

EATON COUNTY Zoning Ordinance Committee Meeting

NOTICE OF MEETING:

DATE: March 19, 2024

TIME: 4:00 p.m.

PLACE: Eaton County Courthouse, Board of Commissioner's Room,
1045 Independence Blvd., Charlotte, MI 48813

AGENDA:

1. Approval of Agenda ***March 19, 2024***
2. Approval of Minutes ***January 16, 2024***
3. Public Comment
4. Discussion regarding potential amendments to the Zoning Ordinance:
 - Agricultural Businesses, Sec. 14.1- Potential update of language
 - Light Automotive, Small Engine Repair & Automotive, Sec 14.37 – Potential outdoor parking in line with Distressed Vehicle Transporter
 - Dual zoned properties – Divisions, adjustments or combination
 - Parking – Ag. Businesses
 - Article 11 Signs
 - Marihuana related businesses (add definitions and prohibit as home business)
 - Conditional Use Permits – Change of Conditions for Land Divisions, Combinations or Lot Line Adjustments
8. Public Comment
9. Adjournment

**EATON COUNTY
ZONING ORDINANCE COMMITTEE MEETING
January 16, 2024**

Call to Order: The meeting was called to order at 4:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI 48813.

Planning Commission Committee Members present: Tim Cattron, Frank Holmes, and Ben Tirrell,

Staff present: Brandy Miller, Chris Garrison, and Tammy Alger

Others in Attendance: Jim Mott

Agenda: The January 16, 2024 Agenda was accepted as printed.

Minutes: The November 21, 2023 minutes were approved as printed.

- **Text Amendments:** Ms. Miller went through proposed text amendments DCA-3-24-1 and DCA-3-24-2 with the Zoning Ordinance Committee. The Zoning Ordinance Committee did not recommend any changes and approved the applications to be submitted for review by the Planning Commission.
- **Agenda:** Ms. Miller asked the Zoning Ordinance Committee if it would be acceptable to have a “living agenda” moving forward. She stated once items are discussed and a DCA application has been filled out for review by the Planning Commission, items will be removed from the agenda. The Zoning Ordinance Committee agreed. Ms. Miller stated she would like to have a meeting with Commissioner Tirrell to further discuss proposed changes to Section 14.1 Agricultural Businesses. Commissioner Tirrell agreed to meet.
- **Marihuana Facilities, Zoning Ordinance Interpretation:** The Zoning Ordinance Committee discussed Marihuana Facilities and the Zoning Ordinance Interpretation reviewed by Eaton County’s attorney. Ms. Miller read the proposed interpretations into record. Ms. Miller stated the proposed interpretation application will go before the Zoning Board of Appeals in March.
- **Future Agenda Items:** Ms. Miller stated she would like the Zoning Ordinance Committee to discuss light automotive and small engine repair businesses, dual zoned properties, and parking requirements for businesses.
- **Townships:** Ms. Miller stated that she and Mr. Garrison will be trying to meet with townships twice a year beginning this spring.

Meeting adjourned at 4:35 p.m.

CURRENT ZONING ORDINANCE REQUIREMENTS

ARTICLE 11 ADVERTISING STRUCTURES, SIGNS, AND NAME PLATES

SECTION 11.1 INTENT AND PURPOSE

The purpose of this Article is to promote traffic safety, public safety, and the conservation of property values through the application of reasonable controls over the use, size, placement, and general appearance of signs, billboards, and other advertising structures.

SECTION 11.2 JURISDICTION

No sign, billboard, name plate, marquee, or other advertising structure shall be erected, replaced, structurally altered, enlarged, illuminated, changed in purpose, or relocated without first obtaining a sign permit pursuant to *Section 11.3* of this Ordinance, except those signs specifically exempted by *Section 11.8* of this Ordinance, and those structures specifically exempted from this ordinance regulation by the Highway Advertising Public Act 106, of 1972, as amended.

SECTION 11.3 SIGN PERMITS

An application for a sign permit shall be made to the Community Development Department, by submission of a form approved for this purpose pursuant to *Section 3.4.1* of this Ordinance, by the owner of the property on which the sign is proposed to be located or by his agent, or lessee. Said application shall contain the following information:

11.3.1 Property owner's name and address

11.3.2 Applicant's name, address, and phone number

11.3.3 Address or legal description of property on which the sign is proposed

11.3.4 Name and address of the owner of the sign

11.3.5 Total display area in square feet

11.3.6 Proposed setback from road right-of-way

11.3.7 Sign type, purpose, height

11.3.8 Height and width of building if the sign is a wall or wall projecting type

SECTION 11.4 REVIEW OF APPLICATIONS

The Community Development Department shall review all properly filed applications for sign permits and issue permits only for those applicants fully meeting the criteria established in this Ordinance and the State Construction Code. The Community Development Department shall approve or reject said applications within three (3) full working days of receipt of a completed application submittal.

SECTION 11.5 SIGN PERMIT APPLICATION FEES

A schedule of permit fees shall be established and amended from time to time by resolution of the County Board of Commissioners.

SECTION 11.6 APPEALS

The Board of Appeals may authorize a reduction, modification, or waiver of any of the requirements of this Article upon request provided the standards established in *Section 4.6.3* of this Ordinance are fully met.

SECTION 11.7 PROHIBITED SIGNS

The following listed signs are prohibited in any district of this Ordinance:

- 11.7.1** A sign displaying intermittent lights resembling the flashing lights customarily used in traffic signals, or police, fire, ambulance, or rescue vehicles.
- 11.7.2** A sign using the words, "Stop", "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.
- 11.7.3** Billboards located within three-hundred (300) feet of a residential district
- 11.7.4** Any sign which obstructs the ingress or egress from a required door, window, or other required exit
- 11.7.5** Billboards used for on premise advertising
- 11.7.6** Signs located in the right-of-way of public streets or highways
- 11.7.7** Window signs located on the face of windows which cover more than twenty-five percent (25%) percent of the window area.

SECTION 11.8 EXEMPT SIGNS

The following signs are permitted as indicated below and are not required to obtain a Sign Permit. Provided, however, that all exempt signs shall be installed outside the public right-of-way in such a manner as to not obstruct clear vision.

- 11.8.1 Real Estate Sale and For Rent or Lease Signs** which are not exceeding eight (8) square feet in display area when located within the LA, R-1, R-2, and R-3 districts, and not exceeding thirty-two (32) square feet in display area in all other land development districts. Said signs must be located on the actual property for sale, lease or rent.
- 11.8.2 Building Construction Signs** identifying contractors, architects, builders, or owners name during the period of construction not exceeding fifty (50) square feet in display area. Signs designating the future site of an establishment shall not be considered Building Construction Signs.
- 11.8.3 Political Campaign Signs** not exceeding thirty-two (32) square feet in display area. Political campaign signs supporting a candidate for public office shall be removed seven

(7) days following the election for the office in question. Political campaign signs expressing a viewpoint shall be treated as an exempt sign under this Section provided they are removed after ninety (90) days.

- 11.8.4 No Hunting,** No Trespassing, Garage Sale and On Premise Directional Signs not exceeding six (6) square feet in display area.
- 11.8.5 Signs identifying a building's address** and/or the names of the occupants but do not exceed six (6) square feet in display area.
- 11.8.6 Historic Markers,** signs identifying the name of a building or date of erection of a structure and official notices of any court or public agency not exceeding six (6) square feet in display area
- 11.8.7 Signs located on the premise of a customary agricultural operation** as defined in this Ordinance which identify and advertise, name of a farm, the operator's name, seed, fertilizer, herbicide, pesticide, feed, feed supplements, livestock, test plots, farm organizations, awards, and similar agricultural activities, including seed, feed, fertilizer, herbicide, and pesticide dealers, but excluding equipment and implement dealer and related repair facilities. Such signs shall not exceed thirty-two (32) square feet in display area.
- 11.8.8 Signs identifying the owner, operator, or name of a customary agricultural operation** when located on agricultural buildings without display area limitations.
- 11.8.9 Traffic Control,** Directional, Warning, or Information Signs when authorized by a public agency having appropriate jurisdiction without display area limitations
- 11.8.10 Flags (no larger than forty (40) square feet in display area), banners and signs (no larger than two (2) square feet in display area)** bearing the official insignia of a nation, state, county, municipality, or educational institution.

PERMANENT USE SIGN REQUIREMENTS
SECTION 11.9
Schedule A

USE	MAXIMUM DISPLAY AREA	SIGN TYPE	MAXIMUM HEIGHT	SIGN PURPOSE	MAXIMUM NUMBER OF SIGNS
Educational Institution	32 square feet	Ground	8 feet	Identification or Business	One (1) per principal Use
Religious Institution	10% area of wall area of establishment center served	Wall	not above upper wall Line		
Hospital & Long-term Care Facility					
Cemetery					
Park & Conservation Area					
Public Building					
Day Care Facility					
Foster Care Facility					
Golf Course	32 square feet	Ground	8 feet	Identification or Business	One (1) per Establishment
Public Airport					
Surface Mining					
Agricultural Business					
Solid Waste Disposal Site					
Rental Storage Buildings	32 square feet		8 feet	Identification	One (1) per street Entrance
Mobile Home Parks					
Group Housing Development					
Major Subdivision					
Construction Contractors Establishment	8 square feet	Wall	not above front wall	Home Occupation	One (1) per Establishment
Home Occupation					
Home Business		Ground	8 feet		
Individual Commercial	15% of wall area of	Wall, projecting or roof	3 feet above the	Identification or Business	No maximum
Establishment, such as	Of establishment served		building height		
Retail Sales, Office, Personal	100 square feet	Pole	30 feet		
Business Services, Motel, Hotels & Financial Institutions	75 square feet	Ground	12 feet		

USE	MAXIMUM DISPLAY AREA	SIGN TYPE	MAXIMUM HEIGHT	SIGN PURPOSE	MAXIMUM NUMBER OF SIGNS
Shopping Center or Mall as provided For in Section 14.23 of this Ordinance	15% of wall area of Establishment served	Wall, projecting or Roof	3 feet above the building height	Identification	One (1) per establishment
	1 sq. ft. for each front foot of	Pole	50 feet	Identification of: Shopping center and/ or individual businesses in shopping center	One (1) pole or one (1) ground sign (see Footnote 1)
	building with a max. of 300 sq. ft.	Ground	20 feet		
Vehicle Service Stations as provided For in Section 14.19 of this Ordinance	100 square feet each sign (see Footnote 1)	pole	50 feet	Identification	One (1) pole or one (1) ground sign (see footnote 1)
		ground	12 feet		
	15% of wall area of establishment served	wall, projecting, or roof	3 feet above the building height	Identification or Business	no maximum
Vehicle Sales as provided for in Section 14.17 of this Ordinance	100 square feet each sign	pole	50 feet	Identification	One (1) pole or one (1) ground sign for new car dealership and one (1) pole or one (1) ground sign for used car sales
	15% of wall area of establishment	ground	12 feet		
		wall or projecting	not above wall line	Identification or Business	
					No maximum
Individual Industrial Establishment	15% of wall area of establishment served	wall or roof	3 feet above the building	Identification	No maximum
	100 square feet	pole	50 feet		One (1) pole or one (1) ground sign per establishment
	75 square feet	ground	12 feet		
Off-premise signs including Billboards In Industrial and Commercial Districts Only	720 square feet	ground, pole or billboard	30 feet	Advertising	one (1) sign permitted on each Parcel of land; spacing must be minimum of 500 feet between signs (see Footnote 2)
Footnote 1: Corner lots may have one sign on each street with a maximum display area of 100 square feet each.					
Footnote 2: Each side of the road shall be considered separately for the purpose of measuring 500 feet required spacing.					

SECTION 11.10 SIGN SETBACK REQUIREMENTS

Sign setbacks for all districts shall be as follows:

<u>Ground Signs:</u>	Ten (10) feet from the edge of the road right-of-way to any portion of the sign or its supports
<u>Pole Signs:</u>	
Up to 20 feet sign height	Twenty (20) feet from edge of the road right-of-way to any portion of the sign or its supports
For signs greater than 20 feet in sign height	One (1) foot of additional setback for each additional foot of sign height

SECTION 11.11 DEFINITIONS AS USED IN THIS ARTICLE

The following definitions refer to this Article of this Ordinance and are placed here for convenience.

11.11.1 Use of Words and Terms: *Section 5.2* of this Ordinance shall be used for the purpose of interpreting the following definitions.

11.11.2 Definitions:

- A. Sign: Sign shall mean and include every individual announcement, declarations, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person. This definition shall include billboard signs, signs painted directly on walls of structures, and portable signs.
- B. Sign, Advertising: Any sign erected for the purpose of advertising a business, product, service, event, person or subject not relating on the premises on which said sign is located.
- C. Sign, Billboard: An off-premise sign applied to panels with over three-hundred (300) square feet of display area and used for out-door advertising of a business, product, service, event, person or subject including those signs as regulated by the Michigan Department of Transportation pursuant to Public Act 106 of 1972, as amended.
- D. Sign, Business: Any sign erected for the purpose of advertising a business, product, or subject related to the premises on which said sign is located.

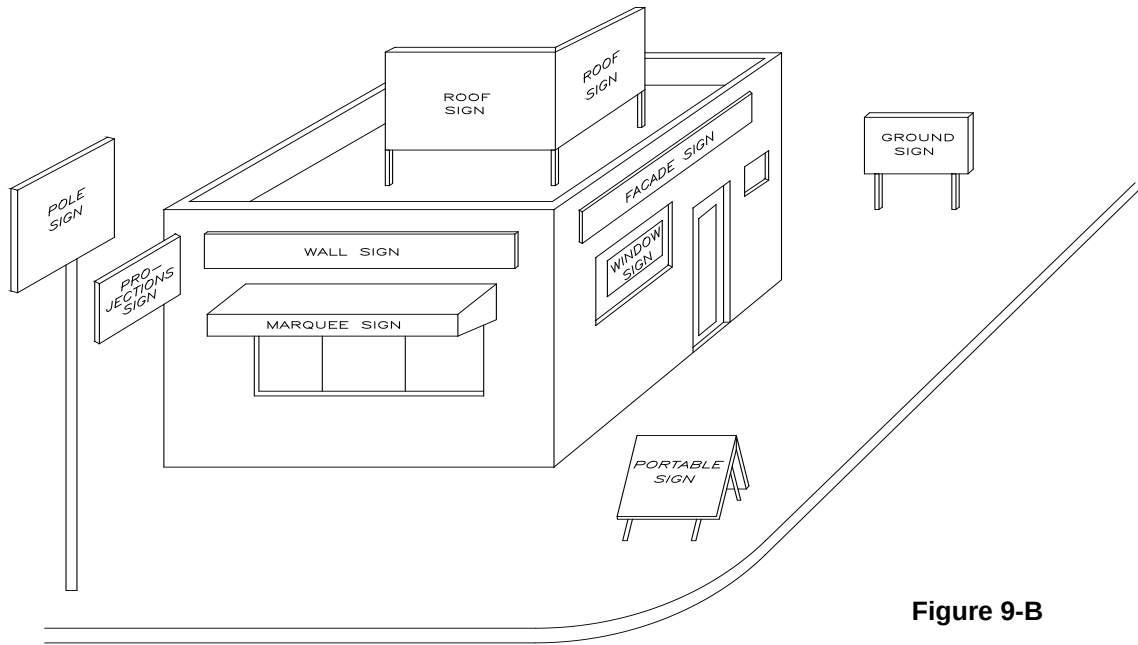


Figure 9-B

SIGN TYPES

- E. **Sign, Display Area:** Display area means the entire area within a circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign; except that where two such faces are placed back to back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

EXCEPTION 1: The display area of signs painted directly on building wall surfaces shall be that area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, letters, or numbers.

EXCEPTION 2: Time and temperature displays including clock facings.

- F. **Sign, Ground:** A sign which is supported on a monument base or on one (1) or more supports where the sign height is less than eight (8) feet.
- G. **Sign, Height:** The height of sign shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.
- H. **Sign, Home Occupation:** A sign containing only the name and occupation used for the purpose of advertising services in conjunction with a lawful home occupation.

- I. Sign, Identification: A sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.
- J. Sign, Marquee: A sign which is attached to or hung from the underside of a marquee, awning, canopy, or other covered structure projecting from and supported by a building and does not project horizontally beyond or vertically above said marquee, awning, canopy, or covered structure.
- K. Sign, Name Plate: A sign located on premises, giving the name or address, or both, or the owner or occupant of a building or premises.
- L. Sign, Off-Premise: A sign located on a different parcel of land or lot or premise than where the business, product, service, event, or person or subject is being advertised.
- M. Sign, On-Premise: A sign located on the parcel of land or lot advertising a business, product, service, event, person or subject being offered on said parcel of land or lot.
- N. Sign, Pole: A sign which is supported on one (1) or more supports where the sign height is greater than eight (8) feet.
- O. Sign, Portable: A sign that is not permanent, affixed to a building, structure or the ground including signs supported on mobile chassis other than motor vehicles.
- P. Sign, Projecting: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.
- Q. Sign, Roof: A sign which is erected, constructed and maintained upon or above the roof of a building, or parapet wall and which is wholly or partially supported by said building.

EXCEPTION: For the purpose of this definition of roof sign, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered as a roof sign but shall instead be considered as a wall sign for that side of the building, provided that not part of such sign extends above the uppermost building line not including chimneys, flag poles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.
- R. Sign, Setback: The minimum linear distance as measured from the road right-of-way line to the nearest part of the sign or advertising structure.

- A. Sign, Wall: A sign that is attached directly to a wall, mansard roof, roof overhand, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, and which projects not more than fifteen (15) inches from the building or structure wall, and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flag poles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions.

SECTION 11.12 TEMPORARY SIGNS

Temporary signs shall be permitted as set forth in this section.

11.12.1 As used in this ordinance, temporary signs include:

- A. Balloon Sign: A portable sign which is inflated by air or any inert gas.
- B. Portable Sign: A sign not permanently anchored or secured to either a building or the ground, such as, but not limited to, “A” frame, “T” or inverted “T” shaped sign structures and signs on movable trailers, or similar portable or moveable devices. Banners, balloon signs, or sign’s objects or devices shall also be considered portable signs.

11.12.2 Portable Signs: A portable sign, other than a balloon sign as regulated herein, may be permitted in any zoning district. Only one (1) portable sign shall be permitted on a site at any one time for a period not to exceed a total of thirty (30) days in any calendar year. A portable sign shall not exceed thirty-two (32) square feet in area, except for balloon signs as regulated herein and shall not have any flashing, colored or glaring lights. Further, such signs shall be placed no closer than ten (10) feet from the public right of way and shall not hamper the visibility of a driver on or off the site. A permit shall be obtained from the Community Development Department each time a portable sign is installed on a site.

11.12.3 Balloon Signs: Balloon signs shall be permitted in the C-1, C-2, I and PUD zoning districts subject to the following regulations:

- A. A balloon sign shall not be more than thirty-five (35) feet high from the point where the balloon rests on any surface if the balloon rests on a surface, or from the point of tie-down, if it does not rest on a surface.
- B. All balloon signs shall be securely anchored to the ground or to a building in accordance with the requirements of the Eaton County Building Code, as amended. All anchoring devices shall be inspected and approved by the Construction Code Department. Balloon signs over fifteen (15) feet high shall be anchored with a minimum of six (6) ropes or similar tie-down devices. Additional ropes or tie-down devices may be required by the Construction Code Official to ensure proper anchoring.
- C. Any electrical motor, pump or similar devise used to inflate the balloon sign shall be installed in accordance with the requirements of the Eaton County Building Codes, as amended.

- D. A balloon sign shall be setback a minimum distance of one and one-half (1½) times its inflated height from all property lines. **For example**, a balloon sign with a total inflated height of forty (40) feet must be anchored at least sixty (60) feet from all property lines.
- E. A balloon sign placed on the ground shall not, in the opinion of the Community Development Department, interfere with the on-site or off-site traffic circulation, utility lines, hamper the visibility of drivers or obstruct fire lanes. The placement of a balloon sign on the ground shall not result in a reduction of the number of parking spaces required herein for that site on which the balloon sign is located.
- F. A temporary barricade shall be installed completely around a balloon sign to deter easy access. This barricade must be clearly visible and be comprised of rope, portable fence or similar materials, excluding barbed wire.
- G. A balloon sign, if mounted on top of a building, shall not protrude over the edge of that building.
- H. All balloon signs shall be equipped with a quick deflation system so that the balloon sign will deflate instantly if it breaks loose from its anchor. The Eaton County Construction Code Department shall inspect the balloon sign to ensure that this system is installed properly.
- I. All balloon signs shall be taken down if wind speeds exceed thirty (30) knots (35 mph). The installer of the sign shall be responsible for monitoring weather conditions.
- J. Balloon signs are considered portable signs and shall comply with the Portable Sign regulations in this Ordinance including limitations on the duration a balloon sign may remain on a site in a calendar year.
- K. Balloon signs may be illuminated from the inside or by exterior lights placed to direct the glare away from adjacent roadways and properties. Balloon signs shall not have any flashing, colored or glaring lights.
- L. A balloon sign installer shall carry at least one million dollars (\$1,000,000) in liability insurance coverage and shall provide proof of this to the Community Development Department prior to the issuance of the sign permit.
- M. Balloon signs shall be installed so as not to interfere with utility lines, flight paths or radio and television reception.

PROPOSED CHANGES FOR DISCUSSION

ARTICLE 11 ADVERTISING STRUCTURES, SIGNS, AND NAME PLATES

Section 11.01 INTENT AND PURPOSE

The purpose of this Article is to promote traffic safety, public safety, and the conservation of property values through the application of reasonable controls over the use, size, placement, and general appearance of signs, billboards, and other advertising structures. ***Further, it is the intent of this article to ensure content neutrality in the regulation of signs.***

Section 11.02 JURISDICTION

No sign, billboard, name plate, marquee, or other advertising structure shall be erected, replaced, structurally altered, enlarged, illuminated, changed in purpose, or relocated without first obtaining a sign permit pursuant to *Section 11.34* of this Ordinance, except those signs specifically exempted by *Section 11.98* of this Ordinance, and those structures specifically exempted from this ordinance regulation by the Highway Advertising Public Act 106, of 1972, as amended.

Section 11.03 Substitution Clause

Any sign authorized to be displayed by this Ordinance may contain a non-commercial message.

Section 11.04 SIGN PERMITS

An application for a sign permit shall be made to the ~~Community Development Department~~ ***Department of Construction Codes & Planning and Zoning***, by submission of a form approved for this purpose pursuant to *Section 3.4.1* of this Ordinance, by the owner of the property on which the sign is proposed to be located or by his agent, or lessee. ***All signs shall comply with applicable building codes.*** Said application shall contain the following information:

- 11.04.1 Property owner's name and address
- 11.04.2 Applicant's name, address, and phone number
- 11.04.3 Address or legal description of property on which the sign is proposed
- 11.04.4 Name and address of the owner of the sign
- 11.04.5 Total display area in square feet
- 11.04.6 Proposed setback from road right-of-way
- 11.04.7 Sign type, purpose, height
- 11.04.8 Height and width of building if the sign is a wall or wall projecting type

Section 11.05 REVIEW OF APPLICATIONS

The ~~Community Development Department~~ ***Department of Construction Codes & Planning and Zoning*** shall review all properly filed applications for sign permits and issue permits only for those applicants fully meeting the criteria established in this Ordinance and the State Construction Code. The ~~Community Development~~ Department shall approve or reject said applications within three (3) full working days of receipt of a completed application submittal.

Section 11.06 SIGN PERMIT APPLICATION FEES

A schedule of permit fees shall be established and amended from time to time by resolution of the County Board of Commissioners.

Section 11.07 APPEALS

The Board of Appeals may authorize a ~~reduction, modification, or waiver~~ **variance** of any of the requirements of this Article upon request provided the standards established in *Section 4.6.3* of this Ordinance are fully met.

Section 11.08 PROHIBITED SIGNS

The following listed signs are prohibited in any district of this Ordinance:

11.08.1 A sign displaying intermittent lights resembling the flashing lights customarily used in traffic signals, or police, fire, ambulance, or rescue vehicles.

11.08.2 A sign using the words, "Stop", "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.

~~**11.08.3** Billboards located within three hundred (300) feet of a residential district~~

11.08.3 Any sign which obstructs the ingress or egress from a required door, window, or other required exit.

~~**11.08.4** Billboards used for on premise advertising~~

11.08.4 Signs located in the right-of-way of public streets or highways.

11.08.5 Window signs located on the face of windows which cover more than twenty-five percent (25%) percent of the window area.

11.08.6 *Signs containing statements, words, or pictures of an obscene or indecent character.*

11.08.7 *Signs advertising a business, product, or service no longer available on the premises on which the sign is located.*

11.08.8 *Any sign which is structurally unsafe or exhibits significant signs of wear or disrepair.*

11.08.9 *Off-premise signs not otherwise permitted by this article.*

Section 11.09 EXEMPT SIGNS

The following signs are permitted as indicated below and are not required to obtain a Sign Permit. Provided, however, that all exempt signs shall be installed outside the public right-of-way in such a manner as to not obstruct clear vision.

~~**11.09.1** Real Estate Sale and For Rent or Lease Signs~~ **Temporary signs not exceeding eight (8) square feet when located in the LA, R-1, R-2, and R-3 districts.** ~~which are not exceeding eight (8) square feet in display area when located within the LA, R-1, R-2, and R-3 districts;~~ **These temporary signs may be erected for a period not to exceed six (6) months within any twelve (12) month period. If a property is for actively for sale or lease, a temporary sign may be present on site for more than six (6) months.**

11.09.2 ~~and Temporary signs~~ not exceeding thirty-two (32) square feet in display area in all other land development districts. **These temporary signs may be erected for a period not**

to exceed six (6) months within any twelve (12) month period. If a property is for actively for sale or lease, a temporary sign may be present on site for more than six (6) months. Temporary signs in non-residential districts may include off-premise signs. Said signs must be located on the actual property for sale, lease or rent.

11.09.3 Building Construction Signs ~~identifying contractors, architects, builders, or owners name~~ during the period of construction not exceeding fifty (50) square feet in display area. Signs designating the future site of an establishment shall not be considered Building Construction Signs.

11.09.4 Political Campaign Signs not exceeding thirty two (32) square feet in display area. Political campaign signs supporting a candidate for public office shall be removed seven (7) days following the election for the office in question. Political campaign signs expressing a viewpoint shall be treated as an exempt sign under this Section provided they are removed after ninety (90) days.

11.09.4 *Small permanent signs affixed to a structure. Such signs include but are not limited to “No Hunting”, “No Trespassing”, Garage Sale and On Premise Directional Signs* not exceeding six (6) square feet in display area.

11.09.5 *Name plate s* Signs identifying a building's address and/or the names of the occupants ~~but do not exceed~~*ing* six (6) square feet in display area.

11.09.6 Historic Markers, signs identifying the name of a building or date of erection of a structure and official notices of any court or public agency not exceeding six (6) square feet in display area.

11.09.7 Signs located on the premise of a customary agricultural operation as defined in this Ordinance ~~which identify and advertise, name of a farm, the operator's name, seed, fertilizer, herbicide, pesticide, feed, feed supplements, livestock, test plots, farm organizations, awards, and similar agricultural activities, including seed, feed, fertilizer, herbicide, and pesticide dealers, but excluding equipment and implement dealer and related repair facilities.~~ Such signs shall not exceed thirty-two (32) square feet in display area.

11.09.8 Signs ~~identifying the owner, operator, or name of a customary agricultural operation when~~ located on agricultural buildings ~~without display area limitations.~~

11.09.9 Traffic Control, Directional, Warning, or Information Signs when authorized by a public agency having appropriate jurisdiction without display area limitations.

11.09.10 Flags ~~(no larger than forty (40) square feet in display area~~ *and* ~~); banners and signs (no larger than two (2) square feet in display area) bearing the official insignia of a nation, state, county, municipality, or educational institution.~~

11.09.11 *One portable sign not exceeding eight (8) square feet in area located on a non-residential property is permitted without a permit Portable signs may not be located in the right of way and may not interfere with pedestrian or vehicular traffic.*

Section 11.10 Permanent Sign Table

Eaton County Zoning Ordinance, Permanent Sign Table ^{6,7}					
Type of Sign	Zoning Districts				
	RC	LA, R-1, R-2, R-3	C-1	C-2	I
MONUMENT 1,2,3,5	Max Display Area: 24sq ft Max Height: 8ft Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a sign. Home occupations may have a single monument sign.	Max Display Area: 24sq ft Max Height: 8ft Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a sign. Home occupations may have a single monument sign.	Max Display Area: 75sq ft Max Height: 12ft Quantity: 1 per principal use.	Max Display Area: 100sq ft Max Height: 12ft Quantity: 1 per principal use.	Max Display Area: 100sq ft Max Height: 12ft Quantity: 1 per principal use.
POLE 1,2,3,5	Max Display Area: 24sq ft Max Height: 8ft Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a pole sign. Home occupations may have a single pole sign.	Max Display Area: 24sq ft Max Height: 8ft Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a pole sign. Home occupations may have a single pole sign.	Max Display Area: 100 sq ft ³ Max Height: 30ft Quantity: 1 per principal use. A use may have one pole sign or one monument sign, but not both.		

Eaton County Zoning Ordinance, Permanent Sign Table^{6,7}

Type of Sign	Zoning Districts				
	RC	LA, R-1, R-2, R-3	C-1	C-2	I
WALL⁴	Max Display Area: 10% of the total area of an exposed wall Max Height: Not above highest point of 1 st story Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a wall sign. Home occupations may have a single wall sign of no more than 8 sq ft.	Max Display Area: 10% of the total area of an exposed wall Max Height: Not above highest point of 1st story Quantity: 1 per principal use. Single Family and Duplex Dwellings shall not have a wall sign. Home occupations may have a single wall sign of no more than 8 sq ft.	Max Display Area: 10% of the total area of an exposed wall Max Height: Not above highest point of 1st story Quantity: 1 per exposed building wall; 1 per establishment	Max Display Area: 15% of the total area of an exposed wall Max Height: Not above highest point of 1st story Quantity: 1 per exposed building wall; 1 per establishment	Max Display Area: 15% of the total area of an exposed wall Max Height: Not above highest point of 1st story Quantity: 1 per exposed building wall; 1 per establishment
	<i>Shall project no more than 15" from the wall to which the sign is attached.</i>				
PROJECTING	Not Permitted.	Not Permitted.	Max Display Area: 25sq ft Max Height: 3 feet above building height. Must maintain a minimum of 8 feet of ground clearance and have a horizontal distance of at least 2 feet from any parking space or maneuvering lane. Quantity: 1 per principal use or establishment May not project over the right of way or any property lines.		
ROOF⁶	Not Permitted.	Not Permitted.	Max Display Area: 15% of wall area Max Height: 3 feet above building height. Quantity: 1 per principal use. A building may have a roof sign or a wall sign per exposed building wall, but not both.		

Eaton County Zoning Ordinance, Permanent Sign Table ^{6,7}					
Type of Sign	Zoning Districts				
	RC	LA, R-1, R-2, R-3	C-1	C-2	I
BILLBOARD ⁵	Not Permitted.	Not Permitted.	Not Permitted.	Max Display Area: 720sq ft Max Height: 30 ft Quantity: 1 sign permitted on each parcel of land. Minimum spacing of 500ft between signs. <i>A billboard sign may be an on-premise sign or an off-premise sign.</i>	

Footnotes

1. Corner lots may have 1 pole sign or monument sign on each street frontage if permitted within the relevant zoning district.
2. A use with only one street frontage may have a pole sign or a monument sign, but not both.
3. Shopping malls and similar properties with 4 or more tenants, ~~and vehicle sales and service establishments~~ may increase the total sign area by 10 square feet for each tenant, not to exceed a total area of 150 square feet. ***Vehicle sales and service establishments may also increase total sign area to up to 150 square feet.***
4. For multi-occupant buildings, wall area shall be calculated based upon the exterior wall width of that portion of the building occupied by the applicant. For exterior wall widths of less than 50 feet, wall signs of 50 square feet in area shall be permitted, regardless of the total area of the exposed wall.
5. Monument, pole, and billboard signs must be setback at least 10' from the right of way and not within side setback areas. ***The setback distance to all property lines must be equal or greater to the height of the sign.***
6. Multiple Signs: If multiple sign types are present on a property, the total area of all signs shall not exceed 150 sq ft. This standard does not apply to properties with 4 or more tenants or to vehicle sales and service establishments. Billboards shall not be included within the calculation of total area of all signs on a parcel.
7. The Planning Commission may grant a waiver from the requirements of the Permanent Sign Table upon demonstration by the applicant that the waiver is the smallest deviation from the standards necessary, there is a unique characteristic of the proposed use or parcel that makes the waiver necessary, and that there will be no risk to public health, safety, or welfare created by the proposed sign(s).

Section 11.11 SIGN SETBACK REQUIREMENTS

Sign setbacks for all districts shall be as follows:

Ground Signs: Ten (10) feet from the edge of the road right-of-way to any portion of the sign or its supports

Pole Signs:

Up to 20 feet sign height Twenty (20) feet from edge of the road right-of-way to any portion of the sign or its supports For signs greater than One (1) foot of additional setback for 20 feet in sign height each additional foot of sign height

Section 11.11 Electronic Message Boards

11.11.1 *An electronic message board may be incorporated as part of a permitted pole sign or monument sign.*

11.11.2 *The message board portion of the sign may not account for more than 50 percent of the total sign area. If the sign is only an electronic message board, the total permitted area shall be 50 percent of the area permitted for the subject sign type and zoning district.*

Section 11.12 DEFINITIONS AS USED IN THIS ARTICLE

The following definitions refer to this Article of this Ordinance and are placed here for convenience.

11.12.1 *Section 5.2 of this Ordinance shall be used for the purpose of interpreting the following definitions.*

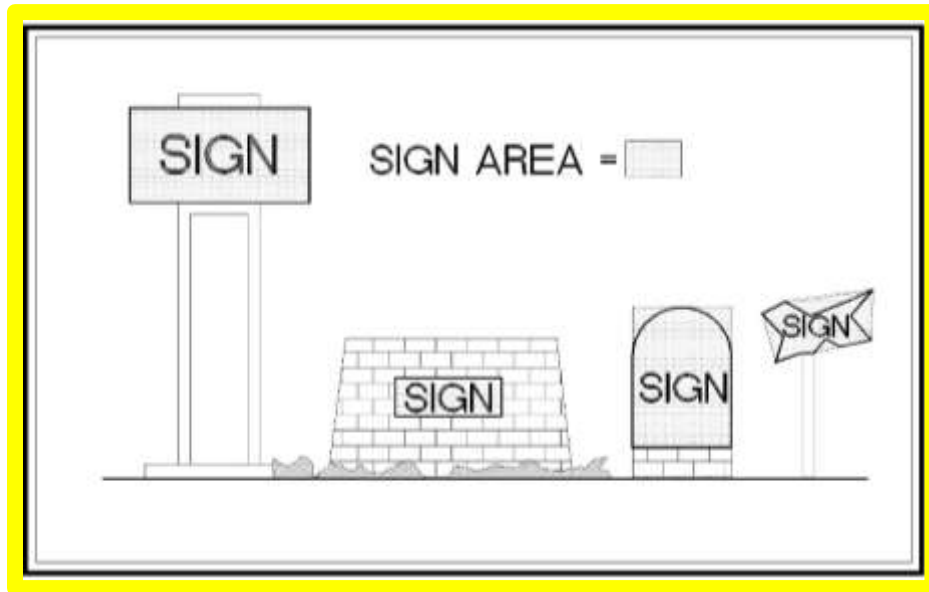
11.12.2

- A. Sign: Sign shall mean and include every individual announcement, declarations, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person. This definition shall include billboard signs, signs painted directly on walls of structures, and portable signs. *This definition does not include murals or other works of art that do not communicate a written message or include a logo or other insignia.*
- ~~B. Sign, Advertising: Any sign erected for the purpose of advertising a business, product, service, event, person or subject not relating on the premises on which said sign is located.~~
- B. Sign, Billboard: An off-premise sign applied to panels ~~with over three hundred (300) square feet of display area~~ and used for out-door advertising of a business, product, service, event, person or subject including those signs as regulated by the Michigan Department of Transportation pursuant to Public Act 106 of 1972, as amended.
- ~~C. Sign, Business: Any sign erected for the purpose of advertising a business, product, or subject related to the premises on which said sign is located.~~
- C. Sign, Display Area: Display area means the entire area within a circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against

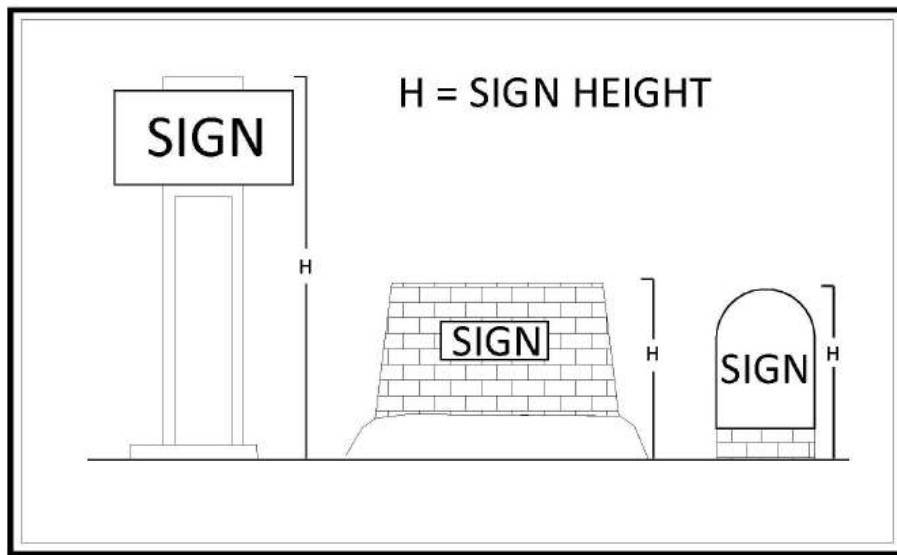
which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign; except that where two such faces are placed back to back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

EXCEPTION 1: The display area of signs painted directly on building wall surfaces shall be that area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, letters, or numbers.

~~EXCEPTION 2: Time and temperature displays including clock facings.~~



- D. Sign, ~~Ground Monument~~: A sign *attached to a permanent masonry or decorative foundation and not attached or dependent for support from any building, exposed pole or posts, or similar uprights* which is supported on a monument base or on one (1) or more supports where the sign height is less than eight (8) feet.
- E. *Sign, Electronic Message Board: A sign with changeable copy in which the copy consists of an array of lights activated and deactivated simultaneously.*
- F. Sign, Height: The height of sign shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.



G. Sign, Home Occupation: A sign containing only the name and occupation used for the purpose of advertising services in conjunction with a lawful home occupation.

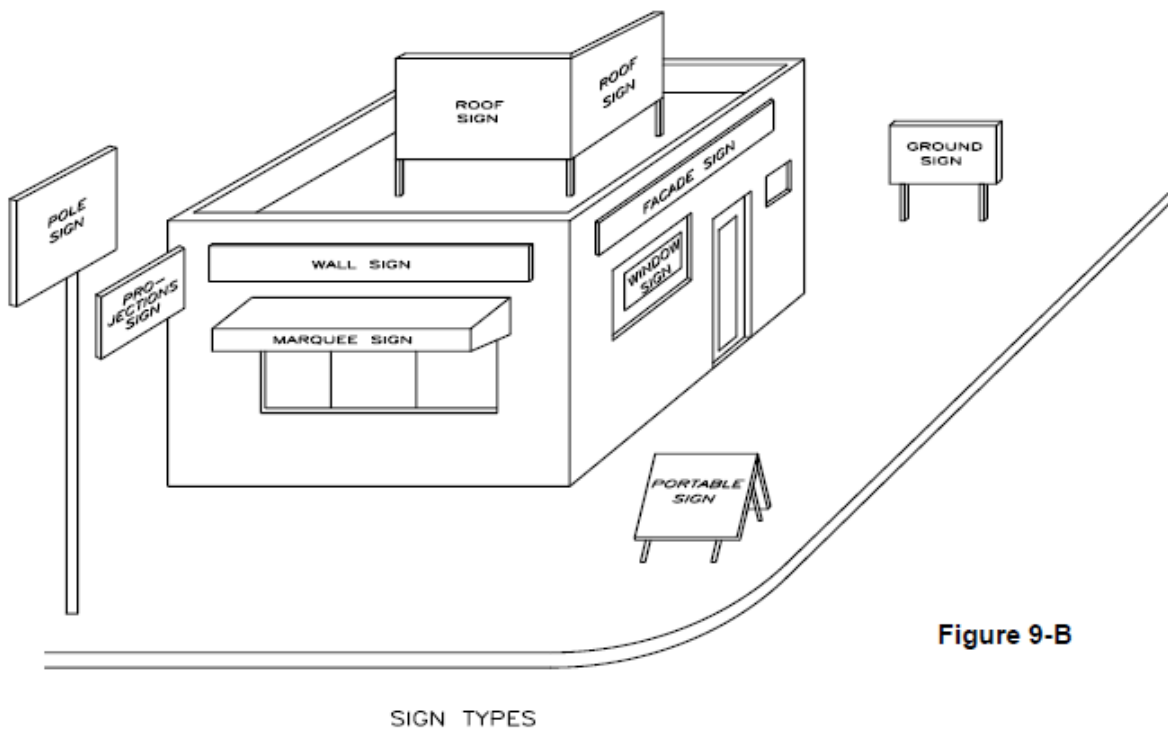


Figure 9-B

- H. ~~Sign, Identification: A sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.~~
- G. ~~Sign, Marquee~~**Projecting**: A sign which is ***affixed to any building or structure, and any part of which extends beyond the building wall and the horizontal sign surface is not parallel to the building wall.***~~attached to or hung from the underside of a marquee, awning, canopy, or other covered structure projecting from and supported by a building and does not project horizontally beyond or vertically above said marquee, awning, canopy, or covered structure.~~
- H. Sign, Name Plate: A sign located on premises, giving the name or address, or both, or the owner or occupant of a building or premises.
- I. Sign, Off-Premise: A sign located on a different parcel of land or lot or premise than where the business, product, service, event, or person or subject is being advertised.
- J. Sign, On-Premise: A sign located on the parcel of land or lot advertising a business, product, service, event, person or subject being offered on said parcel of land or lot.
- K. Sign, Pole: A sign ***attached to a permanent foundation supported from the ground by one or more poles, posts, or similar uprights, with or without braces.***~~which is supported on one (1) or more supports where the sign height is greater than eight (8) feet.~~
- L. Sign, Portable: A sign that is not permanent, affixed to a building, structure or the ground including signs supported on mobile chassis other than motor vehicles.
- M. ~~Sign, Projecting: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.~~
- M. Sign, Roof: A sign which is erected, constructed and maintained upon or above the roof of a building, or parapet wall and which is wholly or partially supported by said building.
- EXCEPTION: For the purpose of this definition of roof sign, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered as a roof sign but shall instead be considered as a wall sign for that side of the building, provided that not part of such sign extends above the uppermost building line not including chimneys, flag poles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.
- N. Sign, Setback: The minimum linear distance as measured from the road right-of-way ***or other property*** lines to the nearest part of the sign or advertising structure.
- O. Sign, Wall: A sign that is attached directly to a wall, mansard roof, roof overhang, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, ***and which projects not more than fifteen (15) inches from the building or structure wall,*** and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flag poles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions.

Section 11.12 TEMPORARY SIGNS

Temporary signs shall be permitted as set forth in this section.

11.12.3 As used in this ordinance, temporary signs include:

- A. Balloon Sign: A portable sign which is inflated by air or any inert gas.
- B. Portable Sign: A sign not permanently anchored or secured to either a building or the ground, such as, but not limited to, "A" frame, "T" or inverted "T" shaped sign structures and signs on movable trailers, or similar portable or moveable devices. Banners, balloon signs, or sign's objects or devices shall also be considered portable signs.

11.12.3 Portable Signs: A portable sign, other than a balloon sign as regulated herein, may be permitted in any zoning district. Only one (1) portable sign shall be permitted on a site at any one time for a period not to exceed a total of thirty (30) days in any calendar year. A portable sign shall not exceed thirty-two (32) square feet in area, except for balloon signs as regulated herein and shall not have any flashing, colored or glaring lights. Further, such signs shall be placed no closer than ten (10) feet from the public right of way and shall not hamper the visibility of a driver on or off the site. A permit shall be obtained from the ~~Community Development Department~~ **Department of Construction Codes & Planning and Zoning** each time a portable sign is installed on a site.

11.12.4 Balloon Signs: Balloon signs shall be permitted in the C-1, C-2, I and PUD zoning districts subject to the following regulations:

- A. A balloon sign shall not be more than thirty-five (35) feet high from the point where the balloon rests on any surface if the balloon rests on a surface, or from the point of tie-down, if it does not rest on a surface.
- B. All balloon signs shall be securely anchored to the ground or to a building in accordance with the requirements of the Eaton County Building Code, as amended. All anchoring devices shall be inspected and approved by the Construction Code Department. Balloon signs over fifteen (15) feet high shall be anchored with a minimum of six (6) ropes or similar tie-down devices. Additional ropes or tie-down devices may be required by the Construction Code Official to ensure proper anchoring.
- C. Any electrical motor, pump or similar devise used to inflate the balloon sign shall be installed in accordance with the requirements of the Eaton County Building Codes, as amended.
- D. A balloon sign shall be setback a minimum distance of one and one-half (1½) times its inflated height from all property lines. **For example**, a balloon sign with a total inflated height of forty (40) feet must be anchored at least sixty (60) feet from all property lines.
- E. A balloon sign placed on the ground shall not, in the opinion of the Community Development Department, interfere with the on-site or off-site traffic circulation, utility lines, hamper the visibility of drivers or obstruct fire lanes. The placement of a balloon sign on the ground shall not result in a reduction of the number of parking spaces required herein for that site on which the balloon sign is located.

- F. A temporary barricade shall be installed completely around a balloon sign to deter easy access. This barricade must be clearly visible and be comprised of rope, portable fence or similar materials, excluding barbed wire.
- G. A balloon sign, if mounted on top of a building, shall not protrude over the edge of that building.
- H. All balloon signs shall be equipped with a quick deflation system so that the balloon sign will deflate instantly if it breaks loose from its anchor. The Eaton County Construction Code Department shall inspect the balloon sign to ensure that this system is installed properly.
- I. All balloon signs shall be taken down if wind speeds exceed thirty (30) knots (35 mph). The installer of the sign shall be responsible for monitoring weather conditions.
- J. Balloon signs are considered portable signs and shall comply with the Portable Sign regulations in this Ordinance including limitations on the duration a balloon sign may remain on a site in a calendar year.
- K. Balloon signs may be illuminated from the inside or by exterior lights placed to direct the glare away from adjacent roadways and properties. Balloon signs shall not have any flashing, colored or glaring lights.
- L. A balloon sign installer shall carry at least one million dollars (\$1,000,000) in liability insurance coverage and shall provide proof of this to the Community Development Department prior to the issuance of the sign permit.
- M. Balloon signs shall be installed so as not to interfere with utility lines, flight paths or radio and television reception.

Section 11.13 Inspection, Removal and Safety

11.13.1 Signs may be inspected periodically by the Department of Construction Codes & Planning and Zoning to ensure compliance with this and other applicable county codes.

11.13.2 All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.

11.13.3 The Department may order the removal of any sign erected or maintained in violation of this Ordinance. Such order shall be made in writing, delivered personally or by certified mail, and shall allow the person receiving it 30 days in the case of a permanent sign and 7 days in the case of a temporary sign to remove the sign or to bring it into compliance. Such order shall be served upon the owner of such sign, or to the owner or manager of the building, structure, or premises on which such sign is located. The Department may remove a sign immediately and without notice, at cost to the owner or lessee, if the condition of the sign presents an immediate threat to the safety of the public.

11.13.4 A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign within 90 days of the termination of business or activity, the Department, may remove the sign at cost to the property owner. When a successor to a defunct business agrees to maintain the signs as provided in this Code, this removal requirement shall not apply.

11.13.5 *No sign shall be placed so as to obstruct the view of approaching vehicular or pedestrian traffic from any direction or present a hazard to the safe flow of traffic. In the event that any sign violates this requirement, and has not received a permit, the Department may remove such sign to protect traffic. The owner of the property, or business operator where such sign is located, shall first be notified of its impending removal. The property owner or business operator shall be given opportunity to alter or replace such a sign within 24 hours to make it comply with this Ordinance.*

11.13.6 *Clear Vision Triangle. No sign shall be placed in a triangular area formed by measuring 20 feet from the right-of-way line from any public street and a driveway, or at the corner to two public streets.*

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