

Chapter 7 – Signs (DRAFT)

SECTION 7.01 PURPOSE AND INTENT

It is the purpose and intent of the sign ordinance; to protect and further the health, safety and welfare of the residents of the Township, to promote traffic safety, to provide safer conditions for pedestrians, to provide an esthetically pleasing environment, to promote economic development by regulating the construction, alteration (D2-1), repair, size, location, and number of signs within the Township, and to allow businesses within the Township an adequate mode of advertising.

SECTION 7.02 SIGNS PROHIBITED IN TUSCOLA TOWNSHIP

Any sign not expressly permitted by this ordinance is prohibited.

SECTION 7.03 SIGNS PERMITTED IN TUSCOLA TOWNSHIP WITHOUT A PERMIT

The following signs shall be permitted in Tuscola Township without the necessity of obtaining a sign permit and subject to the requirements stated herein:

- A. House numbers legible from the street (D2-18), and nameplates (fraternal, social, apartment (D2-2), and professional) identifying the occupant of a parcel (D2-13) of land and not exceeding 2 square feet in display surface area.
- B. Memorial signs or tables, especially those containing the names of buildings and dates of construction, and not exceeding 2 square feet in display surface area.
- C. For sale signs attached to vehicles
- D. Flags bearing the official design of a nation, state, municipality, business, institution or organization.
- E. Traffic, or other municipal signs, also private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
- F. Where a federal, state or local law requires a property owner to post signage on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting sign(s) each not to exceed 2 square feet on the property.

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- G. A sign not greater than a total of 6 square feet per side not to exceed 2 sides (12 square feet total size) is permitted for a home occupation (*D2-9*). The sign shall be no closer to the road than the road right-of-way. Illuminated or flashing signs are prohibited.
- H. One metal sign not to exceed 7.5 square feet in the agriculture district
- I. Window signs (*D2-18*):
1. May be used if mounted inside a window.
 2. Maximum size is limited to 25% of the window area.
- J. Temporary Signs
1. Temporary non-residential signs
 - a. Temporary signs and banners may be self-supporting and must be easily removable. The maximum height of these signs is 8 feet above ground level.
 - b. Such signs and banners must be placed 10 or more feet back of the road right-of-way (*D2-14*). They may also be placed against the building (*D2-2*).
 - c. If in the judgment of the Zoning Administrator, the signs and banners pose a traffic hazard he/she has the authority to have the signs and/or banners moved to another location on the property. At the Zoning Administrator's discretion, the matter may be referred to the Tuscola Township Planning Commission.
 2. Temporary residential sign – Any residence can place a 32 square foot sign for up to 120 days per year. Such sign shall not be placed within the road right-of-way.
 3. Other Temporary Signs
 - a. During the time a property is up for rental, sale or lease, one sign advertising said situation shall be allowed. Said sign shall not exceed a total of 40 square feet in surface display area (*D2-17*) (but no more than 20 square feet per side).

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The sign shall be placed no closer than 10 feet from the road right-of-way (D2-14). The bottom of such sign shall be no more than two feet above the ground.

- b. Signs during the development of a subdivision, multi-family development or a business.
 - 1) The total surface display area (D2-17) shall not exceed a total of 32 square feet (no more than 16 square feet per side).
 - 2) Sign height shall not exceed 8 feet.
 - 3) Placement shall be at least 10 feet inside the property boundaries to which the sign pertains and not within the road right-of-way.
 - 4) In the judgment of the Zoning Administrator said sign must not pose a traffic hazard and the Zoning Administrator has the authority to have the sign moved to another location on the property.

SECTION 7.04 SIGNS PERMITTED IN TUSCOLA TOWNSHIP WITH A PERMIT

The following signs shall be permitted in Tuscola Township upon obtaining a sign permit through the Tuscola Township Zoning Administrator in accordance with the terms of this ordinance and subject to the requirements stated herein. It is further noted that the Zoning Administrator, at his/her discretion, may refer any and all such matters to the Tuscola Township Planning Commission for determination. Any banner, flag, sign, poster, streamer, placard, or other device used to attract attention or display information; such as but not limited to logo, phone number, business name, welcome, open, and/or product or service sales is considered to be a sign. All signs must be at least 10 feet from the road right of way (D2-14).

- A. 1 sign not to exceed a total of 32 square feet, 16 square feet per side, may be placed at each entrance of a subdivision or development. This sign may be illuminated. The sign and structure (D2-18) must be harmonious and appropriate in appearance with the existing and intended character of the general vicinity.
- B. 1 sign placed flat against the main building (D2-2) (D2-2) development, not to exceed 12 square feet in surface display area (D2-17). Such sign may be illuminated provided that the source of light is not visible beyond the property lines of the parcel (D2-13) on which it is located.

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C. The following types of signs shall be permitted in the Commercial and Mixed Development zoning districts, and on the premises of public and quasi-public uses located in any zoning district t. These signs may be illuminated in accordance with the provisions of Section 7.05.

1. Freestanding Signs (*D2-15*):

- a. 1 on-premises (*D2-15*) advertising sign per business that occupies the entirety of a building (*D2-2*) or 1 freestanding sign per building housing multiple businesses (attached as in a strip mall (*D2-18*) or housed a single building) is permitted. Freestanding signs must not exceed 260 square feet in surface area, not to exceed 130 square feet per side.

Additional freestanding signs are permitted based on the amount of road frontage (*D2-8*) the business location occupies as follows:

- i. For each foot of road frontage over 100 feet the business location occupies 1 additional square foot of freestanding signage is permitted.
- ii. A maximum of 3 additional freestanding signs is permitted.
- iii. Each additional sign may not exceed the size specifications listed above.
- b. Freestanding signs must be in the front yard (*D2-22*) with the leading edge of the sign at least 10 feet behind the road right of way (*D2-14*).
- c. The bottom of freestanding signs may be at ground level and shall be no higher than 31 feet above ground level. The sign may not create a traffic hazard for vehicles on the frontage road or nearby side intersecting streets.
- d. 1 freestanding sign identifying an industrial complex, located at the main entrance to the complex, not exceeding 100 square feet in total surface area, 50 square feet per side, and no higher than 6 feet above ground level is permitted. The sign shall be at least ten 10 feet back of the road right of way and may be illuminated provided that the illumination does not create a nuisance or traffic hazard.
- e. 1 additional freestanding sign may be permitted for neighborhood or community shopping centers (*D2-4*) upon application for and granting of a Conditional Use Permit by the Tuscola Township Planning commission. Contact The Tuscola Township Zoning Administrator to request an additional sign.
- f. The mounting structures for freestanding signs (*D2-15*) shall not pose a visual traffic hazard. The Tuscola Township Zoning Administrator is

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empowered under this ordinance to make such a determination and at his/her discretion may refer the matter to the Tuscola Township Planning Commission.

- g. Corporate and or other freestanding signs offered by a company to all its locations and/or franchisees are permitted and included in the quantity of signs permitted by this ordinance provided they meet all the dimensional requirements of this ordinance.

2. Wall Signs (D2-18):

- a. 3 wall signs per business, 1 sign per building (D2-2) wall with a maximum of one sign on each of three walls. Each sign must not exceed 15% of the wall area on which it is attached. When calculating wall surface area use the height and length of the wall without deducting window and door areas.
- b. Wall signs shall be placed flat against the main building or parallel to the building on a canopy and may only face public streets or the parking area that is part of the development.
- c. Wall signs shall not extend above the roofline or cornice.
- d. Signage painted directly on an exterior wall is considered a wall sign.

3. Marquee Signs (D2-16):

- a. Marquee signs shall not exceed the surface display area (D2-17) permitted for wall signs
- b. No portion of a marquee sign shall be higher than the roofline of the building (D2-2).

4. Projecting Signs (D2-17):

- a. 1 per business, with a surface area not exceeding 1 ½ square feet in area for each lineal foot of the building frontage (D2-8) up to a maximum of 50 square feet (25 square feet per side).
- b. Projecting signs shall be attached directly to a building by means of building mounts or hung from a mast arm. These support members may also include decorative appurtenances, but external bracing such as guy wires or metal frame work is prohibited.

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- c. Projecting signs must be at a 90 degree angle to the building surface to which it is attached.
 - d. Projecting signs shall not extend beyond the minimum required setback line or into or over the street (D2-18) right-of-way (D2-14).
 - e. The minimum clearance of a projecting sign over a sidewalk shall be 9 feet.
5. Service Station Signs:
- a. Vehicle fuel service stations shall be permitted an additional 2 sided not to exceed 80 square feet in surface area, 40 square feet per side. This sign may be permanently attached to the support pole for a freestanding sign. If the support pole is poorly located, said price sign may be attached to a light standard or support.
6. Parking Lot Signs:
- a. 1 directional sign at each point of ingress or egress is permitted and must include directions of movement.
 - b. Surface area per sign shall not exceed 6 square feet per sign (3 square feet per side).
7. Malls and Shopping Centers:
- a. Freestanding signs (D2-15) identifying malls or shopping centers are permitted. The sign must conform to Section 7.04.D.1.
 - b. Each business within the mall shall be permitted 1 wall sign (D2-18) conforming to the requirements of Section 7.04.D.2. The size of the sign must not exceed 15 percent of the individual business's wall space.
 - c. Where the roof structure (D2-18) of a building (D2-2) containing more than 1 business is extended over a walkway along the outer edge of the building, 1 marquee sign (D2-16) or one under-hanging sign per business is permitted in lieu of the wall sign. The marquee or under-hanging may not exceed 6 square feet per side and bottom edge of such signs must have a minimum clearance of 9 feet above the sidewalk.

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8. Neon Signs:
 - a. May be used if mounted inside a window or on a wall.
 - b. The maximum size is limited 25% of the window or wall area where it is mounted.
 - c. Cannot be flashing.
 - d. Neon signs are not counted as one of the 3 freestanding permitted.

SECTION 7.05 SIGN ILLUMINATION

Signs for which illumination is permitted may be illuminated by a direct or indirect source of light provided the light source is shielded in such a manner so that no direct rays or glare emanating from the light source shines on the public right-of-way (D2-14) or any residential lot (D2-10).

SECTION 7.06 MOVING OR REVOLVING SIGNS

Any sign that revolves or has any visible moving parts, visible revolving parts or visible mechanical movement of any type, or other apparent visible movement achieved by electrical, electronic or mechanical means, excepting those actions associated with time-temperature and programmable message signs, shall be prohibited in all districts. Programmable message signs are also called Electronic Message Centers (EMCs) and require a permit and shall be regulated as freestanding signs per Section 7.04(D)(1) above. An EMC may be a portion of a freestanding sign, or may comprise the entire sign area, when associated with a commercial, industrial, office, public or quasi-public institutional use, and when in compliance with the following standards. All EMCs shall comply with the sign illumination standards in Section 7.05.

Definitions (add these definitions to Chapter 2)

Electronic Message Center (EMC): A sign or portion thereof that displays electronic, images, graphics and/or text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade or repixelization. Electronic Message Center signs include, but are not limited to, computer programmable, microprocessor controlled electronic, or digital displays.

Footcandle: A measure of illumination produced by one candle at a distance of one foot on a one square foot area (one lumen per square foot).

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a. General Requirements.

- (1) EMCs shall meet all applicable sign requirements in this zoning ordinance.
- (2) The face of the EMC shall have only one advertising message per duration of the display.

b. Location.

- (1) EMCs are permitted in the following districts:
 - a) Commercial.
 - b) Mixed Development.
 - c) Public and quasi-public uses located in any district.
- (2) EMCs shall be located at least fifty (50) feet from the property line of an existing residential home.
- (3) EMCs within one hundred (100) feet of the property line of an existing residential home must discontinue the display between the hours of 10:30 pm and 6:30 am.

c. Dimensional Requirements of EMCs in the Commercial Zoning District.

- (1) Maximum Height – The bottom may be at ground level and shall be no higher than 31 feet above ground level.
- (2) Maximum Size – No more than 48-square feet on each sign face
- (3) Maximum Number Per Lot – One EMC per lot, regardless of road frontage

d. Dimensional Requirements of EMCs in the Mixed Development District and Public and Quasi-Public Uses Located in Any Zoning District.

- (1) Maximum Height – The bottom may be at ground level and shall be no higher than 10 feet above ground level.
- (2) Maximum Size – May occupy up to fifty (50) percent of the sign area or twenty-four (24) square feet on each sign face, whichever is less
- (3) Maximum Number Per Lot – One EMC per lot, regardless of road frontage

e. Movement and Frequency of Message Change.

- (1) Electronic messages shall be displayed for at least ten (10) seconds, and lights in the display shall activate simultaneously, remain constantly activated for not less than ten (10) seconds and deactivate simultaneously.
- (2) EMC display features such as scrolling, traveling, flashing, spinning, rotating, fade, dissolve, any other moving effects, and all dynamic frame effects or patterns of illusionary

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movement or simulated movement shall be minimized in order to not be distracting to drivers and automobile traffic.

f. Illumination.

- (1) Brightness levels shall be automatically adjusted to be 0.3 footcandles above ambient light levels. This shall be measured at five feet above grade, using all white settings, or the solid color for single-color signs. Measurements shall be taken 75 feet away from the sign, perpendicular to the face of the sign.
- (2) Automatic dimmers to maintain brightness measurements are required.
- (3) Light levels shall be confirmed by the applicant and submitted to the Township in writing prior to approval of any EMC.
- (4) In the event of a malfunction, an EMC shall turn to a dark screen. The dark screen shall remain until the malfunction is corrected.

SECTION 7.07 SIGNS NOT TO CONSTITUTE A TRAFFIC HAZARD

No sign shall be erected (*D2-7*) at the intersection of any street (*D2-18*) in such a manner as to obstruct free and clear vision, or at any location that 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, or which makes use of the words “stop”, “look”, “danger”, or any word phrase, symbol or character in such a manner as to interfere with, mislead, and/or confuse traffic or distract drivers.

SECTION 7.08 OUTDOOR ADVERTISING STRUCTURES

Non-Premise signs shall only be located on property adjacent to M-15, in accordance with the State of Michigan Highway Advertising Act (PA 106 of 1972 as amended)

SECTION 7.09 CONSTRUCTION REQUIREMENTS

Signs and sign structures shall be designed and constructed in accordance with the Uniform Building code. All signs of electrical construction and installation shall comply with the National Electrical Code, the State of Michigan and Tuscola County construction codes.

SECTION 7.10 SIGN PERMITS

- A. Before any sign, other than those listed in Section 7.03 of this chapter, is erected in Tuscola Township, the property owner shall apply for a zoning permit from the Zoning Administrator. The Zoning Administrator shall present said application to the Tuscola Township Planning

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Commission and shall issue said permit only after the Planning Commission has determined the permissibility of such sign.

1. Sign permit fees for either permanent or temporary signs (*D2-17*) are to be established by resolution of the Tuscola Township Board of Trustees.
2. A set of drawings for any sign that is to be installed, changed, or replaced must accompany the application. Such drawings shall include; a plot plan of the site showing the location and dimensions of the sign in relation to property lines, right-of-way (*D2-14*) lines, parking spaces, and buildings, as well as any existing signs on the property including billboards. These drawings shall also include each business building (*D2-2*) frontage (*D2-8*) size (height and length of building frontage) and business wall square footage for any and all signs.
3. Lighting diagram shall be provided with the application.

SECTION 7.11 SIGN RELATED ITEMS NOT PERMITTED IN TUSCOLA TOWNSHIP

The following items, that serve to attract driver's attention, pose a traffic hazard and are therefore not permitted in the commercial district of Tuscola Township.

- A. Search lights.
- B. Strobe lights.
- C. Lighter than air blimps, balloons, or other tethered structures.
- D. Blinking, flashing, or fluttering lights.
- E. No motor vehicles, trucks, trailers, shipping or storage containers, or like items can be painted, decorated, or otherwise used to display business related information and be parked so as to use the vehicle, truck, trailer, or like item as a sign.

No obscene message or profanity shall be displayed on any sign.

SECTION 7.12 EXPIRATION OF SIGN PERMIT

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A zoning permit for a sign shall expire 1 year from the date it is issued, if the sign has not been completely constructed and installed prior to said time.

SECTION 7.13 SUBSTITUTION CLAUSE

The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of and other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

SECTION 7.14 SEVERABILITY CLAUSE

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Chapter 7 of this zoning ordinance is for any reason declared invalid, such decision shall not affect the validity or enforceability of the remaining portions of Chapter 7 of this zoning ordinance.

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