



PROPOSED AGENDA
REGULAR MEETING OF THE CHARLOTTE PLANNING COMMISSION
111 E. Lawrence Ave, Charlotte, MI 48813 (517) 543-2750
7:00 P.M. Tuesday, January 4, 2022

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Minutes – November 9, 2021 & September 21, 2021
5. Early Public Comment – Limit presentation to 5 minutes
6. Election of Officers
7. Sign Ordinance discussion
8. Home Occupation standards discussion
9. Reports, comments and other correspondence
12. Late Public Comment – Limit presentation to 5 minutes
13. Adjourn

~Mikayla Densmore, Deputy City Clerk

ADDRESSING THE PLANNING COMMISSION

1. Comments shall be made only during times set aside for that purpose.
2. Each citizen may speak for up to 5 minutes during each public hearing and comments period.
3. Comments made during public hearings shall be relevant to the subject of the public hearing.
4. Speakers shall begin by stating their name and address.
5. Speakers shall refrain from using vulgarity, hate speech or “fighting words.”

PLANNING COMMISSION MINUTES

Regular Meeting September 21, 2021

CALL TO ORDER: The meeting was called to order by Commissioner McRae at 7:05 P.M.

PRESENT: Commissioners Clarke, Duweck, Snyder, McRae, Christensen; Also, present: Community Development Director Myrkle, & Deputy City Clerk Densmore.

ABSENT: Chairperson Brummette, Commissioner Garrett & Council Member VanStee

Commissioners cited the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion by Commissioner Snyder, second by Clarke to approve the minutes of August 3, 2021. Carried. 5 Yes. 0 No

APPROVAL OF AGENDA:

Motion by Commissioner Duweck, second by Snyder to approve the agenda. Carried. 5 Yes. 0 No.

EARLY PUBLIC COMMENT:

None

PUBLIC HEARING:

A.) Lot Split 339 & 341 North Bostwick St.

B.) Lot Split 437 & 441 West Lawrence Ave.

ACTIONS ON RESOLUTIONS:

A.) Lot Split 339 & 341 North Bostwick St.

Motion by Commissioner Snyder, second by Clarke to approve

resolution 2021-132. Carried. 5 Yes. 0 No.

B.) Lot Split 437 & 441 West Lawrence Ave.

Motion by Commissioner Duweck, second by Snyder to approve resolution 2021-133. Carried. 5 Yes. 0 No.

NEW BUSINESS:

Discussion of Ad Hoc Committee on Code Enforcement Recommendations:

Community Development Director Bryan Myrkle gave a brief overview on the last items being discussed during the Ad Hoc Committee meeting.

Certain chapters of the City Ordinances require Planning Commission's recommendation.

A Couple Ordinances each meeting should help to get through the ordinances that require planning commission recommendations.

REPORTS, COMMENTS AND CORRESPONDENCE

The City is currently taking applications looking for a code enforcement officer to handle complaints on ordinance violations around the City.

LATE PUBLIC COMMENT:

None

There being no further business, Commissioner Snyder, supported by McRae moved to adjourn at 7:37 p.m.

Mikayla Densmore, Deputy City Clerk

**CITY OF CHARLOTTE
PLANNING COMMISSION MINUTES
Regular Meeting
November 09, 2021**

CALL TO ORDER:

The meeting was called to order by Chairperson Brummette at 7:00 p.m.

PRESENT:

Chairman Brummette, Commissioners Duweck, Snyder, McRae, Clarke, Community Development Director Myrkle, City Manager LaPere and City Clerk LaRocque.

ABSENT:

Garrett, Christensen.

PLEDGE OF ALLEGIANCE:

Led by Chairman Brummette.

APPROVAL OF MINUTES:

Minutes of the September 8, 2021 Planning Commission meeting to be presented and approved at the December 7, 2021 Planning Commission meeting.

PUBLIC COMMENT:

None

PUBLIC HEARING:

Resolution 2021-156 815 High Street Conditional Use Request

Public Comment:

Darrell Ferree stated the type of business doesn't fit well in a residential area. Patricia Kuptz concerned about supervision, patients trespassing her property, who has oversight on the conditional use compliance.

Gerald Fetterman asks how large can the business grow, what recourse does he have if problems occur, where does therapist work, how does the fee charged work.

Mike Barrets, owner of an apartment complex in the area, stated he fully supports the property owner being allowed to use her property any way she desires.

Dustin Sangster is concerned about delinquent individuals in the area. Therapist Alicia Montoya addressed the questions regarding patient billing and her role at the facility.

Owner Julia Mangrum addressed questions related to growth of the business, supervision of patients, therapy work provided, and other general answers to satisfy the public and the Planning Commission.

Planning Commission discussions included the addition of the following conditions;

Limit of four horses; limit of four patients per day; no overnight stay for any patient; 2 adult supervisors present while patients are on sight; subject to a 2 year review by the Planning Commission.

APPROVAL OF RESOLUTION:

**CITY OF CHARLOTTE
PLANNING COMMISSION RESOLUTION NO. 2021-156
A RESOLUTION TO GRANT A CONDITIONAL USE PERMIT
TO JULIA MANGRUM FOR A THERAPY RIDING FACILITY
AT 815 HIGH STREET**

WHEREAS, the City of Charlotte Planning Commission has received a request for a Conditional Use Permit to operate a therapy riding facility as a home occupation at 815 High Street; and

WHEREAS, 815 High Street is zoned R-1 Single Family Residential; and

WHEREAS, a therapy riding center as a home occupation is

not specifically allowed or disallowed and requires evaluation by the Planning Commission; and

WHEREAS, in order to grant the Conditional Use permit the Planning Commission must determine the proposed use will not:

1. Change the outside appearance of the dwelling or be visible from the street.
2. Generate traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood.
3. Create noise, vibration, glare, fumes, nor odors, nor result in electrical interference, nor become a nuisance.
4. Result in the outside storage or display of anything.
5. Require the employment of anyone in the home other than the dwelling occupants.
6. Require exterior building alterations to accommodate the occupation.
7. Occupy more than 25% of the ground floor area of the dwelling, or 50% of a detached garage.
8. Require parking for customers that cannot be accommodated on the site and/or at curbside on the street.
9. Require the delivery of goods or the visit of customers before 6:00 a.m. and after 8:00 p.m.; and

WHEREAS, the Planning Commission hereby does make these determinations; and

WHEREAS, the Planning Commission imposes the following additional conditions on this use:

1. The number of horses on the property is limited to four.
2. The number of patients seen in a day is limited to four.
3. Overnight stays by any patient is prohibited.
4. A minimum of 2 adult supervisors must be present when patients are onsite.

5. This use is subject to a Planning Commission review in 2 years.

THEREFORE, BE IT RESOLVED the City of Charlotte Planning Commission hereby grants a Conditional Use Permit for a therapy riding facility as a home occupation at 815 High Street.

The foregoing resolution was offered by Snyder supported by Duweck for approval by a roll call vote; Yea 5; Nay 0; Absent 2. Motion passed.

NEW BUSINESS:

Sign ordinance

Discussions, no actions taken

Home occupation standards

Discussions, no actions taken

Planning Commission By-Laws

Discussions, no actions taken

PUBLIC COMMENT:

None

ADJOURN:

Motion by Snyder supported by Brummette to adjourn the meeting at 9:38 p.m.



Mary LaRocque, City Clerk

Section 82-461 Signs

- (A) Purpose and Intent. The purpose and intent of these regulations is to foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations. Additionally, to promote the creation of an attractive visual environment that promotes a healthy economy by permitting businesses to inform, identify and communicate effectively; and directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites.

Further, to protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by encouraging the appropriate design, scale and placement of signs.

Finally, to have administrative review procedures that are the minimum necessary to balance the community's objectives and regulatory requirements. The intent is to ensure consistent enforcement of the sign code; minimize the time required to review a sign application; and provide flexibility as to the number and placement of signs so the regulations are more responsive to business needs while maintaining the community's standards.

- (B) Definitions. The following words and phrases used in this Section shall have the following meaning.

Abandoned Sign. A sign that no longer advertises or identifies a business establishment, product, use, or activity for a period of at least 180 consecutive days.

Alteration. Any change in copy, color, size or shape which changes the appearance of a sign, or a change in the position, location, construction, or supporting structure of a sign.

Animated Sign. A sign which has any visible moving part, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that alter the sign's appearance in a manner that is not permitted by these regulations.

Area of Sign. Refer to measurement standards in Section XXXX.

Attraction or Reader Board. Any sign having changeable copy for the purpose of advertising events, sales, services or products provided on the site.

Awning. A shelter extending from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.

Awning Sign. Any sign painted on or attached to or supported by an awning.

Balloon Sign. A sign on a balloon's surface or attached in any manner to the balloon.

Banner Sign. A temporary, lightweight sign not exceeding 50 sq feet that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials, including, but not limited to, cardboard, cloth, and/or plastic.

Billboard or Poster Panel Sign. An off-premises sign.

Business Unit. The space within a building occupied by an individual business.

Business. A company, enterprise, or similar organization designed to provide goods or services to consumers. A business may provide goods or services to the public or clientele on-site, such as with retail sales, or be involved in the administration, production, distribution or storage of goods to be provided at another location, such as with manufacturing. A business may include any commercial, office, institutional or industrial use.

Canopy. A freestanding permanent roof-like shelter not attached to or requiring support from an adjacent structure.

Canopy Sign. Any permanent sign attached to or constructed underneath a canopy. The signs are below a projecting structure that extends over the pedestrian walkway which effectively prevents the wall signs from being visible to the pedestrian walking under the canopy. See also **Projecting Sign**.

Changeable Copy Sign. A sign or portion thereof on which the copy or symbols change manually through placement of letters or symbols on a panel mounted in or on a track system.

Comprehensive Sign Plan (CSP). A coordinated plan of all signs, including exempt and temporary signs for a business, or businesses, located on a development site. The sign plan shall include, but not be limited to, the locations, dimensions, colors, letter styles, and sign types of all signs to be installed on a site.

Construction Sign. A nonpermanent sign identifying the persons, firms or business directly connected with a construction project.

Directional Sign. A permanent instructional sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

Development Identification Sign. A permanent freestanding sign located on private property at or near the entrance to the site where a group of stores in a shopping center or plaza has a common parking lot to serve all stores.

Electronic Message Centers. A portion of a freestanding or ground sign on which the copy or symbols change electronically, either through an automatic programming or other electronic means.

Freestanding Sign. Any sign which is permanently affixed in or upon the ground, supported by one or more structural members, with 12 inches or more of clearance between the bottom of the sign face and finished grade.

Footcandle. A measure of illumination on a surface that is one foot from a uniform source of light of one candle and equal to one lumen per square foot.

Governmental Sign. A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

Grade. The level of the site at the property line located at the closest distance to the sign.

Ground Sign. Any sign which is permanently affixed in or upon the ground, supported by one or more structural elements with less than 12 inches of clearance between the bottom of the sign face and finished grade.

Holiday Decorations. Signs or displays including lighting which are a nonpermanent installation celebrating national, state, and local holidays or holiday seasons, including religious holidays.

Illuminated Sign. Any sign for which an artificial source of light is used in order to make the sign's message readable, including internally and externally lit signs, and reflectorized, glowing or radiating signs.

Institutional Signs. A ground sign located on a property being used for an institutional purpose, such as a church, school, or governmental office.

Logo, Logogram, or Logotype. An emblem, letter, character, pictograph, trademark, or symbol used to represent any firm, organization, entity, or product.

Mural. A picture which is painted or otherwise applied directly onto an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.

Nonconforming Sign. A sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this Code.

Off-Premises Sign. Any sign normally used for promoting an interest other than that of a business, individual, products, or service available on the premises where the sign is located.

On-Premises Sign. Any sign used for promoting a business, individual, product or service available on the premises where the sign is located.

Political and Noncommercial Signs. Any sign designed for the purpose of supporting or opposing a candidate, proposition or other measure at an election or for any other noncommercial expression not related to the advertisement of any product or service or the identification of any business.

Portable Sign. Any movable sign not permanently attached to the ground or a building and easily removable using ordinary hand tools.

Private Street. Primary access ways that are intended to provide vehicular access to multiple commercial businesses and/or ownerships and are not dedicated as a public thoroughfare.

Projecting Sign. A sign which projects from and is supported by a wall or parapet of a building more than 12 inches, with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall. See also **Canopy Sign**.

Real Estate Sign. Any nonpermanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, condominium and similar units, or apartments. Such signs may include building name and address, price and amenities, identity of seller or broker, and similar information.

Restaurant Menu Sign. Any reader board sign for outside display at a restaurant drive-thru or similar.

Revolving or Rotating Sign. An animated sign.

Roof Sign. Any sign erected upon a roof, parapet, or roof-mounted equipment structure and extending above a roof, parapet, or roof-mounted equipment structure of a building or structure.

Sidewalk Sign. A temporary sign intended to display messages of a transitory or temporary nature that is placed on the pedestrian walkway.

Sign. Any device, structure, fixture, figure, banner, pennant, flag, balloon, poster, handbill, flyer, painting, streamer, placard, or similar object consisting of written copy, symbols, logos and/or graphics, designed for the purpose of identifying or bringing attention to an establishment, product, goods, services, or other message to the general public. This definition of sign shall not include any architectural or landscape features that may also attract attention.

Sign Face. An exterior display surface of a sign including non-structural trim exclusive of the supporting structure.

Site. All the contiguous ground area legally assembled into one development location which is a zoning lot. A zoning lot is defined as a permanent parcel (lot of record), multiple lots of record, or a portion of a lot of record.

Subdivision Sign. A ground sign located at the entrance of a residential subdivision and is affiliated with all the properties or residence within the development.

Temporary Sign. A sign intended to display messages for a transitory or temporary nature. Any sign or sign structure that is not permanently embedded in the ground or or not permanently affixed to a building is considered a temporary sign. Materials, sign structure, construction, etc intended for temporary use.

Unlawful Sign. Any sign placed without proper approval or permits as required by this Code at the time of sign placement, or any sign placed contrary to the terms or time limits of any permit and any applicable provisions of this Code.

Vehicle Sign. Any sign permanently or temporarily attached to or placed on a vehicle or trailer.

Wall Sign. Any sign attached to the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall and does not project more than 12in from the wall. A sign that is painted or applied directly onto the wall of a structure is considered a wall sign.

Window, Area of. The area of a single window includes all the window panes in an area that is separated by mullions, muntins, or other dividers which are less than ____ inches wide.

Window Sign. Any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior beyond the sidewalk immediately adjacent to the window.

(C) General Standards. The following standards shall apply to all signs in any Zone District.

1. **Requirement for Permit.** Except as expressly provided herein, it is unlawful for any person to erect, re-erect, alter or relocate any sign without obtaining zoning approval from the Zoning Administrator or Planning Commission when applicable, issuance of a sign permit as required by the Building Official, and payment of any applicable fees.
2. **Changeable copy** by non-electronic means may be utilized on any permitted sign.
3. **Location Requirements.**

- a. No sign shall be located in, project into, or overhang a public right-of-way or dedicated public easement without permission from the governmental unit controlling the right-of-way or easement except for a permitted Projecting Sign or Canopy Sign.
 - b. No sign shall be placed in a location that obstructs the view of traffic or pedestrians on streets or sidewalks, or the view of persons entering or exiting the premises.
 - c. In order to ensure adequate sight distance, a minimum clear vision area shall be maintained in accordance with Section 82-463. Greater clear vision areas may be required by the Michigan Department of Transportation or the Eaton County Road Commission in areas subject to their jurisdiction.
 - d. Signs shall not be permitted where they obstruct a motorist's view of regulatory signs, traffic control devices, or street signs.
4. **Specific Dimensional Standards.** The dimensional standards and regulations for sign types allowable by Zone Districts are as follows:

Allowable Signs in Zone Districts: R-1, R-2, R-T (Single and Two-Family Residential)					
Sign Type	Number	Area	Height	Duration	Illumination
Wall Sign	One per dwelling unit	maximum 3 sq ft	minimum clearance of 8 feet above grade where abutting sidewalk	permanent	Not permitted
Institutional Sign	one per frontage	maximum 18 square feet. Increase to 32 sq ft if located along state trunk line or major street	5 feet	permanent	permitted per Section XXX
Subdivision Sign	one per entrance	Maximum 32 square feet	5 feet	Permanent	permitted per Section XXX
Temporary Sign	one per frontage	maximum 6 sq ft	5 feet	Limited to a maximum of ????	not permitted

Commented [1]: Currently permit freestanding sign for home occupation

Commented [2]: Appropriate length of time - 3 months?

Construction Sign	one per project	4.5 sq feet	36 inches	Permitted to be installed 7 days prior to construction and must be removed 7 days after completion or occupancy permit issued	Not permitted
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Allowable Signs in Zone Districts: RM-1, RM-2, and MH (Multi-Family Residential and Mobile Home)					
Sign Type	Number	Sign Area	Height	Duration	Illumination
Wall Sign	One per building and one per management office	maximum 6 sq ft per sign	minimum clearance of 8 feet above grade where abutting sidewalk	permanent	not permitted
Institutional Sign	one per frontage	maximum 18 square feet. Increase to 32 sq ft if located along state trunk line or major street	5 feet	permanent	Permitted in accordance with section XXX
Subdivision Sign	one per entrance	Maximum 32 square feet, reduced to maximum 10 sq ft when abutting single family use	5 feet	Permanent	permitted per Section XXX

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		or zone district R-1, R-2, R-T.			
Temporary Sign	one per site	maximum 6 sq ft	5 feet	Limited to a maximum of [???	not permitted
Construction Sign	one per project	4.5 sq feet	36 inches	Permitted to be installed 7 days prior to construction and must be removed 7 days after completion or occupancy permit issued	Not permitted
Comprehensive Sign Plan allowable as permitted by the Planning Commission					

Commented [3]: Appropriate length of time - 3 months?

Allowable Signs in Zone District: CBD (Central Business District)					
Type	Number	Area	Height	Duration	Illumination
Wall Sign	Subject to limitations of subsection (E) Sign Type Standards	<u>Primary Frontage:</u> maximum 80% of length of tenant space or building frontage <u>Secondary Frontage:</u> maximum 80% of length of tenant space or building	minimum clearance of 8 feet above grade	permanent	Permitted per Section XXX

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		frontage			
Projecting Sign	Unlimited, provided adjacent projecting signs shall not be closer than fifteen (15) feet.	maximum area of eight (8) square feet	minimum clearance of 8 feet above grade; maximum height of 12 feet above sidewalk/grade; maximum projection 6ft from wall	Permanent	Permitted per Section XXX
Awning or Canopy signs	Unlimited, provided adjacent awning or canopy signs shall not be closer than ten (10) feet.	maximum area of two (2) square feet	minimum clearance of eight (8) feet above the sidewalk	Permanent	Permitted per Section XXX
Freestanding or ground sign, including Institutional Signs	one per frontage upon approval by the Planning Commission	32 sq ft	Ground - 5 ft; Freestanding - 20 ft; minimum clearance 8 ft; all must be 100 ft from adjacent residential district	permanent	Permitted per Section XXX
Temporary Sign	One to four	one up to 32 sq ft per parcel; 4 per business up to 8 sq ft		Maximum 14 days, limit of 6 displays per calendar year	

Commented [4]: Current regs

Window Sign	Subject to limitations of subsection (E) Sign Type Standards
Comprehensive Sign Plan allowable as permitted by the Planning Commission	

Allowable Signs in Zone Districts: B-1, OS-1, and MX-1 (Neighborhood Business, Office, and Mixed Use)						
Type	Number	Area	Height	Location	Duration	Illumination
Wall Sign	One per each business unit occupying the building	maximum 100 sq ft or 10% of the front wall area, whichever is less	minimum clearance 8 ft above grade where abutting sidewalk; cannot project beyond highest point of roof or parapet	n/a	Permanent	Permitted per Section XXX
Institutional Sign	one per frontage	maximum 32 sq ft	5 feet	Minimum 20 feet from adjacent residential district	permanent	Permitted in accordance with section XXX
Ground Sign	one per frontage	maximum 32 sq ft	5 feet	Minimum 20 feet from adjacent residential district	permanent	Permitted in accordance with section XXX
Freestanding Sign	one per frontage	maximum 64 sq ft	20 feet height; minimum clearance 8 ft above grade	Minimum 100 feet from adjacent residential district	permanent	Permitted in accordance with section XXX

Temporary Sign	one to four	one up to 32 sq ft per parcel; 4 per business up to 8 sq ft		Cannot be located on utility poles, street signs, trees, etc	Maximum 14 consecutive days, limit of 6 displays per calendar year	not permitted
Restaurant Menu Sign	two per drive	???	96 inches	n/a	permanent	In accordance with Section XXX
Window Sign	Subject to limitations of subsection (E) Sign Type Standards					
Comprehensive Sign Plan allowable as permitted by the Planning Commission						

Commented [5]: Current regs

Allowable Signs in Zone Districts: B-2 and B-3 (Business/Commercial)						
Type	Number	Area	Height	Location	Duration	Illumination
Wall Sign, Canopy Sign, or Awning Sign	One per each business unit occupying the building	maximum 100 sq ft or 10% of the front wall area, whichever is less	minimum clearance 8 ft above grade where abutting sidewalk; cannot project beyond highest point of roof or parapet	n/a	Permanent	Permitted per Section XXX
Institutional Sign	one per frontage	maximum 32 sq ft	5 feet	Minimum 20 feet	permanent	Permitted in accordance

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				from adjacent residential district		with section XXX
Ground Sign	one per frontage	maximum 32 sq ft	5 feet	Minimum 100 feet from adjacent residential district	permanent	Permitted in accordance with section XXX
Freestanding Sign	one per frontage	maximum 100 sq ft	20 feet height; minimum clearance 8 ft above grade	Minimum 100 feet from adjacent residential district	permanent	Permitted in accordance with section XXX
Development Identification Sign	One per shopping center/plaza	150 sq ft	20 feet height; minimum clearance 8 ft above grade	Minimum 100 feet from adjacent residential district	permanent	Permitted in accordance with Section XXX
Temporary Sign	one to four	one up to 32 sq ft per parcel; 4 per business up to 8 sq ft		Cannot be located on utility poles, street signs, trees, etc	Maximum 14 consecutive days, limit of 6 displays per calendar year	not permitted
Restaurant Menu Sign	two per drive	???	96 inches	n/a	permanent	In accordance with Section XXX
Window Sign	Subject to limitations of subsection (E) Sign Type Standards					
Comprehensive Sign Plan allowable as permitted by the Planning Commission						

Commented [6]: Current regs

Allowable Signs in Zone Districts: IRO, I-1, I-2 (Industrial)					
Type	Number	Area	Height	Duration	Illumination
Wall Sign	One per each business unit occupying building	maximum 100 sq ft or 10% of the front wall area, whichever is less	minimum clearance 8ft where abutting sidewalk	permanent	Per SectionXX
Ground Sign	One per frontage	80 sq ft	8 feet	permanent	Permitted per Section XXX
Temporary Sign	one to four	one up to 32 sq ft per parcel; 4 per business up to 8 sq ft	n/a	Maximum 14 consecutive days, limit of 6 displays per calendar year	Not permitted

Commented [7]: Current regs

Allowable Signs in Zone Districts: PDD (Planned Development District)					
Type	Number	Area	Height	Duration	Illumination
Comprehensive Sign Plan Required	Signs permitted as granted by the Planning Commission in required Comprehensive Sign Plan.				

(E) Sign Type Standards. The following standards for specific sign types shall apply in addition to the other applicable standards of this ordinance.

1. Wall Signs

- a. Any wall sign or combined length of signs shall not be greater than eighty percent (80%) of the length of the tenant space or the length of the building frontage for single tenant buildings.
- b. The area of any wall sign may be increased by twenty-five percent (25%) when the building is setback at least two hundred (200) feet from the public right-of-way and may be further increased an additional twenty-five percent (25%) for each additional two-hundred (200) feet of setback or

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fraction thereof, up to a maximum increase of one-hundred percent (100%).

- c. Additional wall sign area is permitted for a secondary frontage (see “Definitions”) which shall be equal to 100% of the primary sign area allowance.
- d. Additional Wall Signs for Multiple Story Buildings. An additional building sign is permitted on each of the building’s primary and secondary frontages according to the following:
 - i. For a building with two (2) floors the additional permitted sign area is [redacted] square feet for each eligible wall.
 - ii. This additional permitted sign area may be increased by [redacted] square feet for each additional building floor.
 - iii. The sign must be placed at the height for which the bonus has been granted.

Commented [8]: What size?

2. Freestanding or Ground Signs

- a. One additional freestanding or ground sign shall be permitted for every [redacted] feet of site frontage in excess of [redacted] feet of lot frontage.
- b. The permitted sign area may be aggregated into fewer and larger signs, at the election of the property owner/ business, provided that the size of any single sign does not exceed the area permitted by more than [redacted] %.
- c. Electronic Message Centers are permitted on a freestanding or ground sign provided they meet the following requirements:
 - i. Only one (1) electronic message center (EMC) is permitted per each street frontage.
 - ii. EMC copy cannot change more often than once every 8 seconds and EMC cannot exceed 50% of the total sign area permitted on the site.
 - iii. All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.
 - iv. No single electronic message is permitted to be repeated by flashing more than once every sixteen (16) seconds.

Commented [9]: Research standards to use

3. Temporary Signs

- 1. Except as described in subparagraphs, (a) and (b), signs that meet the standards of this subsection shall comply with standards listed in Section 4

Specific Dimensional Standards including, but not limited to, sign area, setback and height.

(a) Sidewalk signs not exceeding 2.5 feet by 3 feet in size shall be permitted in the Central Business District provided they are located so as not to interfere with pedestrian passage or create a public safety hazard and that they are removed at the close of the business day.

(b) Temporary signs in shopping centers, plazas or similar multi-tenant sites shall be limited to spaces controlled by the tenant and may not be located in or on any common areas. Temporary signs in such sites are prohibited from required front-yard setbacks.

2. No single temporary sign on a site shall exceed 10% of the smaller of either the wall sign area or freestanding sign area already installed on the site. The total of all temporary signs on a site shall not exceed 25% of the smaller of either the wall sign area or freestanding sign area already installed on the site.
3. Temporary signs affixed to the inside of a building's windows are exempt from the provisions of this subsection.
4. A banner sign shall not exceed 50 sq ft, and is permitted to be displayed not more than 15 consecutive days and not more than 6 times per calendar year.
5. Temporary signs are required to be kept in good condition and removed when required per ordinance.

Commented [10]: What about where no permanent sign? example - New business banner?

(G) Sign Review Procedures

1. Time limits—All sign applications shall be reviewed for compliance with these regulations within ten (10) business days from the time a completed application has been accepted by the zoning administrator.
2. All appeals and variances regarding the sign ordinance will be heard by the Planning Commission.
3. A Comprehensive Sign Plan (CSP) may be submitted that permits consideration of unique conditions, flexibility and creativity. Such CSP is subject to approval by the Planning Commission who may permit additional signs and/or sign area based on the applicant's demonstration of unique characteristics of the design, building, and/or site and appropriate landscaping associated with the freestanding signs.. The approval of a CSP cannot impose more restrictive requirements than permitted by the basic standards. Once a CSP has been approved subsequent applications for specific signs on the site shall be approved administratively when the proposed sign is in compliance with the approved CSP.

Commented [11]: Do we want to impose this timeline on ourselves?

4. If proposed signs do not comply with the provisions of this Code, the applicant may submit an application to the Planning Commission to determine the adjustments, if any, that are appropriate to satisfy the requirements of the Code.

Commented [12]: What are we trying to accomplish with this?

(H) Construction Standards

The construction, erection, safety and maintenance of all signs shall comply with the State Building Code and all of the following:

1. Signs shall be structurally sound and located so as to pose no reasonable threat to pedestrian or vehicular traffic.
2. All permanent freestanding signs shall have self-supporting structures erected on, or permanently attached to, concrete foundations.
3. If possible, signs should not be in locations that obscure architectural features such as pilasters, arches, windows, cornices, etc.
4. The signs shall not be in locations that interfere with safe vehicular and pedestrian circulation or public safety signals and signs.
5. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.
6. Signs shall be structurally designed in compliance with ANSI and ASCI standards. All electric signs shall be constructed according to the technical standards of a certified testing laboratory.
7. Signs permitted to be illuminated may use external or internal means provided that:
 - a. The brightness and intensity shall not be greater than necessary to meet reasonable needs of the business or use being served;
 - b. Light sources shall be shielded from all adjacent buildings and streets; and
 - c. The lighting shall not create excessive glare to pedestrians and/or motorists, and will not interfere with traffic control or any other public information signs.

Commented [13]: Why does this matter?

Commented [14]: Need a better standard

(I) Maintenance Standards

All signs shall be maintained in accordance with the following:

1. The property owner shall maintain signs in good repair and structurally sound, in compliance with applicable City standards or ordinances, and in compliance with any building code or property maintenance code requirements.

2. If the sign is deemed by the Zoning Administrator or designee to be in an unsafe condition, the owner of the business shall be immediately notified in writing, and shall respond to the City with a plan to correct the unsafe condition, remove the unsafe sign, or cause it to be removed within 30 days. If after 35 calendar days, the conditions have not been corrected through repair or removal, the sign shall be declared a public nuisance and the Zoning Administrator may cause the repair or removal of such sign, at the expense of the property owner or lessee. If the total costs are not paid in full within 60 days of the repairs or removal, the amount owed shall be certified as an assessment against the property of the sign owner, and lien upon that property as prescribed for unpaid real estate taxes.
3. In cases of imminent emergency, the Zoning Administrator may cause the immediate removal of a dangerous or defective sign without notice.
4. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, relettering or repainting, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:
 - a. There is no alteration or remodeling to the structure or the mounting of the sign itself;
 - b. There is no enlargement or increase in any of the dimensions of the sign or its structure;
 - c. The sign is accessory to a legally permitted, conditional or nonconforming use.

(J) Measurement Standards For all sign types, the following standards are used to determine the size, area, height, and other dimensional standards.

1. Sign Area and Dimensions.
 - a. For a wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.
 - b. For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the

space between different elements. Minor appendages to a particular regular shape, as determined by the zoning administrator, shall not be included in the total area of a sign.

- c. For a freestanding or ground sign, the sign area shall include the frame, if any, but shall not include:
 - i. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device.
 - ii. Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.
- d. 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 are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces. When the sign has more than two display surfaces, the area of the sign shall be the area of largest display surfaces that are visible from any single direction.
- e. In the event of a dispute in determining the area or dimensions of any sign, a negative decision of the zoning administrator may be appealed by the applicant's submitting a formal application to the Planning Commission

2. Sign Height.

- a. The height of a ground sign or freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding or ground sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.
- b. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

3. Building Frontages and Frontage Lengths.

- a. Building Unit. The building unit is equivalent to the tenant space. The frontage of the tenant space on the first floor shall be the basis

for determining the permissible sign area for wall signs on multi-tenant buildings.

- b. Primary and Secondary Frontage. The frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.
 - i. The primary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building and building units.
 - ii. The secondary frontage shall include those frontages containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection “a” above.
- c. Length of Building Frontage
 - i. The length of any primary or secondary building frontage shall be the sum of all wall lengths parallel, or nearly parallel, to such frontage, excluding any such wall length determined by the Zoning Administrator as clearly unrelated to the frontage criteria.
 - ii. For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage.
 - iii. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(K) Exempt Signs

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

1. Any public purpose or public safety sign and any other notice or warning required by federal, state, or local law, regulation, or resolution.
2. Works of art that do not include a commercial message, including murals.
3. Decorative displays provided that the display does not exceed 75 days.
4. Flags of any country, state, municipality, university, college or school.

5. Building markers, such as historical designations or construction dates; house or building numbers or names.
6. Signs designed and installed so as to be visible only to patrons of an establishment when they are on the premises of the establishment.
7. Instructional or “way-finding” signs installed by a federal, state, or local unit of government.
8. Time and temperature signs.

(L) Prohibited Signs

The following signs are prohibited:

1. Abandoned signs, as defined in Section (B) Definitions.
2. Animated, flashing, rotating signs and festoons as defined in Section (B) Definitions, portable changeable copy signs, inflatable signs, tethered balloons, banners, pennants, flutter flags, searchlights, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features, except those specifically exempt from regulation as holiday decorations, special event signs or banners permitted in Section E, or electronic message centers as permitted in Section XXX.
3. Non-accessory signs located on vacant or unused property except as permitted billboards, including signs on vehicles when the vehicle is parked at a vacant or unused property.
4. Any sign containing any words, colors, lighting, or symbols that would cause confusion to pedestrian or vehicular traffic because of their resemblance to public safety traffic control or direction signals.
5. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
6. Signs located on trees, utility poles, public benches or any other form of public property or within any public right-of way unless explicitly permitted by these regulations.
7. Other signs or attention getting devices that raise concerns for public safety or welfare substantially similar to those listed above.

Commented [15]: This is likely not allowable

(F) Non-Conforming Signs

Dec 10, 2021

1. Non-conforming signs shall be maintained in good condition pursuant to Section XXX.

2. A non-conforming sign shall not be altered, modified or reconstructed except:

- a. When such alteration, modification or reconstruction would bring such sign into conformity with these regulations;
- b. When the existing use has new ownership which results in a change in the name or logo of the use or business on the property and such change complies with subsection “d” below;
- c. When the space is reoccupied by a similar use and the new occupant requires not external building or site renovation, and such change complies with subsection “d” below;
- d. Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign panel, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection or relocation of the sign unless such changes conform to subsection “a” above.

Commented [16]: We need to add provision for %damaged requires repairs - i.e. storm damage or vehicle strikes sign, can it be replaced?

3. A nonconforming sign shall be removed upon verification that any of the following conditions have been met:

- a. The use to which such non-conforming sign refers has been abandoned for more than 180 consecutive days; or
- b. The regulation or amendment to these regulations which made the sign nonconforming has been in effect for ten (10) years or more.

Commented [17]: Only allowable if we remove from Zoning - do we want to?

4. Extension of time to comply—The dates established in this Section for a sign to be brought into compliance with the requirements of these regulations may be extended at the request of the sign owner or lessee. In evaluating the extensions of time for a nonconforming sign, the City shall consider the following factors to determine whether the owner of the sign has had reasonable amount of time to recoup the initial investment:

- a. The value of the sign at the time of construction and the length of time the sign has been in place;
- b. The life expectancy of the original investment in the sign and its salvage value, if any;
- c. The amount of depreciation and/or amortization of the sign already claimed for tax or accounting purposes;
- d. The length of the current tenant lease or expected occupancy compared to the date the sign is to be brought into compliance;
- e. The extent to which the sign is not in compliance with the requirements of these regulations; and
- f. The degree to which the City determines that the sign is consistent with the purposes of these regulations.

- g. Whether the sign has “historical” or “Landmark” significance and should, therefore, be exempt from amortization.

(H) Appeals and variances

The Planning Commission shall hear all appeals from an administrative decision or variance requests with regard to the sign regulations of Section 82-461.

1. Appeals may be made where an applicant has been aggrieved by a decision made by the Zoning Administrator or designee within 21 days of the decision being rendered. The applicant must submit a written appeal detailing the nature of the appeal. The Planning Commission may affirm, modify, or overturn the decision of the Zoning Administrator upon a hearing
2. Variances may be granted from the regulations contained herein provided that the Planning Commission shall not permit signs in the right-of-way or in a location that has been determined to be a violation of required site distance or a public safety concern. Any request for a variance must be provided in writing and the hearing will follow the procedures of [SECTION ON ZONING VAR] A request for a variance shall be the minimum necessary to provide relief to the property owner and the approval for such request shall include the following:
 - a. Specific regulations the variance is requested from and relief sought
 - b. Practical difficulty or unique circumstances which necessitate the variance

Commented [18]: do we want a public hearing as Zoning Ord?