



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

Planning, Development, & Zoning

City of Alpena Planning Commission

Regular Meeting

Tuesday, February 14th, 2023 @ 6:00 p.m.

This meeting will be held in Council Chambers as well as virtually.

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CityofAlpena/planning-commission>

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Access Code: 178-564-461

AGENDA

CALL TO ORDER;

ROLL CALL;

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES - Regular meeting January 10, 2023

PUBLIC HEARING AND COMMISSION ACTION – None

BUSINESS

a) **UNFINISHED:** None

b) **NEW:**

a. Zoning Ordinance Updates: Article 2: Sign Definitions; Article 4: Signs

c) **COMMUNICATIONS OR REPORTS:**

a. Council Meeting Update - Marihuana

d) **CONTINUING EDUCATION:** None

PUBLIC COMMENT

MEMBER COMMENTS

ADJOURNMENT



MINUTES
City of Alpena Planning Commission
Regular Meeting (Council Chambers and Virtual)
January 10, 2023
Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Randy Boboltz, Planning Commission Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Peterson, Boboltz, VanWagoner, Moses, Sundin

ABSENT: Wojda, Gilmore, Kostelic

STAFF: Montiel Birmingham (Planning, Development, and Zoning Director), Kathleen Sauve (Recording Secretary), Rachel Smolinski (City Manager)

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Agenda was approved as printed.

APPROVAL OF MINUTES: Meeting (December 13, 2022), minutes were approved with one correction on page 4, under Communications or Reports, the last sentence should read 'Commissioners all decided that the previous Monday, November 13th would be a good alternative.'

PUBLIC HEARING AND COMMISSION ACTION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Marihuana Updates - Review of first reading of Ordinance 23-484 – Birmingham addressed the Board and explained that they would be discussing curbside service and site plan review if it was added, drive throughs, micro-businesses, growers and processors. She stated that she had also received an email from a local resident requesting a distance buffer be reviewed. She began to review the proposed changes to the Ordinance, beginning with curb side service. She stated that she surveyed some other retailers around the area including Oscoda, East Tawas, Gaylord, Traverse City, and Cheboygan, and all of them offer curbside pickup except Gaylord. All others have not had any problems with allowing curb side

pickup. She explained they are looking at the possibility of splitting up the definitions of “Drive-thru pickup” versus a traditional “Drive-thru” because it is a little bit different – pickup only does not order at the window and does not need as much room for stacking of cars. One might be more appropriate than the other in certain situations. Moses responded by pointing out that it seems they are treating marihuana facilities differently than regular businesses. He stated that his concern would be site specific as it relates to drive-thrus and curbside pickup both for traffic flow. Peterson agreed that site specificity is important and that they need to consider the stacking of vehicles and the space they have for that. Moving forward, she said that each business will have to be very clear. Peterson stated that as far as curbside goes, she does not see cash versus debit or theft being a major concern. Birmingham stated that it will be required to have a camera wherever the pick-up area is. VanWagoner asked Birmingham for clarification on the definitions of ‘drive-thru’ and ‘pick-up’, to which she responded that currently there are not definitions and that she and Denise Cline were working to create those for some differentiation. Her opinion was that there is not as much of a need for car stacking at a pick-up window versus a traditional drive-thru window. Boboltz stated that he is not as interested in the writing of more definitions, if they can handle it like they did with JJ’s pick-up window, adding stipulations to their approval. VanWagoner believed that orders will still be taken at pick-up windows if there is not anybody in line in front of them and as the property owner, it would be hard to control. He did not think that business owners would be inclined to turn people away. Sundin said that JJ’s is unique in that their pick-up window is in a public alleyway but most pick-up windows would be on private property. Sundin stated that he did not see an issue with traffic blocking, but rather to make sure there is a sufficient number of parking spaces. He said he felt pick-up would take a lot less time than someone going inside to look at different products. Moses and Sundin felt that Neighborhood Provisions had very limited parking. Birmingham stated that they are renting parking space from the neighboring business. Sundin went on to talk about the citizen email received by Birmingham with regard to Marihuana facilities and setbacks from residential zones. He said that the way the Ordinance is written currently, the Ripley corridor could potentially have several Marihuana establishments right near one another, and all butting up to residential. Birmingham presented the Board with the current approved Marihuana location maps along with a map which would prohibit the use (micro businesses, growers, processors, provisioning centers, safety compliance establishments) next to residential zoned properties. Another map with a 250-foot buffer adjacent to residential areas was prepared but not presented because it wiped out most of the City; the option was also discussed for an overlay zone. Boboltz stated that he felt the Board had reached a favorable consensus to go ahead with language that would allow for curbside service and would allow pick-up or drive-thru with some defining of those two scenarios. Boboltz then entertained comments from the other Commissioners on the subject of the concentration of marihuana facilities. Peterson expressed that she would like provisions in the Ordinance that would limit concentration. VanWagoner suggested that they are possibly treating Marihuana businesses differently than other businesses such as gas stations where sometimes they are right across the street from each other. Birmingham responded that the State does have in their language that the City is allowed to place reasonable restrictions on them. Boboltz stated that he did not think that the email received from Matt Leavesley,

requesting at least 500 feet in between such businesses, was unreasonable. Birmingham informed the board that Traverse City, Michigan did an overlay in their City for Marihuana specifically which restricted the amount of facilities they can have according to the overlay. She said the City of Alpena could do something similar, without having a maximum, which would identify specific properties that the City felt would be reasonable locations. In addition to current buffers, they could limit where within the available zones they could establish. Sundin said that he believes Marihuana businesses should be treated differently than other businesses because they are different, and the State of Michigan believes they are different, otherwise they wouldn't have umpteen pages of regulations overseeing it; many people still perceive it as different as it is a drug. He said that he feels a 500 foot buffer may be too much, as it would be too restrictive, but maybe around 200 feet would be more reasonable from property line to property line. Boboltz said he thinks that they have reached a consensus as far as feedback to the Council that they are generally in favor of the notion of curbside with the additional specifics and definitions, and also drive up and/or thru with appropriate zoning regulations and site plan requirements that go along with that; that they are conducive to the possibility that the City take another look at concentration in a given area where they would be allowed, keeping in mind the suggestion that citizen Leavesly brought forth about distance buffers from residential properties as little as 200 feet or as far as 500 feet. Sundin was interested in seeing what an overlay would look like. Moses said he is not hung up on footage from residential, but rather not allowing Marihuana businesses to pile on top of one another so that at the end of the work day, people are flooding to those particular businesses, further impeding traffic flow more than it already is which is a public safety issue. He also agreed with others in that an adult facility of any kind should not be near a residential neighborhood because his concern would be that alleyways could be used to consume the product. Sundin suggested that Birmingham relay to City Council that the Planning Commission has concerns regarding these uses adjacent to residential, and whether it is the concentration or separation from residential that should be looked at to see what would work best. He said that he thought a residential buffer is going to be the least workable, as it would overly minimize the areas where marihuana businesses could go, as currently, all three marihuana businesses in the City are adjacent to residential neighborhoods. Peterson asked to see schematics of what the map would look like with the buffers discussed to show what properties would be left available. Sundin asked for clarification on whether the changes would be to the Municipal Code or the Zoning Ordinance. Birmingham stated that the distance requirements would be changes to the Zoning Ordinance, and if the change was made to allow curbside pickup and the like, that would be in the Municipal Code. Birmingham went on to discuss micro businesses, growers, and processors. She said currently the City allows an unlimited number of them, and although there have not been any applications submitted, they should revisit where they could be located, and if the City even wants to allow them. Sundin asked what a micro business is. Birmingham explained that they grow it, process it, and sell it all at the same site; a regular microbusiness can grow up to 150 plants, but a Class A business can grow up to 300 plants. The State only allows growers in agricultural or industrial districts, but there is an exception for micro businesses. She said currently, microbusinesses are allowed in all of the business districts in Alpena, and they should reconsider that. Sundin agreed that they should reconsider. Birmingham researched other

Municipalities and they all require the grow operations to be indoor only except for one, but the one that did not was a much more rural area. They all confirmed that there have been no complaints or issues. Smolinski said that City Staff will be going to go look at a micro business in Onaway, and a grow operation in Harrisville to get a feel of what they are like to allow staff to be able to make educated recommendations to City Council about what they think is appropriate for the City. Moses asked how much Industrial District is along the railroad tracks. His concern was that growers should not be allowed near the railroad, as it would eat up space that an industrial business would use along the track, hindering Alpena's possible growth by rail, so the rail should be preserved. He stated that he used to work on the railroad and the reason that Alpena can't get heavy industry is because there is not enough trackage. Birmingham also mentioned the proposed DDA expansion and that the way the Ordinance is written right now, Marihuana establishments are not allowed within the DDA so they may need to consider changing that language in the future.

COMMUNICATIONS OR REPORTS: Birmingham informed the Board of proposed Sign Ordinance changes coming. As a Redevelopment Ready Community requirement, Staff is required to provide the Board with the 2022 Planning Commission Annual Report which was included in the Board's meeting packets, as well as posting it on the City's website.

CONTINUING EDUCATION: Birmingham provided the Board with information to attend two different educational opportunities – Housing in Four Parts Webinar Series, beginning January 18, 2023, and is free to RRC Communities; RRC Virtual Academy for Local Officials beginning in May 2023.

PUBLIC COMMENT:

MEMBERS' COMMENTS:

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:12 p.m., by Boboltz, Planning Commission Chairman.

Clayton C. VanWagoner, Secretary

SAMPLING OF SIGN SIZES FROM LAST 5 YEARS

AVERAGE SIGN HEIGHTS BY TYPE

Row Labels	Average of HEIGHT	Average of SQUARE FOOTAGE
MESSAGE	3.0	25.0
MONUMENT	6.4	40.3
PROJECTING	3.8	10.3
PYLON	16.0	64.6
WALL	3.0	34.7
Grand Total	5.9	40.3
Row Labels	Max of HEIGHT	Max of SQUARE FOOTAGE
MESSAGE	5.0	50.0
MONUMENT	11.9	112.0
PROJECTING	4.0	10.5
PYLON	21.5	160.0
WALL	5.0	166.5
Grand Total	21.5	166.5

PYLON SIGNS : HEIGHT AND SQ FT

Row Labels	Max of HEIGHT	Max of SQUARE FOOTAGE
PYLON		
DEVELOPMENT SIGN		160.0
NICOLET BANK		44.9
HUNGRY HOWIES		50.0
HUNGRY HIPPIE	13.0	36.0
LITTLE CAESAR'S	13.0	39.0
POMPEYO'S	13.0	32.0
ACE HARDWARE	14.0	100.0
NEIGHBORHOOD PROVISIONS	15.5	28.3
CLEARVIEW CAR WASH	16.0	64.0
CEDAR & THREADS	17.5	24.0
DOMINO'S	18.0	96.0
FRANK'S KEY & LOCK	18.0	48.0
WENDY'S	21.5	117.0

Tractor Supply (Ripley) – 20' tall
 McDonald's (Chisholm) – 16' tall


MONUMENT SIGNS : HEIGHT AND SQ FT

Row Labels	Max of HEIGHT	Max of SQUARE FOOTAGE
MONUMENT		
NICOLET BANK		38.0
WATZ		20.0
HANGER CLINIC	2.5	12.0
ASPEN HAUS	4.0	20.0
HOSPITAL	5.0	15.0
BESSER SENIOR LIVING	5.0	60.0
OPTIONS PREGNANCY CENTER	5.5	24.0
EDWARD JONES	6.0	30.0
HOSPICE OF MI	6.0	21.0
NORTHLAND CU	6.0	26.3
BESSER	7.0	112.0
WOLVERINE CU	7.0	32.0
HPC	8.0	32.0
FYZICAL	9.0	73.0
NE MI COMMUNITY MENTAL HEALTH	11.9	89.0

MESSAGE SIGNS : HEIGHT AND SQ FT

Row Labels	Max of HEIGHT	Max of SQUARE FOOTAGE
MESSAGE		
HOLY SMOKES	2.0	10.0
MUSEUM	2.0	16.0
RAMADA	3.0	24.0
JJ'S	5.0	50.0
Grand Total	5.0	50.0

WALL SIGNS : HEIGHT AND SQ FT

Row Labels	 Max of HEIGHT	Max of SQUARE FOOTAGE
WALL		
THRIVENT		30.0
STATE FARM		26.0
DEVERE CONSTRUCTION	1.0	5.0
NEIGHBORHOOD PROVISIONS	1.0	22.0
#1 NAILS	1.7	7.5
MEDS CAFÉ	2.0	28.0
MANGO'S	2.0	20.0
EDWARD JONES	2.0	31.0
SWEET BABY JAMES	2.0	32.0
RUSTY PETUNIAS	2.0	24.0
SYTEK ORTHO	2.0	16.0
MCINERNEY	3.0	33.0
REFLECTIONS SALON	3.0	48.0
PATHWAYS AUTISM	3.0	12.0
PARC CANNABIS	3.0	21.0
UP NORTH TRUCK & TIRE	3.0	36.0
COLBURN OUTFITTERS	3.0	18.0
CARE INC	3.0	44.5
HOPSIDE BREWERY	3.0	18.0
GTOS	3.0	30.0
WILD BILLS	3.3	44.0
UP NORTH EYE CARE	3.3	26.6
MANCINO'S	3.7	95.2
BLUE MOON CAFÉ	4.0	20.0
TRACTOR SUPPLY	4.0	36.0
K-OTIC GAMES	4.0	32.0
HARBORSIDE CYCLE	4.0	28.0
WILD WILD WEST TOBACCO	4.0	32.0
ALPENA COMMUNITY CU	4.0	40.0
RAMADA	4.5	72.0
HOSPITAL	4.5	166.5
BOYS & GIRLS CLUB	5.0	41.0

18 Feet



13 feet



16 feet



21.5 feet



17.5 feet



13 feet



20 feet



16 feet



15.5 feet



14 feet



SIGN: Any structure or wall or other object used for the display of any message. Murals are not considered a sign.

SIGN AREA: Measurement of a sign includes 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 or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed (see diagrams below). When a sign uses a shape other than a parallelogram, a rectangular box shall be drawn around the shape to determine the area (Figure B). Sign area excludes the necessary supports or uprights on which the sign is placed. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area. In the case of a sphere, the total area of the sphere shall be divided by four (4) to determine the maximum permitted sign area.

Figure A

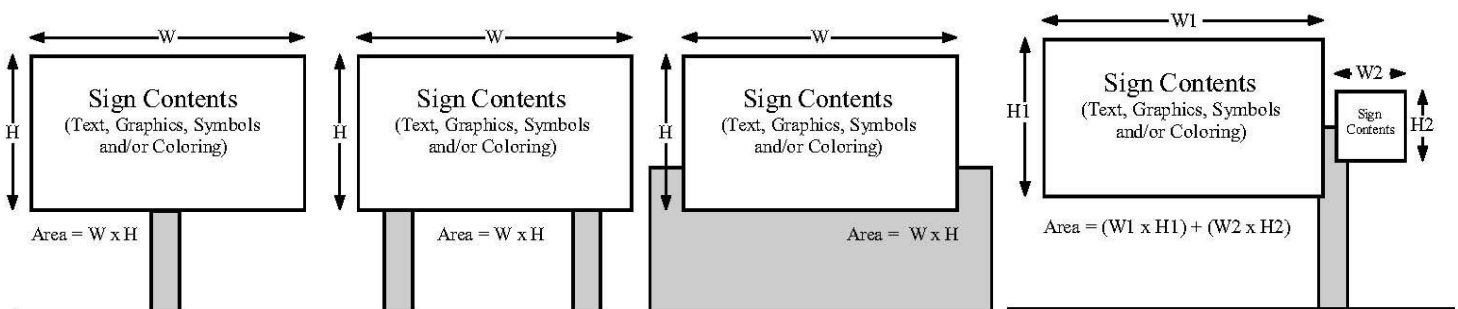
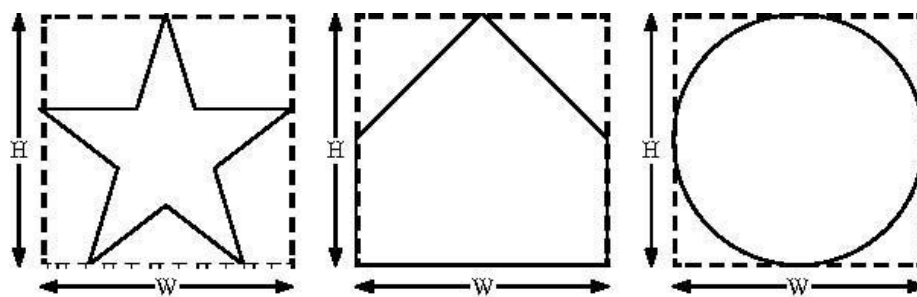


Figure B



- A. ~~The sign face area shall be computed by including the entire area within a single, continuous perimeter of not more than eight (8) straight lines or a circle or an ellipse enclosing 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 it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.~~

- ~~B. If the sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign face area.~~
- ~~C. With respect to two-sided, multi-sided, or three-dimensional signs, the sign face area shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from one vantage point, without otherwise limiting the generality of the foregoing:~~
- ~~1. The sign face of a double-faced, back-to-back sign shall be calculated by using the area of only one (1) side of such sign, so long as the distance between the backs of such signs does not exceed eighteen (18) inches.~~
 - ~~2. The sign face area of a double-faced sign constructed in the form of a "V" shall be calculated by using the area of only one (1) side of such sign (the larger side if there is a size difference) so long as the interior angle of the "v" does not exceed thirty (30) degrees and at no point does the distance between the backs of such sides exceed five (5) feet.~~

SIGN HEIGHT: The vertical distance measured from the ground immediately beneath the sign to the highest point of the sign or its projecting structure.

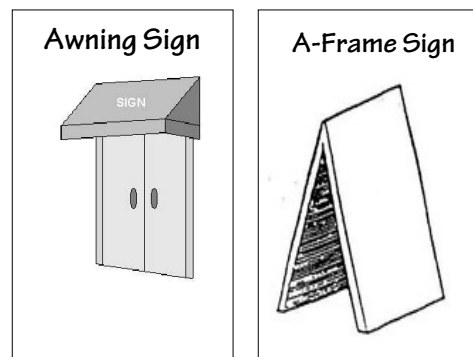
SIGN TYPES: The following definitions are related to signs:

A. **ATTENTION-GETTING DEVICE:**

1. **FEATHER BANNER OR SAIL SIGN:** A temporary banner made of flexible material and typically shaped like a sail or feather that is usually placed in an upright position.
2. **AIR DANCERS:** A tall inflatable model, usually of a person or an animal, that appears to move around due to air being blown into it.

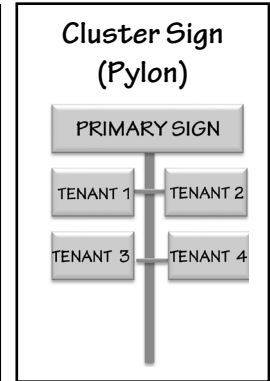
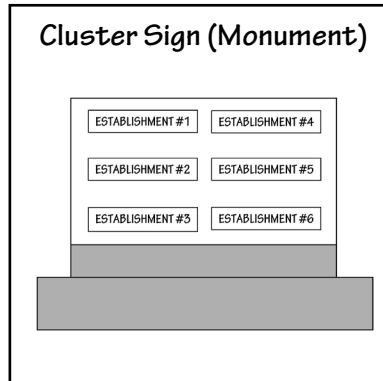
- B. **A-FRAME SIGN:** Self-supporting temporary sign consisting of two (2) panels hinged at the top providing advertising on each panel and can be readily moved within a property or to another property.

- C. **AWNING SIGN:** A sign painted on, printed on, or attached flat against the surface of an awning ~~or canopy~~. The awning of a building may be made of flexible or rigid material. Rigid awnings may be covered in a traditional building treatment (such as siding) or may be covered in traditional roofing materials (such as shingles).



- D. **BANNER**: A linear sign made of natural or synthetic material used to call attention to a message; however, not including pennants or flags.

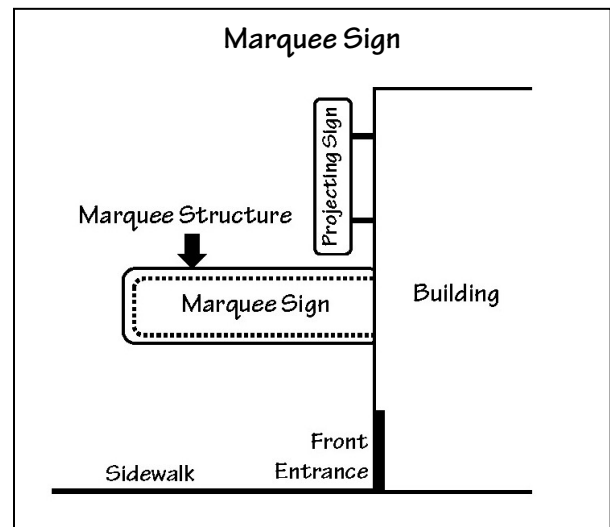
- E. **CLUSTER SIGN**: An on-premises sign which identifies a complex of establishments/tenants on one (1) parcel lot and contains multiple signs on one structure including one for each establishment and one for the complex as a whole.



~~**CANOPY SIGN**: A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.~~

~~**ELECTRONIC MESSAGE BOARD**: A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.~~

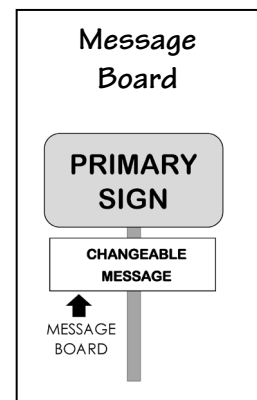
- F. **FREESTANDING SIGN**: A pylon sign or monument sign.
- G. **LIGHTED SIGN**: Any sign having a conspicuous, continuous, or intermittent variation in the illumination of the physical position of any part of the sign.



- H. **MARQUEE SIGN**: Any sign attached to or supported by a marquee structure. See **MARQUEE**.

- I. **MESSAGE BOARD, STATIC**: A sign with a changeable display/message consisting of alphabetic, pictographic, or symbolic informational content that must be changed manually by non-electronic means.

- J. **MESSAGE BOARD, ELECTRONIC**: A sign with a changeable display/message consisting of alphabetic, pictographic, or symbolic informational content that is composed of a series of lights that may be changed through electronic means.



K. **MONUMENT SIGN**: Any sign attached directly to the ground by a solid base and foundation constructed of masonry, brick, stone, decorative metal, wood or other durable material.

L. **MOVING SIGN**: A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.

M. **MURAL**: Any message, or image painted directly onto the wall of a building. Decorative art elements attached to a mural are considered part of the mural.

N. **PERMANENT SIGN**: A sign of durable construction and durable materials designed to remain in one location and position either through attachment to a building element or mounting on a standard secured to a below-grade footing.

O. **OFF-PREMISE ADVERTISING SIGN (BILLBOARD)**: A sign which contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered other than upon the premises where such sign is located.

1. **SMALL OFF-PREMISE SIGN**: An off-premise sign which does not exceed six (6) square feet in area.

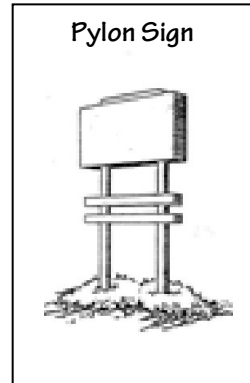
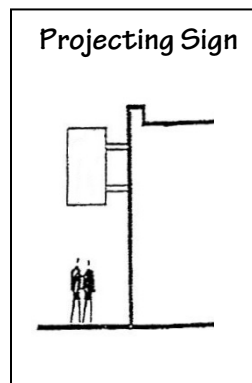
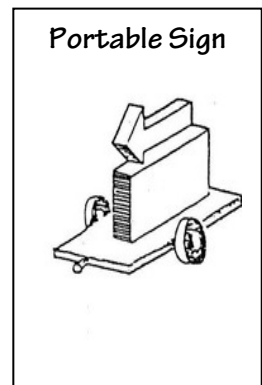
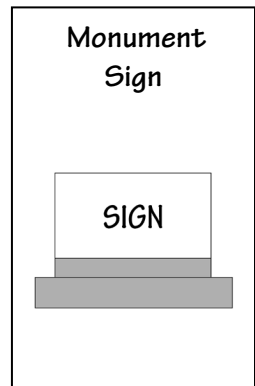
2. **LARGE OFF-PREMISE SIGN (BILLBOARD)**: An off-premise sign which is larger than six (6) square feet in area.

P. ~~**OFF-PREMISE ADVERTISING SIGN, DIGITAL (BILLBOARD - DIGITAL)**: A billboard displaying static images controlled by electronic communications.~~

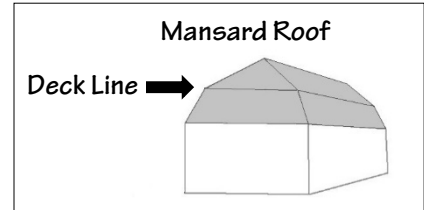
Q. **PORTABLE SIGN**: Any sign not permanently attached to the ground or a building and is designed to be transported by trailer or wheels including such signs with wheels removed.

R. **PROJECTING SIGN**: A sign which is affixed to any building or structure, other than a marquee, where the face of the sign is generally perpendicular to the face of the building or structure.

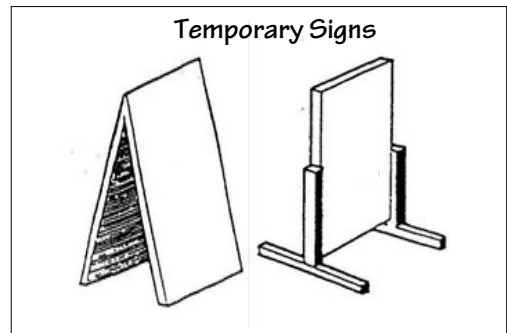
S. **PYLON SIGN**: A sign which is an elevated sign supported by one (1) or more bearing columns, ~~the sign portion of which is not less than ten (10) feet from the surface of the ground.~~



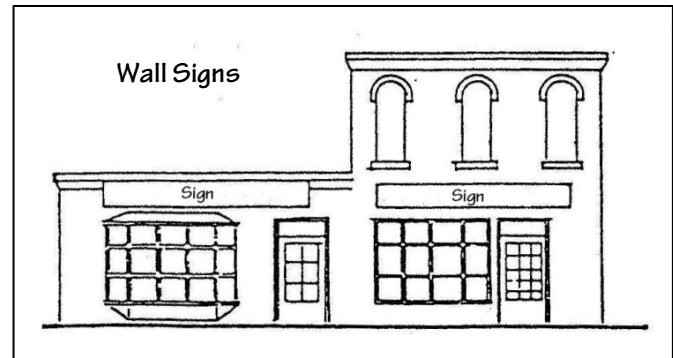
- T. **ROOF SIGN**: A display sign which is erected, constructed, and maintained above the roof of the building. A sign that is located upon, above, or over the roof of a structure, or in the case of a building with a mansard roof, a sign that is above the deck line of the mansard roof.



- U. **TEMPORARY SIGN**: A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic, or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display, but not including decorative displays for holidays. A temporary sign shall not be used as a substitute for a permanent on-premise advertising sign, except as permitted within this ordinance. A temporary sign is one that is not affixed to the ground permanently and can easily be moved. **Flags which are not located on a flagpole are considered temporary signs.**



- V. **WALL SIGN**: A display sign which is painted on or attached directly to the building wall.
- W. **WINDOW SIGN**: A sign installed inside or projected upon a window and intended to be viewed from the outside.



SIGNABLE AREA: For walls or of buildings with architectural detailing (windows, doors, cornices, moldings, columns, etc.), the signable area shall be the two-dimensional area that describes the square, rectangle, or parallelogram on the façade wall of a building free of architectural details where a wall sign would be placed. The signable area for a wall building façade, with or without architectural detailing shall not exceed twenty five (25) percent of the total square footage of the façade wall.



Article 4

Signs

Sec	Name	Pg
4.0	Purpose	
4.1	Sign Permit Procedure & Enforcement	
4.2	General Sign Standards	
4.3	District Regulations for Signs	
4.4	Temporary Signs	
4.5	Wall Signs - Supplemental Regulations	
4.6	Projecting Signs - Supplemental Regulations	
4.7	Marquee or Awning Signs - Supplemental Regulations	
4.8	Roof Signs	
4.9	Message Boards	
4.10	Off-Premise Signs	
4.11	Murals	
4.12	Severability Clause for Signs	

Section 4.0 Purpose

The purpose of this Section is to regulate outdoor signs, designed to be visible to the public, in a manner which does not restrict the content while recognizing the ~~mass~~ communications needs of both businesses and other parties and creating a more attractive business environment **and attractive residential neighborhoods**. The number and size of signs may be distracting to motorists and pedestrians and can create a traffic hazard. The number and size of signs can also reduce the effectiveness of signs needed to direct the public and may mar the appearance of the landscape. The provisions of this Section are intended to apply the minimum amount of regulation in order to protect property values and neighborhood character; ~~create a more attractive business climate~~; promote pedestrian and traffic safety; and promote pleasing community ~~environmental~~ aesthetics.

Section 4.1 Sign Permit Procedure & Enforcement

A. Approval.

No sign, ~~plates and those signs established by the City, County, State or Federal governments,~~ shall be erected, altered, replaced, or relocated until approved by the Zoning Administrator and a Sign Permit issued **unless noted in subsection A.6.**

1. When a Sign Permit is Required.

- a. A sign permit is required when the sign structure is being removed and replaced or if any structural change is being made to the sign (including a change to a sign's size). A sign permit is not required if a sign's message is being changed by re-painting, changing lettering, or changing the sign's "skin" (non-rigid covering).
- b. A property owner may maintain an existing ~~conforming~~ sign without a sign permit provided the type, size, shape, and height do not change and the use remains the same.

2. Application for Sign Permit. Applications for permits shall be made upon forms provided by the Zoning Administrator and shall contain or have ~~thereto~~ the following information attached:

- a. Name, address, and telephone number of the applicant.
- b. Location of building, structure, or lot to which the sign or other advertising structure is to be attached or erected.
- c. Site plan showing the location of the sign and nearby structures.
- d. One (1) blueprint or drawing of the plans and specifications and methods of construction and attachment to the building or in the ground.
- e. In some cases, the Zoning Administrator may request copies of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City. Provided, further, that where the Zoning Administrator deems it advisable, he/~~she~~ may require the approval of the structural design by a registered architect or engineer.
- f. Name of person, firm, corporation, or association erecting ~~the~~ structure.
- g. Written consent of the owner where the sign is to be erected on vacant land.
- h. In all cases where wiring is to be used in connection with the sign, it shall comply with the National Electrical Code and the necessary permits shall be obtained.

~~Insurance policy or bond as required by subsection 9 below.~~

- i. Such other information as the Zoning Administrator shall require to show full compliance with this and all other Ordinances of the City.
3. **Sign Permit Issued if Application in Order.** It shall be the duty of the Zoning Administrator, upon the filing of an application for a sign permit, to examine the plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and, if it shall appear that the proposed structure is in compliance with all requirements of the City, the permit shall be issued. In the case of illuminated signs, an electrical permit ~~and a sign permit must~~ **shall also** be issued. **The Building Official shall be responsible for issuing building permits for signs that require a building permit.**
4. **Sign Permit Fee.** ~~It shall be unlawful in the City of Alpena for any person to erect or alter any sign, except those signs specifically exempted herein, unless a permit shall first have been obtained from the Zoning Administrator for such erection or alteration, and~~ **Prior to the issuance of a sign permit, a sign permit fee shall be** paid to the City according to the schedule as shall be established from time to time by resolution of the City Council.
5. **Sign Permit Revocable at Any Time.** All rights and privileges accrued under the provisions of this Ordinance or any amendment thereto are mere licenses and may be revoked upon the violation of any of the conditions contained herein. If the work authorized under a ~~erection~~ **sign** permit has not been completed within four (4) months after date of issuance, the said permit shall become null and void. **The Zoning Administrator may grant an extension if weather or other unforeseen circumstances impact the construction of the sign.**
6. **Signs Excluded from Permits.** The following signs are permitted in all districts except where restrictions are indicated, in accordance with the provisions of this Section and shall not require permits for erection.

Signs Excluded from Permits

- a. Wall signs **(whether on buildings or accessory structures)** not exceeding two (2) square feet in area. **Freestanding** signs ~~on private property~~ that do not exceed four (4) square feet each. ~~This would take into account (Example: signs located at entrances and exits) and off-premise directional signs.~~
- b. Plaques **or letters** when cut into any masonry surface or when constructed of bronze or aluminum and attached to a building.
- c. Signs erected by an official governmental body, public utility, or historic agency.
- d. Flags. **Flags which are on a flagpole are not considered signs. Refer to U.S. Flag Code for Federal Guidelines.**
- e. Integral decorative or architectural features of buildings or works of art, so long as such

features or works do not contain moving parts or lights.

- ~~f. Signs less than two (2) square feet in size and located on the perimeter (along a parcel lot boundary).~~
- g. Projecting Signs ~~when located~~ **that hang below** an **canopy**, awning or marquee which do not exceed ~~two (2)~~ **ten (10)** square feet in area or extend below a minimum height of eight (8) feet from ground level. ~~Signs contained directly on a marquee canopy or awning.~~
- ~~h. Permanent signs on accessory structures such as gas pumps or storage sheds.~~
- i. Banners across public rights-of-way subject to any terms or conditions City Council or its designee deems appropriate.
- j. Temporary signs, **portable signs, A-frame signs, feather banners, sail-type signs, air dancers, and other attention-getting devices.**
- k. Signs erected by the City of Alpena, State of Michigan, or Downtown Development Authority as part of a community wayfinding program.
- l. Signs not ~~readable~~ **visible** by motorists or pedestrians on any road, alley, water body, public lands, or adjacent parcels.
- m. Legal postings as required by law.
- n. Murals**

7. Prohibited Signs.

Prohibited Signs **and Devices**

The following ~~signs~~ are prohibited with**in** the City:

- a. Signs which incorporate in any manner any flashing or moving lights with the exception of approved electronic message boards.
- ~~b. String lights used in connection with business premises for commercial purposes, other than Christmas decorations.~~
- c. Rotating **and moving** signs, except as otherwise regulated in this Ordinance.
- d. Any sign unlawfully installed, erected, or maintained.
- e. Signs on park-type benches.
- f. **Roof signs.** ~~Any sign attached on to the roof of any building.~~
- g. ~~Advertising~~ Devices such as pennants, pinwheels, streamers, search lights, or other devices with similar characteristics.
- ~~h. Signs which no longer advertise an existing use occurring on the premises after one (1) year has elapsed.~~

i. ~~No sign or banner shall be placed across any public right-of-way except by permission of the City.~~ *Moved to 4.2 B.*

j. ~~It shall be unlawful for any person to display upon any sign or other structure any obscene, indecent or immoral matter.~~

~~8. License for Sign Erectors.~~

a. ~~Every person, firm, or corporation engaged in the business of erecting or installing signs for which permits are required by this Section shall obtain a license, hereinafter referred to as a sign erector's license, from the City Clerk to conduct such operation.~~

b. ~~The sign erector's license shall be renewed annually on or before May 1st of each year.~~

c. ~~A fee for sign erector's licenses shall be established by resolution of the City Council. A fee shall be paid to the City Clerk for each sign erector's license and each renewal of a sign erector's license.~~

d. ~~The City Manager shall revoke the license of any sign erector who does not comply with the requirements of this Article.~~

~~9. Sign Erector's and Owner's and User's Insurance.~~

a. ~~Each licensed sign erector shall file evidence of insurance in amounts determined by the City of Alpena.~~

b. ~~**Lapsing of Insurance.** At any time the insurance of any sign erector is permitted to lapse, his license shall automatically be revoked.~~

B. Enforcement.

See **Section 9.0** (Enforcement) and **Section 9.7** (Violations).

Section 4.2 General Sign Standards

A. Wind Pressure and Dead Load Requirements.

Freestanding ~~Ground~~, projecting, wall, and marquee signs shall be designed and shall be constructed to receive wind and dead loads as required in the City Building Code or other ordinances of the City.

B. Signs in Right-Of-Way.

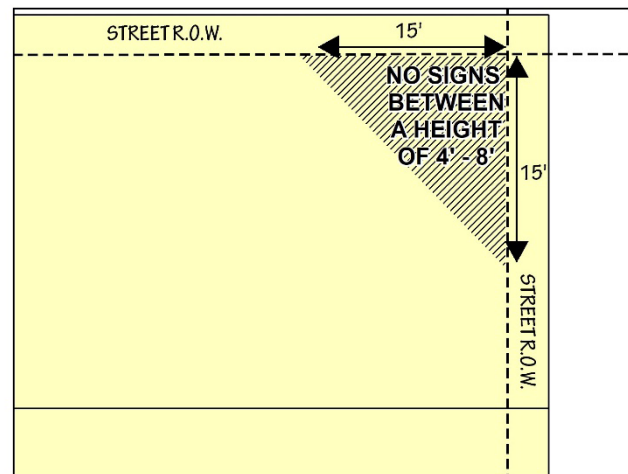
1. Any sign except those established and maintained by city, county, state, or federal governments shall not be erected in, nor project into, or overhang a right-of-way except as otherwise allowed in this Ordinance. ~~The owner of any sign which has been removed by the City from the right-of-way because it is in violation of this provision shall pay to the City the sum of Five Dollars (\$5.00) before recovering said sign. If any sign is not claimed within thirty (30) fourteen (14) days, it shall be destroyed. Where a sign projects over a private right-of-way, there shall be a fourteen (14) foot vertical clearance.~~
2. No sign or banner shall be placed across any public right-of-way except by permission of the City.
3. The right-of-way includes the **LAWN EXTENSION**.

C. Signs Not To Constitute a Traffic Hazard.

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. At street intersections, no signs other than municipal traffic control signs shall be located in the clear-vision triangle formed by the property lines paralleling the streets and extending for a distance of ~~twenty-five (25)~~ **fifteen (15)** feet each way from the

intersection of the right-of-way lines at the corner lot. This clear vision triangle shall be free of any pole, column, support, sign face, or other obstruction having a width exceeding eight (8) inches. The clear vision triangle shall consist of that space which is between ~~three (3)~~ **four (4)** feet and eight (8) feet in height as measured from the curb. This vision triangle does not apply in zoning districts that allow buildings to be constructed up to a corner property line.

Figure 4.2A: Sign Visibility Triangle



D. Signs Affixed to Nontraditional Surfaces.

No sign shall be affixed to trees, rocks, shrubs, utility poles, or other similar objects except signs of any political subdivision of this State. No sign shall be affixed to a fence without first being approved by the Zoning Administrator as meeting a special purpose. No sign shall be affixed to a stationary motor vehicle or other similar object not usually used for signage and put on non-mobile display.

E. Illumination/Glare.

Internally and externally lighted reflective, glowing, and other forms of illumination shall be permitted on all signs except where specifically prohibited. All illumination shall be concentrated on the area of the sign or landscape feature or directed or shielded so as to not interfere with the vision of ~~or become a nuisance to~~ persons on the adjacent streets or adjacent property. Illumination shall not constitute a traffic hazard. No sign shall be illuminated by other than electrical means or devices, and wiring shall be installed in accordance with the National Electrical Code. ~~Any signs shall be a wattage not exceeding sixty (60) watts per bulb.~~ Any lighting used to illuminate signs shall be directed away from and shall be shielded from any adjacent residential zoning districts.

~~Flashing/Moving Signs.~~

~~Illuminated signs shall not be of the flashing, moving or intermittent type unless elsewhere allowed in this Ordinance or approved by the Zoning Administrator, who shall find that the lighting is non-glaring and does not interfere with traffic control devices.~~

F. Obstructions To Doors, Windows and Fire Escapes.

No sign shall be erected or maintained so as to prevent free ingress or egress from any door, window, or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.

G. ~~Free Speech/~~Obscene Material.

No sign shall contain statements, words, or pictures of an obscene nature which would appeal predominantly to a prurient interest in sexual conduct, depict or describe sexual conduct in a patently offensive way, and be offensive, rude, lewd or disgusting according to accepted moral standards.

H. Sign Construction.

1. No nails, tacks, or wires shall be permitted to protrude from the front of any sign. ~~This shall not exclude, however, the use of block letters, electrical reflectors, or other devices which may extend over the top and in front of the structure.~~
2. Signs shall be comparable to a professionally designed and constructed sign.
3. All wall signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts, or expansion screws, or other means as approved by

the Building Official. In no case shall any wall sign be secured with wire, strips of wood, or nails.

I. **Size Sign Area Limitations.**

Size limitations apply to the **area of the** sign face only, not the support structure. *See Sign, Area definition.*

Multiple Signs.

~~Where multiple signs are permitted by zoning district, the number, size, and placement of signs in combination on a lot shall comply with the following:~~

- ~~1. A freestanding sign shall not be permitted on lots where a projecting, awning canopy or marquee sign extends into the front yard to within eight (8) feet of the public right of way.~~
- ~~2. A projecting, awning, canopy, or marquee sign may not extend into the public right of way from lots on which a ground **freestanding** sign is located.~~
- ~~3. A projecting, awning, canopy, or marquee sign shall not be located on the same building wall in which a permanent sign of a differing sign type is located, other than wall signs.~~

J. **Nonconforming Signs.**

1. Nonconforming signs that were otherwise lawful on the effective date of this Zoning Ordinance may be continued.
2. No person shall increase the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition. Nor may illumination be added to any nonconforming sign.
3. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this section.
4. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all provisions of this Zoning Ordinance. The remnants of the former sign structure not usable for a new conforming sign shall be cleared from the land. For purposes of this Section, a nonconforming sign is considered destroyed if it is damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value of the

sign so damaged.

5. Subject to the other provisions of this Section, nonconforming signs may be repaired, maintained, serviced, or repainted if the framework and/or the size and/or shape of the sign remain unchanged. If such framework is altered or removed or the size and/or shape of the sign are altered, said sign must be changed to a conforming sign.
6. **If a nonconforming sign has been abandoned, then subsection L shall apply.** ~~If a nonconforming sign, other than an off-premise sign, advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed by the owner of the sign, the owner of the property where the sign is located, or the party having control over such sign within thirty (30) days after such abandonment.~~
7. ~~If a nonconforming off-premise sign remains blank for a continuous period of one hundred eighty (180) days, that off-premise sign shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this Zoning Ordinance or be removed by the owner of the sign, the owner of the property where the sign is located, or the persons having control over such sign. For purposes of this section, a sign is "blank" if:~~
 - a. ~~It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted;~~
 - b. ~~The advertising message it displays becomes illegible in whole or substantial part; or~~
 - c. ~~The advertising copy that either has been paid for by a party other than the sign owner or promotes an interest other than rental of the sign has been removed.~~
8. **Subsections 6 and 7** ~~above~~ shall not apply to signs advertising **contained on lots with** seasonal businesses.

K. Abandoned Signs.

1. **An abandoned sign is any sign to which any of the following applies:**
 - a. **The sign is located on a property on which the use has been abandoned for a continuous period of one (1) year. When determining the intent of the property owner to abandon a use, the Zoning Administrator shall consider the following factors:**

(1) Whether utilities such as water, gas, and electricity to the property have been

disconnected.

(2) Whether the property, buildings, and grounds have fallen into disrepair.

(3) Whether equipment or fixtures necessary for the operation of the use have been removed.

(4) Other information or actions that evidence an intention on the part of the property owner to abandon the use.

If the sign is located on property that is actively for sale, the property owner may request an extension of this time period and the Zoning Administrator may grant this extension.

- b. The sign has remained blank over a continuous period of one hundred (180) days.
 - c. The sign's message becomes illegible in whole or substantial part.
 - d. The sign has fallen into disrepair.
2. **Removal of Abandoned Signs.** In the event that a sign is determined to be abandoned, the Zoning Administrator shall give notice in the form of a letter to the property owner that the sign has been determined to be abandoned. The property owner shall have thirty (30) days to remove said sign and any remaining sign structure. Upon the expiration of thirty (30) days, the Zoning Administrator shall give a second notice in the form of a letter. If the sign and structure have not been removed upon the expiration of thirty (30) days from the date of the second notice, the Zoning Administrator is authorized to cause removal of such sign and structure and any expense incident thereto shall be paid by the owner or lessee of the sign or, if such person cannot be found, by the owner of the building or structure or property to which such sign or structure is affixed. If such expense is not paid, the City shall have a lien on the property and such cost shall be added to the tax bill for the property.

L. Unsafe, Damaged, and Illegal Signs:

In the event that any sign becomes insecure, in danger of falling, unsafe, damaged, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this Ordinance, the owner or lessee shall upon twenty-hour (24) hours of receipt of a written notice from the Zoning Administrator make such sign conform to the provisions of this Ordinance or shall cause it to be removed. The Zoning Administrator may grant a time extension if, after inspection, the Zoning Administrator determines that no immediate danger exists. In the event said owner or lessee does not remove said sign pursuant to said notice, or cannot establish a

good faith effort to comply, the Zoning Administrator is authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner or lessee of the sign or, if such person cannot be found, by the owner of the building or structure or property to which such sign or structure is affixed. If such expense is not paid, the City shall have a lien on the property and such cost shall be added to the tax bill for the property.

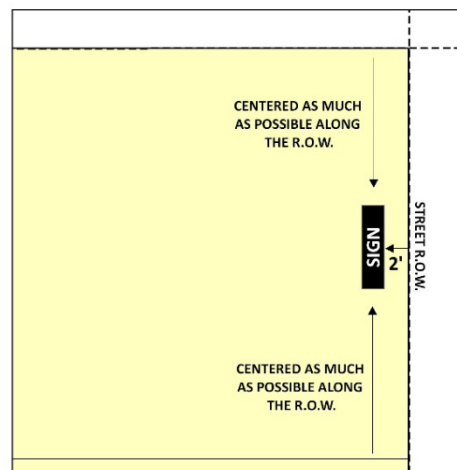
M. Sign Maintenance.

1. All signs for which a permit is required, together with all their supports, braces, guys, and anchors, shall be maintained in good working order, and when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion. The exteriors of all signs, supporting members, painted surfaces, ~~advertising materials~~, and lettering shall be kept painted and in good repair, so as to present a neat and orderly appearance. All bulbs or component parts of the sign, including the electrical switches, boxes, and wiring used in the illumination of the sign must be well maintained and in good repair.
2. The Zoning Administrator may order the removal of any sign that is not maintained in accordance with the provisions of this Ordinance.
- ~~1. It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.~~

N. Sign Setbacks.

Freestanding signs shall be set back at least two (2) feet from the property line and shall be centered as much as possible along the street frontage.

Figure 4.2.B Sign Setbacks



O. Allowable Sign Size Increase.

The Zoning Administrator may increase the allowable sign sizes and heights listed in this Section by up to twenty-five (25) percent when it can be demonstrated that an increase is necessary to maintain proper sign visibility or to maintain architectural integrity. The following factors shall be considered by the Zoning Administrator when determining allowable increases:

1. Relationship of the sign to surrounding properties and rights-of-way
 - a. Compatibility with adjacent land uses and signs.
 - b. Visibility of neighboring signs or buildings.
 - c. Visibility and legibility of the sign for pedestrian and vehicular traffic.
 - d. Lighting trespass impacts.
2. Relationship of the sign to features on the site of the sign installation:
 - a. Suitability of the sign and its location relative to particular site characteristics such as yard areas, vegetation, topography, and the like.
 - b. Compatibility of the sign with the size, location, and character of the principal building(s) on-site.
 - c. Impact of the sign upon on-site vehicular and pedestrian circulation.
3. Impact of the sign upon parks and historic properties:
 - a. Impact of the sign upon views of prominent natural features
 - b. Impact of the sign upon parks and public spaces.
 - c. Impact of the sign upon historic buildings or properties.
4. Impacts of the sign upon public safety:
 - a. Visibility of traffic safety devices.
 - b. Visibility of pedestrians and vehicles entering or exiting the site or on adjacent rights-of-way.
 - c. Impacts of sign lighting upon vehicular traffic.
 - d. The safety of the placement of the sign.

Section 4.3 District Regulations for Signs

The use of signs ~~over two (2) square feet~~ in each district shall be limited to the following tables. Lots may contain any of the sign types listed in the table. A lot which contains a sign of one (1) type (i.e. freestanding signs) may also contains signs of any other type (i.e. wall signs)

1 Purpose	2 Definitions	3 General Provisions	4 Signs	5 District Regulations
6 Plan Review	7 Supplemental Regulations	8 Zoning Board of Appeals	9 Administration	10 Adoption & Amendments

Table 4A: Residential District Sign Requirements







	     			
	Single & Two-Family Uses (per each dwelling unit)	Multiple Family, Subdivisions, Manufactured Housing Dev.	Lots that contain a Home Occupation (additional signage allowed)	Churches, Schools, and Nonprofit Institutions Non-Residential
Free-Standing Signs (permanent primary sign)	Number: 1 per street frontage Size: 4 sq ft Height: 4 ft	Number: 1 double-sided or 2 single-sided per entrance. Size: 24 sq ft Height: 6 ft	Number: 1 Size: 8 sq ft Height: 4 ft Allowed <u>either</u> an additional freestanding sign or an additional wall sign	Number: 1 Size: 30 sq ft If sign is located more than 50 ft behind the property line, may be increased by 5 additional sq ft for each additional 10 ft of setback. Shall not exceed 50 sq ft Height: 6 ft
Wall Signs (permanent primary sign)	Number: 1 Size: 2 sq ft per dwelling unit	No sign shall exceed 25% of each wall area to a maximum of forty (40) sq ft. Wall sign increases may be permitted as per \$4.5.B	Number: 1 Size: 4 sq ft Allowed <u>either</u> an additional freestanding sign or an additional wall sign	No sign shall exceed fifty (50) percent of the signable area 25% of each wall area to a maximum of forty (40) sq ft. Wall sign increases may be permitted as per \$4.5.B See Section 4.5
Projecting Signs	Not Allowed			See Section 4.6
Marquee or Awning Signs	Not Allowed			There shall be no limit to sign size when located on an awning or marquee. See Section 4.7
Temporary Signs	See Section 4.4			
Message Boards	Not Allowed			See Section 4.9
Off-Premise Signs	Not Allowed			Not Allowed
Roof Signs	Not Allowed			See Section 4.8
Illumination	Not Allowed	External illumination only*	Not Allowed	External illumination only*
<ul style="list-style-type: none"> • Sign numbers, sizes and heights are listed as the maximum allowed. • Window signs (temporary or permanent) are regulated as wall signs in these districts. • Unless otherwise indicated, lots may contain the maximum listed for each type of sign. <p>*No internal illumination shall be allowed in residential districts except for electronic message boards on lots which contain churches and schools. Externally illuminated signs shall not glare onto or cross the property line onto residential lots.</p>				

Table 4B: Business & Industrial District Sign Requirements

	Added B-2 to this category		<div>OS-1</div> <div>B-1</div> <div>B-2</div>			<div>B-3</div> <div>I-1</div> <div>I-2</div>			<div>WD</div> <div>CBD</div> <div>DOD</div> <div>CCD</div>	
Free-Standing Signs	Number: 1 Lots with at least 100 feet of frontage on each of 2 streets may have 2 signs. If sign is at intersection of 2 streets, only 1 sign is permitted. Size: 64 sq ft Lots with 100 ft or less of frontage: 40 sq ft Lots with more than 100 ft of frontage: 40 sq ft may be increased 1 sq ft for each 7 lineal feet of frontage above 100 ft. Not to exceed 80 sq ft.									
	Pylon Sign Height Limit: 6 ft			Pylon Sign Height Limit: 13 ft			Pylon Sign Height Limit: 6 ft			
	Monument Sign Height Limit: 8 ft									
	Height may be increased 1 ft for each additional 10 sq ft of sign area in excess of 40 sq ft Height shall not extend above the highest point of the principal structure.									
Wall Signs	40 25% of each wall the Signable area to a maximum of 50 75 sq ft per wall façade			50 25% of each wall the Signable area to a maximum of 75 sq ft per wall façade			50 25% of each wall the Signable area to a maximum of 75 sq ft per wall façade			
	See Section 4.5 for "Signable Area" and "Wall Sign Increase"									
Projecting Signs	1 at 10 40 sq ft Minimum height of 8 ft Bottom of the signs shall be at least 8 ft from the ground. See Section 4.6									
Marquee or Awning or Canopy Signs	Signable Area shall be limited to 50% of the area of the front and top plane and 25% of the side plan. Minimum height of 8 ft			1 at 32 sq ft Minimum height of 8 ft			1 at 32 sq ft Minimum height of 8 ft			
	There shall be no limit to sign size when located on an awning or marquee. See Section 4.7									
Roof Signs	Not Allowed									
Message Boards (Static & Digital)	See Section 4.9. Not allowed in DOD.									
Temporary Signs	See Section 4.4									
Off-Premise Signs	See Section 4.10									
Cluster Signs	A development containing multiple buildings, separate parties, tenants, or uses shall be considered as a single development and shall adhere to the freestanding sign regulations stated above, regardless of the number of buildings, separate parties, tenants, or uses contained therein. Cluster signs shall not exceed the maximum square footage for an allowable freestanding sign in each district. The Zoning Administrator may allow area and height increases above the district maximum for a freestanding sign.									
Window Signs	Between 2 ft and 10 ft above the sidewalk: DOD: Only clear or lightly tinted glass shall be allowed in windows and doors. Windows shall not be blocked by an opaque treatment.									
	CCD: Up to 50% of the window may be blocked by opaque treatment.									
<ul style="list-style-type: none">Sign numbers, sizes and heights are listed as the maximum allowed.Unless otherwise indicated, lots may contain the maximum listed for each type of sign.Illuminated signs shall not glare onto or cross the property line onto residential lots. *No internal illumination shall be allowed on lots abutting residential lots except for lots which contain churches and schools.										

Section 4.4 Temporary Signs

A. Residential.

1. Single-Family and Two-Family Dwellings.

- a. **Ground signs.** No more than twelve (12) square feet, in sum, of temporary signage shall be allowed per zoning lot. No individual temporary sign shall exceed four (4) square feet.
- b. **Window Signs.** No more than one (1) window sign at two (2) square feet shall be allowed per dwelling unit.
2. **Individual Dwellings Units within Multiple-Family Dwellings.** No more than one (1) window sign at two (2) square feet shall be allowed per each dwelling unit within a multiple-family establishment.
3. **Multiple-Family Establishments as a Whole.** No more than two (2) temporary signs, erected by the owner or manager of the establishment shall be allowed per multiple-family dwelling establishment as a whole for a total of thirty (30) square feet in sum. The larger of any one (1) temporary sign shall be no greater than twenty (20) square feet.

B. Non-Residential.

1. **Number and Limit.** No more than two (2) temporary signs shall be allowed per commercial or industrial establishment for a total of thirty (30) square feet in sum. The larger of any one (1) temporary sign shall be no greater than twenty (20) square feet.
 - a. **A-Frame Signs (count toward the temporary sign limits in subsection B.1).**
 - (1) Shall be permitted by right in the DOD, CBD, WD, CCD, OS-1, B-1, B-2, B-3, P-1, I-1, I-2, and PUD districts ~~and on lots which contain non-residential uses and multi-family residential uses in the R-1, R-2, R-T, RM-1, and RM-2 Districts.~~
 - (2) ~~No more than one (1) sign per business per street frontage shall be allowed.~~
 - (3) ~~No permit is required.~~
 - (4) ~~Must be constructed of durable materials~~
 - (5) Sign shall be removed when ~~business~~ facility is closed.

~~(6) Maximum size two (2) feet wide by four (4) in total height for each panel with a maximum of two (2) panels per sign. A frame signs located entirely on private property may be a maximum of three (3) feet in width.~~

(7) ~~Must~~ **Shall** be located on or adjacent to the lot in which the business **facility** is located. Exception: If a building has no front yard, the sign may be located on the sidewalk. Signs located on the sidewalk shall provide at least three (3) feet of continuous pedestrian clearance.

~~(8) Off-Premise A-Frame Signs. Sign may be located in a right-of-way as a directional off-premise sign upon approval by the Zoning Administrator. DDA Director approval is also required if the sign is proposed within the DOD.~~

~~(9) A-frame signs count against the total allowable temporary sign limits of the zoning lot. Off-premise A-frame signs do not count against the total allowable signage of the lot on which it is located.~~

2. **Other Types of Temporary Signs (do not count toward the temporary sign limits in subsection B.1).**

a. **Portable Signs (Non-Residential and Multiple-Family Establishments).** One (1) portable sign ~~shall be considered the same as two (2) temporary signs and~~ shall be no greater than thirty (30) square feet. The portable signs shall be permitted ~~as a temporary sign~~ for a period not to exceed fourteen (14) days in a one (1) year period. In no instance shall such sign be located so as to obstruct automobile or pedestrian travel lanes. Such signs shall neither be illuminated nor connected to an energy source. Such signs shall not constitute a safety hazard to the public. **Portable signs do not count against the total allowable temporary sign limits of the zoning lot.**

b. **Attention-Getting Devices.** Attention-getting devices such as but not limited to feather banners, sail signs, and air dancers shall be allowed **for a maximum period of fourteen (14) consecutive days as follows:**

(1) One (1) shall be allowed per lot. For lots with more than one hundred (100) feet of lineal street frontage, one (1) attention-getting device shall be allowed per one hundred (100) feet of lineal street frontage.

(2) Attention-getting devices do not count against the total allowable temporary sign limits of the zoning lot.

(3) One zoning lot shall not contain both sail signs/feather banners and air dancer(s).

- (4) Attention-getting devices shall remain in good condition, as determined by the Zoning Administrator.

- C. **Temporary Sign Covers.** Non-rigid material which is used to cover an existing permanent sign shall be placed on the sign on a temporary basis not to exceed six (6) months. Such material shall not be considered a temporary sign and shall not be affixed permanently to the sign. Fabric signs which are stretched across a sign frame and do not cover another existing sign do not fall under this subsection C.

Section 4.5 Wall Signs - Supplemental Regulations

Delete image:

A. **Signable Area**

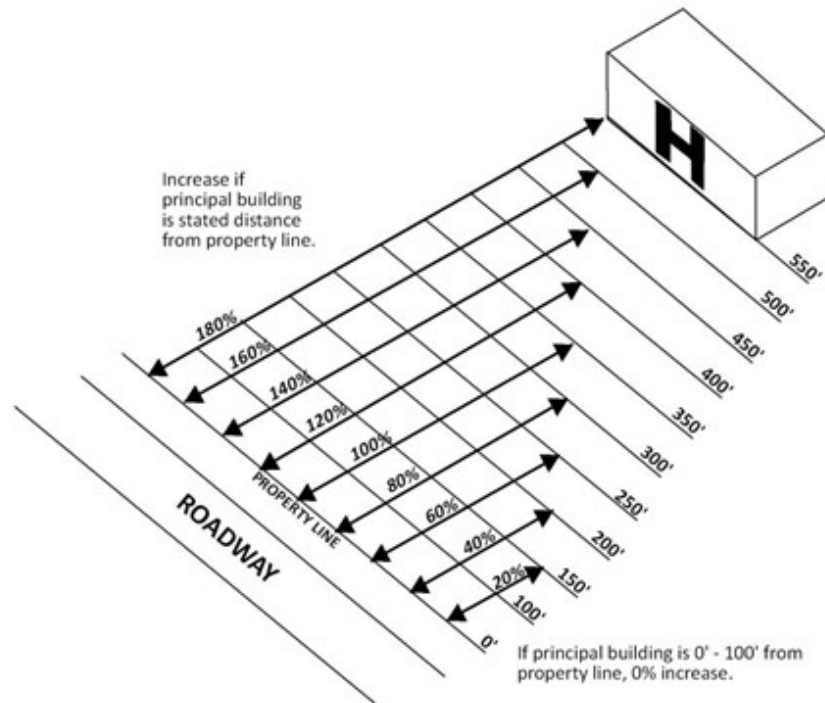
~~For walls or of buildings with architectural detailing (windows, doors, cornices, moldings, columns, etc.), the signable area shall be the two-dimensional area that describes the square, rectangle, or parallelogram on the façade wall of a building free of architectural details where a wall sign would be placed. The signable area for a wall building façade, with or without architectural detailing shall not exceed twenty five (25) percent of the total square footage of the façade wall.~~



B. **Wall Sign Increase.**

~~The size of a wall sign may be increased twenty (20) percent for principal structures located between one hundred (100) feet and one hundred fifty (150) feet from the property line, and twenty (20) percent for every fifty (50) feet beyond one hundred fifty (150) feet thereafter, to a maximum of one hundred eighty (180) percent of the original sign size. However, under no circumstances may the area of a wall sign(s) exceed ninety (90) percent of the signable area for a building façade. The maximum size of a wall sign may be increased as follows:~~

Wall Signs	
Distance of Wall Sign from Road	% of Building Face Permitted for Sign Area
0-100 ft.	25%
101-300 ft.	35%
Over 300 ft.	45%

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image

~~C. **Materials Required.** All wall signs shall have a surface or facing of noncombustible material.~~

D. Limitation on Placement.

No wall sign shall cover wholly or partially any wall opening nor project beyond the ends or top of the wall to which it is attached. **Wall signs may project above the top of the wall to which it is attached. Wall signs should not block architectural details. In the DOD, wall signs should match the character of the DOD, as determined by the Zoning Administrator with input from the DDA.**

E. Projection and Height.

No wall sign shall have a greater thickness than twelve (12) inches measured from the wall to which it is attached to the outer surface. Wall signs may project over the public right-of-way not to exceed twelve (12) inches and shall not extend below a minimum height of eight (8) feet above the ground level if such sign exceeds four (4) inches in thickness.

~~F. **Supports and Attachments.**~~

~~All wall signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts, or expansion screws or other means as approved by the Building Official. In no case shall any wall sign be secured with wire, strips of wood, or nails.~~ *Moved*

Section 4.6 Projecting Signs - Supplemental Regulations

The **Zoning Administrator** ~~Planning Commission, with a recommendation from the DDA,~~ may authorize a sign to project into the public right-of-way subject to the following conditions:

- A. One (1) projecting sign limited to not more than ~~ten (10)~~ **forty (40)** square feet of sign area for each side of such sign.
- B. No projecting sign shall exceed a height greater than the front wall height of the building to which it is attached or extend below a minimum height of eight (8) feet above the ground level.
- C. ~~The distance measured between the principal faces of any projecting sign shall not exceed twelve (12) inches.~~
- D. In the case of a zero lot line establishment, ~~no projecting sign may project beyond the property line by more than three (3) feet~~ **a projecting sign may extend into the public right-of-way from the front property line to the edge of the street curb, unless otherwise restricted by ordinance. The Zoning Administrator has the discretion to limit the distance of the projection in the right-of-way.**
- E. Any movable part of a projecting sign, ~~such as the cover of a service opening,~~ shall be securely fastened by chains or hinges.
- F. ~~Time and temperature signs shall be permitted.~~

Section 4.7 Marquee or Awning Signs - Supplemental Regulations

- A. ~~The signable area of a marquee, awning or canopy sign shall be limited to fifty (50) percent of the area of the front or top plane and twenty five (25) percent of the side plane of the marquee, awning or canopy.~~ **There is no limit to the size of the signage located on a marquee or awning. If an awning is a rigid awning (non-fabric) and is essentially part of the building structure, then the wall sign size limits shall apply.**
- B. Signage shall be attached directly to the marquee or awning ~~or canopy.~~
- C. Letters shall not project above, below, or beyond the physical dimensions of the awning ~~or canopy.~~
- D. A marquee may extend above the building to which it is attached.

- ~~E. No marquee or awning, or canopy sign shall extend below a minimum height of eight (8) feet.~~
- ~~F. Every marquee sign shall be constructed entirely of noncombustible materials.~~
- G. Every marquee sign shall be thoroughly secured to the building by iron or metal anchors, bolts, supports, rods, braces, or other means as approved by the Building Official.
- H. Awnings and marquees may project into the public right-of-way subject to the following conditions:
1. The awning or marquee is located on a building wall that is set back no more than two (2) feet from the property line.
 2. The setback requirement for the yard in which the architectural feature is located is zero (0) feet.
 3. The architectural feature ~~shall not~~ **may** extend into the public right-of-way ~~by more than forty (40) percent of the distance~~ from the front property line to the edge of the street curb, unless otherwise ~~permitted~~ **restricted** by ordinance. **The Zoning Administrator has the discretion to limit the distance of the projection in the right-of-way.**
 4. ~~The architectural feature will not interfere with any existing or planned public improvement.~~
 5. ~~The Zoning Administrator Planning Commission, with a recommendation from the DDA, may authorize a marquee to project into the public right-of-way in excess of the limitations set forth in item c when incidental to a theater, subject to the other conditions set forth in this section and subsequent to receipt of the Planning Commission's recommendations.~~

Section 4.8 Roof Signs – Supplemental Regulations

~~Roof signs may be allowed at the discretion of the Zoning Administrator in cases where no better alternative would exist for signage or when said roof display is necessary to maintain the architectural integrity of the structure to which it will be attached. Under no conditions shall any roof sign impair or obstruct the view of another structure or contribute to structural deficiency to the structure upon which it is mounted. The allowable square footage of the sign shall not exceed the allowable sign size for wall signs. In no case shall more than fifty (50) percent of the roof sign extend beyond the highest point of the roof.~~

Section 4.9 Message Boards – Supplemental Regulations

A. Static Message Boards.

One (1) static message board shall be allowed in addition to the primary freestanding or wall sign in the OS-1, B-1, B-2, B-3, CBD, CCD, I-1 and I-2 Districts and for **non-residential uses** churches, schools, or nonprofit institutions in all districts.

1. ~~The static message board shall be no greater than fifty (50) percent of the area of the primary freestanding or wall sign either existing on the property or as allowed by zoning district, whichever is less.~~ Message boards shall count toward the total available sign square footage allowed on the property.
2. ~~Static message boards shall only contain advertising for on-premise establishments or public service announcements.~~
3. Static message boards shall be an integral part of the primary sign.

B. Electronic Message Boards.

One (1) electronic message board shall be allowed in addition to the primary freestanding or wall sign in the CCD, OS-1, B-1, B-2, B-3, I-1 and I-2 Districts and for churches and schools, or nonprofit institutions in all districts.

1. ~~The electronic message board shall be no greater than fifty (50) percent of the area of the primary freestanding or wall sign either existing on the property or as allowed by zoning district, whichever is less.~~ Message boards shall count toward the total available sign square footage allowed on the property.
2. Electronic message boards shall be an integral part of the primary sign.
3. An electronic message board shall be allowed to have changing messages, scrolling message, and animation, but shall not be allowed to contain flashing elements.
4. The electronic elements shall be of an intensity that the brightness and motion shall not adversely affect surrounding or facing premises, nor adversely affect safe vision of pedestrians or operators of vehicles on public or private streets, driveways or parking areas.
5. An electronic message board shall contain a default mechanism that freezes the sign in one position if a malfunction occurs.

6. An electronic message board shall contain a mechanism to automatically adjust the intensity of its display according to natural ambient light conditions.
7. ~~Electronic message boards shall only contain advertising for on-premise establishments unless otherwise allowed in this Ordinance.~~

C. Number Allowed.

Only one (1) static or one (1) electronic message board shall be permitted per property.

Section 4.10 Off-Premise Signs

A. Large Off-Premise Advertising Signs (Billboards).

The regulation of ~~off-premise signs~~ **billboards** is intended to enhance and protect community character and image by minimizing visual blight and pollution, and to minimize traffic safety hazards due to diversion of the driver's attention and blockage of sight distances. Off-premise sign regulations address the location, size, height and related characteristics of such signs.

1. **Area and Height Limitations.** No ~~off-premise sign~~ **billboard** may be erected or maintained of a greater surface area than three hundred (300) square feet for each side of such sign. The top of the sign shall be no more than fifteen (15) feet above the ground and the bottom of the sign shall be at least three (3) **feet** above the ground. Double-faced-~~off-premise sign~~ **billboard** structures (i.e., structures having back-to-back faces) and V-type structures having only one face visible to traffic proceeding from any given direction on a street or highway shall be considered as one ~~off-premise sign~~ **billboard**.
2. **Location.** Static and digital ~~off-premise signs~~ **billboards** may be erected only in an Industrial District along a State trunkline. No ~~off-premise sign~~ **billboard** may be erected or maintained within five hundred (500) feet of any public park, recreation area, public reservation, bridge, school, or church nor within fifty (50) feet of street lines at any street intersection and shall have a minimum setback from the front property line of twenty-five (25) feet. No ~~off-premise sign~~ **billboard** shall be installed or placed on top of, cantilevered, or otherwise suspended above the roof of any building.
3. **Spacing.** ~~Off-premise signs~~ **Billboards** shall be located no closer to one another than two thousand (2000) feet.
4. **Material Required.** All ~~off-premise signs~~ **billboards** shall have a surface or facing of non-combustible material.

5. **Illumination.** A ~~billboard off-premise sign~~ **billboard** may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of on-coming vehicles, or on any adjacent premises. In no event shall any ~~off-premise sign billboard~~ have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
6. **Digital Off-Premise Signs Billboards.**
- Rate of Change.** The rate of change between static messages or images shall not exceed more than one (1) change per ~~six (6)~~ **eight (8)** seconds. Each change shall be complete in one (1) second or less.
 - Luminance.** ~~The maximum daylight sign luminance level shall not exceed 62,000 candelas per meter squared at 40,000 lux illumination beginning 1/2 hour after sunrise and continuing until 1/2 hour before sunset and does not exceed 375 candelas per meter squared at 4 lux illumination at all other times. The sign shall possess and utilize automatic dimming capabilities so that the maximum luminescence level is not more than 0.3 footcandles over ambient light levels measured at a distance of one hundred (150) feet for those sign faces less than or equal to three hundred (300) square feet.~~
 - Digital ~~off-premise signs~~ **billboards** shall be configured to default to a static display in the event of mechanical failure.
7. ~~An off-premise sign~~ **A billboard** must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. ~~An off-premise sign~~ **A billboard** must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of the message(s).
8. ~~An off-premise sign~~ **A billboard** established within an industrial area, as defined in the Highway Advertising Act of 1972 (1972 PA 106, as amended) bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of said Act and the regulations promulgated thereunder.

~~COMBINATION OFF PREMISE & ON PREMISE ELECTRONIC MESSAGE BOARDS (Table 4D): Digital signs which are used to advertise both on-premise and off-premise establishments shall comply with the following regulations:~~

- ~~9. A permanent, static on-premise primary sign must be in existence totaling at least twenty-five (25) percent of the allowable sign size in the district. The balance of the total allowable sign area may consist of the Combination Off-Premise/On-Premise Sign.~~
- ~~10. The Combination Off-Premise/On-Premise Sign shall adhere to the regulations contained in §4.7(B)(2-6).~~
- ~~11. Over fifty (50) percent of the digital messages contained on such sign shall advertise the on-premise establishment. The balance of the messages may advertise off-premise establishments under the same ownership and/or public service announcements.~~
- ~~12. Each message shall remain readable for at least six (6) seconds.~~
- ~~13. Combination Off-Premise & On-Premise Digital Signs shall be spaced at least one thousand (1,000) feet apart in all Districts.~~
- ~~14. Combination Off-Premise & On-Premise Digital Signs shall be allowed in the OS-1, B-2, B-3, CBD, CCD, I-1 and I-2 Districts.~~
- ~~15. Combination Off-Premise/On-Premise Signs shall count toward the total sign area allowed for the property.~~

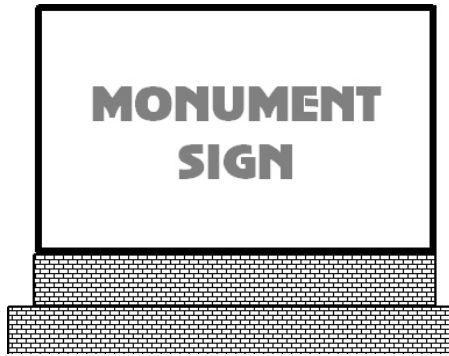
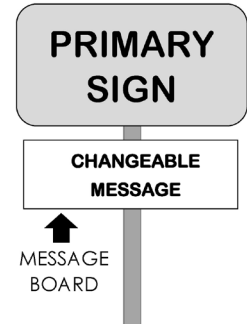
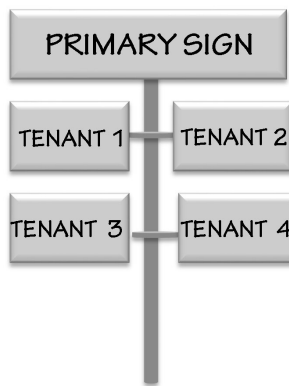
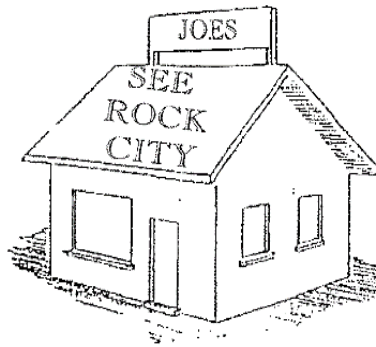
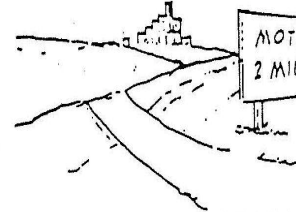
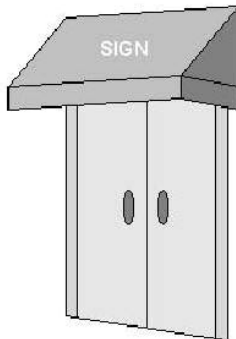
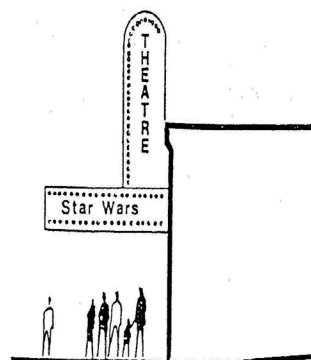
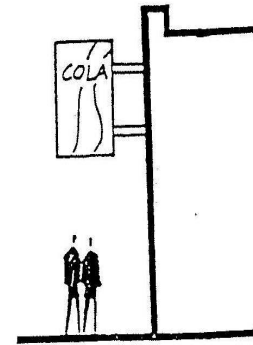
B. Small Off-Premise Directional Signs on Private Property (Permanent or Temporary).

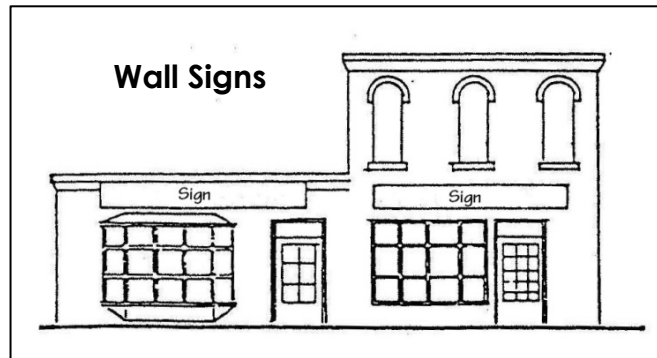
1. **Small** off-premise signs shall be no greater than six (6) square feet in area.
2. **Small** off-premise signs shall be no greater than four (4) feet in height.
3. **Small** off-premise signs must be located at intersections.
4. **Small** off-premise signs shall only be located on commercial or industrial property on the streets designated on **Map 4.1**. *Remove map.*
5. One (1) **Small** off-premise sign is permitted per commercial or industrial zoning lot.
6. Small off-premise signs on occupied lots shall NOT count toward that lot's sign size limitations.
7. A zoning permit is required if the sign is permanent.

C. Off-Premise Signs In The Public Right-Of-Way.

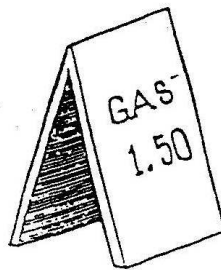
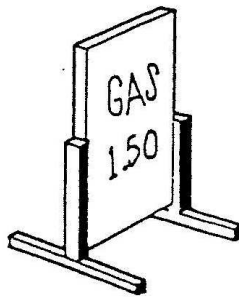
~~A frame signs may be allowed in the public right of way. The following regulations shall apply:~~

- ~~1. Signs shall be approved by the City Council.~~
- ~~2. Signs shall be removed each night.~~
- ~~3. Signs shall only be located at intersections on the streets designated in Map 4.1.~~
- ~~4. Maximum size 2' wide by 4' in total height for each panel with a maximum of 2 panels per sign. Maximum spread between the two panels at the base shall be 2'6".~~
- ~~5. The owner of the property abutting the right of way on which the sign is placed shall be notified, prior to City Council approval, that the sign is being requested.~~ *Delete map*

Sign Diagrams*Remove diagrams – these are already in the definitions***Pylon Sign
(Freestanding)****Monument Sign
(Freestanding)****Message Board****Cluster Sign****Roof Sign****Off-Premise Sign****Awning Sign****Marquee Sign****Projecting Sign**



Temporary Signs



A-Frame Sign



Portable Sign

Section 4.11 Murals

Murals are not considered wall signs and are not required to adhere to the sign sizes limitations in this Section and do not require a zoning permit. Murals shall not be located on the front façade of a building unless approved by the Zoning Administrator.

Section 4.12 Severability Clause for Signs

Provisions of **Article 4** shall be deemed to be severable, and should any section, subsection, paragraph or provision thereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this **Chapter Section** as a whole or any other part thereof, other than the part so declared to be unconstitutional or invalid. If any court shall declare invalid the application of any provision of this **Chapter Section** to a particular parcel, lot use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot use, building or structure not specifically included in said ruling.

1 Purpose

2 Definitions

3 General Provisions

4 Signs

5 District Regulations

6 Plan Review

7 Supplemental Regulations

8 Zoning Board of Appeals

9 Administration

10 Adoption & Amendments