SUMMARY OF PROPOSED ZONING ORDINANCE AMENDMENTS

1. Table 4-2:
   - Line 8: change *towers* to *facilities* to be consistent with text in Article 8;
   - Footnote #2:
     a) Change *Article 8* to *Section 8.26* to help reader find the exceptions in Article 8;
     b) Change *towers* to *facilities*; and
     c) Add *A Class One Wireless Communication Facility is a use "by right"* for ordinance interpretation (a Class One WCF is not a special land use; a Class Two WCF is and requires a public hearing).

2. Table 4-3:
   - Footnote #3:
     a) Change *Article 8* to *Section 8.26* to help reader find the exceptions in Article 8;
     b) Change *towers* to *facilities*; and
     c) Add *A Class One Wireless Communication Facility is a use "by right"* for ordinance interpretation (a Class One WCF is not a special land use; a Class Two WCF is and requires a public hearing).

3. Article 10--Signs reflects extensive revision due to a U.S. Supreme Court decision related to signs and free speech rights.

4. Article 14--Special Land Uses requires correction of an error: change *Sec. 14.5* to *Sec. 14.6.*

5. Add a provision to Section 18.6(4) to allow replacement of existing single-wide mobile homes. Section 18.6(3) states a dwelling shall have a minimum width of twenty (20) feet. This precludes replacement of a single-wide mobile home with another because they do not meet the width requirement. This amendment is intended to waive the width requirement for property owners who wish to replace a single-wide mobile home. The proposed text reflects legal counsel's opinion.

Note: the pages that follow are from the Zoning Ordinance and show proposed amendments. Deleted text appears as "strikethrough" and added/changed text is in ***bold italics.***

March 12, 2017

Table 4-2

Permitted Principal Uses in Conservation and Residential Zoning Districts[1]

See Sec. 4.7 for Use Provisions for Natural Rivers (NR) District and Manufactured Housing Community (MHC) District

BR = Use Permitted By Right S= Special Land Use[1] – = Prohibited Use

	PRINCIPAL USES[1]	ZONING DISTRICTS					
		RC-1 RC-2	RR-1 RR-2	R-1	R-2	R-3	MF
	Uses of a Primarily Agricultural, Outdoor Recreation, or Natural Resource Based Character						
1	Agriculture.	**BR**	**BR**	–	–	–	–
2	Areas set aside for the protection of wildlife and natural resources, forest management areas, nature preserves and game refuges.	**BR**	**BR**	**BR**	**BR**	**BR**	**BR**
3	Campgrounds.	S	S	–	–	–	–
4	Commercial stables.	S	S	–	–	–	–
5	Extraction operations.	S	S	S	S	S	S
6	Golf courses and country clubs.	S	S	S	S	S	S
6	Non-motorized boat liveries, rentals and launching sites.	S	S	S	S	S	S
7	Retreat Centers.	S	S	–	–	–	–
8	Shooting ranges including sportsman clubs.	S	–	–	–	–	–
	Uses of a Primarily Residential Character						
1	Assisted living facilities.	–	–	S	S	S	S
2	Day care, family home.	**BR**	**BR**	**BR**	**BR**	**BR**	–
3	Day care, group home.	S	S	S	S	S	S
4	Foster care facility, family home.	**BR**	**BR**	**BR**	**BR**	**BR**	–
5	Foster care facility, group home.	S	S	S	S	S	S
6	Manufactured housing communities.	–	See Sec. 4.7(A)			–	–
7	Multiple family dwellings.	–	–	–	–	–	**BR**
8	Single-family dwellings.	**BR**	**BR**	**BR**	**BR**	**BR**	–
9	Two-family dwellings.	–	–	**BR**	**BR**	–	–
	Uses of a Primarily Commercial, Business or Industrial Character						
1	Bed and breakfast.	**BR**	**BR**	S	S	S	–
2	Non-motorized boat liveries, rentals and launching sites.	S	S	S	S	S	S
3	Day care center.	–	–	S	S	S	S
4	Kennels.	S	S	–	–	–	–
5	Sale of trees, shrubs, flowers and other plant material.	S	S	–	–	–	–
6	Sawmills.	S	S	–	–	–	–
7	Veterinarian clinic.	S	S	–	–	–	–
8	Wireless communication ~~towers.~~ ***facilities***	S[2]	–[2]	–[2]	–[2]	–[2]	–[2]
9	Wind energy conversion systems.	S	–	–	–	–	–
	Other Uses Not Listed Above						
1	Clubs, lodges and similar social-centered organizations.	S	S	–	–	–	–
2	County, township and village –owned public facilities such as governmental offices, fire stations, police stations and parks,.	S	S	S	S	S	S
3	Public assembly facilities not otherwise addressed in this Table above including schools, churches, libraries and museums.	S	S	S	S	S	S

Footnotes:

1. Irrespective of the particular labeling of a cell in this table, the following are classified as a Special Land Use:
   a. Any use that exceeds a single building of 10,000 sq. ft. in gross floor area or 20,000 sq. ft. in gross floor area among all buildings on the parcel, excluding farm buildings and single-family residences and accessory building thereto.
   b. any use that serves alcohol for consumption on the lot of sale.
2. See ~~Article 8~~ ***Section 8.26*** regarding exceptions to the classification of wireless communication ~~towers~~ ***facilities*** as "special land uses" or otherwise "prohibited." ***A Class One Wireless Communication Facility is a use "by right."***

End of Table 4-2

(Table 4-3 continued)

BR = Use Permitted by Right S= Special Land Use[1] – = Prohibited Use

	PRINCIPAL USES	ZONING DISTRICTS [1]		
		C-1	C-2	I-1
	Uses of a Primarily Industrial Character[1]			
1	Assembly of electrical appliances, electronic instruments and devices, including the manufacture of small parts such as computer parts.	–	–	**BR**
2	Junkyards and salvage yards.	–	–	S
3	Manufacturing, assembling or treatment of articles or merchandise from previously prepared materials such as bone, glass, canvas, cork, felt, hair, leather, paper, plastics, stone, wood and sheet metal. "Previously prepared materials" are materials processed or created at another location and transported to the lot in this District.	–	–	**BR**
4	Monument and art stone production and sales.	–	–	**BR**
5	Manufacturing, compounding, processing, treatment, fabrication or packaging of such products as: drugs, perfumes, pharmaceuticals, toiletries, bakery goods, candy, ceramics, clothing, jewelry, instruments, optical goods, hardware and cutlery and food products (except fish, sauerkraut, vinegar, yeast, rendering or refining of fats and oils and similar food products involving the creation of odors or other offensive impacts).	–	–	S
6	Plastic molding and extrusion.	–	–	S
7	Printing and publishing.	**BR**	**BR**	**BR**
8	Production, processing or testing utilized in product prototyping.	–	–	**BR**
9	Tool and die manufacturing.	–	–	**BR**
10	Warehousing, storage and transfer establishments, and truck terminals.	–	–	S
	Other Uses Not Listed Above[1]			
1	Clubs, lodges and similar social-centered organizations.	**BR**	**BR**	**BR**
2	County, township and village –owned public facilities such as governmental offices, fire stations, police stations, public parks and public parking lots.	**BR**	**BR**	**BR**
3	Public assembly facilities not otherwise addressed in this Table above including schools, churches, community centers, outdoor theaters, libraries and museums.	S	S	S
4	Privately-owned parking lots.	S	S	S

Footnotes for Table 4-3

1. Irrespective of the particular labeling of a cell in this table, the following are classified as a Special Land Use:
   a. Any use that exceeds 8,000 sq. ft. in gross floor area in the C-1 District and any use that exceeds 15,000 sq. ft. in gross floor area in the C-2 or I-1 District.
2. Outdoor areas associated with a standard restaurant that are used or intended to be used for eating, drinking, sporting activities and/or other gathering of persons, are permitted by special land use only when such outdoor areas exceed 750 square feet in area or otherwise permit more than thirty (30) persons to occupy such area.
3. See ~~Article 8~~ ***Section 8.26*** regarding exceptions to the classification of wireless communication ~~towers~~ ***facilities*** as "special land uses" or otherwise "prohibited." ***A Class One Wireless Communication Facility is a use "by right."***

End of Table 4-3

Article 10
SIGNS

Section 10.1 Purpose

~~The purpose of this Article is to provide a framework in which the identification and informational needs of all land uses can be harmonized with community interests in public health, safety and welfare, including the preservation of the Thompsonville area's overall rural character and that of its business and residential areas. It is intended through the provisions contained herein to give recognition to the legitimate needs of business, industry and other activities, in attaining their identification and informational objectives, while recognizing that unrestricted or unregulated signage does not support the desired character of the Thompsonville area nor benefit either private enterprise or the community-at-large as it creates traffic safety hazards, visual clutter, confusion for vehicle drivers, visual blight and decreased property values, and undermines economic development initiatives.~~

The purpose of this Article is to provide a framework for the display of signs to accommodate the legitimate identification, advertising and informational needs of all land uses and to ensure free speech rights guaranteed by the First Amendment to the U.S. Constitution, including the expression of personal, religious, political and ideological views. It is the purpose of this Article to provide such signage needs and opportunities in a manner that is balanced with the desired stability and enhancement of residential and non-residential areas, including property values, the safety of road corridors and the prevailing desired visual character of the greater Thompsonville area. It is recognized that unrestricted or unregulated signage does not support the desired character of the greater Thompsonville area nor benefit either private enterprise or the community-at-large. Unrestricted signage encourages traffic safety hazards, visual clutter confusion for vehicle drivers, visual blight and decreased property values and undermines the desired visual character of the greater Thompsonville area including its business centers, residential neighborhoods and its economic development initiatives. This Article recognizes that certain activities and uses of land are temporary in nature and, though temporary, have reasonable signage needs. This Article is intended to permit temporary signage consistent with the regulatory framework presented above.

Section 10.2 Definitions

A. Electronic Message Center (EMC) Signs: A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. ***An EMC sign may be a free-standing sign, ground sign or wall sign as defined herein.***

B. Free-Standing Sign: A sign not attached to a principal or an accessory building, including signs supported by a center or multiple poles, posts and panels, and ground signs, but excluding off-premises signs unless provided elsewhere in this Article.

C. Ground Sign: A free-standing sign of comparatively limited height and which is designed in such a manner that the face of the sign structure extends down to the ground, similar to a monument, or which includes supports or poles that are less than two (2) feet in height.

D. Illumination/Illuminate: The act of highlighting the visual presence and/or impact of a sign by the use of artificially created light, such as through electrical devices.

1. ***"Internal illumination" refers to the incorporation of the light source behind the sign face intended to be highlighted and enclosed within the framing of the sign. For the purpose of this Article, an EMC sign shall be construed to be an internally illuminated sign.***
2. ***"External illumination" refers to the placement of the light source in front, above, below and/or to the side of the sign face intended to be highlighted. External illumination is not enclosed within the framing of the sign.***

E. Off-Premises Advertising Sign: A sign which identifies goods, services, facilities, events or attractions which are available or provided at a location other than the lot or parcel upon which such sign is located (commonly referred to as a "billboard").

F. Projecting Sign: A sign perpendicular (90^{o}) to the wall to which it is attached, and designed to be viewed from a position other than facing such wall. ***A sign on a marquee, canopy or awning-type structure, irrespective of the direction the sign faces, shall not be construed as a "projecting sign."***

G. Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices,

designs, banner, flag, pennant, trade names or marks, or other representation, or combination thereof, designed for the purpose of directing attention to, advertising or identifying an individual, a firm, an association, a profession, a business, a commodity or product, an activity, a philosophy, or an idea, which is located upon any land or structure on or in any building ***and intended to be viewed from the outdoors.***

H. Temporary Sign: ~~A sign designed to be moved periodically and erected for comparatively short periods of time such as in the case of a "grand opening" sign, a sign announcing an upcoming community event, or a construction sign in association with the development of property.~~ ***A sign designed to be moved periodically or displayed for a limited and comparatively short period of time only, without a foundation, footing or similar permanent-like anchoring system, such as in the case of a "grand opening" sign, a sign announcing an upcoming community event and signs mounted on wheeled trailers. A temporary sign shall be construed to be the same temporary sign despite modifications to the location or message of such sign during the period the sign is displayed.***

I. Wall Sign: A sign which is attached directly to a building wall with the sign area surface flat against or generally parallel to the building wall, within eight (8) inches from the face of the wall, including signs painted on a building wall and signs on a projecting rigid or non-rigid fabric marquee, canopy or awning-type structure. A wall sign shall not be construed to include a sign projecting away from the wall to which it is attached and referred to as a projecting sign, a sign attached to a roof, or a sign attached to a wall but which extends above the lowest portion of the roof.

Section 10.3 General Standards and Regulations

A. Compliance, Permits and Review

1. Compliance Required: No sign shall be erected, used or maintained unless in compliance with the regulations of this Article.
2. Required Permit/Review: All signs shall require a zoning permit prior to placement, erection, replacement or alteration unless exempted by subsection (4) below. If site plan review is required for a proposed project that a proposed sign shall be part of, the proposed signage shall be reviewed as part of the site plan review procedure for the entire project, pursuant to Article 13 and a separate sign application is not necessary. If the proposed signage is to be part of an existing development for which site plan approval has already been granted or was not necessary, the Zoning Administrator shall review the sign application to ensure all applicable ordinance standards have been met prior to issuing a permit for the sign.
3. Application Information: Application for a zoning permit for a sign shall include the following minimum information:
   a. Name, address and telephone number of the owner and applicant, if other than the owner.
   b. The location of the proposed sign (street address and tax identification number).
   c. Placement of the sign on, and/or in relation to, existing buildings and structures.
   d. A fully dimensioned scale drawing of the plans, specifications and method of construction and/or attachment to the building or ground. Drawings shall include the colors and materials types to be used.
   e. Written consent of the owner of the lot, building and/or structure, if other than the applicant.
   f. A copy of all construction, electrical, or other permits required and issued for the sign.
   g. Any other information the approving body may require to establish conformance with the Ordinance.
4. Signs Exempt from Permit/Review: The following signs are exempt from the provisions of subsection (2) above but shall conform to all other regulations and standards of this Article including sign area and height.
   a. Signs required by a public agency having jurisdiction over a road right-of-way.
   b. Official notices issued by a public agency, court, or government official.
   c. Signs painted on operating, licensed commercial motorized vehicles.
   d. Ordinary maintenance, servicing, repainting, cleaning, altering, or changing the information of an existing sign, provided the size, location and/or structure are not changed.
   e. National, State, local and personal flags which contain no advertising of products or services.
   f. Indoor signs affixed to or covering windows.
   g. Signs authorized under ~~Section 10.4.~~ ***Sections 10.5(B)(1) and (B)(2)(a) and Section 10.6.***

B. Materials, Construction, Design and Maintenance:

1. Building Code: All signs shall be constructed and maintained in a manner consistent with building code provisions and maintained in good structural condition at all times, free of hazards to the general public.

Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

2. Integrally Designed: A sign shall be integrally designed so that its elements are of a unified character as opposed to being comprised of an assemblage of different sign types and materials. No support shall be used to accommodate multiple sign units or faces intended to serve the same business, tenant or occupant or a lot.
3. Width/Length Ratio: No free-standing sign shall have a dimension that exceeds five times that of its opposite dimension, such as in the case of a sign's width and length.
4. EMC Signs:
   a. An EMC sign shall be an integral part of a larger free-standing or wall sign, and no more than forty percent (40%) of the free-standing or wall sign area shall be comprised of the EMC sign area but in no case shall an EMC sign exceed twelve (12) sq. ft. in area.
   b. That portion of a free-standing or wall sign comprised of an EMC sign shall not exceed a height of five (5) feet in a Conservation or Residential District and eight (8) feet in all other districts.
5. Maintenance: All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports. Signs shall be maintained free of peeling material, fading, rust, rot, insect infestation or other conditions reflective of a state of disrepair.

C. Lighting:

1. Authorized Lighting: Signs may be illuminated unless specified otherwise, and may be internally or externally illuminated unless specified otherwise.
2. Moving Illumination: No sign shall include flashing, blinking, moving or variable intensity illumination except as authorized in subsection (6) below in association with an electronic message center (EMC) sign.
3. Exterior Illumination Levels: Exterior sign light sources shall not exceed 150 watts per sign face.
4. Interior Illumination: Interior illumination shall be limited to individual letters, lettering, symbols and logos on a sign. All other sign elements shall be opaque or otherwise not illuminated.
5. Source of Illumination: The source of sign illumination shall be shielded from traffic and adjacent properties and said source shall not be visible beyond the property line of the lot on which the sign is located. All externally lit signs shall be illuminated by lights affixed to the sign and directed downward on the sign face only. This subsection (5) shall not apply to neon lights, and exposed bulbs not exceeding fifteen (15) watts, provided such signs shall not exceed four (4) sq. ft. in area.
6. EMC Signs:
   a. An image on an EMC sign, and any portion of an image on an EMC sign, shall stay constant for a minimum of thirty (30) seconds, without any change in movement, light intensity or color. Message scrolling and similar moving messages are prohibited.
   b. Any change or transition in display on an EMC sign shall not exceed one (1) second in duration.
   c. An EMC sign shall have no message changes during hours that the business or use is not open or otherwise available to the public, except that in no case shall an EMC sign in a Conservation or Residential District have any message changes during the hours from 5:00 p.m. to 8:00 a.m.
   d. An EMC sign shall be equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions. No EMC sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter at a distance determined by the square root of the sign's square foot area multiplied by 100. An example of such a determination in the case of a 12 sq. ft. sign is:

$$\sqrt{(12 \times 100)} = 34.6 \text{ feet measuring distance}$$

D. Measurements

1. Sign Area: The area of a sign shall be computed by calculating the square footage of a sign face as measured by enclosing the most protruding points or edges of all sign faces of the sign within a parallelogram, rectangle, triangle, or circle, or combination thereof, including any framing.
   a. Where a sign has two (2) or more similarly shaped faces placed back-to-back, parallel to one another and less than eighteen (18) inches apart from one another, the area of the sign shall be the area of one (1) face.
   b. Where a sign has two (2) faces placed back-to-back, parallel to one another and less than eighteen (18) inches apart from one another, but the signs are of differing sizes, the sign area shall be that of the larger sign.
   c. In the case of a sign with three or more faces, the area of the sign shall be the area of all faces combined.
2. Sign Setbacks: Sign setbacks shall be measured from the lot line horizontally to the nearest edge of the sign. The "nearest edge of the sign" shall be the leading edge of the sign closest to such lot line as viewed from above in ~~plan~~ ***plain*** or bird's eye view.

3. Sign Height: The height of a ground sign shall be measured from the highest point of the sign, including all frame and structural members of the sign, to the average ground elevation within ten (10) feet of the sign base. The height of a sign placed upon a berm shall be measured from the base elevation of the berm.

E. Prohibited Signs:

1. Traffic Interference Signs:
   a. Signs which, due to location, design, color or lighting, encourage confusion among drivers due to unauthorized traffic signs, signals or devices, or signs that make use of the words "stop", "look", "danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse drivers or pedestrians.
   b. Signs that obstruct free and clear vision of approaching, intersecting or merging traffic.
2. Moving and Flashing Signs: Signs that have flashing lights, visible moving parts, visible revolving parts or visible mechanical movement of any type, or other apparent visible movement irrespective of the cause of the movement.
   a. Banners, pennants, festoons, spinners and streamers, and similar devices, which move due to wind or mechanical devices and which are intended to draw attention to a location are considered moving signs and are prohibited except as otherwise expressly authorized in association with a temporary sign according to ~~Sec. 10.4.~~ ***Section 10.6.***
   b. This subsection (2) shall not be construed to prohibit EMC signs or signs that rely on light-emitting diodes (LEDs) provided such signs are in compliance with Sec. 10.3(C).
3. Right-of-Way Signs: Signs placed in, upon, or over any public right-of-way, alley or other public place, except that signs for the sole purpose of providing directional information for religious institutions, schools, governmental entities and bona fide public service organizations are permitted in such public place upon approval of the governmental entity having jurisdiction over such right-of-way.
4. Signs Affixed to Natural Features: Signs affixed to trees, shrubs, rocks or similar natural features, except for “warning” and “no trespassing” signs no greater than two (2) sq. ft. in area and spaced no less than one hundred (100) feet apart from each other.
5. Roof Signs: Signs affixed to a roof or which are affixed to a wall and exceed the height of the lowest portion of the roof.
6. Vehicle Signs: Signs on parked vehicles, within view of a public right-of-way or adjacent lot, where the sign is the primary use of the vehicle.
7. ~~Banners: Signs comprised of banners except as otherwise expressly authorized in association with a temporary sign according to Sec. 10.4.~~ ***Temporary Signs:*** ***Temporary signs except as otherwise expressly authorized according to Section 10.6.***
8. Sexual Content: Signs that have any words, lettering, photographs, silhouettes, drawings, or pictorial representations of a sexually explicit character including any sign elements portraying “specified anatomical areas” or “specified sexual activities” as defined in Section 8.21(B), Sexually Oriented Businesses.
9. Other Signs: All other signs not expressly authorized by this Ordinance.

~~Section 10.4 Signs Permitted in All Districts~~

~~**A.** The following signs are permitted in all Districts, subject to the standards and limitations prescribed herein in addition to those of Section 10.3, and such signs shall be set back a minimum distance of ten (10) feet from all lot lines.~~

~~1. Dwelling identification and home occupation signs: No more than one (1) sign shall be erected for the purpose of identifying a dwelling unit, a home occupation, or family home day care facility. Such sign shall not exceed two (2) sq. ft. in sign area and may be illuminated. These limitations shall not prohibit the display of an additional non-illuminated address identification sign posted along the abutting road for postal and emergency identification purposes where such sign complies with the most current guidelines published by the U.S. Postal Service.~~

~~2. Development Identification: A residential or non-residential development consisting of a platted subdivision, condominium subdivision, multiple family development, manufactured housing community, or other unified development consisting of at least five (5) dwelling units or at least three (3) buildings used for commercial, industrial or institutional purposes, shall be permitted one (1) sign per vehicle entrance having a sign area not exceeding twenty-four (24) sq. ft. and a height not exceeding six (6) feet. The sign shall be for the sole purpose of identifying the development and may be illuminated.~~

~~3. Real Estate/Dwelling Unit/Personal Property Availability Signs:~~
   ~~a. One (1) non-illuminated sign advertising the sale or lease of the lot, building, building space, or residence on which the sign is located shall be permitted, provided no more than one (1) sign shall be erected for each two hundred (200) feet of road frontage or portion thereof, no sign shall exceed~~

an area of four (4) sq. ft. and a height not exceeding four (4) feet.

b. A platted subdivision, site condominium, multiple family development, manufactured housing community, or other unified residential or non-residential development consisting of at least five (5) dwelling units, or three (3) acres of land in the case of a non-residential development, is permitted one sign advertising the sale or lease of lots, buildings or residences, not exceeding sixteen (16) sq. ft. in area and five (5) feet in height. Such sign may be illuminated and the sign shall be removed within six (6) months after the sale of ninety percent (90%) of all lots, units, or buildings within said development.

c. In addition to (a) and (b) above, a maximum of two (2) additional non-illuminated signs, not to exceed an area of four (4) sq. ft. each and four (4) feet in height, may be erected in a development of multiple dwellings or units for the purpose of directing the public to a model home or rental office in such development.

4. Construction Signs: Non-illuminated signs identifying the owners, financiers, contractors, architects and engineers of a project under construction and for which a zoning permit has been granted, provided such signs do not exceed a cumulative total of sixteen (16) sq. ft. in area per road frontage and a maximum eight (8) feet in height. The permissible area for construction signs for nonresidential projects shall be twenty four (24) square feet. Construction signs shall be erected no earlier than thirty (30) days prior to the commencement of construction and shall be removed no later than thirty (30) days after a certificate of occupancy is issued or eighteen months, whichever occurs first.
5. Bulletin Board: A single bulletin board sign shall be permitted on a lot in any district that is used for a religious institution, school, museum, library, or other similar institution. Such sign shall have a maximum height of six (6) feet, shall not exceed eighteen (18) sq. ft., and shall not be included in sign area calculations for compliance with Table 20-1. Such sign may be illuminated.
6. Political or philosophical signs related to a candidate running for office, or a proposition up for public vote, or a political or philosophical view, provided such signs shall not exceed four (4) sq. ft. in area and four (4) feet in height. Where the sign pertains to a public vote, such signs in Commercial and Industrial Districts shall not exceed thirty-two (32) sq. ft. in area and six (6) feet in height during the 60-day period prior to and the 15-day period after the respective vote. Political or philosophical signs shall not be illuminated.
7. Directional Signs: Signs that are used solely for the purpose of providing traffic directions or instructions in association with a lot on which they are located, such as “entrance,” “exit, “in,” and “out”, are permitted in all districts on the lot on which they serve provided such signs shall not exceed three (3) sq. ft. in area and three (3) feet in height. Such signs may be illuminated, and shall not count toward the permissible sign area standards of Table 10-1.
8. Warning Signs: Non-illuminated warning signs such as no trespassing, no hunting and warning of electrical current or animals, provided that such signs do not exceed two (2) sq. ft.
9. Building Signs: Signs carved into stone, concrete, or similar material, or made of bronze, aluminum, or other noncombustible material, which identify the name of a building, a building’s date of erection, or monumental citations, provided such signs do not exceed ten (10) sq. ft. in area and are an integral part of the building structure. Such signs may be illuminated.
10. Stick-On Signs: Miscellaneous stick-on and painted signs affixed to vending machines, gas pumps, ice containers and similar outdoor items of less than six (6) feet in height, indicating the contents or announcing on-premises sales, provided each sign does not exceed two (2) sq. ft. in area. Such signs shall not be illuminated.
11. Historical Markers: Historical markers, plaques, or signs describing township, county, state or national designation as an historic site or structure by the State Historical Commission, including centennial farms, not exceeding twenty (20) sq. ft. in area and six (6) feet in height. Such signs may be illuminated.
12. Public Notice Signs: Signs and notices of a governmental entity as may be deemed necessary and appropriate by the unit of government.
13. Bed and Breakfast Signs: Signs for an authorized bed and breakfast, comprised of a wall sign no greater than twelve (12) sq. ft. in area or a freestanding sign of no greater than twelve (12) sq. ft. and six (6) feet in height.
14. Temporary sign, public event: Non-illuminated temporary signs containing public messages concerning special events sponsored by governmental agencies, nonprofit organizations, religious institutions, schools, museums, libraries, or other similar institutions, subject to the following restrictions:
    a. The sign shall not be displayed for more than thirty (30) days.
    b. No more than one (1) sign may be erected on the lot to which the sign applies.
    c. The sign shall not exceed eighteen (18) square feet in area.
    d. The sign shall be located no closer than twenty (20) feet from all lot lines.

15. ~~Temporary sign, grand opening: Non-illuminated temporary signs intended to announce the opening of a public or private facility, including a business but excluding a home occupation, subject to the following restrictions:~~
    a. ~~The sign shall not be displayed for more than thirty (30) days.~~
    b. ~~No more than one (1) sign may be erected on the lot to which the sign applies.~~
    c. ~~The sign shall not exceed thirty-two (32) square feet in area.~~
    d. ~~The sign shall be located no closer than twenty (20) feet from all lot lines.~~
    e. ~~Wind-blown devices, such as pennants, spinners and streamers may be used as part of or in association with such sign.~~
16. ~~Temporary sign, seasonal celebration: Non-illuminated temporary signs in celebration of a national, local, or religious holiday subject to the following limitations:~~
    a. ~~Such temporary signs shall not exceed sixteen (16) sq. ft. in area except in a Residential District, in which case such signs shall not exceed six (6) square feet.~~
    b. ~~No more than one (1) temporary celebration sign may be displayed on a lot at any single time.~~
    c. ~~A temporary celebration sign shall be not erected prior to sixty (60) days before the holiday date and shall be removed within thirty (30) days following the holiday date.~~
    d. ~~The area of a temporary celebration sign shall not be applied to the total allowable sign area according to Table 10-1 of this Article.~~
17. ~~Temporary sign, special purpose: Non-illuminated temporary signs for purposes not otherwise addressed above in this Section 10.4 are permitted subject to the following limitations:~~
    a. ~~Such temporary signs shall not exceed ten (10) sq. ft. in area except in a Residential District, in which case such signs shall not exceed six (6) square feet.~~
    b. ~~No more than one (1) temporary special purpose sign may be displayed on a lot at any single time.~~
    c. ~~The total number of days that a lot may have temporary special purpose signs shall not exceed fourteen (14) during any calendar year.~~
    d. ~~The area of a temporary special purpose sign shall not be applied to the total allowable sign area according to Table 10-1 of this Article.~~

~~Section 10.5 Additional Signs Permitted by District~~

~~In addition to the signs permitted by Section 10.4 and the limitations thereof, signs pertaining to an authorized and approved principal use of a lot may be erected on such lot provided the signs are wall signs, projecting signs or freestanding signs unless specified otherwise, and comply with the District standards of Table 10-1. Nothing in Table 10-1 shall be construed as authorizing a sign, sign area or sign height that is otherwise prohibited by Section 10.4.~~

Section 10.4 Non-Temporary Permitted Signs by District

Table 10.4-1 identifies authorized signs in each District according to the limitations specified in the Table regarding sign type, number, area, height and setbacks. This Section and Table 10.4-1 applies to signs that do not constitute temporary signs as defined in this Article. See Section 10.5 regarding additional non-temporary signs permitted in all Districts. See Section 10.6 regarding temporary signs. Nothing in Table 10.4-1 shall be construed as authorizing a sign, sign area, sign height or sign setback that is otherwise regulated by other Sections of this Article. The signs authorized by this Section are permitted in addition to the signs authorized by Sections 10.5, 10.6 and 10.7.

~~Table 10.1~~ *Table 10.4-1*

~~In addition to the signs permitted by Section 10.4 and the limitations thereof, signs pertaining to an authorized non-residential principal use on a lot may be erected on such lot provided the signs are wall signs, projecting signs, or freestanding signs unless specified otherwise, and comply with the District standards of Table 10-1 below. Nothing in Table 10-1 shall be construed as authorizing a sign, sign area or sign height that is otherwise regulated by Section 10.4.~~

See "Special Provisions" on following page.

FS = Free-Standing Sign WS = Wall Sign PS= Projecting Sign

District **See Section 4.1 for District Classification**	**Authorized Signs And Number**	**Maximum Area of Signs**	**Maximum Sign Height**	**Minimum Sign Setback from Lot Lines**
Conservation	**FS:** One (1) **WS:** One (1)	**FS:** 24 sq. ft. **WS:** 24 sq. ft.	**FS:** 8'; 5' for ground sign **WS:** Top of roof wall	**FS:** Compliance with Table 4-4 of Article 4
Residential See ~~Sec. 10.4~~ ***Section 10.5*** for dwellings	**FS:** One (1) **WS:** One (1)	**FS:** 24 sq. ft. **WS:** 32 sq. ft.	**FS:** 8'; 5' for ground sign **WS:** Top of wall	**FS:** Compliance with Table 4-4 of Article 4
Commercial	**FS:** One (1) **WS:** One (1) **PS:** One (1)	**FS:** 1 sq. ft. for each 2' of building length generally oriented to the road, measured as a straight line between building corners, except no sign must be less than 16 sq. ft. and no sign shall be greater than 32 sq. ft. **WS:** 10% of the vertical area of the building façade to which the sign is attached, except no sign must be less than 16 sq. ft. and no sign shall be greater than 150 sq. ft. **PS:** 6 sq. ft.	**FS:** 10'; 5' for ground sign **WS:** Top of wall **PS:** 12'	**FS:** Compliance with Table 4-4 of Article 4
Industrial	**FS:** One (1) **WS:** One (1)	**FS:** 1 sq. ft. for each 2' of building length generally oriented to the road, measured as a straight line between building corners, except no sign must be less than 16 sq. ft. and no sign shall be greater than 24 sq. ft. **WS:** 10% of the vertical area of the building façade to which the sign is attached, except no sign must be less than 16 sq. ft. and no sign shall be greater than 10 sq. ft.	**FS:** 8'; 5' for ground sign **WS:** Top of wall	**FS:** Compliance with Table 4-4 of Article 4

~~Table 10-1~~ *Table 10.4-1*
Special Provisions

1. **Window Signs:** No sign affixed to or covering a window which is intended to be viewed from the outside shall exceed one-quarter (25%) of the total window area except in the case of the advertising of the grand opening of a business according to ~~Section 10.4~~ ***Section 10.6.*** Window signage in excess of a total of sixteen (16) sq. ft. shall be applied to the calculation of total wall sign area.
2. **Corner Lot:** The standards of ~~Table 10-1~~ ***Table 10.4-1*** shall apply to each frontage separately for a corner or through lot, provided each frontage meets the minimum lot width standard of the district in which it is located and the frontage is along a road classified as "primary" according to the Benzie County Road Commission.
3. **Roadside Stand:** One (1) sign may be erected for the purpose of advertising the sale of agricultural produce, erected on the lot where such produce was cultivated, or on a separate lot or portion of a lot under same ownership as the lot where such produce was cultivated and in a district that authorizes agriculture. Such sign shall not exceed sixteen (16) sq. ft. in area and shall be displayed only during the seasonal period when the sale of produce is available.
4. **Business Center Signs:**
   a. Business Center Defined: For the purpose of this subsection ~~(1),~~ a business center shall be defined as a grouping of two or more business establishments on one (1) or more lots that are linked architecturally or otherwise developed as a unified grouping of businesses and may share parking and access.
   b. Free-standing Signs: A business center shall be permitted one (1) free-standing sign, not to exceed forty-eight (48) sq. ft. in area and twelve (12) feet in height, for the purpose of identifying the business center and displaying a directory of the individual businesses or tenants contained within. Such sign shall not exceed thirty-two (32) sq. ft. where no directory is provided.
      (1) In the case of a business center that exceeds three hundred (300) linear feet of building facade along a single road, one (1) additional free-standing sign is permitted provided a minimum of three hundred (300) feet is maintained between such signs.
      (2) In the case of a business center comprised of multiple buildings, one (1) ground sign shall be permitted for each building provided such sign is located in the immediate proximity of the building to which it pertains and does not exceed five (5) feet in height and eighteen (18) sq. ft. in area.
   c. Wall Signs: A business center shall be permitted one (1) wall sign according to the height and area standards of ~~Table 10-1~~ ***Table 10.4-1*** for the purpose of identifying the business center and which may include information on individual businesses or tenants located within. In addition, the business center shall be permitted one (1) wall sign for each business or tenant space having frontage along a public road or parking area, and such sign shall be attached to the facade of such business or tenant space.
      (1) The total area of all wall signs shall not exceed ten percent (10%) of the vertical surface area of the facade forming the building frontage generally oriented to the road frontage or parking area.
      (2) The total wall sign area for a specific business or tenant having frontage along such public road or parking area shall not exceed ten percent (10%) of the vertical surface area of the frontage facade comprising the specific business or tenant facade.
5. **Projecting Signs:**
   a. One projecting sign shall be permitted for each entrance of a business or separate commercial establishment within a building provided the sign is placed on the same plane as the building entrance.
   b. A projecting sign shall not project more than four ***(4)*** feet from the building.
   c. A projecting sign shall project from the wall at an angle of 90 degrees.
   d. A projecting sign shall maintain a minimum clearance from the ground of eight (8) feet.
   e. A projecting sign shall be mounted to the building by a single mounting bracket. Support chains and support material below the sign are prohibited.
   f. A projecting sign shall be at least five (5) feet from any adjoining building.
   g. A projecting sign shall not be internally illuminated.

6. ***Drive-Through Signs:*** ***Any use that includes a drive-in or drive-through facility or other similar station where persons communicate from their vehicle with persons inside a building on the same lot shall be permitted to have signs that relate to the drive-in/drive-through facility, such as menu***

order board signs or information signs. One (1) drive-through sign, with a maximum height of eight (8) feet and a maximum area of thirty-two (32) sq. ft., is permitted per drive-in/drive-through use, and shall not be included in the computation of total sign area for the lot unless such signs are legible from a point of observation off the premises.

Section 10.5 Additional Non-Temporary Signs Permitted in All Districts

A. Authorization and Limitations: The signs delineated in subsection (B) shall be permitted in all Districts in addition to the signs authorized by Section 10.4, subject to the standards and limitations prescribed herein. This Section applies to signs that do not constitute temporary signs as defined in this Article. See Section 10.6 regarding temporary signs.

1. *Section 10.3: Signs shall comply with Section 10.3*
2. *Setbacks: Unless provided otherwise by this Article, signs authorized by this Section shall be set back from side and rear lot lines a minimum distance equal to the setback standards prescribed in Table 3-4, and a minimum distance of ten (10) feet from the front lot line.*
3. *Illumination: Signs may be illuminated unless otherwise provided.*
4. *Area Calculations: Signs permitted by this Section shall not be applied toward the permissible sign areas authorized by Section 10.4.*

B. Permitted Signs

1 *Dwellings: One (1) sign may be erected on a lot on which a single-family or two-family dwelling is located, set back a minimum distance of ten (10) feet from all lot lines, and one (1) sign may be erected within ten (10) feet of an entrance way to an indoor space within a multiple-family dwelling. Such signs shall not exceed two (2) sq. ft. in area. These limitations shall not prohibit the display of an additional non-illuminated address identification sign, part of a mailbox or mailbox support, and in compliance with U.S. Postal standards, to facilitate identification of the property for postal, emergency and other vehicles.*

2 *Entrance Signs:*

a. *One (1) sign at an entrance driveway excluding driveways serving single-family and two-family dwellings. Such sign shall not exceed four (4) sq. ft. in area and four (4) feet in height and shall be located within ten (10) feet of the edge of the driveway and street right-of-way.*
b. *One (1) sign at an entrance to a residential or non-residential development consisting of a platted subdivision, condominium subdivision, multiple-family development, manufactured housing community or other unified development consisting of at least five (5) dwelling units or at least three (3) buildings used for commercial, industrial or institutional purposes. Such sign shall not exceed twenty-four (24) sq. ft. in area and six (6) feet in height.*
c. *One (1) sign at an entrance to a business, agency or other facility, excluding single-family and two-family dwellings. Such sign shall have a maximum height of six (6) feet and shall not exceed eight (8) sq. ft. in area. In no case shall the sign be farther than ten (10) feet from such door.*

3. *Parking Lot Signs: Signs no greater than three (3) sq. ft. in area and three (3) feet in height, located in a parking lot and/or within ten (10) feet of the parking lot including an entrance to a parking lot, and provided a minimum of forty (40) feet shall be maintained between such signs.*

Section 10.6 Additional Permitted Temporary Signs

A. Authorization and Limitations: In addition to all other signs authorized by Section 10.4 and Section 10.5, additional temporary signs are permitted according to the requirements and limitations of this Section.

B. Purpose: A temporary sign may be used for any purpose including, but not limited to, announcements pertaining to a grand opening, an upcoming special event or the availability of a dwelling or real estate for sale or rent; seasonal celebrations; construction signs providing information about the project under construction and expressions of political, religious and ideological views.

C. Illumination: A temporary sign shall not be illuminated except in association with a seasonal celebration or where otherwise attached to a building wall and provided there is compliance with Section 10.3.

D. Area Calculations: Signs permitted by this Section shall not be applied toward the permissible sign areas authorized by other sections of this Article.

E. Conservation and Residential Districts: The following temporary signs are permitted in Conservation and Residential Districts according to the standards prescribed:

1. *Number: No more than one (1) temporary sign shall be displayed on a lot at any time for each*

one hundred (100) feet of the lot's road frontage or portion thereof, but in no case shall more than three (3) temporary signs be displayed at any single time.

2. *<u>Sign Area:</u> Temporary signs shall not exceed four (4) sq. ft. in area except when attached to a building wall, in which case such sign shall not exceed eight (8) sq. ft. in area. In the case where the lot is comprised of more than ten (10) dwelling units or ten (10) tenant spaces, a temporary sign shall not exceed eight (8) sq. ft. in area except when attached to a building wall, in which case such sign shall not exceed sixteen (16) sq. ft. in area.*
3. *<u>Sign Height:</u> Temporary signs shall not exceed a height of three (3) feet except where attached to a building wall, in which case such signs shall not exceed a height of eight (8) feet. In the case where the lot is comprised of more than ten (10) dwelling units or ten (10) tenant spaces, temporary signs shall not exceed a height of four (4) feet except where attached to a building wall, in which case such signs shall not exceed a height of eight (8) feet.*
4. *<u>Setbacks:</u> Temporary signs shall be set back a minimum distance of ten (10) feet from side and rear lot lines. Temporary signs greater than four (4) feet in height or eight (8) sq. ft. in area shall be set back a minimum distance of ten (10) feet from a front lot line.*
5. *<u>Duration:</u> No lot shall exhibit a temporary sign for more than thirty (30) days during any consecutive three (3) calendar months in the case where such sign exceeds four (4) sq. ft. in area, irrespective of whether the location or message of such sign is modified during the three (3) calendar month period. All other temporary signs authorized by this Section may be erected and maintained year-round.*
6. *<u>Multiple Tenants:</u> In addition to the temporary signs authorized by this subsection (E), in the case of a lot that is occupied by three (3) or more dwelling units or three (3) or more tenant spaces, each dwelling or tenant may display a temporary sign not exceeding a height of three (3) feet and an area of four (4) sq. ft. and shall be set back from all lot lines a minimum distance of ten (10) feet.*

F. Commercial and Industrial Districts: The following temporary signs are permitted in Conservation and Residential Districts according to the standards prescribed:

1. *<u>Setbacks:</u> Temporary signs shall be set back a minimum distance of ten (10) feet from front, side and rear lot lines.*
2. *<u>Duration:</u> No lot shall exhibit a temporary sign for more than thirty (30) days during any consecutive three (3) calendar months, irrespective of whether the location or message of such sign is modified during the three (3) calendar month period. All other temporary signs authorized by this Section may be erected and maintained year-round.*
3. *<u>Multiple Tenants:</u> In addition to the temporary signs authorized by this subsection (F), in the case of a lot that is occupied by three (3) or more dwelling units or three (3) or more tenant spaces, each dwelling unit or tenant may display a temporary sign for no more than thirty (30) days during any consecutive three (3) months, and such temporary sign shall not exceed a height of three (3) feet and an area of four (4) sq. ft. Such temporary signs shall be set back from all lot lines a minimum distance of five (5) feet.*

G. Additional Temporary Signs: In addition to the temporary signs authorized by subsections (E) and (F), additional temporary signs shall be permitted for temporary activities according to the following:

1. *<u>Temporary Real Estate Availability Signs:</u>*
   a. *In the case of the sale or lease of a lot, building, building space or residence, one (1) temporary sign shall be permitted for each two hundred (200) feet of road frontage or portion thereof. No sign shall exceed an area of four (4) sq. ft. and a height not exceeding four (4) feet except that in Commercial and Industrial Districts and on lots of a minimum area of twenty (20) acres in a Conservation District no sign shall exceed an area of twenty-four (24) sq. ft. and a height not exceeding six (6) feet. No more than a total of three (3) such signs shall be erected on the same lot.*
   b. *A platted subdivision, site condominium, multiple family development, manufactured housing community or other unified residential or non-residential development consisting of at least five (5) dwelling units, or three (3) acres of land in the case of a non-residential development, is permitted one sign advertising the sale or lease of lots, buildings or residences not exceeding sixteen (16) sq. ft. in area and five (5) feet in height. Such sign may be illuminated and the sign shall be removed within six (6) months after the sale of ninety percent (90%) of all lots, units or buildings within said development.*
2. *<u>Temporary Construction Signs:</u> Non-illuminated signs identifying the owners, financiers, contractors, architects and engineers of a project under construction and for which a zoning permit has been granted, provided such signs do not exceed a cumulative total of sixteen (16) sq. ft. in area per road frontage and a maximum eight (8) feet in height. The permissible area for*

construction signs for nonresidential projects shall be twenty-four (24) sq. ft. Construction signs shall be erected no earlier than thirty (30) days prior to the commencement of construction and shall be removed no later than (30) days after a certificate of occupancy is issued or eighteen (18) months, whichever occurs first.

3. ***Other Signs:*** ***Other temporary signs including warning signs such as no trespassing, no hunting and warning of animals or electrical current, provided such signs shall not exceed two (2) sq. ft. in area and four (4) feet in height and be spaced no closer than forty (40) feet to one another.***

Section ~~10.6~~ *10.7* Off-Premises Advertising Signs

A. Off-Premises Advertising Signs: Off-premises advertising signs are permitted in compliance with the Highway Advertising Act, P.A. 106 of 1972, as amended, and the following additional limitations:

1. An off-premises advertising sign is permitted only on a lot in an Industrial or Commercial District and where such lot has frontage along M-115.
2. An off-premises advertising sign shall be set back from all lot lines a minimum distance of fifty (50) feet but in no case shall such a sign be located within one hundred (100) feet of a Residential District or a dwelling existing at the time of erection of the sign.
3. There shall be a minimum of one thousand (1,000) feet between any two off-premises advertising signs along the same side of the highway. A double-face or V-type sign shall be construed as a single sign.
4. An off-premises advertising sign's total sign area facing any single direction shall not exceed one-hundred fifty (150) sq. ft.
5. An off-premises advertising sign shall not exceed a height of fifteen (15) feet above the average grade. Average grade shall be determined by the ground on which the billboard sits or the grade of the abutting road, whichever is higher.
6. Off-premises advertising signs shall not be illuminated.

Section ~~10.7~~ *10.8* Nonconforming Signs

A. Continuance: The continuance of a lawful use of any sign existing on the date of adoption of this Ordinance or amendment thereto, although such sign may not conform to the provisions of this Article, shall be permitted according to Article 7. In no case shall the provisions of Article 7 be construed to authorize any of the following:

1. Replacing a nonconforming sign with another nonconforming sign.
2. Structurally altering a nonconforming sign so as to prolong the life of the sign or to change its shape, size, type, or design.
3. Continuing to use or permit to remain in place a nonconforming sign after the activity, business or use to which it relates has been discontinued for ninety (90) days or longer.
4. The reconstruction of a nonconforming sign upon its removal or destruction.

End of Article 10

Article 14 – Special Land Uses

Section 14.2 Review Procedure

B. JPC Action / Public Hearing:

3. Action / Standards: The JPC shall deny, approve, or approve with conditions the application for special land use/site plan. The JPC shall refer to the approval standards set forth in ~~Sec.14.5~~ ***Sec. 14.6*** in addition to those specified for site plan approval (Sec. 13.4) prior to taking action. Action on the application by the JPC shall be incorporated in a statement of findings and conclusions relative to the application which specifies the basis for the decision and any conditions made part of an approval.

Article 18 – Supplemental Provisions
Section 18.6 Single-family Dwelling Standards

4. The dwelling shall be firmly attached to a permanent foundation constructed on the site in accordance with the building code and shall have a wall of the same perimeter dimensions of the dwelling, except in the case of cantilever architecture, and constructed of such materials and type as required by the building code for such dwelling. In the case of a mobile home as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device, and shall be set on a concrete footing with a masonry wall extending from the perimeter wall of the dwelling to ground, or on a concrete footing with fireproof supports and shall have a continuous skirt extending from perimeter to ground, made of commercial quality or equivalent, and comply with the rules and regulations of the Michigan Mobile Home Commission, the Public Health Department and HUD Regulations 24 CFR 3280, being the "Mobile Home Construction and Safety Standards". No dwelling shall have exposed wheels, towing mechanism, undercarriage, or chassis. ***An existing single-wide mobile home may be replaced with one of the same size or larger and shall have a minimum of 720 square feet per the current zoning ordinance regarding single family dwellings. The replacement home must meet all current construction, design and performance standards promulgated by the United States Department of Housing and Urban Development (HUD). The entire home must be enclosed with commercial mobile home specific skirting within thirty (30) days of replacement. Skirting materials must be metal or fiberglass.***

End of Proposed Amendments