

**OTSEGO COUNTY
PLANNING COMMISSION
November 20, 2017
6:00 PM**

MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From October 16, 2017 meeting
5. CONSENT AGENDA
6. OTHER
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS
9. ADVERTISED CASES
10. UNFINISHED COMMISSION BUSINESS:
 1. Section 21.38 Signs & Billboards *Proposed language changes* – Send to townships
11. NEW BUSINESS:
 1. Section 21.34 Restricted Uses – Review – *Proposed language changes– sent via email*
 2. Section 21.12 Home Occupation – Review – *Proposed language changes –sent via email*
12. REPORTS AND COMMISSION MEMBER’S COMMENTS:
 1. Otsego County Parks & Recreation report / Judy Jarecki
 2. Land Use Services / Jim Mouch – *sent via email*
13. ADJOURNMENT

Otsego County Planning Commission

Proposed Minutes for October 16, 2017

Call to Order: 6:00pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Vice Chairperson Jarecki, Mr. Hilgendorf, Mr. Brown, Mrs. Norton, Mr. Klee, Mr. Bauman, Ms. Corfis, Mr. Caverson

Absent: Mr. Arndt, Mr. Borton, ~~Mr. Caverson~~ – arrived 6:25pm

Staff Present: Mr. Mouch, Ms. Boyak-Wohlfeil

Public Present: Robert & Lori Fleury

Approval of minutes from: August 21, 2017

Motion made to approve minutes as presented by Mr. Brown; Seconded by Mr. Klee.

Motion approved unanimously

Consent Agenda: None

Other: None

Public participation for items not on the agenda:

Robert Fleury stated he had concerns with a neighbor and was interested in any language changes to the home occupation section. He stated the reason for change was so it was enforceable. He also wanted to become familiar with the commission members.

Chairperson Hartmann thanked Mr. Fleury for his interest and stated a committee would be formed to discuss possibly amending that section. He also wanted to recognize a former planning commission member, James Maddix who had passed away. Mr. Maddix had served on the commission from 1995 – 2008.

Public Hearing: None

Advertised Case: None

Unfinished Commission Business: None

New Business:

1. Committee(s) assembled – *Review - Possible text amendments*
 - a. Section 21.12 Home Occupation
 - b. Section 21.33 Recreational Equipment or Trailer

Chairperson Hartmann requested volunteers to review and possibly amend Section 21.12 and Section 21.33 then stated one committee should suffice since the sections were not very lengthy. He asked Mr. Mouch for comments.

Otsego County Planning Commission

Proposed Minutes for October 16, 2017

Mr. Mouch stated the committee needed to consider the types of home occupations allowed in the different zoning districts and amend the camping requirements to be more definitive to the number of campers allowed per parcel, timeframe of camping, etc. so that section could be rightfully enforced.

Mr. Hilgendorf stated he would join the committee and thought that Mr. Arndt had showed interest but was not positive.

Vice Chairperson Jarecki stated Corwith Township showed interest in Section 21.33 so she would also volunteer.

2. Elections

Chairperson Hartmann stated October was elections month for commission officers. He requested nominations for the secretary position.

Mrs. Jarecki nominated Mr. Arndt for secretary.

Chairperson Hartmann stated Mr. Arndt had previously mentioned he would like to continue in the position. He requested other nominations; there being none, a vote was taken.

Mr. Arndt elected secretary unanimously.

Chairperson Hartmann requested nominations for the vice chairperson position.

Mr. Hilgendorf nominated Mrs. Jarecki for vice chairperson.

Mrs. Jarecki accepted the nomination.

Chairperson Hartmann requested other nominations; there being none, a vote was taken.

Mrs. Jarecki elected vice chairperson unanimously.

Chairperson Hartmann requested nominations for the chairperson position.

Mr. Brown nominated Mr. Hartmann for chairperson.

Mr. Hartmann accepted the nomination.

Chairperson Hartmann requested other nominations; there being none, a vote was taken.

Mr. Hartmann elected chairperson unanimously.

3. Expiring terms:

- a. Ken Arndt
- b. Jan Norton
- c. Charles Klee

Chairperson Hartmann stated three (3) members' terms were expiring this year and asked who was interested in staying on.

Mrs. Norton stated she had already sent in her application online for reappointment.

Mr. Klee stated he was considering staying on but was unsure.

Ms. Boyak-Wohlfeil stated Mr. Arndt had also applied online for reappointment and told Mr. Klee his term expired December 31st but a decision should be made prior so Dover could recommend someone for the position if need be and the position could be appointed by the Board of Commissioners before the year's end.

Otsego County Planning Commission

Proposed Minutes for October 16, 2017

Mr. Caverson arrived 6:25pm.

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report/Judy Jarecki

Mrs. Jarecki reported there was discussion concerning improvements at the Dog Park because of its large size. Potential improvements include division of the large dog area into two (2) sections, relocating the dog watering station, the addition of a shaded patio area with benches and identification markers on posts to aid in clean ups. The Halloween weekends at the County Park were a success, security cameras were being considered because of the recent break-ins to the buildings at the park, a new campground rule referring to punishment for noncompliance was approved and the purchase of a one (1) acre parcel west of the park was being considered. The bid from Feeny for a new plow truck was accepted and the Groen Trust Fund Board had met and the finalization of the property transfer was ongoing.

2. Land Use Services report/Jim Mouch

Mr. Mouch stated he had met with the prosecuting attorney and there were ten (10) citations currently being reviewed by the prosecutor's office. He stated he had attended a meeting at Bagley Township and had presented the enforcement procedures put in place along with the reports being generated each month; he would be attending a meeting at Corwith Township tomorrow evening and would present the same. He was also working on an update for Section 21.34 Restricted Uses to help define junk, rubbish, garbage, etc. per building / property maintenance code definitions. He would email that information when it was complete.

Mr. Bauman stated Livingston Township was sending out a survey for input on their Master Plan. The plan should be complete January 2018.

Mr. Brown stated Charlton Township's Master Plan had been completed.

Mrs. Norton stated she had been attending Chester Township board meetings because the planning commission did not meet on a regular basis. She also stated she was attending the meetings concerning the expansion of Camp Grayling because it impacted Chester.

Ms. Corfis stated DTE's project on Old State Rd was progressing in Otsego Lake Township.

Mr. Hilgendorf stated the University Center was looking at adding a millage to the ballot in 2018 and would start campaigning soon. He also stated Kirtland was discussing offering classes on site with Ferris State.

Mr. Hartmann stated Elmira Township had discussed a cluster residential project with Mr. Drews for the near future and it would be going through the special use process.

Chairperson Hartmann adjourned the meeting.

Adjournment: 6:39pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

Current Section 21.38 language:

SECTION 21.38 SIGNS AND BILLBOARDS

Any publicly displayed sign, symbol or notice on premises to indicate the name of the occupant, to advertise the business there transacted, or directing to some other locale, shall be regulated as follows, and shall require permits in accordance with the terms of the County Building Code:

21.38.1 Signs Permitted

21.38.1.1 Name Plates in All Districts Residential, business or industrial name plates which are not illuminated and do not exceed a total area of two (2) square feet, may be permitted in any district, and may be permitted in addition to any other legal sign.

21.38.1.2 Accessory Signs in R1, R2, R3, RR, FR and AR Districts One (1) sign not to exceed fifteen (15) square feet may be permitted for uses other than dwelling units, in R1, R2, R3, and RR Districts. In the FR and AR Districts, one (1) sign not to exceed thirty-two (32) square feet in area and measuring not more than four (4) feet by eight (8) feet shall be permitted.

21.38.1.3 Accessory Signs in B, HX and I Districts

A. Signs for Single Business: A single business on one (1) lot or combination of lots in the B1, B2, B3, I and/or HX District may install accessory signs in accordance with the following regulations:

1. Accessory Signs in B1, B2, B3, HX and/or I Districts may be permitted at the rate of two (2) per use, except that at least one (1) sign shall be affixed to or be within two (2) feet of and be parallel with the wall of the main building. One (1) sign may be a freestanding or pylon sign.
2. Signs mounted on and parallel with the wall of the main building shall not exceed a total area of two and one half (2½) feet times the length of the mounting wall.
3. Freestanding signs intended for local or passerby traffic shall not exceed a height of twelve (12) feet measured from the average grade at the base of the sign to the top of the sign. No freestanding sign shall exceed an area of thirty-two (32) square feet, and no such sign shall be longer than three (3) times its width.
4. Pylon signs, designed and intended to attract traffic from a major expressway or highway, are approved but shall not exceed a height of thirty-five (35) feet and must be constructed and mounted by approval methods set forth in the State Construction Code provided they meet the Airport Zoning Ordinance standards.

B. Signs for Shopping Centers, Shopping Centers, Commercial Developments or two (2) or more stores, offices, research or manufacturing facilities, or retail developments with multiple stores or Commercial PUDs or retail stores with an area over one hundred thousand (100,000) square feet or other Commercial Developments requiring Special Use Approval which have common off street Parking and/or entrance, may install accessory signs in accordance with the following regulations:

1. Signs which direct traffic movement within a property, and which do not exceed four (4) square feet in area for each sign are permitted.
2. One (1) free-standing identification sign for each street that the development faces.

- a. The free standing sign shall state only the name of the Shopping Center or multiple use development and Tenants located therein.
 - b. No freestanding sign face shall exceed an area of one hundred (100) square feet.
 - c. Freestanding signs shall not exceed a height of twenty five (25) feet measured from the average grade at the base of the sign to the top of the sign face. The structure supporting the sign shall not exceed a height of thirty (30) feet measured from the average grade at the base of the structure. The height shall not exceed three (3) times the width.
 - d. Tenants of the shopping center or the owner of outlots included within the development plan or PUD shall not be permitted individual free standing signs, except gas stations as noted below.
3. Businesses within the development or PUD shall be permitted exterior wall signs; the total area of the exterior wall signs shall not exceed twenty percent (20%) of the area of the largest wall.
 4. All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than twenty percent (20%) of the total window area.
 5. An automobile service station located on an outlot or on an individual lot within the development or PUD may have one (1) free standing sign in addition to the free standing sign utilized for the development. The free standing sign shall be for the purpose of advertising gasoline prices and other services provided on the premises. The service station sign shall comply with the regulations for a single business on its own lot as noted in Section 21.38.1.3(A) above.

21.38.1.4 Non Accessory Signs and Billboards

Billboards, poster boards, and non accessory signs may be permitted in B2, B3, & I Districts provided the area of the sign does not exceed an area of two hundred (200) square feet in B2 & B3 Districts and three hundred (300) square feet in I Districts. A non accessory sign or billboard shall not measure longer than three (3) times its width.

Signs that come under the jurisdiction of P.A. 106 of 1972 are under the jurisdiction of the Township, if the Township has adopted a sign ordinance.

21.38.1.5 Sign Lighting (also see SECTION 21.19 LIGHTING, OUTDOOR)

Signs internally illuminated or with a light emanating surface are allowed only in the RR, FR, AR, B1, B2, B3, I, HX, MUZ-Main Street and MUZ-Town Center Districts provided they meet the other requirements of this ordinance and are setback a minimum of ten (10) feet from all road right-of-ways and seventy-five (75) feet from any other property line.

Signs internally illuminated or if sign has a light emanating surface, all light sources and reflecting surfaces immediately adjacent to the light source shall be shielded from view. Sign luminance level, beginning one (1) hour after sunrise and continuing until one (1) hour before sunset, shall not be greater than three thousand (3,000) nits, nor greater than one hundred (100) nits at all other times.

Signs externally illuminated, the light on the proposed sign shall be mounted on the top of the sign, shall be directed downward onto the sign and shall be shielded so as to prevent rays of light from being directed into the sky or onto any portion of a street, road, highway or adjacent properties. Illumination shall be limited such that reflected luminance does not exceed one hundred (100) nits per square meter.

21.38.2 Signs Prohibited

- 21.38.2.1 Signs containing flashing, intermittent or moving lights. (A sign with messages or images accomplished by instantaneous re-pixilation NOT more often than one (1)

time in any sixty (60) seconds shall NOT be considered flashing, intermittent or moving and shall be ALLOWED.)

21.38.2.2 Signs with moving or revolving parts.

21.38.2.3 Signs affixed to trees, rocks, shrubs or similar natural features.

21.38.2.4 Signs insecurely fixed, unclear, in need of repair, or signs which imitate official traffic signals or traffic control signs or devices.

21.38.2.5 Signs utilizing vehicles, trucks, vans, or other wheeled devices, unless such signs are used for periods of less than seven (7) consecutive days in any ninety (90) day period, or unless such

signs have been approved by the Planning Commission as meeting a special purpose, need and/or as being appropriate for the particular use.

21.38.2.6 Advertising devices such as banners, balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics, except when used temporarily for periods not to exceed seven (7) days within any ninety (90) day period.

21.38.2.7 Signs which overhang or extend into a dedicated public right-of-way, without the written consent of the government unit having jurisdiction.

21.38.3 Signs Not Requiring a Zoning Permit

21.38.3.1 Name Plates not to exceed two (2) square feet.

21.38.3.2 Existing signs may be changed or altered so long as none of the provisions of the Zoning Ordinance are violated.

21.38.3.3 Bulletin Boards that do not exceed fifteen (15) square feet for churches, public and semi-public institutions, and/or schools.

21.38.3.4 Signs that have been approved in conjunction with a valid zoning permit for any principal use or use as detailed in a plot plan or site plan.

21.38.3.5 Street name signs and other signs established by state, county, or township units of government when necessary for giving proper directions or otherwise safeguarding the public in any district.

21.38.3.6 Non-advertising signs erected by any organization, person, firm, or corporation that are needed to warn the public of dangerous conditions and unusual hazards including: caving ground, drop-offs, high voltage, fire danger, explosives, severe visibility limits, etc., in any district.

21.38.3.7 Temporary signs not exceeding ten (10) square feet advertising a premises being for rent, for lease, and/or for sale in any district. All such signs shall be removed within fourteen (14) days of the consummated lease or sale of the premises.

21.38.3.8 Accessory signs on farms advertising stock, produce and other farm products produced on the premises, provided the area of sign does not exceed thirty-two (32) square feet.

21.38.3.9 Accessory directional signs each not to exceed two (2) square feet in area on buildings, such as but not necessarily limited to: entrance, exit, loading dock, low clearance, garage, office, warehouse, boiler room, service, and the like.

- 21.38.3.10 Up to two (2) accessory property directional signs each not to exceed two (2) square feet in area, identifying or directing to the following: entrance, exit, visitors parking, no parking, other traffic flow directions, and similar functional signs.

It is intended that accessory property directional signs be included on the site plan for approval as to location and number by the Planning Commission.

- 21.38.4 Placement of Signs and Setbacks, Signs in any zoning district must be placed at least ten (10) feet back from any right-of-way or lot-line.

- 21.38.5 Off Premises Directory Sign – Private, Where a business use or tourist service facility is not located directly on a major tourist route, but is dependent upon passerby traffic for support, one (1) off the premises directory sign located on a County maintained road may be permitted in business or non-business districts, on each road or link or segment of road that affords access to the use, but entails a major change in the direction of travel.

Off premises directory signs shall not exceed an area of fifteen (15) square feet. Community directional signs serving more than one (1) use may be permitted to a maximum size of thirty-two (32) square feet.

- 21.38.6 Sign Variances, In order to provide relief for reasons of practical difficulty and to allow greater flexibility in property and use signing, the Zoning Board of Appeals may, after a public hearing, permit signs that:

- 21.38.6.1 Exceed the maximum number of signs permitted when there is more than one (1) bordering street to serve the use.

- 21.38.6.2 Exceed the maximum sign area for reasons of unusual setback, cooperative sign use (joint use or community type advertising), large site area, and/or natural feature limitations to attaining reasonable signing of the use.

- 21.38.6.3 Revolve, provided it can be demonstrated that a stationary sign would not afford reasonable notice to the use.

- 21.38.6.4 Have intermittent lighting in order to construct a public service time and temperature sign in those instances where the applicant can demonstrate a need or show community desire for such a sign service.

- 21.38.6.5 Exceed the maximum height in those instances where a taller sign is necessary to overcome natural conditions (topography, vegetation, etc.).

In granting sign variances, the Zoning Board of Appeals shall consider the impact of each sign on adjoining residential districts, scenic views, out of character skyline intrusions, and obstructions to signs or uses on adjoining properties. Also the purpose of the sign and its applicability to uses that serve tourists or passerby motorists shall be considered in granting or denying a sign exception.

Proposed Section 21.38 changes:

Section 21.38
Signs and Billboards

Intent:

The sign standards contained in this Ordinance are declared to be necessary to protect the general health, safety, and welfare of the citizens of Otsego County.

It is the intent of this regulation to insure a degree of standardization in signage throughout the county, to insure the safety of pedestrians and motorists who must drive or otherwise negotiate installed signage and motorists who depend on the visibility of a sign’s message to safely arrive at an intended destination. Standardization will preserve the aesthetics, appearance and functionality of all installed signage.

Any publicly displayed sign, symbol or notice on premises to indicate the name of the occupant, to advertise the business there transacted, or directing to some other locale, shall be regulated as follows, and shall require permits in accordance with the terms of the County Building Code:

Sign plans shall be reviewed for approval, conditional approval or rejection by the Zoning Administrator. For disagreements with the rulings of the Zoning Administrator, the applicant may appeal to the Zoning Board of Appeals, who in such instances has final authority on the sign plan.

The standards in this Article are determined to be the minimum necessary to achieve the above stated purposes. Compliance with this Section does not relieve the applicant from the responsibility of compliance with other local, state or federal sign regulations, nor does the issuance of a Sign Permit grant permission to the applicant to place signs on any property, including road rights-of-way, other than property owned or otherwise legally under the control of the applicant. The issuance of a Sign Permit only assures the applicant that the sign meets the requirements of the County Zoning Ordinance.

Section 21.38.01
Signs Authorized and Requiring a Permit

Section 21.38.01.01

Accessory Signs

Section 21.38.01.01.01

Districts: R1, R2, R3, RR

- Number Allowed: 1
- Maximum Height: 8 ft.
- Measured: From the average grade at the base of the sign to the top of the sign support.
- Maximum Size: 15 sq. ft.

Section 21.38.01.01.02

Districts: AR, FR

- Number Allowed: 1
- Maximum Height: 8 ft.
- Measured: From the average grade at the base of the sign to the top of the sign support.
- Maximum Size: 32 sq. ft.

Section 21.38.01.01.03

Districts: B1, B2, B3, HX, I

- Number Allowed: **2 (With Conditions 1, 2, 3)**
- Condition 1:** 1 Sign shall be affixed to or be within 2 feet of and be parallel with the wall of the main building.
- Maximum Size: Signs mounted on and parallel with the wall of the main building shall not exceed a total area of 2 ½ times the length of the mounting wall.
- Condition 2:** 1 Sign may be a freestanding sign.
- Maximum Height: 12 ft.
- Maximum Size: 32 sq. ft. and length shall not be longer than 3 times its width.
- Condition 3:** 1 Sign may be a pylon sign.
- Maximum Height: 35 ft.
- Maximum Size: Sign Specifications must be prepared by a design professional and must comply with any Airport Zoning Ordinance and the Tall Structures Act. Pylon Signs approved and installed before the date of this ordinance change shall be allowed provided they exhibit structural integrity, are safe and well maintained.
- Condition 4:** All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than 20% of the total window area. Where multiple windows are installed, signage may not be aggregated to cover any window 100% restricting all visibility from the interior and exterior. Signage may cover no more than 50% of the window on the horizontal and vertical dimension. Total coverage for multiple window panels will not change.

Section 21.38.01.01.04

Signs for shopping centers or other commercial developments with 2 or more units developed as offices, office service units, research facilities, manufacturing facilities, retail spaces with multiple stores, commercial PUD's, large retail stores with a building area over 100,000 sq. ft. or other commercial developments requiring Special Use Approval and which have a common off street parking and a common entrance or entrances may install accessory signs in accordance with the following regulations:

- Regulation 01: Signs which direct traffic movement within a property and which do not exceed 4 sq. ft. in area for each sign are permitted.
- Regulation 02: 1 free-standing identification sign for each street that the development faces.
- a. The freestanding sign shall state only the name of the shopping center or multiple use development and tenants located therein.
 - b. No freestanding sign face shall exceed an area of 100 sq. ft.
 - c. Freestanding signs shall not exceed a height of 30 feet measured from the average grade at the base of the sign to the top of the horizontal sign frame supporting the sign face.
 - d. Tenants of the shopping center or the owner of outlets included with the development plan or PUD shall not be permitted individual freestanding signs, except gas stations as noted below:
- Regulation 03: Businesses within the development or PUD shall be permitted exterior wall signs; the total area of the exterior wall signs shall not exceed 20% of the area of the signage wall.
- Regulation 04: All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than 20% of the total window area. Where multiple windows are installed, signage may not be aggregated to cover any

window 100% restricting all visibility from the interior and exterior. Signage may cover no more than 50% of the window on the horizontal or vertical dimension. Total coverage for multiple window panels will not change.

Regulation 05: An automobile service station located on an outlet or an individual lot within the development or PUD may have 1 freestanding sign in addition to the freestanding sign utilized for the development. The freestanding sign shall be for the purpose of advertising gasoline prices and other services provided on the premises. The service station sign shall comply with the regulations for a single business on its own lot as noted in Section 21.38.01.03 above.

Regulation 06: Signs proposed for installation along MDOT regulated highways designed to advertise a specific business location must be permitted in accordance with MDOT Regulation 225, dated March 2015 as may be updated from time to time. A specific time requirement for the developed site is required and is usually 2 years. A business sign is a sign designed to advertise a particular business location rather than being used for general outdoor advertising not necessarily specific to a particular business.

Billboards or signage also referred to as outdoor advertising or outdoor highway advertising are permitted and controlled by MDOT under sections of MDOT Regulation 225. A valid permit and sign approval is required prior to construction of a billboard designed for general outdoor advertising

Section 21.38.01.04

Non-Accessory Signs and Billboards

Section 21.38.01.04.01

Billboards, poster boards and non-accessory signs may be permitted in B2, B3 and I Districts provided the area of the sign does not exceed an area of 200 sq. ft. in B2 and B3 Districts and 300 sq. ft. in I Districts. A non-accessory sign or billboard shall not measure longer than 3 times its width.

Signs that come under the jurisdiction of P.A. 106 of 1972 are under the jurisdiction of the Township, if the Township has adopted a sign ordinance.

Section 21.38.05

Sign Lighting (also see Section 21.19 Lighting Outdoor)

Section 21.38.05.01

Signs internally illuminated or with a light emanating surface are allowed only in the RR, FR, AR, B1, B2, B3, I, HX, MUZ-Main Street and MUZ-Town Center Districts provided they meet the other requirements of this ordinance and are set back a minimum of 10 feet from all road right-of-ways and 75 feet from any other property line.

Signs internally illuminated or if sign has a light emanating surface. All light sources and reflecting surfaces immediately adjacent to the light source shall be shielded from view. Sign luminance level, beginning 1 hour after sunrise and continuing until 1 hour before sunset, shall not be greater than 3000 nits, or greater than 100 nits at all other times.

Signs that are externally illuminated shall have the light mounted on top of the sign, shall be directed downward onto the sign and shall be shielded so as to prevent rays of light from being directed such that reflected luminance does not exceed 100 nits per square meter.

Section 21.38.02
Signs Prohibited

- Section 21.38.02.01** Signs containing flashing, intermittent or moving lights. (A sign with messages or images accomplished by instantaneous re-pixilation not more often than 1 time in an 60 seconds shall not be considered flashing, intermittent or moving and shall be allowed.)
- Section 21.38.02.02** Signs with moving or revolving parts.
- Section 21.38.02.03** Signs affixed to trees or shrubs.
- Section 21.38.02.04** Signs insecurely fixed, unclear or need repair.
- Section 21.38.02.05** Signs which imitate official traffic signals or traffic control signs or devices.
- Section 21.38.02.06** Signs utilizing vehicles, trucks, vans or other wheeled devices, unless such signs are used for periods of less than 14 consecutive days in any 90 day period or unless such signs have been approved by the Planning Commission as meeting a special purpose need and/or as being appropriate for the particular use.
- Section 21.38.02.07** Advertising devices such as balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics, may be used when limited to 2 such devices and displayed for a period of not more than 14 days in any 90 day period.
- Section 21.38.02.08** Signs which overhang or extend into a dedicated public right-of-way without the written consent of the government unit having jurisdiction.

Section 21.38.03
Signs Authorized and Not Requiring a Permit

- Section 21.38.03.01** Name Plates not to exceed 2 sq. ft.
- Section 21.38.03.02** Existing signs may be changed or altered so long as none of the provisions of the Zoning Ordinance are violated.
- Section 21.38.03.03** Bulletin Boards that do not exceed 15 sq. ft. for churches, public and semi-public institutions and/or schools.
- Section 21.38.03.04** Signs that have been approved in conjunction with a valid zoning permit for any principal use or use as detailed in a plot plan or site plan.
- Section 21.38.03.05** Street name signs and other signs established by state, county or township units of government when necessary for giving proper directions or otherwise safeguarding the public in any district.
- Section 21.38.03.06** Signs not exceeding 4 sq. ft. erected by any organization, person, firm or corporation in the interest of public safety are allowed.

- Section 21.38.03.07** Temporary signs not exceeding 10 sq. ft. advertising a premises being for rent, for lease and/or for sale in any district. All such signs shall be removed within 14 days of the consummated lease or sale of the premises.
- Section 21.38.03.08** Temporary accessory signs in Districts AR and FR provided the area of sign does not exceed 21 sq. ft.
- Section 21.38.03.09** Accessory directional signs affixed to the building and not exceeding 2 sq. ft., such as but not necessarily limited to: Boiler Room, Entrance, Exit, Garage, Loading Dock, Low Clearance, Office, Service, Warehouse and the like.
- Section 21.38.03.10** Maximum of 2 accessory property directional signs each not to exceed 2 sq. ft. identifying or directing to the following: Entrance, Exit, No Parking, Visitors Parking, Other Traffic Flow Directions, and similar Functional Signs.
- Section 21.38.03.11** Temporary advertising banners that are flexible (made of canvas, plastic composite etc.) meant to be attached to a fixed commercial building structure which is currently occupied. All banners may not exceed 32 sq. ft. and must be maintained in good condition while displayed. Banners may not be attached to fence posts or vehicles including movable wheeled trailers.

Section 21.38.04
Placement of Signs and Setbacks

Section 21.38.04.01
Signs in any zoning district must be placed at least 10 feet back from any right-of-way and any lot-line.

Section 21.38.05
Off-Premises Directory Sign – Private

Section 21.38.05.01
Where a business use or tourist service facility is not located directly on a major tourist route but is dependent upon passerby traffic for support, 1 off-premises directory sign located on a county maintained road may be permitted in business or non-business districts, on each road or link or segment of road that affords access to the use but entails a major change in the direction of travel.

Off-premises Directory signs shall not exceed an area of 15 sq. ft. Community directional signs serving more than 1 use may be permitted to a maximum size of 32 sq. ft.

Section 21.38.06
Sign Variances

Section 21.38.06.01
In granting sign variances, the Zoning Board of Appeals shall consider the impact of each sign on adjoining residential districts, scenic views, out of character skyline intrusions and obstructions to signs or uses on adjoining properties. Also the purpose of the sign and its applicability to uses that serve tourists or passerby motorists shall be considered in granting or denying a sign exception.

In order to provide relief for reasons of practical difficulty and to allow greater flexibility in property and use signing, the Zoning Board of Appeals may, after a public hearing, permit signs that:

- Section 21.38.06.01.01** Exceed the maximum number of signs permitted when there is more than 1 bordering street to serve the use.
- Section 21.38.06.01.02** Exceed the maximum sign area for reasons of unusual setback, cooperative sign use (joint use or community type advertising), large site area and/or natural feature limitations to attaining reasonable signing of the use.
- Section 21.38.06.01.03** Revolve, provided it can be demonstrated that a stationary sign would not afford reasonable notice to the use.
- Section 21.38.06.01.04** Have intermittent lighting in order to construct a public service time and temperature sign in those instances where the applicant can demonstrate a need or show community desire for such a sign service.
- Section 21.38.06.01.05** Exceed the maximum height in those instances where a taller sign is necessary to overcome natural conditions (topography, vegetation, etc.).

Section 23.5
Approval Authority

Section 23.05.01

The Zoning Administrator shall review and act upon site plans except where a Special Use Permit is required. Site Plans for a Special Use Permit shall be forwarded by the Zoning Administrator to the Planning Commission for review and action. In addition, at the request of the Zoning Administrator or Planning Commission, a site plan for a Principal Permitted Use may be submitted for Planning Commission review before final action by the Zoning Administrator. The Zoning Administrator and Planning Commission have the authority to approve, deny or grant conditional approval for any site plan submitted under the provisions of this ordinance. The Zoning Administrator may hold or the Planning Commission may table a site plan, pending further information or addition, reasonably needed to complete a site plan or comply with requirements of this Ordinance.

Upon application for a sign permit, either separately or at the time of a site plan application, the zoning administrator may approve a variance in the size of a free standing sign's total display area up to an additional 20% of the display area in width or height or a combination of both. This variance does not apply to the limits on sign height above ground.