depth 264'

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday, April 25, 2016. The meeting will be held in the lower level of the Owosso City Hall at or soon after 7:00 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the clerk's office at city hall or to Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time prior to the meeting.

Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager/Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

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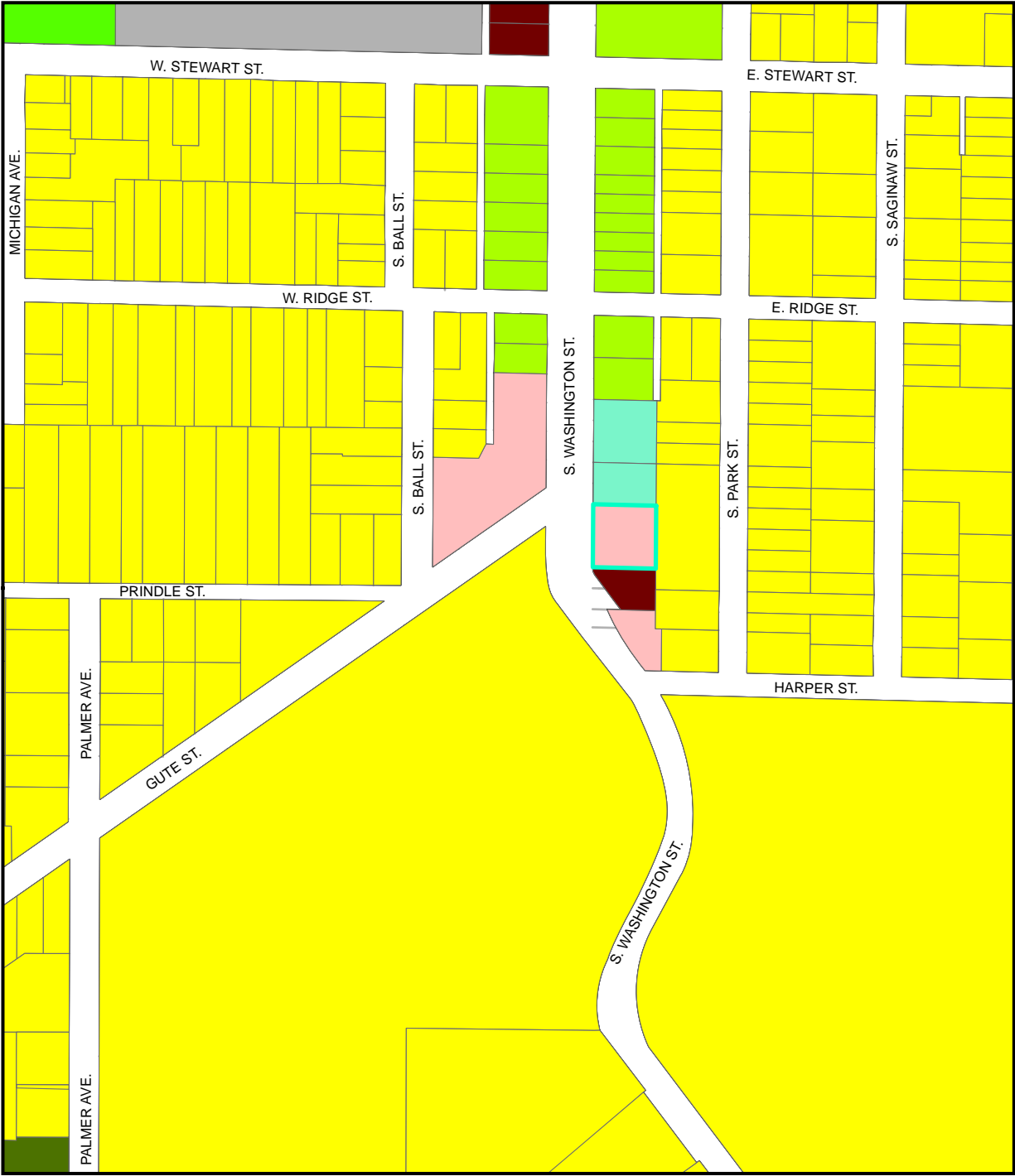
City of Owosso

1007 S. Washington



City of Owosso

1007 S. Washington



Legend

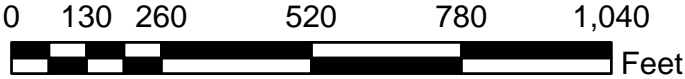
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Z_PRIMARY

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- B1
- B2
- B3
- B4
- C-OS
- I1
- I2
- OS1
- P1
- PUD
- R1
- R2
- RM1
- RM2



Chapter 26 - SIGNS

FOOTNOTE(S):

--- (1) ---

Editor's note—Ord. No. 500, adopted Feb. 16, 1993, amended Ch. 26 to read as herein set out in Arts. I—VII, §§ 26-1, 26-2, 26-5—26-7, 26-9, 26-11—26-21, 26-23, 26-24, 26-26—26-33, 26-35—26-38. Prior to inclusion of said ordinance, Ch. 26, § 26-1 pertained to similar subject matter and derived from the Code of 1917, §§ 8.51—8.132.

Cross reference— Signs for bed and breakfast operations, § 7-7; destruction of official notices, § 19-26; planning, Ch. 23; streets, sidewalks and other public places, Ch. 29; subdivision regulations, Ch. 30; traffic and motor vehicles, Ch. 33; zoning, Ch. 38; zoning regulations of signs, § 38-385.

State Law reference— Highway advertising act, MCL 252.301 et seq., MSA 9.391(101) et seq.

ARTICLE I. - UNIFORM SIGN CODE

Sec. 26-1. - Adoption of Uniform Sign Code.

There is hereby adopted by reference the 1991 Edition of the Uniform Sign Code, as published by the International Conference of Building Officials which code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

(Ord. No. 500, 2-16-93)

Sec. 26-2. - Changes in code.

The following section of the sign code adopted by the provisions of this article is hereby amended as indicated:

Section 1401. Temporary signs shall not exceed one hundred (100) square feet in area. Temporary signs if rigid material shall not exceed twenty-four (24) square feet in area, or six (6) feet in height, nor shall any such sign be fastened to the ground.

(Ord. No. 500, 2-16-93)

Secs. 26-3, 26-4. - Reserved.

ARTICLE II. - IN GENERAL

Sec. 26-5. - Short title.

This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

(Ord. No. 500, 2-16-93)

Sec. 26-6. - Purposes.

The purposes of this chapter are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety and public health; to minimize the possible adverse effect of signs on nearby public and private property; to keep

signs within a reasonable scale with respect to the buildings and property to which they relate, and; to enable the fair and consistent enforcement of these sign restrictions. It is determined that the regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purposes. It is also determined that restrictions in this chapter on the size of signs, as well as their height and placement on real estate, are the minimum amount necessary to achieve this chapter's purposes.

(Ord. No. 500, 2-16-93)

Sec. 26-7. - Applicability; effect and scope.

A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

The effect of the chapter as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter.
- (2) To allow certain signs that are small unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits.
- (3) To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way.
- (4) To prohibit all signs not expressly permitted by this chapter.
- (5) To provide for the enforcement of the provisions of this chapter.
- (6) This chapter shall not relate to building design. Nor shall this chapter regulate: official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point-of-purchase displays; scoreboards on athletic fields; flags of any nation, government or noncommercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

(Ord. No. 500, 2-16-93)

Sec. 26-8. - Reserved.

ARTICLE III. - DEFINITIONS

Sec. 26-9. - Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in chapter 38, zoning, of this Code, or in the Uniform Sign Code shall be given the meanings set forth in such chapter and code. Principles for computing sign area and sign height are contained in section 26-24. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

Abandoned sign. Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Administrator. The building official or his designated representative within the building department.

Alteration. Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

Animated sign. Any sign that uses movement or change of lighting, either natural or artificial, to depict action or create a special effect or scene. For the purposes of this chapter, this term does not refer to flashing, changeable copy signs or programmable message centers.

Awning sign. A sign painted on, printed on, or attached flat against the surface of an awning, which is a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework. An awning is not a marquee.

Banner sign. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one (1) or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Beacon. Any light with one (1) or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one (1) or more beams that rotate or move.

Building marker. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Canopy. A rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one (1) or more points or extremities and by columns or posts embedded in the ground at other points or extremities.

Canopy sign. A sign displayed and affixed flat on the surface of a canopy which does not extend vertically or horizontally beyond the limits of the canopy.

Central business district. That area defined by the boundary of the B-3 zoning district on the zoning map of chapter 38, zoning and that area defined by those properties fronting Main Street between State Street and Cedar Street and those contiguous properties zoned commercial at or near the intersection of Stewart Street and South Chipman Street. For the purposes of these chapter regulations, the central business district is symbolized by the B-3 zoning district title.

Changeable copy sign. Any sign designed or constructed whereby the lettering or message usually contained thereon is capable of being changed by rearranging or installing new letters or messages without removing, replacing or resurfacing the face of such sign.

Combination sign. Any sign which combines the characteristics of two (2) or more signs.

Construction sign. Any sign identifying the names of the project developers, contractors, engineers, architects and financial institutions, which is located on a site being developed or improved.

Directional sign. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo, said logo not comprising more than twenty (20) percent of the total sign area, of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced sign. Any sign containing two (2) sign surfaces.

Election sign. A temporary sign which refers only to a political candidate, political party, or the issues involved in an upcoming political election.

Facade. The front of a building, including a parapet, facing a right-of-way line. In the case of a corner lot, or in the case of a building covering an entire block, a building may have more than one (1) facade.

Festoon sign. Any sign consisting of strings of exposed incandescent light bulbs, balloons, or strings of pennants hung overhead to draw attention to items on display or a particular business establishment.

Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other entity.

Flashing sign. Any sign which contains an intermittent or flashing, scintillating, blinking or traveling light source which includes signs that give the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

Freestanding sign. A sign structure supported permanently upon the ground by poles or braces and not attached to any building. This definition shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Frontage, street. The length of the property line of any one (1) premise along a public right-of-way on which it borders.

Garage sale sign. Any sign denoting a private sale of personal property used to dispose of personal household possessions.

Ground sign. Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

Height of sign. The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the sign, excluding decorative embellishments.

Identification sign. Also a "nameplate" sign or "information" sign with only name and address of occupant on the sign bearing no advertising message or logo.

Illuminated sign. Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

Maintenance. For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Mansard. A sloped roof or rooflike facade architecturally comparable to a building wall.

Marquee. Any permanent rooflike structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign. Any sign which is attached to a marquee. These signs shall be treated as wall signs.

Moving message board. An electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

Multi-faced sign. Any sign containing three (3) or more signed surfaces so that such messages as contained on the sign face are visible to persons viewing such signs from two (2) or more directions.

Nonconforming sign. Any sign which lawfully occupied a building or land at the effective date of chapter 38, zoning of this Code, or any amendment thereto, that does not conform to the regulations of the district or premises where it is located.

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet. That part of any wall entirely above the roofline of a building.

Pennant. Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Person. Any individual, corporation, association, firm, partnership, or similarly defined interest.

Portable sign. A mobile temporary sign mounted on a trailer type frame with wheels or skids and not permanently attached to the ground or designed to be permanently attached to the ground or a building.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Programmable display sign. An animated sign, including LED's, made up of a field of individual electronic elements or mechanical grids that, when programmed and activated, create still or moving images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage.

Projecting sign. A sign other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

Roof sign. Any sign erected over or on the roof of a building.

Roof sign, integral. Any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Rotating sign. Any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purposes of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. This section shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Suspended sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign. A sign not constructed or intended for longterm use and not permanently mounted.

Vacant land. A lot of record on which there are no principal uses and for which no nonconformity exists for the minimum required street frontage of the applicable zoning district.

Wall sign. Any sign attached to, and/or affixed to, the face of the wall of any building structure or part thereof, provided that no part of any such sign extends more than twenty-four (24) inches from the face of the exterior wall.

Window sign. Any paper, cardboard, or painted graphics or other material conveying an advertising message which is designed for or placed behind any window visible to the public.

(Ord. No. 500, 2-16-93; Ord. No. 579, § 1, 5-3-99; Ord. No. 627, § 1, 5-19-03; Ord. No. 661, § 1, 10-18-04; Ord. No. 673, § 1, 6-19-06)

Sec. 26-10. - Reserved.

ARTICLE IV. - GENERAL PROVISIONS

Sec. 26-11. - Permits required and fees.

It shall be unlawful for any person to erect, re-erect, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, except as provided in section 26-17, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. A separate permit shall be required for each sign. Electrical signs shall, in addition, require an electrical permit.

(Ord. No. 500, 2-16-93)

Sec. 26-12. - Sign erector qualifications.

The administrator shall evaluate, authorize or deny as a part of the permit the person assigned to the installing of, erecting, maintaining, repairing or altering a sign. The authorization of the erector shall be based on the administrator's evaluation of the direct experience of the person specified for the sign work. Notwithstanding the previous sentences, a person does not undergo evaluation to install a nonelectrical sign, provided the sign does not exceed an area of thirty-two (32) feet, a height of seven (7) feet above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

(Ord. No. 500, 2-16-93)

Sec. 26-13. - Application.

Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.

(Ord. No. 500, 2-16-93)

Sec. 26-14. - Completeness.

Within five (5) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such five (5) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.

(Ord. No. 500, 2-16-93)

Sec. 26-15. - Issuance and denial.

The administrator shall issue a permit and permit sticker or tag for the erection, structural alteration, or relocation of a sign within five (5) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied, the administrator shall within five (5) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.

(Ord. No. 500, 2-16-93)

Sec. 26-16. - Inspection.

A person conducting or performing work covered by a permit required by this chapter shall notify the administrator when such work has commenced. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month or at such earlier date as the owner may request. If the construction is not substantially complete at the time of a six month inspection, the permit shall lapse and become void. If the construction is complete, the administrator shall issue a certificate of completion to the owner and the erector.

(Ord. No. 500, 2-16-93)

Sec. 26-17. - Signs not requiring a permit.

The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- (1) Signs used by a governmental agency and a franchised public utility company if the sign of the utility company is for public safety purposes.
- (2) Construction signs of sixteen (16) square feet or less.
- (3) Holiday or special events decorations.
- (4) Nameplates of two (2) square feet or less.
- (5) Election signs.
- (6) Temporary real estate signs advertising the premises for rent, sale, or lease, under the following conditions:
 - a. One (1) sign not more than six (6) square feet in area for a single-dwelling or building or vacant land for residentially zoned premises less than one (1) acre. For vacant residential parcels larger than one (1) acre, one sign not more than fifteen (15) square feet in area.

Development signs advertising the availability of lots or living units within a subdivision, a planned development or complex may be placed at an entrance to the subdivision, planned unit development or complex, with a maximum height of seven feet and a maximum area of forty (40) square feet. The sign shall be permitted for three (3) years or until eighty (80) percent of the development is sold-out or leased, whichever comes first.
 - b. One (1) sign not more than thirty-two (32) square feet in area for vacant commercial or industrially zoned premises less than one (1) acre.
 - c. On corner lots pertaining to subsections a. and b. above, an additional equivalent sign is permitted if separated by seventy-five (75) lineal feet of road frontage.
 - d. For commercial and industrial premises larger than one (1) acre, one (1) sign per acre to a maximum of four (4) signs, not to exceed thirty-two (32) square feet per sign and not closer together than two hundred (200) lineal feet of road frontage.
 - e. For occupied industrial and commercial premises, one (1) sign not more than fifteen (15) square feet with an allowance for an additional sign not more than fifteen (15) square feet for corner lots if separated by seventy-five (75) lineal feet of road frontage.
 - f. A real estate sign not to exceed six (6) square feet in area for the purposes of direction may be located on private property with an owner's permission on a successive Friday, Saturday and Sunday only. The sign height shall not exceed forty-eight (48) inches. Signs higher than thirty (30) inches shall not be located in a corner clearance described in section 26-23(2).
- (7) Interior building signs which are not designed for visibility of the public as in the case of a window sign.
- (8) Directional signs less than six (6) square feet.
- (9) Garage sale signs as provided for in Chapter 25-101 of the Owosso City Code.
- (10) Bed and breakfast signs as provided for in Chapter 7 of the Owosso City Code.
- (11) Other signs less than six (6) square feet.

(Ord. No. 500, 2-16-93; Ord. No. 571, § 1, 9-6-98; Ord. No. 760, § 1, 2-2-15)

Sec. 26-18. - Signs exempt from regulation.

The following signs shall be exempt from regulation under this ordinance:

- (1) Any sign of a governmental unit required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (2) Holiday lights and decorations on residential zone lots with no commercial message.
- (3) Works of art of a noncommercial nature.
- (4) Flags of any country, state, or unit of local government not causing a vision obstruction at intersections or flown at the top of a pole over thirty-five (35) feet in height. Any flag not meeting these conditions shall be subject to regulation as such.

(Ord. No. 500, 2-16-93)

Sec. 26-19. - Construction and maintenance.

All signs shall be designed and constructed in conformity to the provisions for materials, loads, stresses, and safety of the latest adopted edition of the Uniform Sign Code, Article I of this chapter. Nothing contained in the Uniform Sign Code shall be construed to permit any sign prohibited by the Owosso Sign Ordinance or to reduce any standard established by said ordinance.

Every sign in the city, including those signs for which permits are required, or exempt signs for which no permits are required shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including metal parts and supports. The administrator shall, from time to time, inspect and have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or abandoned, or which constitute a physical hazard to public safety.

(Ord. No. 500, 2-16-93)

Sec. 26-20. - Removal of certain signs.

In the event a sign is abandoned for a period of time in excess of six (6) months, the sign owner shall immediately remove any sign identifying the abandoned use or purpose announced thereby. Upon failure of a sign owner to comply with this section, the administrator shall issue a written notice to the sign owner, which notice shall state that such sign shall be removed within fourteen (14) days. If the sign owner fails to comply with such written notice to remove, the administrator is hereby authorized to cause removal of such sign, and any expense incidental to such removal shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property. For the purpose of this section, the word "remove" shall mean:

- (1) The sign face, along with posts, columns, or supports of freestanding signs, shall be taken down and removed from the property.
- (2) The sign face and supporting structures of "projecting", "roof", or "wall" signs shall be taken down and removed from the property.
- (3) The sign face of "painted wall signs" shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question. This provision shall not apply to signs fifty (50) years old or over that are historical landmarks of the city's past and are attached to a building that is maintained and preserved as an architectural landmark. The historic criteria adopted by the planning commission shall serve to distinguish these signs.

(Ord. No. 500, 2-16-93)

Sec. 26-21. - Other signs forfeited.

Any sign installed or placed on public property, except in conformance with the requirements of this chapter, shall be forfeited to the public and subject to confiscation. In addition to other remedies of the City Code, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

(Ord. No. 500, 2-16-93)

Sec. 26-22. - Reserved.

ARTICLE V. - SPECIFIC CONTROL PROVISIONS.

Sec. 26-23. - Specific control provisions.

The following provisions shall apply to all signs erected or located in any zoning district or to the specific situations described herein:

- (1) Signs in the right-of-way. No sign except those established and maintained by the city, county, state, or federal governments, and except those projecting canopy and marquee signs mounted on building walls in the B-3 Zoning District where no front yard setback is required shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- (2) Signs at intersections. Signs shall be located such that there is at every street intersection or entranceway a clear view between heights of three (3) feet and ten (10) feet in a triangle formed by the corner and points on the curb twenty-five (25) feet from the intersection or entranceway. A support structure six (6) inches in diameter or less or six (6) inches per side or less shall not be considered an obstruction to a clear view.
- (3) Construction signs. A building under construction may have one sign on the site of construction. The sign may not exceed ten (10) percent of the square foot area of the front of the structure with a maximum size of two hundred (200) square feet.
- (4) Vacant land signs.
 - a. One sign not to exceed six (6) square feet in area on lots of record of vacant land two (2) acres in size or less.
 - b. Signs on lots of record of vacant land exceeding two (2) acres shall not exceed fifteen (15) square feet of sign area per acre of land or fifteen (15) square feet of sign area per one hundred (100) lineal feet of thoroughfare frontage with total sign area not to exceed one hundred (100) square feet. Signs shall be spaced two hundred (200) feet or more apart.
- (5) Traffic interference. No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other work, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
- (6) Responsibility of compliance. The owner of any property on which a sign is placed, and the person maintaining said sign, are equally responsible for the condition of the sign and the area in the vicinity thereof.
- (7) Obstructions to doors, windows, sidewalks, and fire escapes. No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window, sidewalk or fire escape.
- (8) Temporary signs. A limit of two temporary signs shall be permitted per parcel unless otherwise regulated in section 26-23.
- (9) Gasoline price signs. A gasoline service station shall be permitted signs on each pump island indicating the prices and types of gasoline and the type of service. The area of such signs shall not exceed ten (10) square feet per pump island. One freestanding sign to include a changeable

copy sign or reader board is allowed. The size of the freestanding sign shall not exceed forty-eight (48) square feet.

- (10) Light glare. No direct light or significant glare from a sign shall be cast onto any zone lot that is zoned and used for residential purposes or onto any public way so as to cause interference with traffic safety.
- (11) Election signs. Signs relating to elections shall be removed within ten (10) days following the election or within sixty (60) days of installation whichever occurs first.
- (12) Adjoining sign interference. Signs shall not interfere with the noticeability, visibility, and legibility of existing conforming signs on adjoining zoning lots.
- (13) Festoon signs, balloons, and inflated objects used as signs. Said signs are regulated as a temporary sign with the further restrictions that they may be placed in the front yard for a period not to exceed one (1) fourteen-day period per year or in a side or rear yard for one (1) sixty-day period per year unless the adjoining land use is residential, in which case the signs are prohibited from placement in the side or rear yard.
- (14) Subdivision signs. Subdivisions of single- and two-family homes and housing complexes of more than one (1) apartment or town house building are permitted ground signs identifying the subdivisions or housing complex. Such sign structures shall have a gross area of not more than thirty (30) square feet, a sign face area of not more than fifteen (15) square feet, and a height of not more than four (4) feet. A subdivision or housing complex shall not have a total of more than two (2) such signs nor more than one (1) per entrance. The setback for subdivision signs three (3) feet high shall be eight (8) feet and ten (10) feet for a sign height above three (3) feet. At intersections and drive entrances, the setback standard must also comply with the provisions of section 26-23(2).

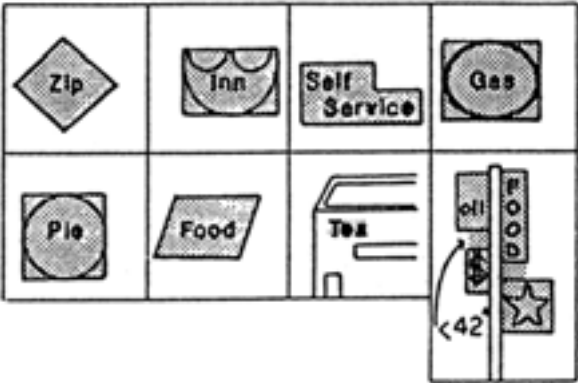
(Ord. No. 500, 2-16-93; Ord. No. 661, § 1, 10-18-04)

Sec. 26-24. - Calculation of sign area.

The following principles shall control the calculation of sign area:

- (1) Computation of area of individual signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which is placed, but not including any supporting framework, bracing, or decorative fence, embellishment or wall when such fence, wall, or embellishment otherwise meets Chapter 38, Zoning requirements and is clearly incidental to the display itself.

Chart I provides examples of measurement of sign area and measurement of a sign with



embellishment.

Chart I. Examples of Measurement of Sign Area and Sign Embellishment Not Counting As A Sign

- (2) Computation of area of multifaced signs. The sign area of a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of the largest face.
- (3) Computation of maximum total permitted sign area for a zoning lot. The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the directions in Chart III of section 26-27 of this chapter.

(Ord. No. 500, 2-16-93)

Sec. 26-25. - Reserved.

ARTICLE VI. - SCHEDULE OF SIGN REGULATIONS

Sec. 26-26. - Signs allowed on private property with and without permits.

**PERMITTED SIGNS BY TYPE AND ZONING DISTRICT
CHART II**

Sign Type	ZONE DISTRICT (a)									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS(b)
Freestanding - Residential(c)	P	P	N	N	N	N	N	N	N	N
Other	N	N	S	S	S	S	S	S	S	S
Directional	N	P(c)	P	P	P	P	P	P	P	P(c)
Building - Banner	N	N	S	S	S	S	S	S	S	N
Building marker	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	S	S	S	S	S	S	S	N
Identification	P	P	P	P	P	P	P	P	P	P
Directional	N	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	S	S	S	S	S	N
Projecting(e)(f)	N	N	S	S	S	S	S	S	S	S
Roof integral	N	N	N	N	S	S	S	N	N	N
Suspended	N	N	N	N	S	S	S	N	N	S
Temporary	N	N	N	S	S	S	S	S	S	N
Wall	N	N	S	S	S	S	S	S	S	P
Window	N	N	N	P	P	P	P	P	P	N
Miscellaneous - Banner(g)	N	N	S	S	S	S	S	N	N	N
Flag	P	P	P	P	P	P	P	P	P	P

P—Allowed without sign permit
S—Allowed only with sign permit
N—Not allowed

- (a) The zoning ordinance provides for a parking district (P-1) for which no signs other than directional and identification signs are permitted.
- (b) This column does not represent a zoning district. It applies to institutional and nonresidential uses permitted under the zoning ordinance in residential zone districts.
- (c) No commercial message allowed on sign. Sign is for building or development identification.
- (d) Only allowed when a freestanding sign cannot be used.
- (e) If projecting over public right-of-way, lot must be in B-3 district, issuance and continuation conditioned on owner having liability insurance policy of at least \$500,000 per occurrence, per sign.
- (f) No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.

(Ord. No. 500, 2-16-93)

Sec. 26-27. - Maximum total sign area per zone lot by zoning district.

CHART III

The maximum total area of all signs on a zone lot except directional, building marker, and identification signs and flags shall not exceed the lesser of the standards listed within this chart.

	ZONE DISTRICT									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Maximum number of total square feet	6	200	100	100	300	300	300	300	400	100
Percentage of ground floor area of principal building	NA	NA	2%	4%	8%	10%	10%	2%	2%	NA
Square feet of signage per lineal foot of street frontage	NA	NA	2	2	3	3	3	NA	NA	0.5

(Ord. No. 500, 2-16-93)

Sec. 26-28. - Number, dimensions, and location of individual signs by zoning district.

CHART IV

Individual signs shall not exceed the applicable maximum number, dimensions, or setback shown in this chart and in section 26-29, Chart V.

Sign Type	ZONE DISTRICT									
	R-1, R-2, R-T	RM-1, RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Freestanding area (square feet)	6	6	40	40	80	40	160	80(e)	80(e)	48
Height (feet)	5	5	12(a)	12(a)	24(c)	12(b)	30(b)	12	12	12
Setback (feet)(c)	2	2	5	5	5	2	10	10	10	1
Number Permitted										
—Per zone lot	NA	NA	NA	NA	NA	NA	NA	NA	NA	1
—Per feet of street frontage(d)	NA	1/200	1/132	1/132	1/200	1/100	1/200	1/200(e)	1/800(e)	NA
Building area (max. sq. ft.)	2	2	NA	NA	NA	NA	NA	NA	NA	10
Wall area (%) (f)	NA	NA	10%	10%	15%	10%	15%	5%	5%	NA

- (a) Maximum sign height is twelve (12) feet and minimum setback is five (5) feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back seven feet from such a lot, it may be no more than seven (7) feet high.
- (b) In no case shall the actual sign height exceed the actual sign setback from any lot that is zoned and used for residential purposes.
- (c) See section 26-23(2) for corner clearance at intersections and section 26-23(14) for the setback requirements of subdivision signs.
- (d) Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.
- (e) An additional freestanding sign may be permitted provided:
 - (1) The sign is approved under the provisions of the site plan review at section 38-390 of this Code.
 - (2) The sign is set back the same distance as the zone district setback in which it is placed. When adjacent to a residential zone, residential use or the Shiawassee River, the sign setback may be increased by the planning commission to one hundred (100) feet when it is found that the zone district setback is insufficient to protect the property value and enjoyment of the residential use, zone district, or the river.
 - (3) The sign is located at least five hundred (500) feet from any sign exceeding two hundred (200) square feet in area.
 - (4) The sign does not exceed three hundred (300) square feet in area.
 - (5) The sign does not exceed twenty-five (25) feet in height.
 - (6) Except for the above provisions of this section, no sign shall be installed unless it is also in compliance with the rules and standards promulgated under P.A. 106 of 1972, the Highway Advertising Act.
- (f) The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

(Ord. No. 500, 2-16-93; Ord. No. 578, § 1, 5-3-99; Ord. No. 628, § 1, 5-19-03; Ord. No. 661, § 3, 10-18-04)

Sec. 26-29. - Number and dimensions of certain individual signs by sign type.

CHART V

No sign shall exceed any applicable maximum numbers or dimensions, or encroach on any applicable minimum clearance shown on this table.

Sign Type	Number Allowed	Maximum sign area	Vertical Clearance	
			From Sidewalk	Private Drive or Parking
Freestanding Residential	See Chart IV	See Chart IV	NA	NA
Other	See Chart IV	See Chart IV	See Sec. 26-23(2)	See Sec. 26-23(2)
Directional	See Chart IV	See Chart IV	See Sec. 26-23(2)	See Sec. 26-23(2)
Building Banner	NA	NA	9 ft.	10 ft.
Building marker	1 per bldg.	4 sq. ft.	NA	NA
Canopy (a)	1 per bldg.	25% of vertical surface	8 ft.	10 ft.
Identification	1 per bldg.	4 sq. ft.	NA	NA
Directional	NA	NA	NA	NA
			From Sidewalk	Private Drive or Parking
Marquee	1 per bldg.	NA	9 ft.	10 ft.
Projecting (b)	1 per bldg.	40 sq. ft.	9 ft.	10 ft.
Roof, Integral	2 per principal bldg.	NA	NA	NA
Suspended	1 per entrance	NA	8 ft.	10 ft.
Temporary	2 per zoning lot	See Uniform Sign Code & Section 26-28	NA	NA
Wall	NA	NA	NA	NA
Window	NA	25% of total window area	NA	NA
Miscellaneous Banner	NA	NA	9 ft.	10 ft.
Flag	NA	60 sq. ft.	9 ft.	12 ft.

(a) Canopy signs shall not project more than 4 feet from a building.

- (b) Allowable projection of a projecting sign at the point of sign placement will be calculated as a percentage of the total allowable projection—which is 5 feet at the center point—expressed in decreasing percentage increments from 100% at the building midpoint to 0% at the building and points equal to the percentage of the distance remaining from the midpoint (100%) to either endpoint (0%) expressed in feet. See drawing below.



Sign Projection

(Ord. No. 500, 2-16-93)

Sec. 26-30. - Permitted sign characteristics by zoning district.

CHART VI

CHARACTERISTIC	ZONE DISTRICT											
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	C-OS	PUD	INS
Animated	N	N	N	N	N	S	N	N	N	N	N	N
Changeable copy	N	N	N	S	S	S	S	S	S	N	S	S
Illumination, internal (a)	N	N	S	S	S	S	S	S	S	N	S	S
Illumination, external (a)	N	N	S	S	S	S	S	S	S	N	S	S
Illumination, exposed bulbs	N	N	N	N	N	S	N	N	N	N	N	N
Programmable display sign(a), (e)	N	N	S(b), (d)	S(b) ()	S	S	S	S	S	N	S(c)	S(b), (d)

S—Allowed only with sign permit
N—Not allowed

- (a) No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.

- (b) Except for an unanimated, fixed message, the sign functions shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. for all locations other than state highways. On state highways the hours of restricted lighting are between 10:00 p.m. and 5:00 a.m.
- (c) A programmable display sign is subject to approval and standards established within the site plan review provisions of chapter 38, zoning, section 38-390.
- (d) A programmable display sign shall have a seventy-five-foot setback from a residentially zoned and occupied structure.
- (e) The message interval shall be three seconds and the flashing background feature behind changeable copy shall not be activated.

Signs shall be allowed on private property in the city in accordance with, and only in accordance with Chart II of this section. This schedule and all schedules within this chapter that reference zoning districts applies to the districts described in Chapter 38, Zoning of the City Code. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by an "S" or "P" in Chart II shall be allowed only if:

- (1) The sum of the area of all building and freestanding signs on the zone lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in section 26-27.
- (2) The size, location, and number of signs on the lot conform with the requirements of sections 26-28 and 26-29, which establish permitted sign dimensions by sign type, and with any additional limitations listed in this section.
- (3) The characteristics of the sign conform with the limitations of section 26-30 permitted sign characteristics, and with any additional limitations on characteristics listed in this section.

**CITY OF OWOSSO ZONING USE DISTRICTS:
A KEY TO CHARTS II THROUGH VI, BEING
SECTIONS 26-26 THROUGH 26-30**

R-1	Residential Single-Family	OS-1	Office Service
R-2	Residential Two-Family	B-1	Local Business
RM-1	Multiple-Family Residential	B-2	Planned Shopping Center
RM-1	Multiple-Family Residential(High Rise)	B-3	Central Business
R-T	Attached One-Family	I-1	Light Industrial
		I-2	General Industrial

(Ord. No. 500, 2-16-93; Ord. No. 673, § 1, 6-19-06)

Sec. 26-31. - Prohibited signs.

Signs not specifically permitted by this chapter are prohibited in the city. Such signs include, but are not limited to:

- (1) Abandoned signs.
- (2) Banner signs extending over public property, except as authorized by the city.
- (3) Roof signs, except mansard roof signs which are regulated as wall signs.
- (4) Signs with flashing, blinking, moving or exposed incandescent lights, except moving message boards and moving lights in the B-3, Central Business District.
- (5) Search lights and beacons, except as authorized by the city.
- (6) Signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property, or public right-of-way, except signs of any political subdivision of the state.
- (7) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
- (8) Portable signs.
- (9) Any sign structure or frame no longer containing a sign and classified as abandoned.
- (10) Signs indicating a home occupation, including child care.

(Ord. No. 500, 2-16-93)

Sec. 26-32. - Nonconforming signs.

It is the intent of this chapter to encourage eventual elimination of signs that, as a result of the adoption of this chapter, become nonconforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this chapter. It is the intent, therefore, to administer this chapter to realize the removal of illegal nonconforming signs and to avoid any unreasonable invasion of established private property rights.

A nonconforming sign may be continued, and shall be maintained in good condition, but shall not be:

- (1) Replaced by another nonconforming sign.
- (2) Structurally altered so as to prolong the life of the sign.
- (3) Expanded.
- (4) Reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the estimated replacement cost.

(Ord. No. 500, 2-16-93)

Sec. 26-33. - Bonuses.

The standards of this chapter may be exceeded for certain provisions when exceptional sign treatment related to the objectives listed in section 26-6, "purposes", are achieved. These standards are:

- (1) Bonus for symbolic presentation. Projecting signs using symbolic rather than alphabetic or numerical message presentation are permitted an additional size allowance of up to twenty (20) percent over the maximum size allowances provided that the total symbolic presentation comprises at least seventy-five (75) percent of the total sign area used.

- (2) Bonus for use of upper and lower case letters. In the case of signs composed of individual letters or words mounted upon a wall or other architectural surface not in itself a sign, the calculation of overall square footage shall be the product of the overall height of the letterforms and the overall length. In the case of signs consisting of upper and lower case letterforms, calculation of overall square footage shall be the product of the height of the lower case letterforms only and the overall length. See Chart VII below:

CHART VII. LETTER CASE BONUS

(Ord. No. 500, 2-16-93)

Sec. 26-34. - Reserved.

ARTICLE VII. - APPEALS, ENFORCEMENT, VIOLATIONS PENALTIES, SEVERANCE, AMENDMENT AND ADOPTION.

Sec. 26-35. - Appeals.

Any person aggrieved by any decision, ruling or order from the administrator, may appeal to the zoning board of appeals. The board of appeals may grant a variance after a public hearing and procedures for a hearing and decision outlined for said Board in Chapter 38, Zoning. In addition to those variance powers of the zoning board of appeals outlined in Chapter 38, the following provisions shall also apply:

- (1) The board shall not permit as a variance any sign the erection of which or the continuance of which is prohibited by this chapter.
- (2) Duration of variance. No variance shall be given for a period greater than fifteen (15) years. All variances shall terminate upon alteration or reconstruction of more than fifty (50) percent of the sign or at the date set by the board of appeals, whichever occurs first.

(Ord. No. 500, 2-16-93)

Sec. 26-36. - Enforcement.

This chapter shall be administered and enforced by the Administrator as provided for in Part I of the City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-37. - Violations and penalties.

- (a) Violations. Any of the following shall, be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning ordinance, and by related chapters of the Owosso City Code:
 - (1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
 - (2) To install, create, erect or maintain any sign requiring a permit without such a permit;
 - (3) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which sign is located;
 - (4) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed; or

- (5) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

- (b) Penalties. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction of any such violation, shall be punishable according to the terms of Chapter I, General Provisions of the Owosso City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-38. - Severability.

Sections of this chapter shall be deemed to be severable and should any section, paragraph or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this chapter as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

(Ord. No. 500, 2-16-93)

Grand Haven Sign Ordinance

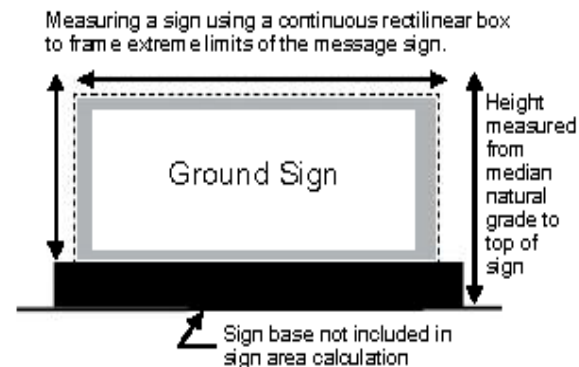
ARTICLE VII. - SIGNAGE

Sec. 40-700. - Purpose and scope.

The purpose of this article is to regulate the size, number, location and manner of construction and display of signs in the City of Grand Haven. This article is further intended to protect all zoning districts from visual chaos and clutter, eliminate distractions hazardous to motorists, protect appropriately identified uses from excessive signage, provide ability for the public to identify premises and establishments, encourage creativity of sign design and enhance the aesthetics of the community.

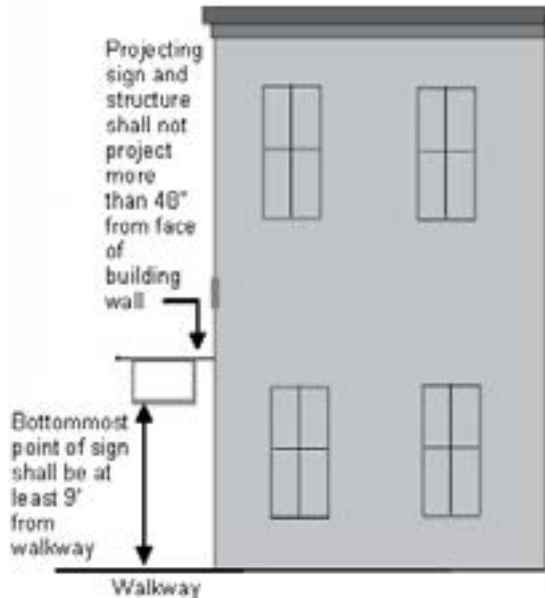
Sec. 40-701. - General standards for all signs.

- A. All signs shall conform to all applicable codes and ordinances of the city and shall be approved by the building inspector or zoning administrator, and a permit issued.
- B. Sign area. The area of a sign shall be measured within a single, continuous rectilinear perimeter composed of straight lines which encloses the extreme limits of the advertising message, together with any frame or other material or color forming an integral part of the display, message, drawing, or similar device, or used to differentiate same from the background against which it is placed, excluding the necessary supports, braces and/or uprights of the sign. When two (2) sign faces are placed back-to-back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart at any point, the sign area shall be computed by the measurements of one of the faces.
- C. Sign setbacks. All signs shall be set back a minimum of one-half ($\frac{1}{2}$) of the front yard setback except for portable signs. Placement of portable signs shall be subject to a determination by the zoning administrator or building inspector that said placement will not impact safety or visibility for motorists and pedestrians.
- D. Height. Sign height shall be measured as the vertical dimension from the median natural grade to the highest point of the highest attached component of the sign. A sign shall not extend beyond the edge of the wall to which it is affixed nor above the roof line of a building to which it is attached.



- E. Where a projecting sign, awning, canopy, marquee, suspended sign, or similar element projects or protrudes over any public or private sidewalk or walkway, the bottommost point of the sign structure shall be at least nine (9) feet from said walkway. Projecting signs, including brackets, shall not project more than forty-eight (48) inches from the face of a building or wall.
 1. If any projecting sign is suspended over a public property, public street, sidewalk or alley, the owner of such sign shall keep in force a public liability insurance policy in the minimum amount of one million dollars (\$1,000,000). In addition, when a sign is extending over a public right-of-way, an encroachment permit must be obtained, which will require showing the insurance liabilities and will have to be renewed every three (3) years. The licensee shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies

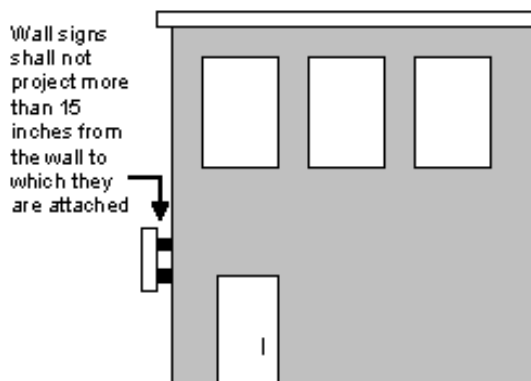
acceptable to the city, licensed in the State of Michigan naming the city as an additional insured on any such policy. Licensee will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given thirty (30) days' written notice before a cancellation in coverage may occur.



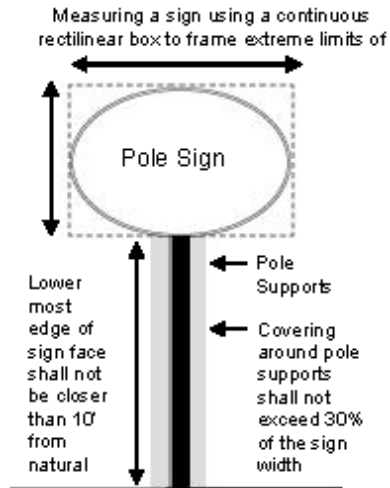
2. If at any time the insurance policy is canceled, the projecting sign shall be immediately removed. In the event the sign is not so removed, the City of Grand Haven shall have the right to remove the sign and repair the facade at the expense of the property owner.
- F. Illumination. Unless further regulated elsewhere in the ordinance, sign illumination shall be opaque background with internally lit lettering, facelit channel lettering, backlit lettering or externally lit. When illumination of signs is permitted, illumination shall comply with the following requirements:
1. Illumination shall not be flashing, blinking, intermittent, or an on-and-off type of lighting provided; however, that neon lighting shall be permitted on signs in the CB district except for projecting signs.
 2. Illumination shall be arranged so that light is deflected away from adjacent properties so that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or street easement or from any adjacent property.
 3. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.
- G. Electronic message board signs. All electronic message board signs shall be regulated/operated by the following standards:
1. In the C district:
 - a. One electronic message board sign is permitted for each lot.
 - b. Electronic message board signs shall not flash, scroll, blink, strobe or show moving pictures.
 - c. Messages may not change more than once every three (3) seconds.
 - d. Electronic message board signs shall be fitted with an automatic sensor that adjust their brightness and intensity during daylight and night time hours. The overall brightness and

intensity shall only be enough to make the sign legible and shall not create a nuisance or a traffic hazard.

- e. Electronic message board signs shall be secondary to a traditional stationary sign and shall not exist as the sole sign, but in no instance shall such sign exceed fifty (50) percent of the traditional stationary sign area.
2. For all educational facilities (as defined by section 40-421.05):
- a. One electronic message board sign is permitted when all of the following conditions are met:
 - 1) Lot is greater than two (2) acres in size and a principal use occupies the subject lot.
 - 2) Facility enrollment is greater than one hundred (100) students.
 - b. Electronic message board signs shall not flash, scroll, blink, strobe or show moving pictures.
 - c. Messages may not change more than once every five (5) minutes.
 - d. Electronic message board signs shall be fitted with an automatic sensor that adjust their brightness and intensity during daylight and night time hours. The overall brightness and intensity shall only be enough to make the sign legible and shall not create a nuisance or a traffic hazard.
 - e. Electronic message board signs must be turned off between 7:00 p.m. and 7:00 a.m.
 - f. Electronic message board signs shall be integrated into the traditional stationary sign and shall not exist as the sole sign, but in no instance shall such sign exceed fifty (50) percent of the traditional stationary sign area.
 - g. Electronic message board signs may only be part of a ground sign.
- H. Maintenance. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the building inspector or zoning administrator or other designated representative. A sign which no longer serves the purpose for which it is intended or is abandoned or is not maintained in accordance with applicable regulations of the City of Grand Haven shall be removed by the owner, or by the city at the expense of such owner, upon written notice by the City of Grand Haven.
- I. Location. In addition to the required setbacks, no sign shall be located where, in the opinion of the zoning administrator, it will obstruct the clear vision corner per section 40-307.
- J. Covering. Covering around one or more pole supports of a pole sign shall be permitted and limited to a total width of not more than thirty (30) percent of the width of the sign face. Signage or copy shall not be permitted on pole coverings.



- K. Where a proposed sign appears to meet the definition of more than one sign, the most restrictive requirements and limitations of the defined sign types shall apply.
- L. Wall signs. Wall signs shall not extend further than fifteen (15) inches from the face of the wall to which it is attached. The maximum width of a wall sign shall not exceed ninety (90) percent of the width of the wall to which the sign is attached.



- M. Temporary pennants, searchlights, flags, banners or bunting, but not including large, lighter than air, advertising balloons, shall be permitted in the NMU, OS, C, CB, B, CC, WF, WF-2, TI or I Districts for a period of thirty (30) days upon application and permit. No such pennants, flags, banners or bunting shall be redisplayed on the same premises until the expiration of an interim period of ninety (90) days.
- N. The lower most edge of the sign face of a pole sign shall not be closer than ten (10) feet from natural grade.

(Ord. No. 13-06, § 1, 12-2-13)

Sec. 40-702. - Sign standards for specific uses.

- A. Mixed use development or multi-tenant commercial development. If the proposed use is a mixed use development or multi-tenant commercial development, the following standards shall apply:
 - 1. Only one pole or ground sign is permitted per development. Ground mounted or pole signs are not permitted for individual business in a mixed use or multi-tenant development.
 - 2. Individual businesses or uses within the mixed use or multi-tenant development shall be permitted wall signs limited in area to fifteen (15) percent of the wall area fronting the portion of the building occupied by the use, not to the allowed maximum provided per section 40-705 for the zoning district and sign type of the subject site.
- B. Home occupations (major only). If the proposed use is a major home occupation one wall sign shall be permitted. The maximum sign area permitted shall be six (6) square feet. Downward facing external lighting is permitted.
- C. Bed and breakfasts. In the SFR, MDR, MFR, DR, NS, S, and E districts, a bed and breakfast may be permitted the following signs: One wall sign not more than four (4) square feet in area or one ground sign not more than four (4) square feet in area. Said signs shall not be illuminated. Not more than two (2) non-illuminated directional signs are permitted and shall not exceed one and one-half (1½) square feet in area. In other districts, the requirements of this article VII shall apply.

- D. Short-term rental facilities shall be permitted one wall sign not more than four (4) square feet in area, or one ground sign not more than four (4) square feet in area. Said signs shall not be illuminated.
- E. Gas stations shall be permitted two (2) signs on the canopy fascia, but no more than one per side. Each sign is limited to twenty-four (24) square feet in sign area. This is in addition to wall and/or freestanding signage as permitted in the applicable zoning district.

(Ord. No. 13-05, § 1, 12-2-13)

Sec. 40-703. - Exempt signs.

The following signs shall be exempt from regulations in this article.

- A. Any public notice, traffic control or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- B. Property address and owner identification up to one square foot in area.
- C. Any sign wholly located within a building and not visible from outside the building. This does not include window signs.
- D. Holiday lights and decorations with no commercial message.
- E. Works of art that do not contain a commercial message.
- F. Traffic control signs, incidental signs, directional signs, or menu boards on private properties that do not contain a commercial message, including Stop, Yield, One Way, and similar signs, provided the following standards are met:
 - 1. Drive-through menu boards shall not exceed forty-eight (48) square feet in area or six (6) feet in height.
 - 2. Directional signs shall not exceed six (6) square feet in area or six (6) feet in height. The number of directional signs permitted on a property shall be the minimum necessary to provide adequate orientation. Directional signs may be located on adjacent property with written approval from the adjacent property owner.
 - 3. Customary lettering on, or other insignia which are a structural part of, a gasoline pump, consisting only of the brand name of gasoline sold, lead warning sign, a price indicator, and any other sign required by law, and not exceeding a total of three (3) square feet on each pump.
- G. Governmental historical designation signs.
- H. Non-governmental flags up to twenty-four (24) square feet in area.
- I. All yard signs, as defined herein, provided such yard signs shall be limited to one sign per front yard, not greater than twelve (12) square feet in area. Such signs shall be removed after seven (7) days from which the event occurs.
- J. Construction signage identifying a building project including the names of the developer, financier, and the various professionals and contractors involved. Such signage shall be allowed only during the time in which the development is actually under construction and shall not exceed thirty-two (32) square feet in sign area per frontage. Such signage shall not exceed ten (10) feet in height. One construction sign shall be permitted per street frontage.
- K. Special event signage on public property.
- L. City way finding signs consistent with accepted graphic identity and as approved by the city manager on public or private property.

Sec. 40-704. - Prohibited signs.

The following signs shall not be allowed in any district.

- A. Signs which are obsolete, that do not relate to existing business or products for sale or available on the site.
- B. Signs which are illegal under state laws or regulations and applicable local ordinances or regulations, and which are not consistent with the standards in this ordinance.
- C. Signs that are not clean and in good repair, and signs that are out of compliance with applicable building and electrical codes.
- D. Air filled balloons, signs animated by forced air, and lighter than air signs.
- E. Signs not securely affixed to a supporting structure.
- F. Signs that are not official traffic signs that appear to or attempt to regulate, warn, or direct the movement of traffic, which interfere with or resemble any official traffic sign, signal, or device, and which may obstruct a motorist's vision.
- G. Signs for minor home occupations.
- H. Portable signs which are not removed daily after 10:00 p.m.
- I. Signs located in, projecting into or overhanging within a public right-of-way or dedicated public easement, provided the following shall be permitted with the following requirements:
 - 1. Official traffic signs posted by a governmental agency;
 - 2. Public transit signs, including bus stop signs and routing signs, erected by a public transit company;
 - 3. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
 - 4. Projecting, marquee, and suspended signs projecting over a public right-of-way as permitted and regulated in the CB, NMU, OT and S districts;
 - 5. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the right-of-way;
 - 6. Temporary signs, banners, or directional signs approved by the city council. The city council shall establish sign area standards and a time period for any temporary sign, banner or directional sign within the public right-of-way; and
 - 7. Portable signs provided the setbacks established by the zoning administrator or building inspector are met as per subsection 40-701.C.
- J. Truck or trailer mounted signs. No sign or other advertising structure shall be painted on or be attached to a motor vehicle used primarily for the display of such sign, including, but not limited to a billboard truck. This section shall not prohibit the identification of a business or its products or services on its vehicle(s) operated and parked in a manner appropriate to the normal course of business.

Sec. 40-705. - Permitted signs.

In addition to the above standards, the following signs are permitted in the various zoning districts as follows:

Zoning District	Type	Max. Number	Max. Area	Max. Height	Min. Setback	Illumination Type
In all districts, Electronic Message Board signs are	Electronic Message Board (when	1 per lot	Not to exceed maximum area per district, counts	Per ground or pole height	½ of required front	Per [section] 40-701.F and G

permitted for Educational Facilities providing it meets the requirements of section 40-701(G) and the following standards:	part of ground or pole sign)		as part of total sign area of ground or pole sign	standard	yard setback	
For uses other than one-family dwellings, two unit dwellings, and short-term rental rentals in SFR, E, MDR, DR, NS districts, as well as those uses not restricted to key street segments in the OT, and S districts:	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign	1 per frontage	15% of the total area of the wall to which it is attached, not to exceed 32 square feet	To roofline	N/A	Per [section] 40-701.F
For all uses in the MFR and OS districts	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 48 square feet	To roofline	N/A	Per [section] 40-701.F
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
For uses permitted along key street segments in the OT and S districts	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to	6 feet	½ of required front yard setback	Per [section] 40-701.F

			exceed 32 square feet			
	Wall Sign	1 per frontage, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 45 square feet	To roofline	N/A	Per [section] 40-701.F
	Portable Sign	1 per building entrance	6 square feet	4 feet	N/A	None
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
For uses permitted in the NMU district	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign	3 but not more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 65 square feet, which	To roofline	N/A	Per [section] 40-701.F
	Awning Sign	1 per awning	maximum area shall apply to wall or awning signs or combinations thereof.	N/A	N/A	Per [section] 40-708
	Projecting Sign	1 per building entrance	12 square feet	20 feet or to the roofline, whichever is less	N/A	N/A
	Portable Sign	1 per building entrance	6 square feet	4 feet	N/A	None
	Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.					
For uses permitted	Ground Sign	1 per	1 square foot for	6 feet	½ of	Per [section]

in the CB district	(permitted only if required front yard is at least 15 feet in depth)	frontage	each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet		required front yard setback	40-701.F
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 65 square feet, which maximum area shall apply to wall or awning signs or combinations thereof.	To roofline	N/A	Per [section] 40-701.F
	Awning Sign	1 per awning		N/A	N/A	Per [section] 40-708
	Projecting Sign	1 per building entrance	12 square feet	20 feet or to the roofline, whichever is less	N/A	Per [section] 40-701.F
	Portable Sign	1 per use per building entrance	6 square feet	4 feet	N/A	N/A
	Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.					
For uses permitted in the C district	Ground Sign* OR Pole Sign*	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 100 square feet	Ground: 6 feet Pole: 20 feet	½ of required front yard setback	All Types
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 100 square feet, which maximum area	To roofline	N/A	All Types
	Awning Sign	1 per		N/A	N/A	Per [section]

		awning	shall apply to wall or awning signs or combinations thereof			40-708
	Electronic Message Board (when part of ground or pole sign)	1 per pole or ground sign	Not to exceed 40 square feet, counts as part of total sign area of ground or pole sign	Per ground or pole height standard	½ of required front yard setback	Per [section] 40-701.F
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
* Two pole or two ground signs (or one each) may be permitted when a parcel of land contains at least four hundred (400) feet of continuous frontage on US-31, provided that signs are separated by a minimum of ½ the distance of the frontage.						
For uses permitted in the B district	Pole Sign	1 per frontage	32 square feet	20 feet	N/A	Per [section] 40-701.F
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 45 square feet	To roofline	N/A	Per [section] 40-701.F
	Portable Sign	1 per building entrance	6 square feet	4 feet	N/A	None
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
For uses permitted in the CC district	Ground Sign (permitted only if required front yard is at least 15 feet in depth)	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 45 square feet	To roofline	N/A	Per [section] 40-701.F

	Projecting Sign	1 per building entrance	12 square feet	20 feet or to the roofline, whichever is less	N/A	Per [section] 40-701.F
	Portable Sign	1 per building entrance	6 square feet	4 feet	N/A	None
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
For uses permitted in the WF and WF-2 districts	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 32 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign	3, but no more than 1 per wall, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 45 square feet, which maximum area shall apply to wall or awning signs or combinations thereof.	To roofline	N/A	Per [section] 40-701.F
	Awning Sign	1 per awning		N/A	N/A	Per [section] 40-708
	Projecting Sign	1 per building entrance	12 square feet	20 feet or to the roofline, whichever is less	N/A	N/A
	Portable Sign	1 per use per building entrance	6 square feet	4 feet	N/A	None
	Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.					
For uses permitted in the TI district	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1	6 feet	½ of required front	Per [section] 40-701.F

			square foot for each foot of lot frontage, not to exceed 100 square feet		yard setback	
	Wall Sign	1 per frontage, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 100 square feet, which maximum area shall apply to wall or awning signs or combinations thereof.	To roofline	N/A	
	Awning Sign	1 per awning		N/A	N/A	Per [section] 40-708
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						
For uses permitted in the I district	Ground Sign	1 per frontage	1 square foot for each foot of setback and 1 square foot for each foot of lot frontage, not to exceed 100 square feet	6 feet	½ of required front yard setback	Per [section] 40-701.F
	Wall Sign OR	1 per frontage, subject to [section] 40-702.A.2	15% of the total area of the wall to which it is attached, not to exceed 100 square feet, which maximum area shall apply to wall or awning signs or combinations thereof.	To roofline	N/A	
	Awning Sign	1 per awning		N/A	N/A	Per [section] 40-708
	Billboard	1 per 600 feet of linear	240 square feet	35 feet	Per zoning district	External, must be downward

		frontage, and one per parcel				facing
Window signs are permitted; however, minimum transparency standards shall be met in the applicable zoning district.						

Sec. 40-706. - Special purpose signs.

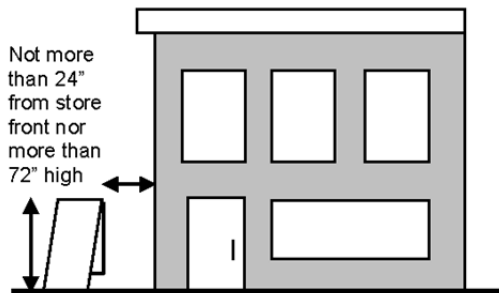
Upon submittal of a basic site plan, per section 40-115, site plan, the planning commission may consider approval of a special purpose sign which does not exceed the permitted sign area in the underlying zoning district, but such sign type is not contemplated in this section. In making its determination, the planning commission may consider:

- A. The compatibility of the proposed sign in relationship to the type and location of signage on adjacent parcels;
- B. The conformance of the proposed sign to the general standards for all signs; and
- C. The durability of sign materials, and compatibility with the building for which the sign serves.

Sec. 40-707. - Design standards for portable signs.

Portable signs shall meet the following performance standards:

- A. Portable signs shall be at least thirty-six (36) inches but not more than seventy-two (72) inches in height;
- B. Shall be located not more than twenty-four (24) inches from the storefront or entry for the use to which it serves;



- C. Shall not block pedestrian access; and
- D. Shall be constructed of durable materials and be clearly portable in terms of size, weight, and placements.

Sec. 40-708. - Design standards for awnings.

Awning signs shall meet the following standards:

- A. In the CB, NMU, WF and WF-2 districts:
 - 1. Awnings shall be constructed of an opaque material only.
 - 2. Lighting shall be downward facing illuminating the area beneath the awning, downward facing illuminating the awning, or upward facing directed at the sign upon the awning.

- B. In all other districts where awnings are permitted, awnings may be constructed of opaque or translucent material; however, no light shall be emitted from the perimeter edges of the awning.

Sec. 40-709. - Nonconforming landmark signs.

The planning commission may find that an existing nonconforming sign has achieved a desirable landmark status such that the sign may be fully replaced in kind, the provisions of section 40-119.04, nonconforming structures, notwithstanding. One of the following criteria must be met to be considered a landmark sign:

- A. Sign must be exemplary technology, craftsmanship, or design of the period in which it was constructed.
- B. Sign is integrated into the architecture of a significant building or structure.
- C. Sign demonstrates extraordinary aesthetic quality, creativity, or innovation as determined by the planning commission.

Sec. 40-710. - Sign permit required.

A land use permit is required for all new signs or sign replacement as set forth in section 40-111.02, land use permit.

City of Greenville Sign Ordinance

Sec. 46-259. - Signs.

- (a) Scope. This section is intended to regulate and limit the construction or reconstruction of signs in order to protect the public health, safety, aesthetics and general welfare. Such signs as will not, by reason of their size, location, construction, or manner of display, endanger life and limb, confuse or mislead traffic, obstruct vision necessary for vehicular and pedestrian traffic safety, or otherwise endanger public welfare shall be permitted except as may be otherwise provided for herein.
- (b) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Banner sign means a temporary sign, constructed of canvas, paper, or other similar materials, which is not permanently affixed to any wall or sign structure and is intended for a limited period of display.

Business center means any two or more businesses which:

- (1) Are located on a single parcel;
- (2) Are under one common ownership or management and have a common arrangement for the maintenance of the grounds;
- (3) Are connected by common walls, partitions, canopies, other structural members, or walkways to form a continuous building or group of buildings;
- (4) Share a common parking area; or
- (5) Otherwise present the appearance of single continuous business area.

Construction sign means a sign, which identifies the owners, financiers, contractors, architects, and engineers of a project under construction.

Directional sign means a sign, which gives directions, instructions, identifying logos without text, or facility information related to the use on the property on which the sign is located, such as parking or exit and entrance signs, and which sets forth no other advertisement.

Festoons means a portable sign consisting of string of ribbons, tinsel, pennants or pinwheels.

Flag sign, permanent means a sign made of cloth, nylon or other similar non-rigid fabric-like material attached to or hung from a single pole installed in the ground in a permanent fashion and which contains advertising or the name, logo or other symbol of a business, company, or corporation.

Flag sign, portable means a sign made of cloth, nylon or other similar non-rigid fabric like material attached to a single pole positioned in the ground in a non-permanent fashion or hung from a building or structure and which contains advertising or the name, logo or other symbol of a business, company, or corporation. Also called "feather flags" or "flutter flags." A banner sign is not a portable flag sign.

Freestanding sign means a sign supported by one or more uprights, poles or braces placed in or upon the ground and not attached to any building and having clear space of at least eight feet from the ground to the bottom of the sign.

Government sign means a temporary or permanent sign erected by the City of Greenville, Montcalm County, state, or federal government to identify a building or structure owned or operated by the government.

Ground sign means a sign resting directly on the ground or supported by short poles and not attached to a building or wall.

Illuminated sign means a sign that provides artificial light directly (or through any transparent or translucent material) from a source of light within such sign, or a sign illuminated by a light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.

Incidental sign means a sign that identifies street address, entrances and exits, safety precautions, identifying logos without text, and other such incidental information, and which sets forth no other advertisement.

Inflatable sign/balloon sign means a portable sign which is a three-dimensional object capable of being filled with air or gas depicting a container, figure, product or product trademark, whether or not such object contains a message or lettering.

Marquee means a permanent structure that projects from the exterior wall of a building.

Marquee sign means a sign attached to a marquee, canopy or awning projecting from and supported by the building.

Mean grade means a reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five feet from the lot line.

Nit means a unit of illuminative brightness equal to one candela (12.5 lumens or 1.16 foot candles) per square meter, measured perpendicular to the rays of the source.

Noncommercial sign means a sign either portable or non-portable not advertising commerce, trade, or location and not otherwise defined herein.

Placard means a sign not exceeding two square feet which provides notice of a public nature, such as "No Trespassing" or "No Hunting" signs.

Plat entry sign means a sign placed at a road entrance to a subdivision, manufactured home park, or multiple-family development, containing only the name of the subdivision, manufactured home park, or multiple-family development.

Political sign means a temporary sign used in connection with an official City of Greenville, school district, county, state, or federal election or referendum.

Portable sign means a sign that is not permanent or affixed to a building or structure and by its nature may be or is intended to be moved from one location to another. Also called a temporary sign.

Projecting sign means a sign which projects from and is supported by a wall of a building and does not extend beyond, into, or over the street right-of-way.

Reader board means a portion of a sign on which copy is changed manually.

- (1) Manual: A sign on which the letters or pictorials are changed manually; or
- (2) Electronic reader board/digital display sign: A sign or portion thereof that displays electronic, pictorial or text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light-emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Such signs include computer programmable, microprocessor controlled electronic displays; or
- (3) Multi-vision sign: Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image or images.

Real estate sign means a sign located on premises containing land or buildings for sale, rent or lease, or buildings under construction and intended for sale, rent or lease.

Right-of-way signs means signs erected by the city, county, state, federal and other public/quasi-public agencies (as determined by the zoning administrator, including school districts, the hospital and the city's chamber of commerce, excluding civic clubs/organizations, churches, etc.) and located within the public right-of-way for the purpose of regulating traffic or giving direction to the public for quasi-public buildings or properties.

Roof line means that line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.

Roof sign means any sign erected, constructed and maintained wholly upon or over the roof of any building with its principal support on the roof structure.

Sidewalk sign means typically an A-frame sign which is portable and designed to be placed on the sidewalk in front of the use that it advertises. Also called a "sandwich board sign."

Sign means an exterior device, structure, fixture, object or placard using graphics, symbols, written copy and/or itself, visible to the general public and designed to advertise, attract, identify or inform the public.

Special event sign means temporary signs containing public messages concerning special events sponsored by governmental agencies or non-profit organizations.

Street frontage means the width of a lot or parcel meeting the minimum requirements of this chapter for the district in which it is located.

Temporary sign means a portable sign.

Video display sign means a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery of a television quality which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes. Video display signs include projected images or messages with these characteristics onto buildings or other.

Wall sign means a sign which is attached directly to or painted upon a building wall and which does not extend more than 18 inches therefrom with the exposed face of the sign in a plane parallel to the building wall.

Window sign means a sign installed or placed inside of a building, close to and facing a window so it is clearly visible from outside of the building.

(c) Signs prohibited. A sign not expressly permitted by this section is prohibited.

(d) General sign provisions.

(1) No person shall erect, alter, place or permit to be placed, or replace any sign exceeding 20 square feet without first obtaining a building permit, provided the following signs shall not require a building permit:

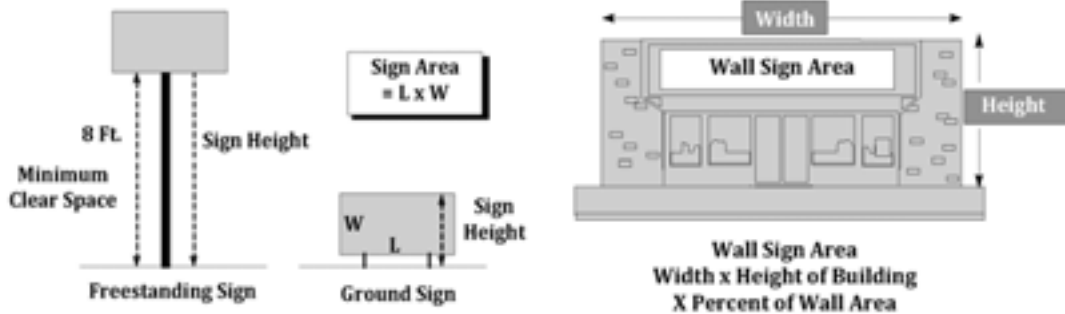
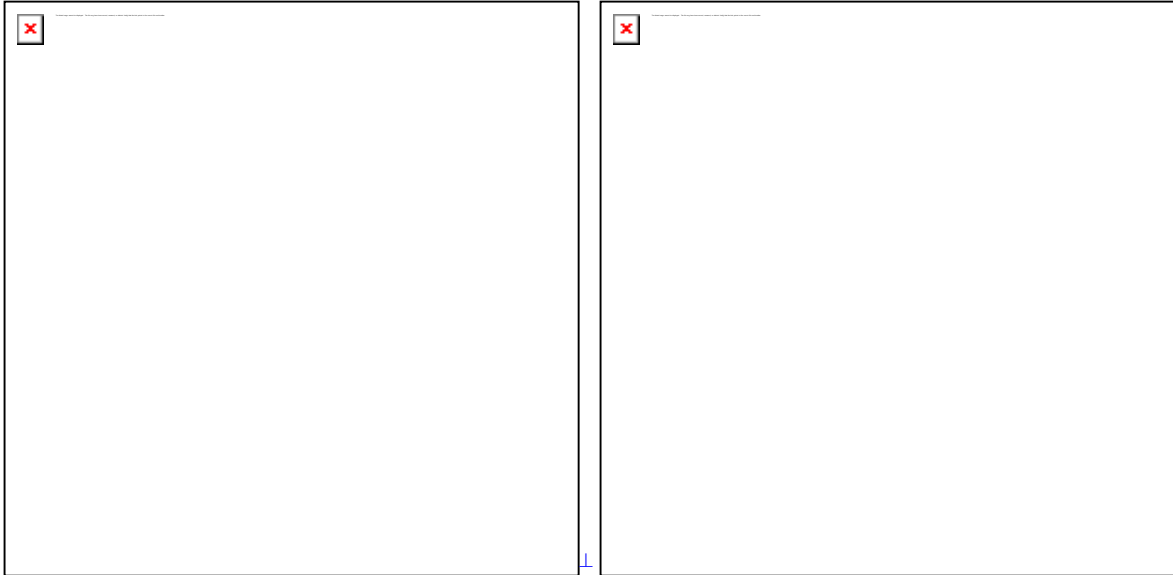
- a. Directional signs of six square feet in size or less.
- b. Government signs.
- c. Placards.
- d. Window signs.
- e. Political signs.
- f. Real estate signs.
- g. Right-of-way signs.

(2) Signs, except for home occupation signs, may be internally illuminated or, if externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or any residential district or property.

(3) No sign shall be placed in, upon or over any public right-of-way, alley, or other public place, except as may be otherwise permitted by this chapter or other ordinance of the city. Signs placed in, upon or over a public right-of-way shall be subject to the licensing of the city.

- (4) No light pole, utility pole, publicly-owned landscaping, fire hydrant, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.
 - (5) No sign shall be erected in any place where it may, by reason of its position, shape, color, or other characteristic, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance per se.
 - (6) No commercial vehicles or trailers, which in the opinion of the zoning administrator have the intended function of acting as a sign, shall be parked in any area abutting the street, unless no other parking area is available.
 - (7) All outside signs shall not have any flashing, blinking, scrolling, alternating, sequentially lighted, animated, rolling, shimmering, sparkling, bursting, dissolving, twinkling, fade-in/fade-out, oscillating, moving text or moving images or simulated movement of text or images except for traditional barber pole signs.
 - (8) No sign shall contain any moving or animated parts nor have the appearance of having any moving or animated parts.
 - (9) No wall sign shall extend beyond the edge of the wall to which it is affixed, and no wall sign shall extend above the roof line of a building.
 - (10) No sign shall be erected above the roof line of a building.
 - (11) All ground, wall, and freestanding signs may include reader boards as permitted by subsection 46-259(g)(5) herein.
 - (12) Political signs shall be removed within ten days after the official election or referendum to which such sign pertains.
 - (13) Signs obstructing sidewalk passage shall be regulated in accordance with ordinance.
 - (14) All signs shall pertain only to the business or activity conducted on the premises, with the exception of political signs and special event signs.
 - (15) Portable signs must be removed during hours that the business to which they are applicable is not operating or open.
 - (16) Portable signs may not be illuminated or serviced by electricity.
- (e) Exempted signs. The following signs shall be exempt from the provisions of this section, except for the provisions of subsection (d) of this section:
- (1) Government signs not exceeding the size permitted by similar signs within the same zone district.
 - (2) Historical markers erected by a federal, state, or local government.
 - (3) Window signs which are electronic reader board signs shall also be subject to subsection (g)(6) herein. Memorial signs or tablets not exceeding 20 square feet.
 - (4) Memorial signs or tablets not exceeding 20 square feet.
 - (5) Murals.
 - (6) Signs not visible from any street.
 - (7) Signs for essential services.
 - (8) Placards not exceeding two square feet.
 - (9) Signs with address, owner, or occupant name, of up to two square feet in area attached to a mailbox, light fixture or exterior wall.

- (10) Flags or insignia of any nation, state, city, township, community organization, religious or educational institution or flags of a noncommercial nature.
 - (11) Right-of-way signs; provided, however, that signs for quasi-public agencies (hospitals, school districts, the chamber of commerce, etc.) are subject to prior approval of the city council for a determination on the necessity, location, size and number of signs in the right-of-way and pursuant to subsection (d)(3) of this section. Quasi-public signs will use uniform colors and styles as determined by city staff.
- (f) Measurement of area and height of a sign.
- (1) The measurement of the area of a sign shall include the entire area within a circle, triangle or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
 - (2) Where a sign has two or more faces, the areas of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet apart from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or the area of the larger face if the two faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two for purposes of determining the maximum permitted sign area.
 - (3) The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.
 - (4) Any sign, including any awning to which a sign is affixed or displayed, not resting directly on the ground shall maintain a minimum clear space of eight feet from the bottom of the sign to the ground.
 - (5) For buildings with multiple tenants, sign areas for wall signs, projecting signs, and awning signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall.



(g) Signs permitted in all districts. The following signs are permitted in all zone districts:

(1) Construction signs, subject to the following restrictions:

- a. Construction signs shall be no larger than 32 square feet and not exceed eight feet in height.
- b. Construction signs shall not be erected until a building permit has been issued for the project, which is the subject of the proposed sign, and construction activity has begun.
- c. Construction signs shall be removed immediately upon the issuance of an occupancy permit for the building or structure, which is the subject of the construction sign.

(2) Special event signs, including banner signs, are permitted in any zone district, subject to the following restrictions:

- a. Special event signs may be located either on or off the lot on which the special event is held.
- b. The display of such signs shall be limited to the 21 days immediately preceding the special event, which is being advertised.
- c. The maximum size shall not exceed 32 square feet and the height shall not exceed six feet unless the sign is attached to a wall. The zoning administrator shall determine that such signs shall not create a hazard, block the vision of pedestrians and vehicles, or create any other unsafe condition.
- d. Such signs shall be removed within 48 hours of the conclusion of the special event, which is being advertised.

- (3) Directional signs are permitted subject to the following restrictions:
- a. A directional sign may contain a logo of the establishment to which it is associated, but no advertising copy.
 - b. No such sign shall exceed six square feet in area or four feet in height.
 - c. Directional signs shall be limited to traffic control functions only.
- (4) Incidental signs pertaining to any conforming accessory activity being conducted on the premises are permitted in any district, subject to the following restrictions:
- a. No individual sign shall exceed six square feet in area.
 - b. Only those signs, which, in the opinion of the zoning administrator, are necessary to indicate entrances, exits, safety precautions, including identifying logos without text, and other such incidental language shall be permitted.
- (5) All wall and freestanding signs in all zoning districts may include reader boards subject to the following regulations:
- a. A reader board shall not consist of more than 50 percent of the allowable sign area except for signs, which are 32 square feet, or less in area.
 - b. The dwell time, defined as the interval of change between each individual message, shall be at least five seconds and a change of message must be accomplished within one second or less. The dwell time shall not include the one second or less to change the message.
 - c. An electronic reader board sign shall not exceed a maximum illumination of 6,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 325 nits (candelas per square meter) between dusk to dawn as measured at the sign's face at maximum brightness.

However, even if such signs comply with the nit requirements above such signs shall not, in the opinion of the zoning administrator: be brighter than is necessary for clear and adequate visibility; be of such intensity or brilliance as to impair the vision of or be a distraction to a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle or; be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

Prior to the issuance of a sign permit for an electronic message board the applicant shall provide to the zoning administrator certification from the manufacturer of the sign that the illumination settings for the sign comply with the maximum illumination requirements of this subsection (g)(5).
- d. An electronic reader board shall be equipped with a brightness control sensor that allows for the brightness to automatically adjust to the surrounding light conditions.
 - e. Electronic message board signs legally in existence upon the effective date of this subsection (g)(5) shall be required to comply with the illumination and message display requirements of this section within 60 days from the effective date of this section.
 - f. Electronic reader board signs which do not face a public street or land zoned or used for residential purposes and when such signs are used for drive-through restaurants, gas stations and similar establishments serving motorists then such signs are exempt from the requirements of this subsection (g)(5), provided the electronic message area is eight inches or less in height.
- (6) Window signs.
- a. A window sign may consist of illuminated letters including neon lights.

- b. An electronic reader board is allowed as a window sign and may utilize continuous scrolling letters but a window sign shall otherwise comply with the requirements for electronic reader boards as set forth in subsection (g)(5) and (d)(7) herein. Any flashing or strobe type lights within a building or structure which are visible from the exterior of the building or structure are prohibited.
- (7) [Noncommercial signs.] Noncommercial signs are permitted in all zoning districts subject to the following regulations:
- a. A noncommercial sign shall not exceed six square feet in area and six feet in height.
 - b. More than one noncommercial signs may be placed on a parcel at any time.
 - c. Noncommercial signs shall comply with the requirements of subsection (d) herein.
 - d. A sign permit is not required for a noncommercial sign.
 - e. Noncommercial signs may remain until such signs are in disrepair and are deemed not to comply with subsections (i)(1), (2), (3), and (4) of this section.
- (h) Zone district signs. The following signs are permitted within the zone districts indicated:
See zone district tables below for:
- Residential districts (R-1, R-2, R-3, and MHP) permitted signs
 - O-1 and C-1, commercial - Permitted signs
 - C-2 general commercial district - Permitted signs
 - C-3 central business district - Permitted signs
 - IND industrial district - Permitted signs

RESIDENTIAL DISTRICTS (R-1, R-2, R-3, AND MHP) PERMITTED SIGNS	
Ground Signs for Nonresidential Uses	
Number:	One per lot, parcel, or use
Size:	No greater than 32 square feet
Location:	Minimum of ten feet from any property line
Height:	No higher than six feet
Ground Signs for Nonresidential Uses on Parcels Containing Ten or More Acres	
Number:	One per lot, parcel, or use
Size:	No greater than 100 square feet
Location:	Minimum of ten feet from any property line
Height:	No higher than six feet
Incidental signs	No greater than 32 square feet. Such sign may also identify buildings
Plat Entry Signs for Residential Subdivisions, Manufactured Home Parks, and Multiple Family Complexes	

Number:	One per major entrance
Size:	No greater than 32 square feet
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet if located within ten feet of the front property line; eight feet if located at least ten feet from the front property line
Political Signs	
Number:	One per issue or candidate per lot or parcel
Size:	No greater than six square feet
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet
Real Estate Signs	
Number:	One per street frontage
Size:	No greater than six square feet for unoccupied properties or lots; 16 square feet for vacant lots or parcels over one acre in size
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet
Temporary Sign Advertising Real Estate in a Residential Subdivision, Manufactured Home Park, or Multiple Family Complex	
Number:	One per major entrance
Size:	No greater than 64 square feet
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet
Time:	Sign must be removed within one year of issuance of first building permit for any dwelling unit or structure, or when a plat entry sign is erected, whichever occurs first
Wall Signs for Nonresidential Uses Other Than Home Occupations	
Number:	One per street frontage
Size:	No greater than five percent of the wall area to which the sign is affixed
Location:	On wall of building facing street
Permanent Flag Signs	
For all permitted nonresidential uses and multi-family uses more than one permanent flag sign is permitted per parcel. Each such sign shall not exceed 24 sq. ft. in size. If the flag sign shares the same	

pole as the United States flag, the flag sign shall be the smaller of these two flags and shall be placed below the United States flag. A permit is not required from the City of Greenville to display a permanent flag sign. Such signs shall be properly maintained and shall be removed if they become torn, faded, unreadable or otherwise unsightly.

O-1 AND C-1, COMMERCIAL DISTRICTS PERMITTED SIGNS	
Business Center Signs	
Number:	One per lot or parcel
Size:	No greater than 48 square feet
Location:	Minimum of ten feet from any property line
Height:	No higher than six feet
Freestanding Signs	
Number:	1 per lot or parcel, except that parcels with two or more public street frontages equaling or exceeding 300 feet shall be permitted two signs, which may be either freestanding or ground signs, or a combination, each of which must meet the other regulations applicable to the sign. If a ground sign is used, a portable sign may be used as the permitted sign.
Size:	No greater than 100 square feet in area per side
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than 25 feet
Ground Signs	
Number:	One per lot or parcel
Size:	No greater than 32 square feet
Location:	Minimum of ten feet from any side or rear property line
Height:	No higher than six feet if located within ten feet of the front property line; eight feet if located at least ten feet from the front property line
Political Signs	
Number:	One per issue or candidate per lot or parcel
Size:	No greater than six square feet
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet

Real Estate Signs	
Number:	One per street frontage
Size:	No greater than 16 square feet
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than six feet
Wall Signs	
Number:	One per street frontage plus one per each side facing a public or private parking area (if not a street side)
Size:	No greater than five percent of the wall area to which the sign is affixed
Location:	On wall of building facing street or public or private parking area
Permanent Flag Signs	
<p>More than one permanent flag sign is permitted per parcel. Each such sign shall not exceed 24 sq. ft. in size. If the flag sign shares the same pole as the United States flag, the flag sign shall be the smaller of these two flags and shall be placed below the United States flag. A permit is not required from the City of Greenville to display a permanent flag sign. Such signs shall be properly maintained and shall be removed if they become torn, faded or unreadable or otherwise unsightly.</p>	
Sidewalk Signs	
Number:	One for each public entrance to a business
Size:	Maximum of eight square feet per side
Location:	Such signs shall not be placed in the street right-of-way and shall be placed directly in front of the business using the sign and no more than five feet from the door of the business. The sign shall not be placed in a designated parking space or in a way which obstructs pedestrian circulation or interferes with the opening of doors of parked vehicles
Height:	Maximum height of four feet
Width:	No wider than two feet between each sign face
Restrictions:	The sign must be removed during non-business hours
Permit:	A permit from the City of Greenville is not required to utilize a sidewalk sign

C-2 GENERAL COMMERCIAL DISTRICT PERMITTED SIGNS	
Business Center Signs	
Number and	A business center is permitted one freestanding sign per parcel with maximum size of 125

Size:	square feet except that a business center on a parcel which has more than 300 feet of frontage on the same public street and two or more driveways onto that same public street may have two freestanding signs with a maximum size of 150 square feet for each sign. Each sign shall be placed in close proximity to a different driveway
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than 25 feet
Freestanding Signs	
Number:	One per lot or parcel, except that parcels with two or more public street frontages equaling or exceeding 300 feet shall be permitted two signs, which may be either freestanding or ground signs, or a combination, each of which must meet the other regulations applicable to the sign. If a ground sign is used, a portable sign may be used as the permitted sign
Size:	No greater than 100 square feet in area per side
Location:	Minimum of 15 feet from any side or rear property line
Height:	No higher than 25 feet
Ground Signs	
Number:	One per lot or parcel, except that only one ground sign or one freestanding sign shall be permitted per lot or parcel. A portable sign may be used as the permitted sign
Size:	No greater than 48 square feet for each sign allowed
Location:	Minimum of ten feet from the side or rear property line
Height:	No higher than six feet if located within ten feet of the front property line; eight feet if located at least ten feet from the front property line
Marquee Signs	
Number:	One per street frontage or marquee face
Size:	No greater than 30 percent of any face of the marquee to which the sign is affixed
Location:	On face of marquee
Height:	Minimum clear space of eight feet from bottom of marquee
Political Signs	
Number:	One per issue or candidate per lot or parcel
Size:	No greater than 16 square feet
Location:	Minimum of five feet from the front property line, minimum of 15 feet from the side or rear property line

Height:	No higher than six feet
Real Estate Signs	
Number:	One per street frontage
Size:	No greater than 32 square feet
Location:	Minimum of five feet from the front property line, minimum of 15 feet from the side or rear property line
Height:	No higher than six feet
Wall Signs	
Number:	More than one sign may be attached to each wall, which faces a public street or public or private off street parking area provided the total sign area does not exceed 20 percent of the area of the wall to which it is attached
Size:	No greater than 20 percent of the wall area to which the sign is affixed. Banner signs may be used as part of the wall sign area
Location:	On wall of building facing street or public or private parking area
Sidewalk Signs	
Number:	One for each public entrance to a business
Size:	Maximum of eight square feet per side
Location:	Such signs shall not be placed in the street right-of-way and shall be placed directly in front of the business using the sign and no more than five feet from the door of the business. The sign shall not be placed in a designated parking space or in a way which obstructs pedestrian circulation or interferes with the opening of doors of parked vehicles
Height:	Maximum height of four feet
Width:	No wider than two feet between each sign face
Restrictions:	The sign must be removed during non-business hours
Permit:	A permit from the City of Greenville is not required to utilize a sidewalk sign
Permanent Flag Signs	
<p>More than one permanent flag sign is permitted per parcel. Each such sign shall not exceed 24 sq. ft. in size. If the flag sign shares the same pole as the United States flag, the flag sign shall be the smaller of these two flags and shall be placed below the United States flag. A permit is not required from the City of Greenville to display a permanent flag sign. Such signs shall be properly maintained and shall be removed if they become torn, faded or unreadable or otherwise unsightly.</p>	

C-3 CENTRAL BUSINESS DISTRICT PERMITTED SIGNS	
Business Center Signs, if No Projecting Sign is Present on the Same Frontage	
Number:	One per lot or parcel, except for parcels with two or more public street frontages each of which equal or exceed 300 feet shall be permitted two (2) signs, each of which must meet any applicable regulations
Size:	No greater than 100 square feet in area per side
Location:	Minimum of 15 feet from any side property line or adjacent building
Height:	No higher than 25 feet
Freestanding Sign, if No Projecting Sign or Ground Sign is Present on the Same Frontage	
Number:	One per lot or parcel, except that parcels with two or more public street frontages each of which equal or exceed 300 feet shall be permitted two signs, each of which must meet the other regulations applicable to the sign
Size:	No greater than 75 square feet in area per side
Location:	Minimum of 15 feet from any side property line or adjacent building
Height:	No higher than 25 feet
Ground Sign, If No Projecting Sign or Freestanding Sign is Present on the Same Frontage	
Number:	One per lot or parcel, except that parcels with two or more public street frontages each of which equal or exceed (300 feet shall be permitted two signs, each of which must meet the other regulations applicable to the sign
Size:	No greater than 48 square feet for each sign allowed
Location:	Minimum of ten feet from the side or rear property line
Height:	No higher than six feet if located within ten feet of the front property line; eight feet if located at least ten feet from the front property line
Marquee Signs	
Number:	One per street frontage or marquee face
Size:	No greater than 30 percent of any face of the marquee to which the sign is affixed
Location:	On face of marquee
Height:	Minimum clear space of eight feet from bottom of marquee
Political Signs	
Number:	One per issue or candidate per lot or parcel

Size:	No greater than six square feet
Location:	Minimum of five feet from any property line or adjacent building
Height:	No higher than six feet
Portable Signs	
Number:	One per business, except that businesses with two or more public street frontages each of which equal or exceed 300 feet shall be permitted two signs, each of which must meet the other regulations applicable to the sign
Size:	No greater than eight square feet in area per side
Location:	No closer than one foot and no further than three feet from the street curb. A minimum of five feet of sidewalk width shall remain to permit the free flow of pedestrian traffic
Height:	No taller than four feet
Width:	No wider than two feet
Restrictions:	May be placed in public right-of-way, subject to the following restrictions: 1. Signs may not be placed in the street. 2. Those listed in the present Chapter. 3. Those listed in City of Greenville Sidewalk Ordinance No. 126
Real Estate Signs	
Number:	One per street frontage
Size:	No greater than 16 square feet
Location:	Minimum of five feet from any property line or adjacent building
Height:	No higher than six feet
Wall Signs or Projecting Signs	
Number:	More than one sign may be attached to each wall, which faces a public street or public or private off street parking area provided the total sign area does not exceed 20 percent of the area of the wall to which it is attached
Size:	Wall signs: No greater than 20 percent of the wall area to which the sign is affixed. Banner signs may used as part of the wall sign area
	Projecting signs: no greater than 20 square feet
Location:	On wall of building facing street or wall facing the public or private parking area. Projecting signs shall extend no more than five feet from the building or one-third the width of the sidewalk, whichever is less
Height:	Projecting signs: Minimum clear space of eight feet from bottom of sign. Projecting signs must be placed away from the wall at least six inches but not extend above the second

	story
Sidewalk Signs	
Number:	One for each public entrance to a business
Permit:	A permit from the City of Greenville is not required to utilize a sidewalk sign
Permanent Flag Signs	
<p>More than one permanent flag sign is permitted per parcel. Each such sign shall not exceed 24 sq. ft. in size. If the flag sign shares the same pole as the United States flag, the flag sign shall be the smaller of these two flags and shall be placed below the United States flag. A permit is not required from the City of Greenville to display a permanent flag sign. Such signs shall be properly maintained and shall be removed if they become torn, faded or unreadable or otherwise unsightly.</p>	

IND INDUSTRIAL DISTRICT PERMITTED SIGNS	
Ground Signs	
Number:	One per lot or parcel
Size:	No greater than 32 square feet
Location:	Minimum of ten feet from any side or rear property line
Height:	No higher than six feet if located within ten feet of the front property line; eight feet if located at least ten feet from the front property line
Political Signs	
Number:	One per issue or candidate per lot or parcel
Size:	No greater than 16 square feet
Location:	Minimum of five feet from the front property line, minimum of 15 feet from the side or rear property line
Height:	No higher than six feet
Real Estate Signs	
Number:	One per street frontage
Size:	No greater than 16 square feet
Location:	Minimum of five feet from the front property line, minimum of 15 feet from the side or rear property line
Height:	No higher than six feet

Wall Signs	
Number:	One per street frontage
Size:	No greater than five percent of the wall area to which the sign is affixed
Location:	On wall of building facing street
Permanent Flag Signs	
<p>More than one permanent flag sign is permitted per parcel. Each such sign shall not exceed 24 sq. ft. in size. If the flag sign shares the same pole as the United States flag, the flag sign shall be the smaller of these two flags and shall be placed below the United States flag. A permit is not required from the City of Greenville to display a permanent flag sign. Such signs shall be properly maintained and shall be removed if they become torn, faded or unreadable or otherwise unsightly.</p>	

(i) Construction and maintenance.

- (1) All signs shall be constructed and maintained in accordance with the state construction code.
- (2) Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- (3) All signs, sign supports, frames, braces, wiring, guys and anchors shall not be maintained in such a manner which, in the opinion of the zoning administrator, has the potential to create a hazard for pedestrians and vehicles.
- (4) Signs shall not be allowed to become unsightly through disrepair or action of the elements.
- (5) Applicants for subdivision signs and temporary signs shall file a cash bond with the city clerk to guarantee proper maintenance during the permit period and removal of the signs. In the event the applicant fails to maintain any sign properly or fails to remove the sign at the time of expiration of the permit, such bond shall be entirely forfeited and the applicant shall be required to remove such sign. An inspection fee, as determined by the city council, shall be paid to the zoning administrator for each such sign at the time of the original permit and at each renewal thereof.
- (6) A building permit shall be required for the erection, construction or alteration of any sign exceeding 20 square feet in area, and all such signs shall be approved by the zoning administrator as to their conformance with the requirements of the zoning district in which they are located and this section.
- (7) All signs shall be designed to ensure a dead load and wind pressure in any direction of not less than 30 pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile.

(j) Nonconforming signs.

- (1) Signs lawfully erected prior to November 1, 1991, or applicable amendment thereto which do not meet the standards of this section may be continued, except as hereinafter provided. No nonconforming sign shall:
 - a. Have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 - b. Be structurally altered so as to change the shape, size, type or design of the sign; or

- c. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for 90 days or longer.
- (2) Signs lawfully erected prior to the adoption of this chapter or applicable amendment thereto which do not meet the size limitations of this section may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least 30 percent smaller in area than the original nonconforming sign.
- (3) No sign shall be required to be removed which was erected in compliance with this section if such sign becomes nonconforming due to a change occurring after the adoption of this chapter or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- (4) If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this section.
- (k) Discontinuance or abandonment. Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of 90 days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this section. All costs of removal shall be at the property owner's expense.

(Prior Code, §§ 15.2001—15.2011; Ord. No. 150, §§ 20.01—20.22, 11-1-1997; Ord. No. 150-A, 4-16-2002; Ord. No. 150-J, §§ 1—5, 5-1-2007; Ord. No. 150-S, §§ 1—15, 12-7-2010)

Holland Sign Ordinance

Chapter 39. ZONING

ARTICLE IX. Signs

Sec. 39-345. Intent and purpose.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003]

- (a) This article is intended to protect and further the health, safety, and welfare of the residents of the City of Holland; to further the intent of the City of Holland Zoning Ordinance and its zoning districts; to prevent traffic hazards; to provide safer conditions for pedestrians; to improve community appearance; and to promote economic development by regulating the construction, alteration, repair, maintenance, size, location and number of signs.
- (b) When more restrictive with respect to location, use, size, height or other requirements relating to structural safety, the provisions of the building code of the City shall take precedence over this article.

Sec. 39-346. Definitions.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1208, 3-4-1998; Ord. No. 1356, 12-4-2002; Ord. No. 1373, 11-5-2003; Ord. No. 1427, 10-19-2005; Ord. No. 1436, 1-4-2006]

The following words and phrases shall be interpreted and construed in accordance with the definitions delineated herewith.

AWNING OR CANOPY

A retractable or fixed shelter constructed of materials on a supporting framework that projects from the exterior wall of a building.

AWNING OR CANOPY SIGN

A sign fixed to or integral with the surface of an awning or canopy.

BALLOON SIGN

A sign composed of an inflatable, nonporous bag.

BANNER SIGN

A fabric, plastic, or other sign made of nonrigid material without an enclosing structural framework.

BILLBOARD OR OFF-PREMISES ADVERTISING SIGN

A sign which contains a message or advertises an establishment, product, service, space or activity not available on the lot on which the sign is located. For purposes of this article, a movable freestanding sign in the C-3 Zone District is not considered a billboard or off-premises advertising sign.

BUILDING CODE

The current code or codes in effect in the City which governs the erection, alteration, maintenance and removal of structures, including all signs not specifically exempted from the provisions thereof.

CANOPY

Refer to awning or canopy definition.

CONSTRUCTION SIGN

A sign which identifies the owners, financiers, contractors, architects, engineers or tenants of a project under construction.

DIRECTIONAL SIGN

A sign which gives directions or instructions for the use on the lot on which the sign is located, such as parking or exit and entrance signs.

ESSENTIAL SERVICES

Equipment and accessories reasonably necessary for the furnishing of utility service or for the public health, safety, or general welfare by public utilities or municipal departments and commissions.

FREESTANDING SIGN

A permanent sign which is not attached to a building.

GOVERNMENT SIGN

A temporary or permanent sign erected by the City of Holland, Allegan or Ottawa County, or the state or federal government including temporary signs as necessary in conjunction with the improvement of public infrastructure.

MARQUEE

A permanent structure, constructed of rigid materials, that projects from the exterior wall of a building.

MARQUEE SIGN

A sign affixed flat against the surface of the marquee.

MOVEABLE FREESTANDING SIGN

A freestanding sign not anchored or secured to a building or the ground.

MURAL

A design or representation painted or drawn on a wall which does not contain promotional or commercial advertising.

NEIGHBORHOOD COMMERCIAL DISTRICT IDENTIFIER SIGN

A sign located at, near, or within the boundary of an established neighborhood commercial area (excluding the C-3 Downtown Commercial District) and solely identifying the traditional or newly designated name and/or logo of the neighborhood commercial area.

OPEN FLAG

A flag which provides notice to the public that a business is open.

PLACARD

A sign which provides notices of a public nature, such as "No Trespassing" or "No Hunting" signs.

PERMANENT SIGN

A sign which has a permanent location on the ground or which is attached to a structure having a permanent location and which meets the structural requirements for signs as established in the building code.

POLITICAL SIGN

A temporary sign used in connection with an official City of Holland, school district, county, state, or federal election or referendum.

PRE-CONSTRUCTION SIGN

A sign which identifies the owners, financiers, contractors, architects, engineers or tenants of a project planned for construction and may include a fund-raising appeal.

PROJECTING SIGN

A double-faced sign attached to a building or wall.

READER BOARD

A portion of a sign on which copy is changed periodically either manually or electronically.

REAL ESTATE SIGN

A sign advertising the real estate upon which the sign is located as being for sale, rent, or lease.

ROOF LINE

The eave line of a roof or building parapet, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.

ROOF SIGN

A sign erected above the roof line of a building.

SIGN

A device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, or activity provided on the site on which the sign is located.

SIGN FACE

The section of a billboard or off-premises advertising sign that displays a message or messages facing in one direction. It shall include the entire area of the portion of the billboard or off-premises advertising sign that is above the supporting pole(s) and any other part that displays a message.

TEMPORARY SIGN

A sign intended for a limited period of display.

WALL SIGN

A single-faced sign painted or attached directly to and parallel to the exterior wall of a building.

WINDOW SIGN

A sign placed on the inside of a window and intended to be viewed from the outside.

Sec. 39-347. General sign provisions.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1208, 3-4-1998; Ord. No. 1366, § 9, 8-20-2003; Ord. No. 1373, 11-5-2003]

- (a) Any sign and supporting structure (other than a billboard or off-premises advertising sign) which for a period of 60 days no longer advertises or identifies a bona fide business conducted or product sold shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign is located, within 30 days of receipt of written notice by the Building Official.
- (b) No light pole, utility pole, or other supporting member of a building or property shall be used for the placement of any sign unless the owner of the pole or supporting member has given permission for such use and the sign conforms to all requirements of this Article **IX**.
- (c) Except for signs for home occupations, and moveable freestanding signs, all signs may be internally or externally illuminated. If externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or residential property.
- (d) A sign accessory to a nonconforming use or structure shall conform to the provisions of the zone district in which the nonconforming use or structure is located.
- (e) Painted or paper-faced signs shall be maintained free of peeling paint or paper, sun fading, staining, rust, or other conditions which impair the legibility or intelligibility of such sign.
- (f) Any signs permitted by the provisions of this article, including all supports, braces, guys and anchors, shall be maintained in conformance with this article and in such a manner so as not to cause a hazard to the public.
- (g) Except as provided for moveable freestanding signs in Section **39-361(e)** and open flags in Section **39-354(f)**, signs shall not be placed in, upon, or over any public right-of-way, alley, or other public place, except as may be otherwise permitted by this article and unless a revocable license is approved by the City Council.

- (h) Reader boards are permitted on a wall or a freestanding sign but not on both signs at one business, property, address or location.
- (i) Except as provided for open flags in Subsection **39-354(f)**, any sign not resting directly on the ground, exceeding six square feet and set back less than 10 feet from the right-of-way, shall maintain a minimum clear space of eight feet from the bottom of the sign to the ground.
- (j) Awnings, canopies, marquee signs or projecting signs which extend over the City right-of-way shall maintain a clear space of eight feet from the bottom of the awning, canopy, or marquee to the grade. In the event the awning, canopy, marquee, or projecting sign extends over the City right-of-way, a revocable license from City Council is necessary prior to receiving a permit.
- (k) All signs shall comply with the building and electrical codes of the City of Holland. Underground wiring shall be required for all illuminated signs, or signs requiring electrical connections except for permitted temporary signs.

Sec. 39-348. Sign prohibitions.

[Ord. No. 1188, 2-19-1997; Ord. No. 1274, 3-1-2000; Ord. No. 1373, 11-5-2003; Ord. No. 1443, 2-15-2006; Ord. No. 1459, § 2, 8-2-2006; Ord. No. 1478, § 2, 6-6-2007]

- (a) Strings of light bulbs, pennants, streamers, banners, or flags (other than those of governmental nature not used for the purpose of commercial advertisement and open flags) are prohibited, except as permitted in Sections **39-353(n)**, **39-354**, **39-356**, **39-357**, **39-361**, and 39-364 as temporary signs for promotions.
- (b) Signs, including reader boards, shall not employ any flashing, moving, oscillating, blinking, or variable intensity light, however, variable time-temperature signs may be permitted, and electronic message reader boards shall not change more than once every seven seconds and shall not provide for other than instantaneous changes. Rolling or fade-in/fade-out signs are prohibited. Electronically controlled message reader boards are not permitted within the C-3 Central Business District.
- (c) Signs shall not contain any moving or animated parts or be designed so as to give the appearance of movement.
- (d) A sign shall not be erected in any place where it may, by reason of its position, shape, color, or other characteristic, interfere with, obstruct the view of, or be confused with any authorized traffic signs, signal, or device, or constitute a nuisance per se.
- (e) A wall sign shall not extend beyond the edge of the wall to which it is affixed nor extend above the roof line of a building.
- (f) Roof signs are not permitted.
- (g) Billboards and advertising signs are not permitted.
- (h) Balloon signs are prohibited except as permitted in Sections **39-357** and **39-364** as a temporary sign for promotions.

- (i) Any vehicle (including trailers) which has the primary function of acting as a sign shall not be permitted.
- (j) Any sign which is not specifically permitted by, or does not conform, to the provisions of this article is prohibited.

Sec. 39-349. Units of measurement.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003]

- (a) The area of a sign shall be measured as the area within a single, continuous perimeter composed of either the smallest square, rectangle, or circle which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. Reader boards shall be included in the sign measurements.
- (b) The area of a freestanding or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two such faces are placed back-to-back and are of equal size, the area of the two back-to-back faces shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the one face.
- (c) The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the ground immediately beneath the sign.

Sec. 39-350. Nonconforming signs.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1208, 3-4-1998; Ord. No. 1373, 11-5-2003]

- (a) Except as provided for moveable freestanding signs in Section **39-361(e)** and open flags in Section **39-354(f)**, every permanent legally existing sign which does not conform to the height, size, area, or location requirements of this article as of the date of the adoption of this ordinance, is hereby deemed to be nonconforming.
- (b) Nonconforming signs may not be expanded, enlarged, or extended; however, said signs may be maintained and repaired so as to continue the useful life of the sign.
- (c) For purposes of this section, a nonconforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing the privilege of nonconforming use.
- (d) Any nonconforming sign, sign structure, or frame substantially destroyed by fire or other casualty loss shall not be restored or rebuilt.
- (e) When a nonconforming sign, or portion thereof, is removed, it shall be replaced only with a sign that conforms with all requirements of the zoning district within which the property is located. A sign which may be removed for maintenance or repair purposes in accordance with Section **39-350(b)** following a permit from the building and zoning inspector or authorized representative that the sign would be reinstalled within 90 days of removal or the right of nonconforming use shall be deemed abandoned.

Sec. 39-351. Removal of unsafe or unlawful signs.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003; Ord. No. 1525, 1-7-2009]

- (a) If the Building Official, zoning inspector or their authorized representative determines that any sign regulated by this article is unsafe or constitutes a hazard to the public, such as obstructing vision of vehicle drivers or pedestrians, or has been constructed, erected or maintained in violation of the provisions of this article, the official or inspector may remove the sign or require its immediate removal.
- (b) Any sign placed or erected in a public street, alley or right-of-way, or other public place, which is not specifically permitted in such place, shall be deemed an unlawful sign and the department of the City having jurisdiction over the maintenance of such public place shall remove such sign or require its immediate removal. Such removal may be without written or other notice to the owner, lessee or person of the property adjacent to the public street, alley or right-of-way, or other public place upon which such sign is located.
- (c) A person who violates or fails to comply with a notice to remove the sign under this section is responsible for a class II civil infraction and is subject to the civil fines set forth in the schedule of fees and charges adopted in Section **2-118** of this Code or any other relief that may be imposed by the court. Each act of violation and each day upon which such violation occurs shall constitute a separate violation.

Sec. 39-352. Sign permits.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1309, 8-1-2001; Ord. No. 1373, 11-5-2003]

- (a) No person shall erect, alter, place or permit to be placed, or replace any sign structure, except as provided herein, without first obtaining a permit as required by this chapter or as otherwise required by the Holland City Code.
- (b) Sign erector's licensing. No person shall erect or place on any property any sign (other than open flags, temporary signs, or movable freestanding signs) which has a maximum vertical height greater than the horizontal distance from any portion of the sign to any property line of the property, unless such person has obtained a sign erector's license as provided herein. Any person desiring a sign erector's license shall make written application to the City Clerk, on forms prescribed by the Clerk, and shall pay the fee as established by City Council.
- (c) Before a sign erector's license shall be issued, the applicant shall file with the City Clerk evidence satisfactory to the City that public liability and property damage insurance has been obtained under which the applicant and the City are coinsured with respect to any personal injury or property damage arising out of any act done or negligence committed while acting under any license permit, whether such act or negligence be of the licensee and subcontractor of the licensee, or any other person who may be performing any act under or in accordance with the authority granted by such license or permit. Such policies of insurance shall insure both the applicant and the City against loss or damage to any person or property as a result of the acts or omissions of the licensee. Such insurance shall be in the amount specified in Chapter **10** from an insurer approved by the Commissioner of insurance of the state. Every policy of insurance required by this section shall bear an endorsement to the effect that the insurer shall notify the licensee and the City Clerk in writing at least 10 days prior to the expiration of such policy.

- (d) If the licensee shall at any time fail to comply with the provisions of this article or shall fail to comply with any written directions of the Building Official and zoning inspector, based upon the provisions of this article, the Building Official and zoning inspector or authorized representative may proceed with legal action to suspend or revoke the license.

Sec. 39-353. Exempt signs.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1206, 12-17-1997; Ord. No. 1373, 11-5-2003; Ord. No. 1508, 7-16-2008]

The following signs are exempt from the regulations of this chapter regarding height, area, and permits:

- (a) Government signs.
- (b) Highway and street signs erected by a state, county or municipal road agency identifying streets or highways, giving direction to streets or places of interest or establishing restrictions or conditions of use for street or highways. This exemption shall further include all such signs authorized by a road agency in conjunction with street or utility construction projects denoting detours, or identifying access to business or industrial areas or sites when normal access is disrupted by such construction.
- (c) Historic markers placed under the authority of the local, state or federal government.
- (d) Window signs.
- (e) Murals in zone districts other than C-3 when approval of the Design Review Board is required.
- (f) Essential service signs.
- (g) Placards not exceeding two square feet.
- (h) Flags of any nation, state, City, corporation, educational institution, college university, or nonprofit organization.
- (i) Notwithstanding other provisions of this article, the City Council may authorize signs otherwise prohibited for a maximum of 14 days in conjunction with the Tulip Time Festival.
- (j) Light strings shall be permitted during November and December for activities associated with holiday sales or events and permitted all year in conjunction with activities of the Downtown Development Authority.
- (k) Signage with the international symbol of accessibility or van accessible recognized logo for such designation.
- (l) Temporary signs used for holidays, public demonstrations, or promotion of civic welfare or charitable purposes, when authorized by City Council.
- (m) An on-site temporary garage, yard, basement, auction or estate sale sign for residential properties in any zone district, provided that the sign be displayed on the subject property no more than two days prior to the sale, that it be removed within 24 hours of the conclusion of the sale, and that it be a maximum of six square feet in size.

- (n) One temporary sign for the promotion of special events or activities by churches, nonprofit or educational institutions; provided that the sign be displayed no more than two weeks prior to the event or activity and that it be removed within 48 hours of the conclusion of the event or activity; provided further that no sign be within 12 feet of the right-of-way unless it is flat against a building.
- (o) Signage or advertising that is an integral part of a fabric umbrella, used primarily to provide shade or cover to customers at a dining table within an approved outdoor dining area in conjunction with a licensed food service establishment.

Sec. 39-354. Signs exempt from building permits.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1356, 12-4-2002; Ord. No. 1373, 11-5-2003; Ord. No. 1451, 4-26-2006; Ord. No. 1509, 7-16-2008]

The following signs shall not require a building permit but shall comply in all other respects with the regulations set forth herein:

- (a) Political signs are subject to the following provisions:

 - (1) Political signs shall be no larger than six square feet in residential zone districts and no larger than 32 square feet in nonresidential zone districts.
 - (2) Political signs shall be placed only on private property with the permission of the property owner, not in the right-of-way.
 - (3) Political signs shall be no higher than six feet from the grade.
 - (4) Political signs shall not obstruct visibility at road intersections.
- (b) Real estate signs are subject to the following provisions:

 - (1) Real estate signs shall be no larger than six square feet in residential zone districts and no larger than 32 feet in nonresidential zone districts.
 - (2) Real estate signs shall be placed only on private property with the permission of the property owner, not in the right-of-way.
 - (3) Real estate signs shall be removed within 30 days after closing of the sale or lease of the property.
 - (4) Real estate signs shall be no higher than six feet from the grade.
 - (5) One real estate sign per street frontage except during the period an open house is conducted, wherein signs directing traffic to the open house are permitted.
 - (6) Real estate signs announcing the sale of properties within a subdivision provided that such signs do not exceed 32 square feet in area; and that the signs be removed at such time as 75% or more of the lots in such subdivisions are sold.
- (c) Construction signs are permitted within any zone district subject to the following provisions:

 - (1) Construction signs shall not be erected until a building permit has been issued for the project which is the subject of the proposed sign, and construction activity has begun.

- (2) Construction signs shall be removed immediately upon the issuance of any occupancy permit or completion of the structure(s) or facility which is the subject of the sign.
- (3) Construction signs shall not exceed the maximum size for the type of sign in the zone district in which they are located.
- (d) Preconstruction signs are permitted in any zone district except the AG agriculture district, R-1 residential district and R-2 residential districts, subject to the following provisions:

 - (1) Preconstruction signs shall be allowed during 18 months after issuance of a demolition permit for the property on which the sign is located.
 - (2) Preconstruction signs shall also be allowed during the 18 months after approval of a site plan or development plan for the property on which the sign is located and during any extension of a site plan or development plan.
 - (3) Preconstruction signs shall be removed immediately upon the earlier of:

 - a. The issuance of any occupancy permit or completion of the structure(s) or facility which is the subject of the sign;
 - b. Erection of a construction sign; or
 - c. Expiration of the time periods described in Subparagraphs (1) and (2).
 - (4) Preconstruction signs shall not exceed the maximum size for the type of sign in the zone district in which they are located.
- (e) Directional signs are permitted subject to the following provisions:

 - (1) Directional signs shall not exceed six square feet in area and six feet in height.
 - (2) Directional signs shall be limited to the identification of functions such as traffic control, loading areas, employment office.
- (f) Open flags in the C-1 Neighborhood Commercial District, the C-2 Highway Commercial District and the C-3 Central Business District are permitted subject to the following conditions:
[Amended 2-6-2013 by Ord. No. 1601]

 - (1) One open flag per business establishment.
 - (2) The open flag shall be displayed only during the hours a business is open to the public and the entire open flag (including the structure) shall be removed during the hours the business is closed.
 - (3) The open flag shall be attached to the wall of the building at least six feet above the adjacent grade. Any portion of the flagpole over a public right-of-way shall maintain a minimum clear space of eight feet from the bottom of the flagpole to the ground.
 - (4) The top of the flag structure is not more than 15 feet above the adjacent grade.
 - (5) The flagpole does not project more than three feet from the face of the wall to which it is attached.

- (6) The flag and its support do not impede pedestrian movement, or present a hazard to people or property.
- (7) Open flags shall not exceed a maximum size of 10 square feet.
- (8) Open flags that extend into a public right-of-way shall be deemed temporary signs and will not create nonconforming or other property rights in the event this article is revised.

Sec. 39-355. Regulations of residential and agricultural zone districts.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1233, 12-16-1998; Ord. No. 1366, § 10, 8-20-2003; Ord. No. 1373, 11-5-2003; Ord. No. 1415, § 3, 6-1-2005]

The following provisions shall apply to signs located in the R-1, R-2, R-3, R-4, R-5, R-6, R-TRN, PRD, and AG districts:

- (a) Freestanding signs for residential subdivisions, mobile home parks, multiple-family complexes having six or more units, schools, churches, or other nonresidential uses permitted in the district:
 - (1) Number: Two signs per subdivision, park, multiple-family complex, school, church or other use.
 - (2) Size: Each sign shall be no greater than 32 square feet.
 - (3) Location: Signs in excess of 16 square feet in size shall be setback at the minimum building setback for the zone district in which the sign is located. Signs measuring 16 square feet or less in size shall be located at least 12 feet from any property line.
 - (4) Height: No higher than six feet from grade.
- (b) Wall signs for multiple-family complexes having six or more units, and nonresidential uses:
 - (1) Number: One per street frontage.
 - (2) Size: No greater than 12 square feet.
- (c) Signs for bed-and-breakfast establishments:
 - (1) One freestanding identification sign not exceeding four square feet in area nor three feet in height to be located not less than 15 feet from the public right-of-way; or
 - (2) One identification sign not exceeding six square feet in area which shall be affixed flat against the residence.

Sec. 39-356. Education district.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003]

The following provisions shall apply to signs located in the education district:

- (a) Because such signs are intended primarily to be of such size, scale and location as to serve a pedestrian oriented community, they shall be exempt from the requirements of this chapter with respect to height, area, and location.
- (b) Signs permitted in this district:
 - (1) Signs exempt under Section **39-353**;

- (2) Building identification signs;
- (3) Traffic, parking, and pedestrian directional and information signs; and
- (4) Bulletin boards, kiosks, flags, banners, pennants, or other temporary signs or displays related to school activities or events.

Sec. 39-357. Commercial districts.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003; Ord. No. 1427, 10-19-2005; Ord. No. 1459, § 1, 8-2-2006; Ord. No. 1478, § 2, 6-6-2007]

The following conditions shall be required in all commercial districts:

- (a) Temporary signs or banners for business promotions are permitted subject to a sign permit provided:
 - (1) Signs shall be displayed no longer than 14 consecutive days.
 - (2) Signs shall occur not more than twice in any calendar year for any single commercial property.
 - (3) Signs shall comply with yard and height requirements for other signs in the zoning district.
- (b) Wall signs shall not extend more than 12 inches from the wall of the building.
- (c) Menu signs at drive-through restaurant facilities are permitted provided that the total area of such signs does not exceed 32 square feet and that the signs are not designed or so located as to be read from the public right-of-way. Speakers on such signs shall be directed away from residential uses.
- (d) Neighborhood commercial district identifier sign.
 - (1) Findings of approval. The director of the Community and Neighborhood Services Department or a duly appointed designee shall approve an application for a neighborhood district identifier sign if the following findings are made:
 - a. The sign identifies and is located in the established neighborhood commercial area;
 - b. The neighborhood commercial area shall be comprised of two or more storefront businesses on two or more separate properties;
 - c. The size, type and location of the sign is compatible with the neighborhood commercial district in which the sign will be located;
 - d. The sign will enhance the identification of the neighborhood commercial area;
 - e. The proposed identifier name for the sign is the established name of the neighborhood commercial area as generally recognized by the businesses of said area;
 - f. The sign will benefit all businesses within the neighborhood commercial area and shall not include specific advertising for any particular business;

- g. Two signs shall be allowed per neighborhood commercial area.
- h. All such signs within a single district shall be of the same design.
- (2) Construction standards.
 - a. Signs shall be located on private property and shall not reduce otherwise allowable signage for the property where the sign is located.
 - b. Freestanding signs shall have a maximum height of six feet, a maximum size of 25 square feet, and shall not be allowed to create a vision problem for passing motorists and pedestrians.
 - c. Wall mounted signs may be placed on the front facade or side of a building and shall have a maximum size of 25 square feet.
- (3) Notice requirements. Notice of the application shall be published and given to all owners as required by MCLA § 125.584a(3) and (4). The procedure for reviewing the application shall be as set forth in MCLA § 125.584a(3) and (4).
- (4) Appeals. Appeals for decisions made under this section shall go to the Zoning Board of Appeals.
- (e) Temporary signs in PUD Districts. Commercial businesses are permitted to have temporary signs or banners subject to a sign permit and the following requirements:
 - (1) Signs shall be displayed no longer than 14 consecutive days.
 - (2) Signs shall occur not more than twice in any calendar year for any single commercial PUD property.
 - (3) Signs shall comply with C-2 District yard and height requirements.

Sec. 39-358. C-1 Neighborhood Commercial District.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003; Ord. No. 1451, 4-26-2006; Ord. No. 1487, 1-9-2008; Ord. No. 1501, § 1, 4-23-2008]

The following provisions shall apply to signs located in the C-1 Neighborhood Commercial District:

- (a) Illuminated signs: Illuminated signs shall be lit only during the actual hours of business operation.
- (b) Wall signs:
 - (1) Number: Maximum number of signs shall not exceed one per tenant per street frontage or parking area frontage.
 - (2) Size: The maximum area for all wall signs per building may not exceed one square foot of sign area for each one foot of building length of the wall upon which the sign is to be displayed.
- (c) Awning, canopy, and marquee signs: The total sign area shall not exceed one square foot for each linear foot of street frontage of the wall upon which the awning, canopy, or marquee is located. Signs shall be affixed flat to the awning, canopy, or marquee.

- (d) Projecting signs:
- (1) Number: One per building wall which faces a street or parking lot. A building having multiple commercial tenants is permitted more than one projecting sign on street or parking lot frontage provided that the number of projecting signs does not exceed one for each 25 feet of frontage and one per tenant.
 - (2) Size: Signs shall not exceed six square feet in area per sign.
 - (3) Location:
 - a. Signs shall not project more than 36 inches from the face of the building or wall, nor extend beyond the roof or eave line for a one story building.
 - b. Signs shall maintain a clearance of eight feet from the sidewalk.
 - c. Signs shall be located below the window sill of the second floor window.
- (e) Moveable freestanding signs:
- (1) Permits:
 - a. No moveable freestanding signs shall be placed on public or private property unless the property owner or occupant first obtains an annual permit. Moveable freestanding signs shall not be placed on public or private property after an annual permit expires.
 - b. No moveable freestanding sign shall be placed in a public right-of-way, except as allowed by an annual permit.
 - c. An applicant shall apply for an annual permit. The permit shall be issued for a one-year term on the following conditions:
 1. The applicant submits a completed application, including any addenda, on forms as required by the City and pays the fee and submits proof of general liability insurance as required by resolution of the City Council;
 2. The applicant has not repeatedly violated the annual permit or ordinances pertaining thereto; and
 3. The applicant presents an application found to be in full compliance with current zoning requirements.
 - d. The permit for a moveable freestanding sign is not a permanent right and is subject to revocation by the City.
 - e. A legible copy of the approved permit shall be affixed to the inside surface of the sign to assist in the enforcement of the annual permit requirements.
 - (2) Design: A moveable freestanding sign shall be designed to be placed and removed during certain hours. A moveable freestanding sign shall be of a scale and design intended for viewing from the public right-of-way.
 - (3) Number: One moveable freestanding sign per ground floor business.

- (4) Attachment: The sign shall not be attached to a building, or secured to or placed in the ground, nor attached or secured to any element including, but not limited to, trees, signs, light poles, planters, or other similar objects.
- (5) Size: No moveable freestanding sign shall exceed 30 inches wide by 48 inches high by 30 inches deep, with height of the sign measured from the sidewalk or immediately adjacent grade.
- (6) Location: At least one point of the sign shall be placed within one foot of the building. A movable freestanding sign shall be placed within the public right-of-way on the same side of the street or alley and within lot line extensions of the business it promotes, or on the parcel of the business it promotes.
- (7) Obstruction: There shall be provided, at all times, an unobstructed, straight sidewalk aisle of not less than four feet in width. No moveable freestanding sign shall be placed in a manner that obstructs or impedes sidewalk snow plowing or cleaning. The owner of the sign shall be responsible for any displacement or damage to the sign that may occur as the result of sidewalk or street snow plowing or sweeping. No moveable freestanding sign shall be placed in such a way as to create a visibility hazard for vehicular, bicycle and/or pedestrian traffic.
- (8) Construction: All moveable freestanding signs shall be constructed of wood, metal, or other similarly durable material. Such signs shall have adequate support to prevent tipping or movement of the sign, and shall not present a tripping hazard to pedestrians.
- (9) Illumination: Moveable freestanding signs shall not be illuminated.
- (10) Limitations on display:
- a. Moveable freestanding signs shall be displayed only during the hours the business it promotes is open.
- b. The entire sign structure, including sign panel and supporting structure, shall be removed and placed indoors during those hours not on display.
- c. If the property on which the moveable freestanding sign is to be located is situated on a Tulip Time parade route, said signs shall not be displayed one hour before a Tulip Time Festival parade, during such parade, and one hour after such parade.
- (f) Open flags: Open flags subject to the requirements of Subsection **39-354(f)**.
- (g) Freestanding signs:
- (1) Number: One sign per property.
- (2) Size: Properties with frontage on a street that has a posted speed limit of 35 miles per hour or less shall have a maximum freestanding sign area of 25 square feet. Properties with frontage on a street that has a posted speed limit of greater than 35 miles per hour shall have a maximum freestanding sign area of 50 square feet.
- (3) Location: Signs shall be located a minimum of five feet from any property line.

- (4) Height: Signs shall be no higher than five feet from the grade.

Sec. 39-359. C-2 Highway Commercial District.

[Ord. No. 1100, 12-15-1993; Ord. No. 1145, 5-24-1995; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003; amended 2-6-2013 by Ord. No. 1601]

- (a) Wall signs: The maximum total area for wall signs on each wall shall not exceed 10% of wall area of the wall upon which the sign or signs are placed.

- (b) Freestanding signs.

- (1) Number: one per lot or parcel except where street frontage exceeding 300 continuous linear feet, then two signs shall be permitted on that lot or parcel.

- (2) Size: The total sign area shall not exceed one square foot for each linear foot of street frontage, and in no case shall the maximum sign area for a freestanding sign exceed 75 square feet. Properties located with street frontage on principal route U.S. 31 (excluding business routes) or Chicago Drive east of Waverly Road may have a freestanding sign which measures a maximum of 100 square feet.

- (3) Location: Signs shall be located at least 12 feet from any property line.

- (4) Height: Signs shall be no higher than 25 feet from the grade.

- (c) Awning, canopy, and marquee signs. The total sign area shall not exceed one square foot for each linear foot of street frontage of the wall upon which the awning, canopy, or marquee is located. Signs shall be affixed flat to the awning, canopy, or marquee.

- (d) Projecting signs:

- (1) Number: one per building wall that faces a street or parking lot. A building having multiple commercial tenants is permitted more than one projecting sign on a street or parking lot frontage, provided that the number of projecting signs does not exceed one for each 25 feet of frontage and one per tenant.

- (2) Size: Signs shall not exceed six square feet in area per sign.

- (3) Location:

- a. Signs shall not project more than 36 inches from the face of the building or wall, nor extend beyond the roof or eave line for a one-story building.

- b. Signs shall maintain a clearance of eight feet from the sidewalk.

- c. Signs shall be located below the window sill of the second floor window.

- (e) Moveable freestanding signs:

- (1) Permits:

- a. No moveable freestanding signs shall be placed on private property unless the property owner or occupant first obtains an annual permit. Moveable freestanding signs shall not be placed on private property after an annual permit expires.

- b. No moveable freestanding sign shall be placed in a public right-of-way.

- c. An applicant shall apply for an annual permit. The permit shall be issued for a one-year term on the following conditions:
1. The applicant submits a completed application, including any addenda, on forms as required by the City and pays the fee and submits proof of general liability insurance as required by resolution of the City Council;
 2. The applicant has not repeatedly violated the annual permit or ordinances pertaining thereto; and
 3. The applicant presents an application found to be in full compliance with current zoning requirements.
- d. The permit for a moveable freestanding sign is not a permanent right and is subject to revocation by the City.

- (2) Number: one moveable freestanding sign per ground floor business.
- (3) Attachment: The sign shall not be attached to a building, or secured to or placed in the ground, nor attached or secured to any element, including, but not limited to, trees, signs, light poles, planters, or other similar objects.
- (4) Size. No moveable freestanding sign shall exceed 30 inches wide by 48 inches high by 30 inches deep, with height of the sign measured from the sidewalk or immediately adjacent grade.
- (5) Location: At least one point of the sign shall be placed within one foot of the building.
- (6) Obstruction: There shall be provided, at all times, an unobstructed, straight sidewalk aisle of not less than four feet in width. No moveable freestanding sign shall be placed in a manner that obstructs or impedes sidewalk snowplowing or cleaning. No moveable freestanding sign shall be placed in such a way as to create a visibility hazard for vehicular, bicycle and/or pedestrian traffic.
- (7) Construction: All moveable freestanding signs shall be constructed of wood, metal, or other similarly durable material. Such signs shall have adequate support to prevent tipping or movement of the sign, and shall not present a tripping hazard to pedestrians. A moveable freestanding sign shall be designed to be placed and removed during certain hours.
- (8) Illumination: Moveable freestanding signs shall not be illuminated.
- (9) Limitations on display: Moveable freestanding signs shall be displayed only during the hours the business it promotes is open. The entire sign structure, including sign panel and supporting structure, shall be removed and placed indoors during those hours not on display.
- (f) Open flags: open flags subject to the requirements of Section **39-354(f)**.

Sec. 39-360. C-3 Central Business District.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1200, 10-22-1997; Ord. No. 1251, 7-7-1999; Ord. No. 1373, 11-5-2003]

- (a) Design Review Board. Except for moveable freestanding signs, all signs, awnings, canopies, and marquees in the C-3 Central Business District, must first receive a certificate of appropriateness from the Design Review Board ("DRB") prior to receiving a permit for construction or installation.

- (b) Membership. The DRB shall consist of six members to be appointed by the Downtown Development Authority (DDA). The DDA may act in this capacity if it so chooses.
 - (1) Of the six members, at least three shall be members of the DDA.

 - (2) If available, the DDA shall appoint up to three members of the DRB who are members of the design profession, such as an architect or designer.

 - (3) If the DDA appoints a DRB, membership on the DRB shall be limited to two consecutive terms of four years each in duration. Initial staggering of terms shall be arranged.

- (c) Standards for certificate of appropriateness. Prior to the issuance of a certificate of appropriateness, the DRB shall find that all of the following standards are met. These findings shall be documented by the DRB. Findings of the DRB are advisory and may be appealed to the Zoning Board.
 - (1) For purposes of interpretation, the DRB shall use the Secretary of the Interior standards and local design guidelines, as may from time to time be amended, and the context of surrounding buildings and signage in determining whether a proposed sign meets the following standards.
 - a. A sign shall be consistent with the architectural characteristics of the building upon which it is placed.

 - b. A sign shall not in any way obstruct or destroy unique architectural features of the building upon which it is placed nor of surrounding buildings.

 - (2) In the event of a denial of a certificate of appropriateness, the applicant may file an appeal with the Zoning Board for a public hearing. The Zoning Board will make a decision, based upon the standards herewith, regarding the appropriateness of the sign.

- (d) [Size.] The total sign area permitted for all signs on a building in this zoning district shall not exceed two square feet for each linear foot of street or parking lot frontage of that building. For purposes of calculating total signage area, include: existing signage on or about the building on which the proposed sign(s) is (are) to be placed; those signs accessory to uses within that building which may be located on adjacent buildings, structures, or site; and proposed signage, excluding moveable freestanding signs, temporary signs, and open flags.

Sec. 39-361. Signs permitted in the C-3 District.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1253, 8-4-1999; Ord. No. 1373, 11-5-2003; Ord. No. 1440, 2-1-2006; Ord. No. 1485, 11-20-2007; Ord. No. 1497, 3-19-2008; amended 9-4-2013 by Ord. No. 1616]

The following signs are permitted in the C-3 District:

- (a) Wall signs.

- (1) Size. The maximum area of wall signs may not exceed one square foot of sign area for each one foot of building length of the wall upon which the signs are to be located, not to exceed 32 square feet. The DRB may approve additional signs or sign area where the building has multiple ground floor tenants; where the character, placement and size satisfy otherwise applicable compatibility standards; and the total maximum area of wall signs on that wall does not exceed 64 square feet.
 - (2) Location. Wall signs must be placed below the sill of a building's second floor windows. The DRB may waive this limitation if it finds that the proposed sign placed at a higher location on a building will be compatible with the character and design of the building on which it is placed and compatible with other legal and conforming signage, both on the building and on adjoining properties. Wall signs shall be contained within the boundaries of a wall.
- (b) Projecting signs.
- (1) Number: one per building wall which faces a street or parking lot. A building having multiple commercial tenants is permitted more than one projecting sign on a street or parking lot frontage, provided that the number of projecting signs does not exceed one for each 25 feet of frontage.
 - (2) Size. Signs shall not exceed six square feet in area per sign.
 - (3) Location.

 - a. Signs shall not project more than 36 inches from the face of the building or wall.
 - b. Signs shall maintain a clearance of eight feet from the sidewalk.
 - c. Signs shall be located below the window sill of the second floor window. The DRB may waive this limitation if it finds that the proposed sign placed at a higher location on a building will be compatible with the character and design of the building on which it placed and compatible with other legal and conforming signage, both on the building and on adjoining properties.
- (c) Awnings, canopies and marquees and any signage integral with these features.
- (1) Projection. An awning or canopy shall not project more than four feet beyond the face of a building, except that in the case of unique character of the building, the Design Review Board may recommend as appropriate the projection of an awning or canopy beyond four feet from the building face, installed in accordance with state construction codes.
 - (2) Location. The awning or canopy shall not extend over the vertical columns on either side of the first floor level.
 - (3) Signage. One sign is permitted on a face of an awning, canopy, or marquee. The total sign area shall not exceed two square feet for each linear foot of street or parking lot frontage of the wall upon which the awning, canopy, or marquee is located. Signs shall be affixed flat to the awning, canopy, or marquee.
- (d) Freestanding signs.
- (1) Number: one sign per parcel.

- (2) Size. Each sign shall be no greater than 32 square feet, except that signs up to 36 square feet in area are allowed in the C-3 District outside the area defined and enclosed by the center lines of 7th Street, Lincoln Avenue, 9th Street and Pine Avenue.
- (3) Location. Signs shall be set back at the minimum building setback for the zone district, but in no case shall the sign obstruct pedestrian movement in the C-3 Central Business District.
- (4) Height: no higher than six feet from the grade, except that signs up to nine feet in height are allowed in the C-3 District outside the area defined and enclosed by the center lines of 7th Street, Lincoln Avenue, 9th Street and Pine Avenue.

(e) Moveable freestanding signs.

(1) Permits.

- a. No moveable freestanding signs shall be placed on public or private property unless the property owner or occupant first obtains an annual permit. Moveable freestanding signs shall not be placed on public or private property after an annual permit expires.
- b. No moveable freestanding sign shall be placed in a public right-of-way, except as allowed by an annual permit.
- c. An application for a moveable freestanding sign will be filed with the Department of Community and Neighborhood Services. The permit shall be issued for a one-year term if the following are satisfied:
 - 1. The applicant submits a completed application, including any addenda, on forms as required by the City and pays the fee and submits proof of general liability insurance as required by resolution of the City Council;
 - 2. The applicant has not repeatedly violated the annual permit or violated any ordinance of the City; and
 - 3. The applicant presents an application found to be in full compliance with the City's Zoning Ordinance. The Department of Community and Neighborhood Services shall approve or deny an application within 15 days of when it receives a completed application satisfying these provisions.
- d. The permit for a moveable freestanding sign is not a permanent right and is subject to revocation by the City.

(2) Design. A moveable freestanding sign shall be designed to be placed and removed during certain hours. A moveable freestanding sign shall be of a scale and design intended for viewing from the public right-of-way.

(3) Number: one moveable freestanding sign per ground floor business. Businesses above the ground floor are permitted to have a moveable freestanding sign as long the number of signs does not exceed one sign per ground floor business in each building. For example, if a building has three ground floor businesses, there may be three moveable

freestanding signs permits issued regardless of whether they are for ground floor businesses or ones above the ground floor.

- (4) Attachment. The sign shall not be attached to a building, or secured to or placed in the ground, nor attached or secured to any element, including but not limited to trees, signs, light poles, planters, or other similar objects.
- (5) Size. No moveable freestanding sign shall exceed 30 inches wide by 48 inches high by 30 inches deep, with height of the sign measured from the sidewalk or immediately adjacent grade.
- (6) Location. At least one point of the moveable sign shall be placed within one foot of the building. A moveable freestanding sign shall be placed within the public right-of-way on the same side of the street or alley and within lot line extensions of the business it promotes or the building the business is located in, or on the parcel of the business it promotes.
- (7) Obstruction. There shall be provided, at all times, an unobstructed, straight sidewalk aisle of not less than six feet in width. No moveable freestanding sign shall be placed in a manner that obstructs or impedes sidewalk plowing or cleaning. No moveable freestanding sign shall be placed in such a way as to create a visibility hazard for vehicular, bicycle and/or pedestrian traffic.
- (8) Construction. All moveable freestanding signs shall be constructed of wood, metal, or other similarly durable material. Moveable freestanding signs shall have adequate support to prevent tipping or movement of the sign, and shall not present a tripping hazard to pedestrians.
- (9) Illumination. Moveable freestanding signs shall not be illuminated.
- (10) Limitations on display.

 - a. Moveable freestanding signs shall be displayed only during the hours the business it promotes is open.
 - b. The entire sign structure, including sign panel and supporting structure, shall be removed and placed indoors during those hours not on display.
 - c. Moveable freestanding signs shall not be displayed one hour before a Tulip Time Festival parade, during such parade, and one hour after such parade.
- (f) Open flags. Open flags subject to the requirements of Section **39-354(f)**.
- (g) Other signs. Other similar types of signs not specifically listed as permitted in the C-3 Central Business District and not specifically addressed in other provisions of this article may be permitted upon review and approval by the Design Review Board (DRB) for compliance with the following:

 - (1) Determination of most similar specified sign type. The DRB shall review the proposed other sign to determine whether the proposed other sign is similar to an allowed sign, and determine the most similar specified sign type allowed in the zone district.

- (2) Size. The maximum area of such other sign(s) shall not exceed the maximum size permitted for the most similar specified sign type, as determined under Subsection (g)(1).
- (3) Number of signs. The maximum number of such other signs shall not exceed the maximum number permitted for the most similar specified sign type, as determined under Subsection (g)(1) less the number of the most similar specified sign type on the property.
- (4) Other requirements. Other signs shall satisfy the requirements of Section **39-360(c)**. Appeals from determinations under this Section **39-361(g)** shall be made in accordance with the provisions of Section **39-360(c)**.

(h) Directional signs.

- (1) Directional signs describing the location of specific businesses in the C-3 Central Business District may be erected by the DDA upon approval by the DRB.
- (2) Such signs shall not contain advertisements for business.
- (3) Ground-mounted signs are permitted in the C-3 District only as directional signs and shall not exceed six feet in height, 24 square feet in total area.

Sec. 39-362. C-4 Regional Shopping Center District.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1373, 11-5-2003]

(a) Wall signs: The maximum sign area for wall signs may not exceed 10% of the wall area upon which the sign is placed.

(b) Freestanding signs:

- (1) Number: One sign per lot or parcel, except for a street frontage exceeding 300 continuous linear feet in which case two such signs shall be permitted on that lot or parcel.
- (2) Size: One square foot per each one foot of the street frontage along which the sign(s) is to be located and in no case shall the maximum sign area for a freestanding sign exceed 75 square feet. Properties located with street frontage on principal route U.S. 31 (excluding business routes); or Chicago Drive east of Waverly Road, may have a freestanding sign which measures a maximum of 100 square feet.
- (3) Location: A minimum of 25 feet from any property line or a distance equal to the height of the sign, whichever is greater.
- (4) Height: The sign shall be no higher than 25 feet from the grade.

(c) Awning, canopy, and marquee signs: The total sign area shall not exceed two square feet for each linear foot of street or parking lot frontage of the wall upon which the awning, canopy, or marquee is located. Signs shall be affixed flat to the awning, canopy, or marquee.

(d) Projecting signs:

- (1) Number: One per building wall which faces a street or parking lot. A building having multiple commercial tenants is permitted more than one projecting sign on a street or

parking lot frontage provided that the number of projecting signs does not exceed one for each 25 feet of frontage and one per tenant.

- (2) Size: Signs shall not exceed six square feet in area per sign.
- (3) Location:
 - a. Signs shall not project more than 36 inches from the face of the building or wall, nor extend beyond the roof or eave line for a one story building.
 - b. Signs shall maintain a clearance of eight feet from the sidewalk.
 - c. Signs shall be located below the window sill of the second floor window.

Sec. 39-363. C-5 Professional Office Service District.

[Ord. No. 1271, § 5, 2-2-2000; Ord. No. 1373, 11-5-2003; Ord. No. 1501, § 2, 4-23-2008]
The following provisions shall apply to signs in the C-5 Professional Office Service District:

- (a) Wall signs:
 - (1) Number: The maximum number of signs shall not exceed one per tenant street frontage or parking lot frontage.
 - (2) Size: The maximum area for all wall signs per building may not exceed one square foot of sign area for each one foot of building length of the wall upon which the sign is to be displayed.
- (b) Awning, canopy, and marquee signs:
 - (1) Size: The total sign area shall not exceed one square foot for each linear foot of street frontage of the wall upon which the awning, canopy, or marquee is located.
 - (2) Location: Signs shall be affixed flat to the awning, canopy, or marquee.
- (c) Projecting signs:
 - (1) Number: One per building wall that faces a street or parking lot. A building having multiple commercial tenants is permitted more than one projecting sign on a street or parking lot frontage provided that the number of projecting signs does not exceed one for each 25 feet of frontage and one per tenant.
 - (2) Size: Signs shall not exceed six square feet in area per sign.
 - (3) Location:
 - a. Signs shall not project more than 36 inches from the face of the building or wall, nor extend beyond the roof or eave line for a one-story building.
 - b. Signs shall maintain a clearance of eight feet from the sidewalk.
 - c. Signs shall be located below the windowsill of the second floor window.
- (d) Freestanding signs:
 - (1) Number: One sign per property.

- (2) Size: Properties with frontage on a street that has a posted speed limit of 35 miles per hour or less shall have a maximum freestanding sign area of 25 square feet. Properties with frontage on a street that has a posted speed limit of greater than 35 miles per hour shall have a maximum freestanding sign area of 50 square feet.
- (3) Location: Signs shall be located a minimum of five feet from any property line.
- (4) Height: Signs shall be no higher than five feet from the grade.

Sec. 39-364. I-1 and I-2 Industrial Districts.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1271, § 4, 2-2-2000; Ord. No. 1373, 11-5-2003]

The following provisions shall apply to signs located in the I-1 and I-2 Industrial District:

- (a) Maximum area: The maximum area for all signs shall not exceed two square feet per each linear foot of street frontage.
- (b) Temporary signs or banners: Temporary signs or banners for business promotions are permitted subject to a sign permit provided:
 - (1) Signs be displayed no longer than 14 consecutive days;
 - (2) Signs occur not more than twice in any calendar year;
 - (3) Signs comply with yard and height requirements for other signs in the zoning district;
 - (4) The total sign area for such signs shall not exceed an amount equal to the maximum sign area permitted in the applicable zoning district.
- (c) Wall signs: The maximum area for wall signs may not exceed 10% of wall area upon which the sign is placed.
- (d) Freestanding signs:
 - (1) Number: One sign per lot or parcel, except for a street frontage exceeding 300 continuous linear feet in which case two signs shall be permitted along that frontage.
 - (2) Size: The sign shall not exceed one square foot for each one foot of street frontage along which the sign(s) is to be located and in no case exceed 75 square feet.
 - (3) Location: A minimum of 25 feet from any property line.
 - (4) Height: The sign shall not exceed 10 feet in height.
- (e) Awning, canopy, and marquee signs: The total sign area shall not exceed two square feet for each linear foot of street or parking lot frontage of the wall upon which the awning, canopy, or marquee is located. Signs shall be affixed flat to the awning, canopy, or marquee.

Sec. 39-365. Adverse impact of article.

[Ord. No. 1100, 12-15-1993; Ord. No. 1188, 2-19-1997; Ord. No. 1271, § 4, 2-2-2000; Ord. No. 1373, 11-5-2003]

Any person adversely affected by the provisions of this article, with the exception of those provisions contained in this article relating to licensing and permits, may apply for a variance from the provisions herein according to the procedures set forth in Article **XII** of this chapter, the terms of which are incorporated herein by reference.

Sec. 39-366. Noncommercial messages on signs.

[Ord. No. 1309, 8-1-2001;^[1] Ord. No. 1373, 11-5-2003]

The provisions of this Article **IX** on signs shall not be construed to prohibit the owner of a sign otherwise lawfully constructed or existing under this Article **IX** to display noncommercial messages on a sign in any zone district.

[1]:

Editor's Note: This ordinance also repealed former Section 39-366, which pertained to billboards and off-premises advertising signs, adopted 12-15-1999 by Ord. No. 1100, as amended 2-19-1997 by Ord. No. 1188, 3-4-1998 by Ord. No. 1208, and 2-2-2000 by Ord. No. 1271.

Sec. 39-367. through Sec. 39-369. (Reserved)

Chapter 1476

Signs

This sign ordinance is adopted pursuant to MCL 117.4i of the Home Rule Cities Act to preserve the public health, safety and welfare of the citizens of the City of Traverse City.

1476.01	Title.	1476.09	Signs in planned areas.
1476.02	Purpose.	1476.10	Master Sign Plan.
1476.03	Application of chapter; conflict of laws.	1476.11	Sign illumination regulations.
1476.04	Definitions.	1476.12	Sign structures.
1476.05	Prohibited signs.	1476.13	Nonconforming signs.
1476.06	Signs authorized without a sign permit	1476.14	Violations.
1476.07	Signs authorized with a permit.	1476.15	Appeals.
1476.08	Specific sign regulations.	1476.16	Enforcement.
		1476.17	Transition.
		1476.99	Penalty.

1476.01 TITLE.

This chapter shall be known and cited as the Sign Ordinance.
(Ord. 632. Passed 4-19-04.)

1476.02 PURPOSE.

The purpose of this Chapter is to:

- (a) Protect property values by improving the City's image,
- (b) Acknowledge that signs help locate goods, services and facilities,
- (c) Promote safe travel by minimizing sign hazards, obstructions and driver distractions,
- (d) Recognize the contribution business signs make to sales, job opportunities and the City's tax base,
- (e) Recognize that well-designed signs create attractive business districts,
- (f) Further visibility and effectiveness of all signs by instituting reasonable standards,
- (g) Protect scenic views, landscapes, architecture and the night sky,
- (h) Provide flexible regulations for diverse needs,
- (i) Preserve public health, safety and welfare.
- (j) Provide time, place and manner regulations for signs; the provisions of this ordinance are intended to have neither the purpose nor the effect of imposing regulations on the content of signs.

(Ord. 632. Passed 4-19-04. Ord. 798. Passed 6-16-08.)

1476.03 APPLICATION OF CHAPTER; CONFLICT OF LAWS.

This chapter shall apply to the display, construction, erection, alteration, use, location and maintenance of all signs in the City. No person shall display, construct, enlarge, erect, alter, use or maintain any sign, except in conformity with this chapter. Furthermore, if any of the provisions of this chapter are inconsistent with the provisions of any other law presently existing or enacted in the future, the more restrictive requirement will apply. If any of the provisions of

any other chapter of these Codified Ordinances is clearly in conflict with this chapter, this chapter shall apply.

(Ord. 632. Passed 4-19-04.)

1476.04 DEFINITIONS.

As used in this chapter:

Awning means a retractable or fixed shelter constructed of materials on a supporting framework that projects from the exterior wall of a building. An awning sign is considered a “wall sign”.

Banner means a sign made of vinyl, cloth, plastic or other flexible material.

Building means any structure designed or built for the enclosure, shelter or protection of persons, animals, chattels or property of any kind.

Canopy means a permanently roofed shelter projecting over a sidewalk, driveway, entry, window or similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground including gas pump shelters.

Commercial use means a use for the sale of products or services.

Freestanding sign means a sign principally supported independent of any building.

Frontage, street. "Street frontage" means that side of a parcel which is adjacent to a street.

Grade means:

- A. For buildings having walls within 25 feet of a street: The average elevation of the sidewalks, curbs or centerlines of streets, whichever is closest to the building walls adjoining the streets.
- B. For buildings more than 20 feet from the street: The average of the lowest and highest ground surface elevations in an area within six feet of the foundation line of a building or structure.

Height means the vertical distance measured from the grade.

Illumination, indirect. "Indirect illumination" means lighting a sign by means of a light source which is directed at its front surface, or a light source which is primarily designed to illuminate the entire building facade upon which a sign is displayed. "Indirect illumination" does not include lighting which is primarily used for purposes other than sign illumination, e.g. parking lot lights, or lights inside a building which may silhouette a window sign but which are primarily installed to serve as inside illumination.

Illumination, internal. "Internal illumination" means lighting by means of a light source which is within a sign having an opaque background or silhouetting opaque letters or designs, or within letters or designs which are themselves made of a translucent material.

Industrial use means a use for the manufacture of products.

Institutional use means a school, church, hospital or any other public or quasi-public use.

Joint identification sign means a sign which serves as a common or collective identification for two or more commercial or industrial uses on the same parcel. Such sign may contain a directory to such uses as an integral part thereof, or may serve as general identification only for such developments as shopping centers, industrial parks and the like.

Landmark means an older sign designated by the Historic Districts Commission that by virtue of its age, rarity, historical significance, special design qualities, and characteristics of an earlier era, merits special regulatory treatment under this ordinance.

Light source means any artificial illumination and any reflecting surface which, by reason of its construction and/or placement, becomes, in effect, the light source.

Marquee sign means a sign depicted upon, attached to or supported by a marquee a permanently roofed structure attached to and supported by a building and projecting from the building.

Parcel means a portion of land under one ownership or one tax parcel identification number, whether or not part of a platted subdivision, occupied or intended to be occupied by a building or use.

Parcel width means the width of the parcel at the front building line.

Person means a corporation, association, partnership, trust, firm or similar activity as well as an individual.

Portable sign means a sign of A-frame or similar construction which can be easily removed on a daily basis.

Projecting sign means a sign which is attached directly to the building wall, and which extends more than fifteen inches from the face of the wall.

Recreational use means a use designed for activities such as picnicking, sports, swimming, biking, etc.

Residential use means a use primarily designed for non-commercial dwellings.

Roof sign means a sign erected, constructed or maintained upon, or which projects above, the roof surface of a building.

Sign means any writing, letter, word, symbol, pictorial representation, form light or structure which, by reason of its shape, bulk, color, message, wording, symbol, design, illustration, motion or otherwise, attracts or is designed to attract attention or to communicate a visual message, including any back lighted translucent, roof, wall, canopy or other architectural element.

Sign area means the total surface area of a sign that can be seen from one vantage point exclusive of supports and masonry encasing.

Sign face means the surface of a sign where the message is displayed or illustrated.

Sign structure means any supports, uprights or internal framework and bracing of a sign.

Sign, temporary means a sign intended to be displayed for a limited period and associated with a temporary event and one which is without permanent foundations or attached to the exterior of a building.

Structure means anything constructed or erected with a fixed location on the ground above grade, but not including poles, lines, cables or other transmission or distribution facilities of public utilities.

Suspended sign means a sign attached to and hanging below the ceiling of an eave, arcade, marquee or canopy.

Traffic directional sign (private) means a sign erected on private property for the purpose of guiding vehicular and pedestrian traffic only.

Trailer-mounted sign means a sign designed to be easily relocated to a different site to draw attention.

Wall, building means a side of a building lying in an uninterrupted plane.

Wall sign means a sign which is painted on or attached directly to a building wall with the face of the sign parallel to and extending not more than fifteen inches from the face of the wall.

Wall signs include awning signs.

Wind sign means a sign consisting of one or more pennants, ribbons, spinners, streamers, captive balloons, air pressure stabilized bags, or other objects or materials fastened or supported in such a manner as to provide movement when subjected to wind.

Window sign means a sign which is applied, affixed or attached to the interior of any building window.

Zoning Administrator means the Traverse City Zoning Administrator or other person charged with the administration of this chapter, or that person's duly authorized deputy.

(Ord. 632. Passed 4-19-04.) (Ord. 697. Passed 3-20-06. Ord. 869. Passed 7-6-10.)

1476.05 PROHIBITED SIGNS.

No person shall display, erect, use or maintain a sign for which a permit is required and has not been issued, or a:

- (a) **Electronic message sign** capable of changing any message or graphic and which does so more than once an hour.
- (b) **Imitation traffic sign** which, by reason of its shape, color, use of lighting, or other factor, is similar in both size and appearance to any official traffic signal or traffic sign or railroad sign or signal in a way that may, in the judgment of the Zoning Administrator, interfere with traffic movement or safety.
- (c) **Internally illuminated sign** in a predominately residential area.
- (d) **Motor vehicle with a sign** which is parked in a position visible to traffic on a public road or parking area for the primary purpose of displaying the sign to the public.
- (e) **Obsolete sign.** Any sign that does not meet the provisions of this Code, together with its supporting structure which is still standing 180 days or more after the premises have been vacated. This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided there is a clear intent to continue operation of the business.
- (f) **Portable sign** along Front Street between Union Street and Boardman Avenue except for governmental directional signs.
- (g) **Revolving sign or sign with movable parts** or which give the illusion of movement by means of illumination or otherwise, are not permitted, except barber poles less than eight feet in height are allowed.
- (h) **Roof sign.**
- (i) **Searchlights, lasers or other high intensity lights sources** to light the night sky.
- (j) **Sign on public property**, without the public property owner's approval.
- (k) **Trailer-mounted or similar portable sign**, such as a wheeled device.
- (l) **Unsafe sign.** Any sign or structure which is structurally unsafe, constitutes a hazard to the public health, welfare and safety or is not kept in a state of good repair, or any sign which obstructs free access to or egress from a required door, window or fire escape or other required exit way.
- (m) **Wind sign** as defined in section 1476.04.

(Ord. 632. Passed 4-19-04. Ord. 869. Passed 7-6-10. Ord. 1031. Passed 3-21-16)

1476.06 SIGNS AUTHORIZED WITHOUT A SIGN PERMIT.

Subject to any other applicable requirements and permits, the following are authorized without a sign permit:

- (a) **Banners within the public right-of-way** with the public property owner's permission.

- (b) **Copy changes** to bulletin boards, display cases or marquees, or maintenance where no structural changes are made, or copy changes on signs using interchangeable letters.
- (c) **Cornerstones and commemorative tablets** identifying a building or building complex that are an integral part of the building.
- (d) **Directional signs**, two entrance/exit directional signs per driveway, each four square feet or less, and limited to 42 inches in height. These signs may be illuminated.
- (e) **Flag Signs** not exceeding 15 square feet in area with no dimension greater than 5 feet. Flag signs are limited to one per business front or parcel. Flag signs shall be installed in a manner that will not impede pedestrian traffic.
- (f) **Inconspicuous signs** which are not readable beyond the boundaries of the parcel upon which they are located or from any public or private street or alley.
- (g) **Landmarks and historical site signs** at least 50 years old which may no longer advertise an existing business activity, but are designated “Landmark Signs” by the Traverse City Historic Districts Commission because of their historical significance and ongoing value to the community. The owner of any sign 50 years or older may submit a written request for designation as a “Landmark Sign” to the Historic Districts Commission and a list of “Landmark Signs” shall be maintained by the Zoning Administrator.
- (h) **Neighborhood identification signs** which identify a commercial district or recognized residential neighborhood when located on public land or within a public right of way with the public property owner’s approval.
- (i) **Official governmental notices and notices** posted by governmental officers in the performance of their duties; governmental-owned directional signs, signs to control traffic, identify municipal boundaries, or for other regulatory purposes, to identify streets or to warn of danger; however, identification or bulletin board signs accessory to governmental buildings or other governmental facilities are not exempt from the requirements of this chapter.
- (j) **Small signs, one wall or projecting sign per one or two-family residential parcel.** The sign shall not be illuminated, shall not exceed two square feet in area and shall not exceed a height of eight feet above ground level.
- (k) **Temporary signs** such as those associated with construction projects, real estate sales or leases and other such temporary signs in connection with:
 - (1) Commercial, industrial, multiple family, recreational and institutional uses. These signs shall not be illuminated, are limited to two per parcel and limited to a maximum area of 32 square feet and eight feet high each. These signs shall be set back ten feet from the front property line. These signs shall be removed within 14 days after the conclusion of the project, sale or event.
 - (2) One and two-family residential uses. These signs shall not be illuminated, are limited to a maximum area of six square feet each and 42 inches in height. These signs shall be located on private property. These signs shall be removed shall be removed within 14 days after the conclusion of the project, sale or event.
 - (3) Temporary signs shall not be arranged to create a sign with a single message exceeding the size and area requirement of this section.
 - (4) Temporary signs shall be adequately secured and must be taut or made of a rigid material.

- (l) **Vehicle mounted signs** with a permanent message displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as a sign indicating the name of the owner or business, which sign is located on a moving van, delivery truck, rental truck, trailer or the like, provided that the primary purpose of such vehicle is not for the display of signs, and provided, further, that such vehicle is parked or stored in an area appropriate to its use as a work vehicle;
- (m) **Warning signs** exclusively devoted to warning the public of dangerous conditions and unusual hazards.
- (n) **Window signs** for commercial, industrial, institutional and recreational uses, not exceeding 25% of each window area.

(Ord. 632. Passed 4-19-04. Ord. 797. Passed 06-02-08. Ord. 869. Passed 7-6-10.)

1476.07 SIGNS AUTHORIZED WITH A PERMIT.

- (a) **Permit required.** Except as otherwise provided in this chapter, no person shall display, erect, relocate or alter, excluding maintenance, any sign or allow the same to occur on his or her property without first obtaining a sign permit. A sign permit is required before the following types of signs may be displayed, erected, relocated or altered:

- (1) Freestanding signs.
- (2) Wall signs, including awning signs.
- (3) Canopy signs.
- (4) Projecting signs.
- (5) Suspended signs.

If all requirements of this Chapter and all other laws are met, the Zoning Administrator shall issue a sign permit.

- (b) **Applications.** The owner or tenant of the property on which the sign is to be located, Or his or her authorized agent, shall complete and sign an application for a sign permit on forms furnished by the City. The application shall be accompanied by a Master Sign Plan according to Section 1476.09. The Zoning Administrator shall, within ten working days of the date of the application, either approve or deny the application or, if sufficient information has not been furnished, refer the application back to the applicant.
- (c) **Fees.** Each sign permit application shall be accompanied by a non-refundable permit fee, in an amount determined by resolution of the City Commission. This fee shall be in addition to any electrical permit fee or building permit fee. Where any sign is displayed without the required sign permit, the fee for the sign permit shall be doubled. When any permit has been revoked, permit fees shall not be refunded.
- (d) **Display.** Each sign requiring a sign permit shall contain a clearly legible identification plate, no larger than 15 square inches in area, stating the name of the person responsible for its construction and erection, along with the installation date and permit number.
- (e) **Modifications.** When a sign permit has been issued by the Zoning Administrator, no person shall change, modify, alter or otherwise deviate from the terms or conditions of such permit without the prior written approval of the Zoning Administrator.
- (f) **Expiration.**

- (1) If actual work is not commenced under a sign permit issued within one year from the date of such permit or if substantial building operations under any permit issued under this chapter are suspended for 180 consecutive days, the permit shall automatically become null and void.
- (2) Upon written request stating the reasons therefore, the Zoning Administrator may extend the permit for one additional year upon good cause shown. All requests for extensions and approval thereof shall be in writing.

(Ord. 632. Passed 4-19-04.)

1476.08 SPECIFIC SIGN REGULATIONS.

- (a) **Applicability.** The regulations contained in this section apply specifically to signs authorized with a permit.
- (b) **Schedule of regulations.** Freestanding, wall, canopy, awning, projecting, suspended, window signs, and portable signs must comply with the place, area, height, number and location requirements in the Schedule of Regulations contained in this section. In addition to any other regulations contained in this Code, the following specific regulations apply:

(1) Freestanding and wall signs.

- (A) Freestanding signs area computations are computed as shown in Appendix A.
- (B) Freestanding signs shall be set back in conformity with clear vision triangle standards if located near intersections and driveways. See Appendix B.
- (C) Freestanding signs are not allowed in the downtown area, described on Appendix C.
- (D) A multiple family residential use in a predominately one or two family residential area shall be limited to one wall or projecting sign per parcel, shall not be illuminated, shall not exceed two square feet in area and shall not exceed a height of 8 feet above ground level.
- (E) A commercial, industrial, or institutional use utilizing a freestanding or wall sign located in a predominately one or two family residential area shall be limited to the following:
 - 1. No freestanding sign shall exceed 6 feet in height
 - 2. No sign shall exceed 24 square feet in area.
 - 3. No sign shall be internally illuminated.
- (F) In no case shall the area of a wall sign or signs exceed 15% of the area of the wall upon which the sign or signs are displayed.

(2) Projecting and suspended signs:

- (A) Shall not project over a building's roofline.
- (B) May project over public property only with the public property owner's permission.
- (C) May be accepted from the maximum sign area requirements by the Zoning Administrator for theater marquees in cases where necessary copy and standard changeable letter sizes clearly necessitate such an exception.
- (D) The owner of a sign projecting over City property shall provide

comprehensive general liability insurance in an amount determined by the City Clerk. Proof of such insurance shall be submitted upon application for a sign permit, shall name the City as an additional insured, and shall provide no less than 30 day advance notification of cancellation to the City.

(E) Shall not be internally illuminated, except for signs made of metal with individual routed letters or logos.

(3) **Portable signs:** Portable signs during hours of operation only.

(c) **Sign bonuses.** Bonuses in height and area for freestanding and wall signs may be granted by the Zoning Administrator for the following:

(1) **Freestanding signs.** The base area for freestanding signs may be increased up to a maximum total sign area of 40 square feet for the following:

(A) **Height.** A sign 8 feet or less in height: an additional 10 square feet in sign area is allowed.

(B) **Background.** A sign having a dark or opaque sign face of at least 60%: an additional 10 square feet is allowed. (See Appendix D)

(2) **Wall signs.** The base area or height for wall signs may be increased up to a maximum total sign area of 65 square feet for the following:

(A) **Background.** A sign having a dark or opaque sign face of at 60%: an additional 15 square feet is allowed.

(B) **No freestanding sign.** If there is no freestanding sign on the premises, an additional 15 square feet is allowed.

(C) **Single individual letters or logos** that appear integral to the architecture and made of metal or masonry may exceed the maximum height requirement provided the letters meet the area requirements as outlined in the Schedule of Regulations. The letters and logos shall not be internally lit.

(3) **Canopy signs.** For a commercial, industrial, institutional or recreational use, an additional sign is allowed on a canopy if there is no freestanding sign on the parcel or if the freestanding sign on the parcel is less than 24 square feet in area and no taller than 8 feet in height. The sign on the canopy shall be no larger than 12 square feet and on a canopy no taller than 18 feet. Two such signs per parcel are allowed on the canopy.

(d) **Time-Temperature-Date Devices.** Clocks and thermometers may be incorporated into any sign provided such device does not exceed nine square feet.

(Ord. 696. Passed 3-20-06. Ord. 869. Passed 7-6-10. Ord. 984. Passed 11-4-13)

SCHEDULE OF REGULATIONS

Sign	Place	Size		Height ¹	Number	Location
		Base area	Area bonus ¹			
Freestanding ²	Commercial, industrial, institutional, recreational (Except not allowed in the “downtown” area shown on Appendix C)	20 square feet	For a lower sign: 10 additional square feet. For a dark or opaque background: 10 additional square feet.	15 feet or the height of the principal building, whichever is less	Street frontage per parcel : 0' - 200': 1 sign 201' -399': 2 signs 400' or more: 3 signs per parcel	Set back minimum of 10 feet from any property line (Not allowed in the “downtown” area shown on Appendix C)
	Multiple family residential	12 square feet	N/A	6 feet	1 per street frontage per parcel	
Wall and awning ²	Commercial, industrial, institutional, recreational	Business front width feet x 1.5 feet or 35 square feet, whichever is less but not more than 15% of wall area	For a dark or opaque background: 15 additional square feet If no freestanding sign: an additional 15 square feet	18 feet or one foot below the second floor window trim, except as in Section 1476.08(c)(2), <i>Specific Sign Regulations</i>	N/A	First floor of building wall, except as provided in 1476.08(c)(2), <i>Specific Sign Regulations</i>
	Multiple family residential	12 square feet ¹	N/A	18 feet or one foot below the second floor window trim, except as in Section 1476.08(c)(2), <i>Specific Sign Regulations</i>	1 sign per parcel	First floor of building wall, except as provided in 1476.08(c)(2), <i>Special Sign Regulations</i>
Canopy ²	Commercial, industrial, institutional, recreational	6 square feet	For a dark or opaque background: an additional 6 square feet	18' maximum	2 per canopy ²	See Section 1476.08(c)(3) for conditions
Projecting/ Suspended ²	Commercial, industrial, institutional and recreational	12 square feet, except theater marquees may be excepted (see 1476.08(b)(2))	N/A	Minimum 8' Maximum 15'	1 sign per business front	1. Projecting - not more than 4 feet from the face of the building 2. Suspended - not beyond the outside limits of the arcade, marque or eave to which it is attached.

Window	Commercial, industrial, institutional and recreational	Twenty-five percent of each window area is authorized <i>without</i> a sign permit. See Section 1476.06(l).				
Portable	Commercial, industrial, institutional and recreational	6 square feet with no dimension greater than 3 feet	N/A	Maximum 4'	1. One sign per business front 2. If no business front, one per parcel.	1. On private property within 10 feet of building face. 2. If no building face, 10 feet from any property line.

¹ For commercial, industrial, multiple family dwellings, recreational or institutional users in a predominantly residential block, see Section 1476.08.

² See Section 1476.08 for conditions.

(Ord. 632. Passed 4-19-04. Ord. 641. Passed 5-17-04.)(Ord. 696. Passed 3-20-06. Ord. 869. Passed 7-6-10.)

1476.09 SIGNS IN PLANNED AREAS.

Any sign located in a planned unit development, a zoning district requiring a Master Site and Facilities Plan, or a Planned Redevelopment district shall conform to the requirements of this chapter unless specifically exempted therefrom in the approved Master Signage Plan as a part of a Master Site and Facilities Plan, an order granting the planned unit development or as part of a formal project approval by the Grand Traverse Commons Redevelopment Corporation.

A sign located on the Grand Traverse Commons Planned Redevelopment District shall conform to the guidelines of the site graphics section of the Grand Traverse Commons District Plan, pages 141-143. No signs shall be erected or displayed in this Planned Redevelopment District without a sign permit and no sign permit shall be issued until the design, illumination and location of the proposed sign is approved by the Planning Director.
(Ord. 632. Passed 4-19-04.)

1476.10 MASTER SIGN PLAN.

- (a) **Plan Required.** No permit shall be issued for an individual sign unless a Master Sign Plan for the site upon which the sign is to be erected has been submitted to and approved by the Zoning Administrator as conforming with this ordinance. No sign shall be erected on any site unless it is shown on an approved Master Sign Plan.
- (b) **Submittal Requirements.** A Master Sign Plan submitted for approval shall include the following:
 - (1) An accurate site plan, drawn to scale, showing the proposed location of each freestanding sign and the location of all buildings and driveways on the parcel.
 - (2) An accurate elevation of each building wall intended to accommodate a sign, including window signs, showing the location, dimensions, and height of each sign above grade level.
 - (3) A computation of the area of each sign on the parcel.
 - (4) An illustration depicting each proposed sign, its size and proportions, color scheme, construction material and type of illumination.
- (c) **Amendment.** A Master Sign Plan may be amended by filing a new plan which conforms to all of the requirements of the Sign Ordinance.
- (d) **Binding Effect.** Upon approval of a Master Sign Plan, no sign shall be erected, placed, painted, attached or maintained, except as shown on such plan and a violation of the approved plan may be enforced in the same manner as any provision of this ordinance. In the case of a conflict between the provisions of the Master Sign Plan and any other provision of the Sign Ordinance, the ordinance shall control.

(Ord. 632. Passed 4-19-04.)

1476.11 SIGN ILLUMINATION REGULATIONS.

Illuminated signs shall be designed, constructed, and installed to comply with the following standards in order to reduce glare and the general overwash of light to public rights-of-way and residential uses and to promote the protection of the dark sky.

- (a) Flashing, rotating and intermittent lighting is prohibited except for marquee signs on buildings used solely for theaters for the general public subject to the following conditions:
 - (1) Only permitted in area shown in Appendix E.

- (2) The marquee shall be designed as to not be dangerous or confusing to motorists on the public right-of-way by its color, wording, design, location, or illumination that would resemble or conflict with any official traffic-control device or which impedes the safe and efficient flow of traffic.
 - (3) The marquee lights shall be lit only during times the theater is in operation.
 - (b) Back-lighted individual opaque channel letterforms shall be softly silhouetted against their background.
 - (c) Internally illuminated channel letters and logos with translucent faces, shall contain soft, diffused light sources inside each letter or logo.
 - (d) With the exception of directional and “no vacancy” signs, no sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless the premises are open for business.
 - (e) Externally lit signs associated with multiple family residential uses are allowed.
 - (f) Electronic message signs shall not exceed a light intensity of 10 percent of the day time use between dusk and dawn.
- (Ord. 632. Passed 4-19-04. Ord. 797. Passed 6-02-08. Ord. 1032. Passed 3-21-16)

1476.12 SIGN STRUCTURES.

The following requirements apply to all signs requiring a permit:

- (a) **General Design.** Signs and sign structures shall be designed and constructed to meet any requirements of the Michigan State Construction Code, as amended, and with all applicable regulations adopted thereunder.
- (b) **Maintenance.** Every sign, including those specifically exempt from this chapter with respect to permits and permit fees, shall be maintained in good repair and sound structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or constructed of rust resistant metals.
- (c) **Safety.** All signs must remain safe and secure during the period of use. All parts of the signs, including bolts and cables, shall remain painted and free from corrosion. The Zoning Administrator shall inspect and may order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

(Ord. 632. Passed 4-19-04.)

1476.13 NONCONFORMING SIGNS.

- (a) **Description.** A legal nonconforming sign is any sign which was lawfully erected and maintained prior to the enactment of this chapter, and any amendments thereto, and which does not conform to all the applicable regulations and restrictions of this chapter and any amendment thereto.
- (b) **Continuation.**
 - (1) A legal nonconforming sign may be continued and shall be maintained in good condition, but it shall not be:
 - (A) Converted to another nonconforming sign by changing the sign face.
 - (B) Expanded or altered so as to increase the degree of nonconformity of the sign.
 - (C) Re-established after damage or destruction, ordinary wear or obsolescence, if the estimated cost of the reconstruction or renovation

exceeds fifty percent of the replacement sign cost as determined by the Zoning Administrator.

(D) Continued in use following construction of a new building, reconstruction, substantial addition to or improvement of an existing building when the value of such construction exceeds \$50,000 in a twelve-month period.

(2) If there are multiple nonconforming signs on a parcel and only the face of any one of the signs is changed, only the changed sign or signs must be brought into compliance with this Code.

(3) Any legal nonconforming sign designed for changing the sign's message on a regular basis (such as a bulletin or message board, joint identification sign, or gasoline pricing sign where individual letters, numerals or name panels are readily interchangeable) may be changed without having to be brought into compliance with this Code.

(c) **New additional signs.** On parcels where a sign or signs is a legal nonconforming sign, no new additional sign shall be erected until all such nonconforming sign or signs on the parcel are brought into compliance with this chapter.

(Ord. 632. Passed 4-19-04. Ord. 642. Passed 5-15-04.)

1476.14 VIOLATIONS.

(a) **Notice.** If the Zoning Administrator finds that a sign violates this chapter, he or she shall give written notice to the owner of the sign or to the owner of the property where the sign is located and an order ordering that the violation be corrected.

(b) **Order.** The order shall specify those sections of this chapter violated, and shall state the amount of time from the date of the order in which to either correct the alleged violation or appeal the order to the Board of Zoning Appeals.

(c) **Compliance.** If such person fails to bring the sign into compliance within the time given in the notice, the Zoning Administrator may, in addition to the other remedies provided in this Code, cause such sign to be brought into compliance at the expense of the owner or the owner of the property where the sign is located and cause the permit to be revoked.

(d) **Dangerous signs.** If the Zoning Administrator finds that a sign endangers public or private property or public safety, the Zoning Administrator may, after notice given to the owner of the sign and of the property where the sign is located, immediately remove or alter such sign at the expense of the sign owner or property owner.

(e) **Forfeiture of Fees.** When any permit has been revoked, permit fees shall not be refunded.

(Ord. 632. Passed 4-19-04.)

1476.15 APPEALS.

(a) **Board.** The Board of Zoning Appeals shall serve as the appeals board for the purposes of this Chapter.

(b) **Powers.** Nothing contained herein shall be construed to empower the Board of Appeals to substantially change the terms of this Chapter, or to significantly add to the types of signs permitted on any premises. Upon an affirmative vote of the majority of the members present, the appeals board shall have the power to:

- (1) **Modify or reverse**, wholly or partly, the notice or order of the Zoning Administrator.
- (2) **Grant an extension of time** for the performance of any act required of not more than three (3) additional months, where the appeals board finds that there is practical difficulty or undue hardship connected with the performance of this Chapter or by applicable rules or regulations issued pursuant thereto, and that such extension is in harmony with the general purpose of this Chapter to secure the public health, safety and welfare.
- (3) **Grant exceptions** only in cases involving unique circumstances when the evidence in the official record of the appeal supports all of the following affirmative findings:
 - (A) That the alleged circumstances are exceptional and peculiar to the property of the person requesting the exception, and result from conditions which do not exist generally throughout the City.
 - (B) That the alleged consequences resulting from a failure to grant the exception include substantially more than mere inconvenience, or mere inability to attain a higher financial return.
 - (C) That allowing the exception will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant an exception, and the rights of others whose property would be affected by the allowance of the exception, and will not be contrary to the public purpose and general intent and purpose of this Chapter.
 - (D) The above findings of fact shall be made by the Board of Appeals, which is not empowered to grant an exception without an affirmative finding of fact in each of the categories above. Every finding of fact shall be supported in the record of the proceedings of the Board.
- (4) **Interpret** this chapter in such a way as to carry out its intent and purpose.
- (c) **Initiating Appeals.** Appeals shall be filed with the Zoning Administrator on an application form determined by the Zoning Administrator and shall be accompanied by a fee established by the City Commission. Appeals shall be filed within forty-five (45) days after written notice is given of the action being appealed. An appeal must be submitted at least twenty-one (21) days before the Board meeting at which it will be considered.
- (d) **Application.** The application form shall be signed by the owner or someone acting upon written consent of the owner, which written consent must be submitted with the application. Applications shall be accompanied by a Master Sign Plan and any other information the Zoning Administrator deems pertinent. All previous appeals involving the property noted on the application as to the subject, date and outcome of the appeal.
- (e) **Notices.** The Zoning Administrator shall give notice of a hearing on an appeal to all owners of record of real property within 300 feet of the parcel on which the sign is located. Such notice shall be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll at least fifteen days prior to the hearing.
- (f) **Advertisements.** One advertisement in a local newspaper of general circulation indicating the nature of the appeal and the date of the hearing will be placed between

seven and 20 days before the hearing. A minor deviation in the notice published in the newspaper or in the time of appearance of such notice in the newspaper shall not affect the validity of the proceedings of the Board unless there is a clear demonstration of prejudice as a result of such minor deviation.

- (g) **Representation at Hearing.** The applicant or the applicant's authorized agent must be present at the public hearing to properly answer questions concerning the appeal. If the applicant or agent is not present, the appeal may be deferred until the next meeting or dismissed, at the discretion of the Board.
- (h) **Reconsideration.** An applicant may re-appeal a decision after twelve months from the decision of the Board. The Board will not reconsider any appeal within twelve months from the date of the decision unless it can be shown by the applicant that there has been substantially changed circumstances affecting the appeal, which circumstances were not known to the Board at the previous hearing. The substantial change in circumstances shall be described, in writing, by the applicant at the time of the application. Before rehearing the matter, the Board shall decide whether there is a substantial change in circumstances allowing the rehearing.

(Ord. 632. Passed 4-19-04.)

1476.16 ENFORCEMENT.

The Zoning Administrator or his or her designee shall enforce this chapter. He or she shall appear for and on behalf of the City in all matters regarding the interpretation and application of this chapter and shall resist and oppose any deviations from this chapter.

The Zoning Administrator and his or her designees, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to any violation of this chapter pursuant to Section 1.f Act 147 of the Public Acts of 1968, as amended (MCLA 764.9(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

The Zoning Administrator or his or her authorized representative may enter at reasonable times any land, building, structure or premises in the City to perform any duty imposed upon the Zoning Administrator by this chapter.

(Ord. 632. Passed 4-19-04.)

1476.17 TRANSITION.

The intent of this chapter is to make the Sign Ordinance fully effective as soon as possible, but to allow for the continuation of all sign permits. All sign permits which have been previously issued, but which have not been acted upon by the permit holder by starting substantial construction, are hereby revoked. Other such permits may be continued if construction is diligently pursued and timely completed.

(Ord. 632. Passed 4-19-04.)

1476.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is subject to the civil infraction sanctions according to Traverse City Code Section 202.99, injunctive relief, nuisance abatement, surcharges and equitable remedies as provided in the Traverse City Code

SIGNS

of Ordinances or as otherwise available under the law, as well as any damages resulting from such violation. A separate offense is deemed committed each day during or on which a violation or noncompliance occurs or continues.

(Ord. 632. Passed 4-19-04.)

APPENDIX A



PROPOSED SIGN



SIGN AREA



PROPOSED SIGN



SIGN AREA



PROPOSED SIGN



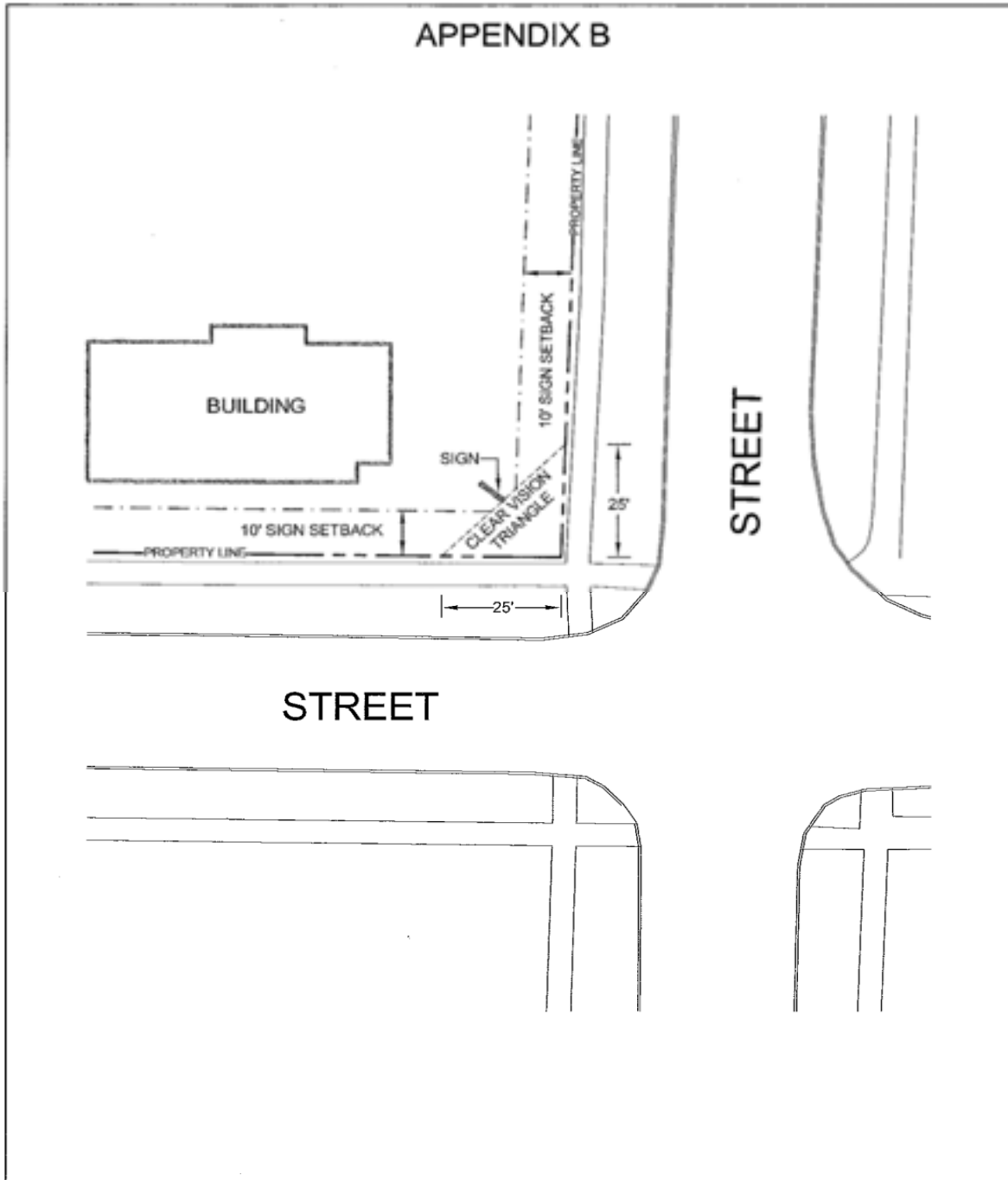
SIGN AREA

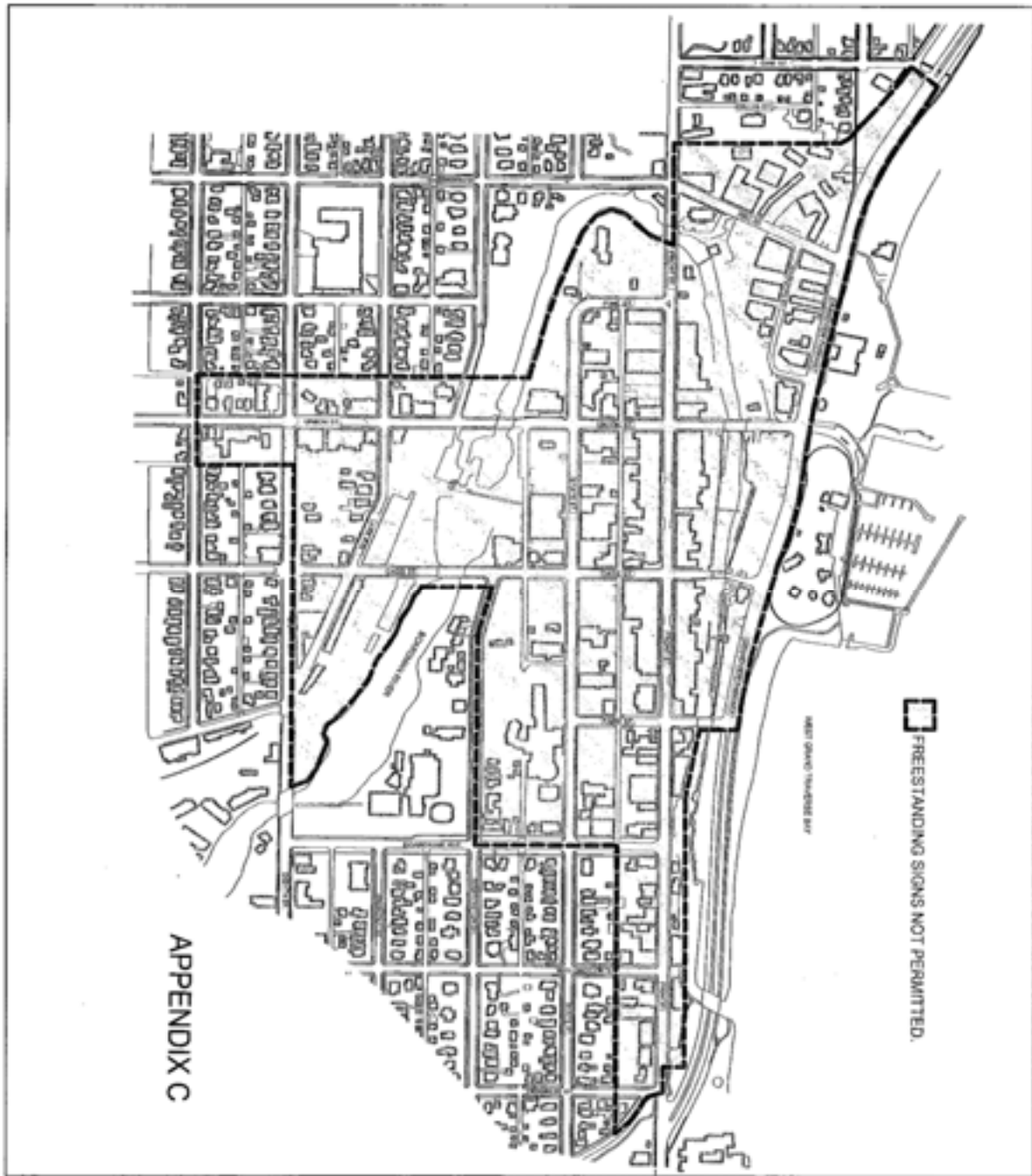


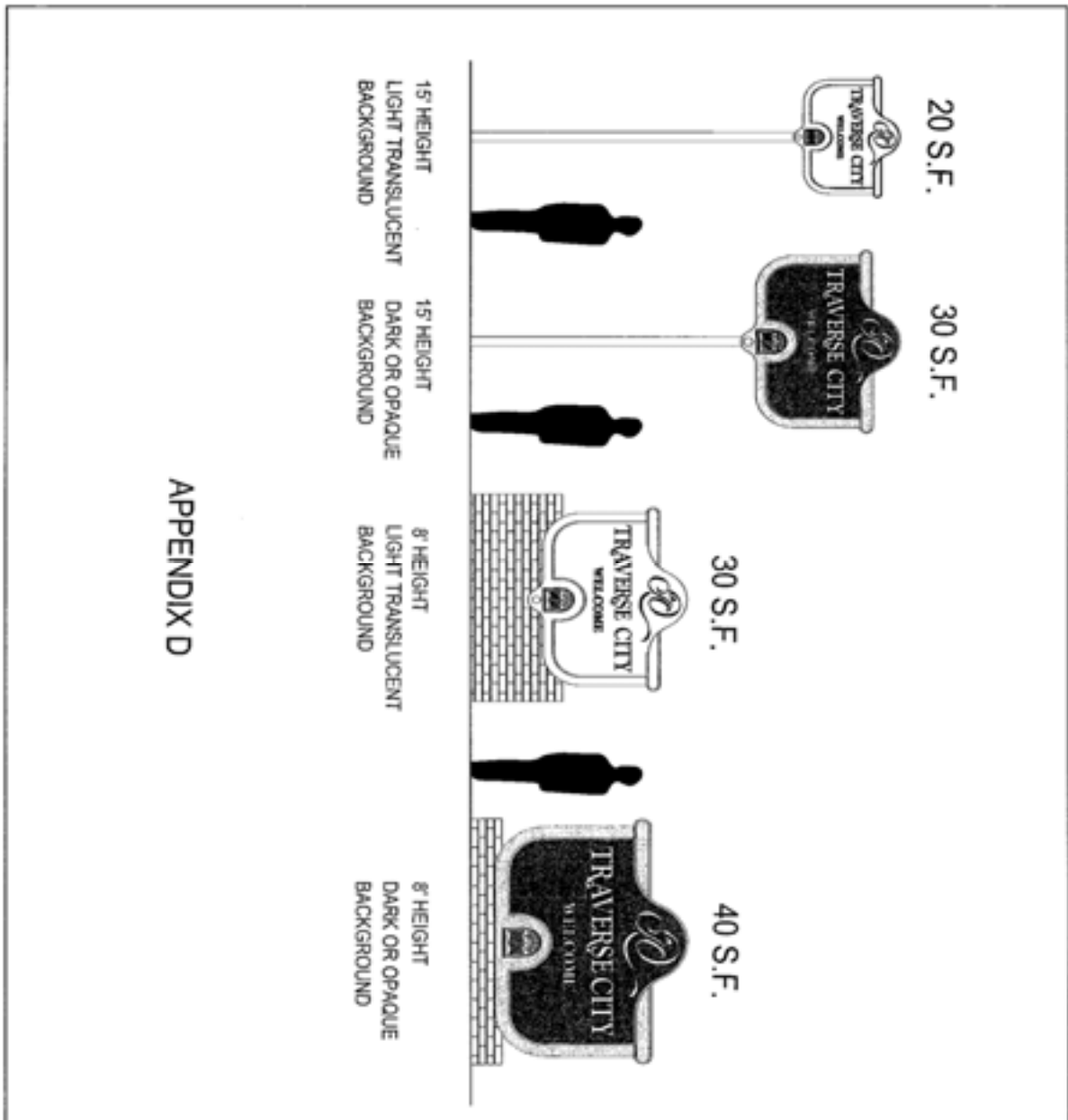
PROPOSED SIGN



SIGN AREA







APPENDIX "E"



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**Traverse City
Department of Public Services
Asset Management**

