

Memorandum



Date: March 4, 2026
To: Planning Commission Members
From: Kristen Gundersen, Planning and Community Development Director
Subject: **Discussion #4 - Unified Development Code – Signs**

Background

The Planning Commission began hearing concerns regarding Section 71-30 Sign standards during the January 13th meeting at which time directed staff to move forward to address issues. Discussions have taken place during the February 10th and March 10th meetings when staff presented draft language and provided updates based on direction by the Planning Commission.

Update

Attached is the second draft of changes to Section 71-30. Ordinances from the cities of Holland, Benton Harbor, New Buffalo, St. Joseph along with the village of Bridgeman have been reviewed along with the previous Sign Ordinance from Buchanan.

Based on the changes proposed, reviewed and supported by the Planning Commission during February and March 2026 meetings, staff has created a draft final version of Section 71-30. The format is as follows:

- A. General Provisions – purpose, compliance, exclusions, not vested rights, and substitution/no discrimination ...,
- B. Sign regulations – permits required, exempt signs, prohibited signs, district regulations for permanent signs, and temporary signs
- C. Sign standards in all districts – corner lot clear site lines, setback, sign height, sign measurement, illumination. Possibly need to add description of sign types – wall, free-standing.
- D. Changeable message centers/boards/reader boards
- E. Billboards
- F. Maintenance and liability
- G. Removal
- H. Nonconforming signs

Next Steps

Review the additional draft changes and direct staff to make changes. Staff needs to continue to work on Sections F, G and H.

DRAFT 3– 04080206 PC MEETING DISCUSSION

Discussion 3 – new language added 04142026 – gray where language added and previously discussed in existing text (process section) underlined

Discussion 2 – new language added 03102026 – incorporated into document as teal

Discussion 1 new language added 02102026 – incorporated into document as yellow

Sec. 71-30 Sign standards – delete in entirety and replace with the following:

Sec. 71-30 Sign standards

71-30.A General Provisions

1. Purpose

This section establishes the standards for the number, size, placement, and physical characteristics of on-premises signs visible from a public sidewalk or adjacent property. Signage regulated is located on private property and does not include directional, emergency, or traffic related signs owned or required by city, county, state or federal governmental agencies. The regulations are designed to protect the interest of public health, safety and welfare while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse and otherwise communicate information.

While these regulations allow for a variety of sign types and sizes, they do not necessarily ensure every property owner or business owner's desired level of visibility. It is not the intent or purpose to regulate the message or content displayed on any sign.

2. Compliance and applicability of other regulations

It shall be unlawful for any person to erect, relocate, enlarge, alter, modify or maintain a sign or allow a sign to remain on property in the city except for compliance with this Section. All regulations in this section shall be in addition to any other applicable laws, rules and regulations concerning signs. If any provision in this section is inconsistent with the provisions of any other law presently existing or enacted in the future, the more restrictive will apply.

3. Exclusions

Government signs are not regulated by this section.

4. No vested rights.

Nothing in this section shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular sign, and it is hereby declared to be subsequent amendment, change or modification as may be necessary for the preservation of public health, safety and welfare.

5. Substitution/no discrimination against non-commercial signs or speech.

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

The clause shall not be construed to allow content, which is profane, obscene, threatening, discriminatory or otherwise not protected by the First Amendment to the United States Constitution or art. 5 of the Michigan Constitution.

71-30.B Sign regulations.

1. Permits required
 - a. A permit is required to erect, alter, place, or replace any sign or sign structures as regulated and required by this section or by the City's Code of Ordinance. A permit is also required for substantial maintenance or repair to an existing nonconforming sign.
 - b. To obtain a sign permit, a completed application as provided by the city shall be filed with the City in accordance with Section 71-26I Sign Permit.
 - c. Properties located within the D Downtown District are required to obtain Downtown Design Review in accordance with Section 71-36H Downtown Applications.

2. Signs exempt from obtaining permits.

The following signs may be installed or erected without a permit:

- a. Donor signs up to two square feet in size.
- b. Historic markers placed under the authority of the local, state, or federal government and not exceeding two square feet in size.
- c. Home occupation sign, not to exceed 3 square feet and nonilluminated (from section 71-23.A.5)
- d. Nameplate or plaques up to 2 square feet in size, bearing the name of the building occupant, one per occupant.
- e. Official legal notice.
- f. On-site informational signs.
- g. Vehicle signs, where the on which the sign is displayed does not regularly go unoperated for a period exceeding seven consecutive days. – **defined NEED WORK**
- h. Signs located on or within a building, in compliance with MCL125.3205d, that commemorate any of the following:
 - i. Any of the following how die in the line of duty: police officers, firefighters, medical first responders, members of the United States Armed Forces or correction officers;
 - ii. Veterans of the United States Armed Forces.
- i. Window signs when applied to the interior or exterior of the window or door glass does not exceed 25% of the glass area. Windows that are immediately adjacent, on the same wall face of the same building, maybe averaged together. (25% per existing code)

3. Prohibited signs.

The following signs as described are prohibited:

- a. Abandoned signs.
- b. Inflatable signs or devices except for balloons used in temporary, non-commercial situations.
- c. Neon, LED, or other light types permanently outlining windows or doors. **DISCUSS**
- d. Pornographic or obscene signs.
- e. Roof signs
- f. Signs emitting smoke, vapors, particulate matter, odor or open flames
- g. Signs imitating or resembling official traffic or government signs or signals that confuse, mislead, or create a safety hazard.
- h. Signs prohibited under federal, state, or local laws, rules or regulations.
- i. Signs utilizing animation or which contain the optical illusion of sign movement.
- j. Snipe signs.
- k. Transported signs unless the vehicle with the transported sign is operating lawfully in a public or private road. – defined **DISCUSS**

4. District sign regulations

Table 71-T sets forth the sign types, maximum size, height and number of signs allowed, minimum setbacks, prohibited or permitted signs. All permitted signs require a sign permit prior to installation unless exempt under section ___ or allowed as temporary under section ___ of this chapter.

Table 71-T Permanent Sign Standards

DRAFT 04142026

Table 71-T District Sign Regulations

	N, NE, GN, NC - One or Two-Family Residential Use	N, NE, GN, NC - Three-Family or more Residential Use or Non-Residential Use	D	SC	I
Wall Signs: Awning, Canopy, Wall	Permit Required				
Maximum square footage for business frontage		One times (1 x) the building frontage	Two times (2x) the building frontage not to exceed a combined total of 150 square feet		
Number allowed		1 per building frontage	3 per building frontage		
Maximum square footage for side or rear wall having a secondary entrance (not on building frontage)		20 square feet			
Number allowed on a side or rear wall having a secondary entrance (not on building frontage)		1 per wall			
Maximum height		20 feet or below the bottom of any second floor window, whichever is less. Shall not extend above the roof deck or parapet and shall not be located on a penthouse or elevator overrun.			
Minimum vertical clearance		8 feet when located over public or private sidewalk; 15 feet over public rights-of-way or drive aisles. If projection less than 4" no minimum vertical clearance			
Maximum projection		12" from face of building			
Illumination - see section ___ for additional information					
Wall Signs: Projecting or Hanging	Permit Required				
Maximum square footage			6 square feet		
Number allowed			1 per building frontage		
Maximum projection from wall of building			4 feet		
Maximum height			Below the bottom of the second floor window		
Minimum vertical clearance			8 feet		
Illumination - see section ___ for additional information					

	N, NE, GN, NC - One or Two-Family Residential Use	N, NE, GN, NC - Three-Family or more Residential Use or Non-Residential Use	D	SC	I
Ground Signs			Permit Required		
Number allowed, total	1 per development entrance	1 per parcel	1 per parcel		
Maximum size	32 square feet	32 square feet	50 square feet		
Maximum Height - Monument	6 feet	6 feet	8 feet		
Maximum Height - Pole		6 feet	15 feet		
Minimum setback	3 feet from any lot line	3 feet from any lot line	3 feet from any lot line		
Minimum vertical clearance for pole sign			8 feet		
Illumination - see section ___ for additional information					
Changeable message board - see section ___ for additional information					
Billboards, see Section ___ for additional information					Permit Required
Number allowed					1 per parcel
Maximum size					260 sf
Maximum height					30 feet
Minimum setback					50 feet
Distance between signs					300 feet
Minimum clearance from ground					8 feet
Illumination - see section ___ for additional information					

5. Temporary signs

- a. Temporary signs which allow for the freedom of expression or promotion of temporary events while minimizing clutter, visual distractions, obstructions, and nuisances when meeting the following:
General regulations:
- i. Shall not be illuminated;
 - ii. Shall not have supports or borders wider than two inches on any side; and
 - iii. Shall be removed no more than seven days after an event concludes if the sign is associated with a particular commercial event.
- b. Signs placed on a lot where the primary use is a single-family or two-family residential use
- i. The maximum overall sign height is four feet.
 - ii. The maximum sign area is six square feet.
 - iii. The maximum total area of all temporary signs displayed concurrently on one lot is 24 square feet.
- c. Signs placed on parcels where the use is not a single-family or two-family residential use
- i. The maximum overall height is eight feet.
 - ii. the maximum total area of all temporary signs displayed concurrently on one parcel is 32 square feet.
- d. Sandwich Board signs under the following:
- i. One board per business;
 - ii. Maximum height of 4 feet (no requirement now);
 - iii. Maximum square footage of ~~9~~ 8 square feet (reduced to 8 sf);
 - iv. Maximum width ~~24" or 30"~~ **NEED TO DECIDE** ;
 - v. Displayed outside during business hours and stored inside when the business is closed;
 - vi. Shall not have moving parts or attachments, including but not limited to, balloons, pinwheels, streamers, pennants, flags, or similar adornments;
 - vii. Shall not be illuminated or have sound amplification;
 - viii. Shall be constructed of wood, metal, or other similarly durable material and shall have adequate support to prevent tipping or movement of the sign and shall not present a tripping hazard to pedestrians.
 - ix. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas;
 - x. Located on private property or on public sidewalk when located in the D Downtown district.
- e. Pennant signs are allowed under the following:
- i. May displayed for not more than thirty (30) days when associated with a business grand opening.
- f. Feather flag signs are allowed under the following:
- i. No more than two feather flag signs per commercial property.
 - ii. Must be located on private property.
 - iii. May only be displayed during business hours.
- g. Portable Changeable Message signs are allowed under the following:
- i. No more than one portable changeable message sign is allowed on an non-residentially zoned property or on properties which have non-residential uses.
 - ii. May be displayed on private property no more than one week prior to advertised event.

iii. May not be

71-30.C Sign design standards in all districts

1. Corner lot clear sign lines
No sign shall be located within the required corner lot clear sight line as established in Section 71-16.G of this Code.
2. Setback – minimum Distance
The minimum required distance between any sign, building or property line is measured by drawing a straight horizontal line that represents the shortest distance between the sign and other sign, building or property line.
3. Sign height/overall height.
The height of a sign is measured from the existing average finished grade level of the premises where the sign is located to the highest point of the sign structure. Freestanding signs located in raised planter boxes shall have the height measured from the existing average finished grade outside the planter box. The ground beneath a sign shall not be raised to artificially raise the height of a sign.
4. Sign area measurement
 - a. The area of a sign shall be measured as the area within a single, continuous perimeter composed of either the smallest square, or rectangle, which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. Reader boards shall be included in the sign measurement.
 - b. The area of a freestanding or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two such faces are placed back-to-back shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as one face.
5. Illumination
 - a. Any permanent wall or free-standing sign may be internally or externally illuminated.
 - b. If externally illuminated, the source of the light shall be located, shielded and directed to prevent the source of light from shining directly onto any public right-of-way or residential property.
 - c. Uniform lighting shall be used throughout a sign to create a uniform appearance rather than creating some areas that appear brighter than others.
 - d. Signs shall not be illuminated between the hours of 11:00 pm and 6:00 am, except that a business open after 11:00 pm or before 6:00 am may have illumination during business hours.
 - e. All signs must comply with the building and electrical codes of the City of Buchanan. Underground wiring is required for all illuminated signs.

Include types of signs ??

71-30.D Changeable message centers/boards/reader boards

1. In addition to other regulations contained in this section, the following provisions shall apply to changeable message boards, where allowed:
 - i. One changeable message board is permitted per business; however, no more than one changeable message board is permitted per lot.
 - ii. Changeable message boards shall only advertise on-site products or services or non-commercial public information such as time/temperature, safety alters, and community/civic events.
 - iii. Changeable message boards are permitted only on free-standing signs and shall not be attached to the exterior wall of a building.
 - iv. Changeable message boards shall be integrated into a free-standing sign in order to create a cohesive, single-looking sign and shall not occupy more than 50% of the total sign face on each side.
 - v. With the exception of wall mounted signage located in the D Downtown district, Illumination shall not exceed 0.0 foot-candles at any lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
 - vi. Changeable message boards shall not be illuminated between the hours of 11:00 pm and 6:00 am, except that a business open after 11:00 pm or before 6:00 am may have the changeable message board illuminated during business hours.
2. Electronic message centers (EMC) must comply with the following additional regulations:
 - i. An EMC shall not be used or displayed in a way that presents multiple screens within a single sign face, whether simulated or actual.
 - ii. Transition from one message to another shall be instantaneous, without movement or other transition effects between messages.
 - iii. Messages must remain on display for no less than seven seconds. Scrolling and flashing display messages is prohibited.
 - iv. Illumination shall not exceed 0.0 foot-candles at any lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
 - v. Any new EMC must be equipped with both a programable dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the electronic sign, from dusk to dawn or in overcast conditions, will be no more than 40% of the daytime brightness level. Manufacturers' information must be submitted with the sign permit application.
 - vi. A copy of the manufacturer's operating manual for the EMC, including any recommended standards for brightness, display operations and any interfaced computer programs, must be available for immediate access at the business location where it is operating and must be provided to the zoning administrator upon request.
3. Electronic vehicle fuel station signs displaying fuel prices must comply with the following:
 - i. A maximum of three fuel products may be displayed per sign face, limited to fuel product pricing only.
 - ii. The maximum electronic message area is 12 square feet or five square feet per fuel product displayed.

E. Billboards.

The following standards shall apply to all billboards unless specifically exempted in this section:

- a. A sign face shall not exceed 260 square feet per side, and the total area of a double-faced sign shall not exceed 520 square feet. A double-faced sign shall consist of the two sign faces being parallel to each other and facing opposite directions.
- b. Billboards greater than 100 square feet in size shall be located a minimum of 50 feet from the nearest property line and 100 feet from any residential use or district, public park, religious institution or any public or private school.
- c. Billboards must have a minimum ground clearance of eight feet and may not exceed 30 feet in height.
- d. Billboards must have a minimum separation of 300 feet from any other billboard or any public waterway.
- e. Billboards shall be located perpendicular to the nearest street.
- f. Billboards must be free-standing and shall not be attached to, erected on, cantilevered over or constructed above any other structure.
- g. Billboards shall not incorporate flashing or rotating lights, beacon lights, running lights, animated copy, electronic message centers or digital displays.

Exemption: Billboards lawfully existing on the date this chapter becomes effective shall be allowed to continue in their current location and size even if in conflict with the provisions of this chapter. However, all other regulations shall continue to apply to such billboards.

F. Maintenance and liability.

2. **Painted or paper-faced signs must be maintained free of peeling paint or paper, sun fading, staining, rust or other conditions which impair the legibility of the sign.**
3. **Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.**
4. **The city requires proof of current, in-force liability insurance in the aggregate amount of at least \$500,000.00, as a condition of granting a sign permit or as a condition of allowing the continued use of an existing sign, in the following instances:**
 - a. **Signs that extend over the city right-of-way.**
 - b. **Freestanding signs whose height exceeds the horizontal distance of the base of the sign to the nearest city right-of-way**

G. Removal. The zoning administrator or their designee is authorized to remove any sign deemed to be unsafe or a hazard to the public. The cost of the removal will be billed to the property owner.

H. Non-conforming signs.

5. **If a sign display is not current, is in a state of disrepair, or is left blank for a continuous period of 60 days, it is considered abandoned, within 30 days**

after abandonment the owner of the property must remove or replace the sign or the message. The sole exception to this provision is signs installed as an integral component of a building.

6. **Illumination may not be added to a nonconforming sign.**
7. **A nonconforming sign may not be replaced except to bring it into complete conformance with this section.**
8. **If a sign is removed or damaged to the extent that the cost of restoration exceeds 50 percent of the original value of the sign it must be removed or brought into complete conformance with this section.**

ARTICLE IV. ADMINISTRATION AND PROCESS

This article outlines the bodies with review, approval, and appellate authority in administering this chapter.

Sec. 71-33 Review and decision making bodies.

- A. City Commission.
 1. Powers and duties. In addition to any authority granted the City Commission by charter, ordinance or state law, the commission has the following powers and duties under this chapter:
 - a. Amendments to text and zoning map. To review, hear, consider and approve or disapprove:
 - i. Text amendments. Petitions to amend the text of this chapter.
 - ii. Zoning map amendments. Petitions to amend the zoning map.
 - b. Initiate amendments. To initiate petitions to the text of this chapter and the zoning map.
 - c. Other. To take any other action not delegated to the Planning Commission, Zoning Board of Appeals or heads of city departments, as the City Commission may deem desirable and necessary to implement the provisions of this chapter.
- B. Planning Commission. The Planning Commission establishment, organization, powers and duties are enumerated in Chapter 70 of the City of Buchanan Code of Ordinances and include review, hear, consider and approve or disapprove Sign Modifications or Mural requests.
- C. Community Development Director/Zoning Administrator.
 1. Powers and duties. In addition to the jurisdiction, authority and duties that may be conferred upon the Zoning Administrator by other provisions of this chapter and general or special law, the zoning administrator has the following jurisdiction, powers and duties under this chapter:
 - a. Administrative adjustments. To review, hear, consider and approve or disapprove administrative adjustments.
 - b. Temporary use permit. To review, hear, consider and approve, approve with conditions or disapprove temporary use permits.
 - c. Minor deviations. To review, hear, consider and approve, approve with conditions or disapprove minor deviations for site plans.
 - d. Interpretations. To render interpretations of all provisions of this chapter, including interpretations of the text; interpretations of the zoning map

boundaries; and determinations of whether an unspecified use falls within a use classification or use group allowed in a zone district.

e. Enforcement. To enforce the provisions of this chapter.

f. Administer chapter. To establish application requirements and schedules, to review and make recommendations to the City Commission, Planning Commission and Zoning Board of Appeals on all applications considered by those boards, and take any other actions necessary to administer the provisions of this chapter.

g. Provide expertise and technical assistance. To provide expertise and technical assistance to the city commission, planning commission and zoning board of appeals.

D. Zoning Board of Appeals.

1. Powers and duties. The Zoning Board of Appeals has the following powers and duties under this chapter:
 - a. Variances. To review, hear, consider and approve, approve with conditions or disapprove variances.
 - b. Appeals of administrative decisions. To hear, review, consider, and affirm, modify or reverse any decision or interpretation of the zoning administrator.
2. Appeals. An appeal of a decision by the Zoning Board of Appeals must be filed with the Circuit Court within 30 days after the decision in writing, or within 21 days after the board approves the minutes of the meeting.

E. Design Review Committee.

1. Powers and duties. The design review Committee is the decision-making body for applications subject to downtown design standards unless the proposed work qualifies for administrative approval under [Sec. 71-36 H. Downtown applications](#).
2. The Design Review Committee meets on an as-needed basis when discretionary review is required.

Sec. 71-34 General provisions.

*****Sections A – F not included*****

G. Timing of notice. Unless otherwise provided in the Michigan statutes and laws or this chapter, notice will be provided as shown in [Table 71-U](#).

TABLE 71-U NOTICE TIMING		
Application	Notice Required	
	Written	Published
Text amendment		Planning commission: Not less than 15 days prior to public hearing City commission: not less than 15 days prior to public hearing
Zoning map amendment	Planning commission: not less than 15 days prior to public hearing City commission: reasonable time prior to public hearing	Planning commission: Not less than 15 days prior to public hearing City commission: not less than 15 days prior to public hearing
Special use permit	Not less than 15 days prior to public hearing	
Variance		
Appeal		
<u>Sign modification or mural</u>	<u>No notice is required</u>	

*** Sections H – K not included ***

Sec. 71-35 Public hearing procedures. NOT INCLUDED

All public hearings must comply with the following procedures.

Sec. 71-36 Specific standards for development approval.

A. General. [Table 71-V](#) summarizes the development review procedures for all types of applications.

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES						
Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	
Text amendments	R	[R]		[DM]		N
Zoning map amendment	R	[R]		[DM]		W, N
Special use permit	R	[DM]				W, N
Variance	R		[DM]			W
Appeals of administrative decision			[DM]			W
Administrative adjustments	DM		[A]			
Site plan review	DM					
<u>Sign permit</u>	DM or R	<u>DM</u>	<u>[A]</u>	A		
Temporary use permit	DM		[A]			

Certificate of zoning compliance	DM					
Downtown application	R				DM	
Interpretations	DM		[A]			

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES

Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	

Key

Planning Commission	PC
Zoning Board of Appeals	ZBA
City Commission	CC
Design Review Committee	DRC
Review & Recommendations	R
Decision Making Body	DM
Appellate Body	A
Public Hearing Required	[]
Published Notice	N
Written Notice	W

*****Section B Amendment to text or zoning map and C Special use permit D Variances E Appeals of administrative decisions and F Administrative adjustments, G Site Plan and H Downtown applications not included *****

B. Sign permit.

1. Administrative review of sign applications. Procedure.

- a. Action. After the application is determined sufficient, the zoning administrator will review the application and determine if the application complies with the standards in [Sec. 71-30](#).
- b. Approval. If the zoning administrator finds that the application complies, the zoning administrator will approve the sign permit.
- c. Appeals from any interpretations, determinations, or denials made by the zoning administrator shall be made to the planning commission and submitted on such forms provided by the city for that purpose and subject to such fees set by the city commission prior to the posted submittal deadline prior to the next regularly scheduled planning commission meeting.

~~Fails to comply.~~

- ~~1. If the Zoning Administrator determines the application fails to comply, the applicant will be provided comments explaining why the application fails to comply, and an opportunity to submit a revised application. A revised application will be reviewed and approved, approved with conditions or disapproved, based on the standards in [Sec. 71-30](#).~~
- ~~2. If the application is not resubmitted within 30 days, the application will be considered withdrawn.~~

- d. Applications denied by the zoning administrator for the reason that the proposed sign requires a sign modification of the sign regulations by the planning commission as provided under section _____ of this section, the applicant shall submit a complete application for such request to the planning commission on such forms provided by the city for that purpose and subject to the fees set by the city commission prior to the posted submittal deadline prior to the next regularly scheduled planning commission meeting.
 - e. Appeals from a decision of the planning commission shall be made to the city commission on such forms provided by the city for that purpose and subject to such fees set by the city commission and within 30 days after the decision in writing, or within 21 days after the planning commission approves the meeting minutes.
2. Planning commission review and approval of certain sign modifications and murals

Subject to the standards and limitations set forth in this section, the planning commission shall have the authority to review certain sign applications and grant approvals. Any approval granted shall be valid for not more than 180 days.

- a. Authority to Grant Requested Modifications of Sign Regulations. The planning commission has no authority to grant a modification for signs prohibited under section _____ of this section. However, the planning commission has authority, in connection with an application, to grant approval of a request for modification of the sign regulations for permitted signs, subject to the following regulations.
 1. Review. The planning commission shall, within 60 days of receiving a complete application, either grant approval of the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. Failure of the planning commission to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
 2. Authorized Modification. The planning commission may grant an applicant's request to modify the provisions of this section as follows:
 - (a) To increase by no more than 20 percent the maximum allowable height of any free-standing sign.
 - (b) To increase by no more than 20 percent the maximum area of signage otherwise allowed.
 - (c) To increase by no more than one sign the maximum number of signs or sign types otherwise allowed.
 - (d) To allow no more than one sign type to be located on a lot where signs of such types are not otherwise allowed.
 - (e) To adjust the required spacing between any signs, structures or lot lines.
 3. Factors for Approval of Modifications. The factors to be considered by the planning commission for permitted modifications shall include, but are not limited to the following:
 - (a) Minimum Request. The modification requested is the minimum change necessary to alleviate the hardship while addressing the unique and specific needs of the applicant.
 - (b) General Standards. Carrying out the strict letter of the provisions of this Ordinance would create a particular hardship or a practical difficulty not caused by an act or omission of the applicant.
 - (c) Unusual Physical Limitations. The subject property or the structure on which the sign is proposed to be located is burdened with an unusual physical limitation, such as irregular shape, unusual geographic location, exceptional

feature, or other extraordinary physical condition, that is peculiar to the subject property and is more than merely an inconvenience or cost consideration to the applicant.

- (d) Location Factors. The subject property location supports the permitted modification, reviewing such factors as size and use of parcel, setbacks, adjacent property uses, and speed of adjacent roadway(s).
- (e) Adverse Impacts. The modification, if granted, would have no significant adverse impact on any abutting or adjacent property, the essential character of any part of or all of the neighborhood, or the use, enjoyment or value of other nearby properties.
- (f) Public Health and Safety. The modification, if granted, would have no significant adverse impact on and would not endanger the public health or safety of the public.

b. Authority to Approve Requested Mural Installations. The planning commission has authority, in connection with an application to grant approval of a request for installation of a mural as defined in Article V subject to the following regulations.

1. Review. The planning commission shall, within 60 days of receiving a complete application, either grant approval of the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. Failure of the planning commission to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
 2. Factors for Approval of Murals. The factors to be considered by the planning commission for installation of a mural shall include, but are not limited to the following:
 - (a) Art Work. The mural design does not include elements that would be considered inappropriate and/or indecent by community standards and the art work provided is sufficient and accurate for review.
 - (b) Location Appropriate. The proposed mural placement on the building does not negatively impact vehicular or pedestrian traffic once installed and does not disrupt the properties landscaping and maintenance activities.
 - (c) Placement in Neighborhood/Surrounding Area. How many murals are in the neighborhood/surrounding area and what impact could the new mural have on existing ones.
 - (d) Scale and Placement on Building. Is the scale of the mural on the exterior wall and view from public right-of-way properly designed and placed. Does the mural design minimize alterations to the existing façade of the building including windows or doors.
 - (e) Enhancement and Activation. How will the proposed mural enhance and activate the pedestrian and streetscape experience.
 - (f) Installation Process. The applicant has sufficiently documented how the exterior wall will be prepared prior to installation of the mural, how the mural will be installed and what if any city permits will be required (right-of-way permit), documentation regarding public utilities being disturbed either on the building or overhead.
 - (g) Maintenance and Removal. Written document has been provided regarding the future maintenance and/or removal of the mural.
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ARTICLE V. DEFINITIONS

This Section provides definitions for terms in this chapter that are technical in nature or that may not reflect a common usage of the term.

***** definitions A – Z with exception of sign related language not included *****

Signs: An object, devise, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service or activity. Multiple types of signs exist and are defined below:

Awning or canopy: a fixed or movable shading structure, cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions.

Banner: a temporary lightweight sign that is made of flexible, nondurable materials such as fabric, cloth or plastic and is typically affixed to a building or accessory structure. A banner sign does not include a feather or pennant sign.

Billboard: An off-premises sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Business frontage: The maximum linear width between exterior wall(s) of a building, or in the case of a multi-tenant building, the maximum linear width between the exterior and/or demising walls of an individual tenant located at street level and having an individual exterior entrance. Building frontage must abut a public street or a parking lot abutting a public street; it is measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot. The building frontage is used to determine the maximum square footage of wall signs. A corner lot is considered to have a building frontage abutting each public street or parking lot; maximum signage is calculated individually per building frontage.

Donor or memorial sign: a sign that contains names, acknowledgements, or factual information to acknowledge or honor a benefactor, volunteer, or individual associated with the structure or site upon which it is located.

Electronic message center: an electronic changeable message board, including an electronic screen or monitor, which is not an animated sign.

Expressive sign: a temporary sign that promotes or expresses an individual's personal non-commercial ideology, belief, value, or message. Examples of expressive signs include, but are limited to, signs expressing political beliefs, supporting clubs or sports teams, and expressing religious views.

Feather flag: A temporary sign applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing, are generally a single sign attached to a support post and typically having a dimensional ratio of four high to one wide and move in the wind to attract attention. This can also be referred to as a feather banner or feather sign.

Flag: Any fabric, banner or bunting containing distinctive color, letters or symbols.

Freestanding sign: A sign that is not affixed to a separate structure or building but is affixed to the ground, including but limited to pole signs or monument/ground signs.

Historical marker sign: a plaque bearing historical information related to the nearby structure, land or area upon which it is located (i.e., date of construction, early owners and builder, etc.)

Inflatable sign: a sign composed of an inflatable, nonporous bag, and exceeding 20 cubic feet.

Marquee: a permanent structure constructed of rigid materials that projects from the exterior wall of a building.

Monument sign: A base-mounted, freestanding sign placed on the ground and not attached to any building or other structure. A monument sign includes a solid supporting base of at least twelve inches in height and a width equal to or greater than the width of the sign face.

Mural: A design, graphics, or representation painted or drawn on a wall or other structure which does not contain commercial copy, advertising symbols, lettering, trademarks or other references to a particular entity, product or service located on the premises where the mural is located, or any other premise.

Official legal notice: Notices required by law, signs erected by a governmental agency or public utility

Off-premises sign: A sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located. Sometimes referred to as a billboard and can be free-standing or attached to a building.

On-site informational sign: a sign that identifies entrances and exits, safety precautions, open and closed information, warnings and other such incidental information for the property upon which the sign is located, including drive-thru menu boards, which is of a minimum size and height to provide the necessary information while not extending above the parapet, eave or wall of the building.

Pennant sign: a geometric piece of fabric or other material, commonly attached by string, with rows of loose materials, streamers, shapes, or strands, or supported on small poles intended to flap in the wind and used to draw attention. A pennant sign is not a feather flag.

Permanent sign: a sign that has a permanent location on the ground or which is painted on or attached to a structure having a permanent location and which meets the structural requirements for signs as established in the building code.

Pole sign: a freestanding sign that is affixed, attached, or erected on a pole that is not an integral part of or attached to a building or structure.

Portable changeable message board or sign: A sign containing a changeable message and designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

Projecting sign: a double-faced sign attached to and not parallel with a building or wall.

Reader board: a portion of a sign, with written representation, emblem, graphic, logo, symbol or other display that can be changed periodically, either manually or electronically without altering the face surface of the sign, whether or not displayed is periodically rearranged. This definition excludes sandwich boards.

Roof sign: a sign which is erected, constructed and maintained above any portion of the roof or parapet.

Sandwich board sign: a free-standing, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians; it is also known as an A-frame sign or inverted T-shaped sign.

Sign: An object, device, display or structure, or part thereof situated outdoors which is used to advertise or identify an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images.

“Signs” do not include the following:

- a. Flags which do not advertise a business, product or service, not larger than 30 square feet and affixed to permanent flagpoles or flagpole mounted to buildings, subject to the maximum building height of the zoning district it is in. However, if such flags are greater than 30 square feet, they are considered signs and are subject to regulations in this Article.
- b. Seasonal decorations which do not advertise a business, product or service.
- c. Interior signs that are not visible from adjacent property or public rights-of-way.
- d. Merchandise, pictures or models of products or services incorporated in a window display.

- e. Governmental, educational, military, religious, fraternal, and civic symbols or crests.
- f. Tablets or plates containing only the building's name and/or date the building was installed when cut into the masonry surface or permanently affixed to the building.
- g. Time and temperature devices not related to a product and not larger than six square feet.
- h. Works of art, including murals, which do not advertise a business, product or service.
- i. Address numbers in compliance with the International Property Maintenance Code, Premises identification.

Sign structure: poles, posts, walls, frames, brackets, or other supports holding a sign in place.

Snipe sign: Any sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property in the public right-of-way or on any private property with or without the permission of the property owner for commercial uses.

Temporary sign: Any sign which is erected or displayed on a non-permanent basis for a limited period of time. Examples of temporary signages include, but not limited to, a banner sign, construction sign, garage sale sign, political sign, expressive sign, real estate sign, and sandwich board sign.

Transported sign: A sign attached to or pulled by a vehicle that may be displayed or affixed to a moveable object such as but not limited to a car, truck, trailer, or similar transportation device. A transported sign is not a vehicle sign.

Vehicle sign: A sign, painted or otherwise, attached to an operable vehicle or pulled trailer that is regularly used and moved. A vehicle sign is not a transported sign.

Wall sign: any sign mounted or attached to and supported by the wall of any part of a building or structure and in which the horizontal sign surface is parallel to the building wall or structure.

Window sign: any sign painted on, affixed to or placed against any window intended to be viewed from the outside.