

Memorandum



Date: August 17, 2026

To: Buchanan City Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Introduction - Consideration of an Amendment - Unified Development Code – Section 71-30 Sign standards and Article V Definitions**

Background

The Unified Development Code was adopted in late 2025. Staff have been using the document daily to better understand it and to answer questions. In January 2026, staff brought several concerns to the Planning Commission associated with the Sign standards and the Planning Commission directed staff to work on amendments.

Draft language was reviewed, discussed and modified during the February, March, April, May and August Planning Commission meetings and the public hearing is scheduled for September 8th. The proposed changes help to create a user-friendly document which addresses the 2015 U.S. Supreme Court ruling associated with temporary signage. Following are some of the changes made:

- Included a purpose statement to explain the reasoning on why the regulations have been established along with standard language pertaining to substitution/no discrimination against non-commercial signs or speech.
- Expanded list of exempt signs and prohibited signs.
- Modified sign standard table by including maximum height of sign structure, decreased the maximum square footage for some signage types and the number of permitted signs on a property or business. Decreased the minimum clearance of wall sign from 8' to 6'8".
- Expanded the list of allowable temporary signage and included regulations.
 - The 2015 US Supreme Court ruling prohibits the reading of text on signage. To eliminate reading, temporary signs include a maximum size, height. The standard that many communities have adopted in sign ordinances that comply with the Supreme Court ruling allow residential dwellings (not apartment complexes) to have a total of 24 square feet of signage with the maximum size sign of 6 square feet. The signage that falls into this category includes the following type of signage: construction, real estate, political, express (advertising a business or school or sport) to name a few. Temporary signage for other uses is set at a maximum of 32 square feet.
 - Limited the use of pennants, feather flags and portable changeable signage.
 - Expanded signage on the public sidewalk in the D Downtown District to allow not more than one temporary sign on the public sidewalk or hanging over the public

sidewalk. A business owner has the option of either a sandwich board or a hanging attention device. During the August 11th Planning Commission meeting, staff prepared draft language in response to the Buchanan Business Boosters interest in providing “open flag” signs to the businesses. The Planning Commission was supportive of the request and draft language. The discussion also included decreasing the minimum clearance required from 8’ to 6’8” as part of the discussion. While preparing information for the introduction and Planning Commission public hearing, staff believes the proposed signage should not be limited to “open” only and has changed the name to “hanging attention device”. A definition has been included which also references flags and windsocks and excludes the display of business name or logo on the device.

- Establishes how setback, overall height and sign area is measured along with illumination standards.
- Incorporates standards for changeable message centers/boards/reader boards.
- Establishes off-premise advertising regulations (billboards).
- Expands regulations pertaining to removal of unsafe, abandoned, obsolete and prohibited signs and sign structures along with nonconforming signs.
- Introduced language that allows the Planning Commission to review and approve sign modifications (variances) for certain requests and under certain conditions.
- Within Article V Definitions, modified and added definitions associated with signs.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on the requested text changes during their September 8th meeting. One audience member spoke and one written letter was received expressing concern regarding the minimum clearance of 6’8” for temporary hanging attention devices in the D Downtown District.

The Planning Commission heard comments during the August 11th meeting regarding minimum clearances for signs and decreased the amount from 8’ to 6’8” which meets ADA standards and reviewed new draft language for the temporary hanging attention devices (example open flags) which would allow display under certain conditions.

While deliberating the request on September 8th, the Planning Commission concluded decreasing the minimum clearance at this time could create other problems and they wanted to see the draft language move forward. Staff also explained that while a sidewalk café ordinance has been adopted for table service on public sidewalk, it is believed a sidewalk amenities policy will be needed to address other items placed on the public sidewalk and this might be a better place for language or the Unified Development Code could be amended if ADA requirements could be met. The Planning Commission unanimously recommended approval of the draft language.

Standards for Review

Section 71-36 Specific standards for development approvals and within 71-36.B.2 standards for Amendments to text or the zoning map are stated. The Planning Commission needs to review and discuss the standards before a motion is made. Following is the language from Section 71-36.B.2 of the Unified Development Code:

2. Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the city commission. In determining whether to adopt or disapprove the proposed amendment, the city commission must consider the following factors:
 - a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
 - b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
 - c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
 - d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.
 - e. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Recommendation

The public hearing was conducted earlier in the meeting. Please deliberate the request, review the factors stated above from Section 71.36.B.2 before making a motion. If the Commission concurs with the Planning Commission's recommendation a motion could be stated as "Move to approve the first reading of an ordinance repealing and replacing Article III Zoning Section 71-30 Sign standards, Article IV Administration Sections 71-33.B, 71-34.G, 71-36.A, 71-36.I modifying sign permit process and allowing the Planning Commission the ability to grant sign modifications, mural requests and iconic sign designations under certain conditions and Article IV Definitions with fourteen sign terms deleted and 38 sign terms added and any other sections of the Unified Development Code that may be necessary as the proposed amendment is consistent with the factors for a text amendment as found in Section 71.36.B.2 of the Unified Development Code and to schedule the second reading of the ordinance and public hearing for October 26, 2026."

DRAFT PROPOSED ORDINANCE

09282026

**CITY OF BUCHANAN
SIGN STANDARDS ORDINANCE
UNIFIED DEVELOPMENT CODE
ORDINANCE NO. 2006.10/459**

AN ORDINANCE TO REPEAL AND REPLACE ARTICLE III ZONING SECTION 71-30 SIGN STANDARDS AND ARTICLE IV ADMINISTRATION SECTION 71-36.I IN THEIR ENTIRETY AND TO ESTABLISH NEW REGULATIONS IN SECTION 71-30 PERTAINING TO SIGN STANDARDS, AND ARTICLE IV ADMINISTRATION SECTIONS 71-33.B, 71-34.G, 71-36.A AND 71-36.I TO ALLOW GRANTING OF SIGN MODIFICATIONS, MURAL REQUESTS AND ICONIC SIGN DESIGNATION BY THE PLANNING COMMISSION AND ARTICLE IV DEFINITIONS TO ADD AND REMOVE TERMS ASSOCIATED WITH SIGNS IN THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BUCHANAN TO PROVIDE CLEAR AND CONCISE REVIEW STANDARDS AND TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

IT IS HEREBY ORDAINED BY THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN:

SECTION 1. Article III Zoning, Section 71-30 Sign standards is hereby repealed as the language is being removed entirely as follows:

Article 3 Zoning, Sections 71-30 Sign standards are hereby repealed in their entirety.

SECTION 2. Article III. Zoning Section 71-30 Sign standards is hereby amended to read as follows:

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 to residents of the City of Buchanan, the business community and visitors.

The regulations also promote the goals of the master plan by improving the visual character of thoroughfares and fostering business retention while attracting new businesses. Accommodation for special circumstances or events may create a need for temporary signs or modifications to adopted regulations. The need to eliminate potential hazards to motorists

and pedestrians resulting from sign clutter and visual distractions and preventing blight is necessary.

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 obscene, profane, 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 vehicle on which the sign is displayed does not regularly go unoperated for a period exceeding seven consecutive days.
- h. Signs located on or within a building, in compliance with MCL125.3205d (or Article I, Section 5 of MI Constitution), that commemorate any of the following:
 - i. Any of the following who 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 50% of the glass area. Windows that are immediately adjacent, on the same wall face of the same building, maybe averaged together.

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.
- 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. Signs that emit noise.

4. Permanent 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 71-30.B.2 or allowed as temporary under section 71-30.B.5 of this chapter.

Table 71-T Permanent District Sign Regulations					
-	<u>N, NE, GN, NC - One to Four Residential Dwellings Units</u>	<u>N, NE, GN, NC - Five- Family or more Residential Dwelling Units or Non-Residential Use</u>	<u>D</u>	<u>SC</u>	<u>I</u>
Wall Signs: Awning, Canopy, Wall	Permit Required				
<u>Maximum square footage for business frontage</u>	-	<u>One times (1 x) the building frontage</u>	<u>Two times (2x) the building frontage not to exceed a combined total of 150 square feet</u>		
<u>Number allowed</u>	-	<u>1 per building frontage</u>	<u>3 per building frontage</u>		
<u>Maximum square footage for side or rear wall having a secondary entrance (not on building frontage)</u>	-	<u>20 square feet</u>			
<u>Number allowed on a side or rear wall having a secondary entrance (not on building frontage)</u>	-	<u>1 per wall</u>			
<u>Maximum height</u>	-	<u>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.</u>			
<u>Minimum vertical clearance</u>	-	<u>Six feet eight inches (6'8") 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</u>			
<u>Maximum projection</u>	-	<u>12" from face of building</u>			

	N, NE, GN, NC - One to Four Residential Dwellings Units	N, NE, GN, NC - Five- Family or more Residential Dwelling Units or Non-Residential Use	D	SC	I
Illumination - see section 71-30.C.5 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	-	-	6 feet 8 inches		
Illumination - see section 71-30.C.5 for additional information	-	-	-		
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	6 feet	6 feet	6 feet 8 inches		
Illumination - see section 71-30.C.5 for additional information	-	-	-	-	-

<u>Changeable message board - see section 71-30.D for additional information</u>	-	-	-	-	-
<u>Billboards, see Section 71-30.E for additional information</u>	-	-	-	-	<u>Permit Required</u>
<u>Number allowed</u>	-	-	-	-	<u>1 per parcel</u>
<u>Maximum size</u>	-	-	-	-	<u>260 sf</u>
<u>Maximum height</u>	-	-	-	-	<u>30 feet</u>
<u>Minimum setback</u>	-	-	-	-	<u>50 feet</u>
<u>Distance between signs</u>	-	-	-	-	<u>300 feet</u>
<u>Minimum clearance from ground</u>	-	-	-	-	<u>6 feet 8 inches</u>
<u>Illumination - see section 71-30.C.5 for additional information</u>	-	-	-	-	-

5. Temporary signs allowed under certain conditions.

- 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. Temporary signage in the D Downtown District. A business is limited to one temporary sign being a sandwich board or hanging attention devices that is placed on or hangs over the public sidewalk under the following:

i. Sandwich Boards

- aa. One sandwich board sign per business
- bb. Maximum height of 4 feet
- cc. Maximum size is 8 square feet.
- dd. Maximum width 30".
- ee. Displayed outside during business hours and stored inside when the business is closed.
- ff. Shall not have moving parts or attachments, including but not limited to, balloons, pinwheels, streamers, pennants, flags, or similar adornments.
- gg. Shall not be illuminated or have sound amplification.
- hh. 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.
- ii. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.

ii. Hanging Attention Device

- aa. One hanging attention device.
- bb. Minimum clearance of 6'8" from the ground to the lowest hanging portion of device.
- cc. Maximum projection of equipment from building of not more than 24".
- dd. Maximum size of 3.5 square feet. For circular items the square footage is based on drawing a rectangle around the largest portions of the item.
- ee. Displayed outside during business hours and stored inside when the business is closed.
- ff. Wording shall not include business name or logo.
- gg. Shall be constructed of fabric or similar material that blows in the wind.

e. Pennant signs are allowed under the following:

- i. Shall be 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. Shall be located on private property.
- iii. Shall 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. Shall be displayed on private property no more than one week prior to advertised event.
- h. Sandwich boards located on private property are allowed under the following:
 - i. One sandwich board sign per business
 - ii. Maximum height of 4 feet
 - iii. Maximum square footage of 8 square feet.
 - iv. Maximum width 30”.
 - 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.
 - viii. Shall not be illuminated or have sound amplification.
 - ix. 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.
 - x. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.

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.

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:
 - a. One changeable message board is permitted per business; however, no more than one changeable message board is permitted per lot where the business is located.
 - b. Changeable message boards shall only advertise on-site products or services or non-commercial public information such as time/temperature, safety alerts, and community/civic events.
 - c. Changeable message boards are permitted only on free-standing signs and shall not be attached to the exterior wall of a building.
 - d. 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.
 - e. 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.
 - f. 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:
 - a. An EMC shall not be used or displayed in a way that presents multiple screens within a single sign face, whether simulated or actual.
 - b. Transition from one message to another shall be instantaneous, without movement or other transition effects between messages.
 - c. Messages must remain on display for no less than seven seconds. Scrolling and flashing display messages is prohibited.
 - d. 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.
 - e. 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.
 - f. 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:
 - a. A maximum of three fuel products may be displayed per sign face, limited to fuel product pricing only.
 - b. The maximum electronic message area is 12 square feet or five square feet per fuel product displayed.

71-30.E Billboards

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

1. 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.
2. 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.
3. Billboards must have a minimum ground clearance of eight feet and may not exceed 30 feet in height.
4. Billboards must have a minimum separation of 300 feet from any other billboard or any public waterway.
5. Billboards shall be located perpendicular to the nearest street.
6. Billboards must be free-standing and shall not be attached to, erected on, cantilevered over or constructed above any other structure.

7. 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.

71-30.F. Maintenance

1. Signs and sign structures must be maintained free of broken or torn materials, peeling paint or paper, sun fading, staining, rust or other conditions which impair the legibility of the sign.
2. Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.

71-30.G. Removal of unsafe, abandoned, obsolete and prohibited signs and sign structures.

1. Public Property or Rights-of-Way. Any unauthorized sign or sign structure located in a public right-of-way or on public property may be removed without notice and may be destroyed after seven days of being removed.
2. Abandoned, Obsolete, Unsafe or Prohibited Signs. If upon inspection, the zoning administrator finds that a sign or sign structure located on private property is abandoned, obsolete, unsafe, and/or prohibited, the zoning administrator shall issue a written order to the sign owner and the property owner upon which the sign or sign structure is located stating the nature of the violation and requiring them to repair, remove, or conform the permanent sign or sign structure within 30 calendar days of the date of the order, or to remove temporary signs or sign structures within five calendar days of the order.
3. Imminent Danger. When any sign or sign structure is found to be in such condition as to make it an imminent danger to the life or safety of the public, in addition to any other remedy in this chapter, the zoning administrator is hereby authorized and empowered to immediately order the necessary work to be done as is necessary to render such sign or sign structure temporarily safe. In such event, the owner of the premises upon which the sign is located is responsible for such costs and the zoning administrator shall cause such appropriate action as is necessary to recover those costs.

71-30.H. Non-conforming signs.

Every permanent sign which was erected legally and which lawfully exists at the time of the enactment of this article, but which does not conform to the provisions of this chapter as of the date this chapter is effective, is hereby deemed to be nonconforming and may remain except as provided in this section.

1. Nonconforming status shall not be granted to any temporary sign, banner, or other non-permanent sign. In addition, a sign illegal at the time of the adoption of the ordinance from which this section derives shall not become a non-conforming sign by reason of such adoption, but shall remain an illegal sign.
2. The right to maintain any nonconforming sign shall terminate whenever any of the following occurs:
 - a. The nonconforming sign is dimensionally or structurally altered, enlarged, modified, added to, reduced or changed, except as may be required by law, unless it is made to conform with this chapter.

- b. The nonconforming sign is located on property that is being modified as requested and initiated by the owner of the property or owner's representative, for an application that involves a public hearing request before the planning commission (examples include: map amendment (rezoning), text amendment, special use permits, or planned unit developments) or zoning board of appeals (example, a dimensional variance).
 - c. The principal structure associated with the sign or the non-conforming sign is demolished or destroyed by fire or other casualty loss when restoration will constitute more than 50 percent of the value of the structure.
 - d. The principal structure associated with the sign is renovated or remodeled when renovation or remodeling will constitute more than 50 percent of the value of the structure on the date the renovation or remodeling begins.
 - e. The nonconforming sign is unsafe, abandoned, obsolete and/or prohibited.
3. The nonconforming sign shall not be relocated or moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to the regulations of this chapter and other applicable regulations of the city.

SECTION 3. Article IV Administration, Section 71-33 Review and decision making bodies is hereby amended with additional language as follows:

Sec. 71-33 Review and decision making bodies.

- 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, approve with conditions or disapprove Sign Modifications, Mural requests or Iconic Sign Designation.

SECTION 4. Article IV Administration, Section 71-34 General provisions – Table 71-U Notice Timing is amended with new language as follows:

Sec. 71-34 General provision.

- G. Timing of notice - Table 71-U

TABLE 71-U NOTICE TIMING		
Application	Notice Required	
	Written	Published
<u>Sign modification, mural request or iconic sign designation</u>	<u>No notice is required</u>	

SECTION 5. Article IV Administration, Section 71-36.A Specific standards for

development approval – Table 71-V Development Review Procedures is hereby amended with new language as follows:

Sec. 71-36 Specific standards for development approval.

A. General Table 71-V

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES						
Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	
Sign permit, modifications, mural and iconic designation	DM or R	DM		A		

SECTION 6. Article IV Administration, Section 71-36.I Sign permit is hereby repealed and replaced in its entirety with new language as follows:

I. Sign permit.

1. Administrative review of sign applications.

- 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.
- 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 71.36.I.2 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 71-30.B 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.

i. 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.

ii. Authorized Modification. The planning commission may grant an applicant's request to modify the provisions of this section as follows:

aa. To increase by no more than 20 percent the maximum allowable height of any free-standing sign.

bb. To increase by no more than 20 percent the maximum area of signage otherwise allowed.

cc. To increase by no more than one sign the maximum number of signs or sign types otherwise allowed.

dd. To allow no more than one sign type to be located on a lot where signs of such types are not otherwise allowed.

ee. To adjust the required spacing between any signs, structures or lot lines.

iii. 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:

aa. Minimum Request. The modification requested is the minimum change necessary to alleviate the hardship while addressing the unique and specific needs of the applicant.

bb. 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.

cc. 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.

dd. 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).

ee. 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.

ff. 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.

i. 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.

ii. 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:

aa. 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.

bb. 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.

cc. 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.

dd. 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.

ee. Enhancement and Activation. How will the proposed mural enhance and activate the pedestrian and streetscape experience.

ff. 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.

gg. Maintenance and Removal. Written document has been provided regarding the future maintenance and/or removal of the mural.

c. Authority to Grant Iconic Sign Designation and Maintenance. The planning

commission has authority, in connection with an application, to grant approval of the application for iconic sign designation, subject to the following regulations.

- i. Review. The planning commission shall, within 90 days of receiving a complete application, either grant the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within 90 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
- ii. Factors for Approval of Iconic Sign Designation. Iconic sign standards are intended to provide for the preservation of the city's unique character, history, or identity as reflected in its historic and iconic signs. A sign may be designated as an iconic sign if the planning commission determines that the sign is structurally safe or capable of being made so without materially altering its historical character or significance, and the applicant presents a proposed maintenance program that addresses general maintenance, repair, restoration, and other potential future modifications (e.g., text changes).

In addition, the planning commission must determine that the sign meets a majority of the following criteria:

- aa. The sign has been in continuous existence at its present location for at least 10 years.
 - bb. The sign is associated with historic figures, events, or locations within the city; is recognized as a popular focal point in the community; or reflects the history or historical use of the building or the history of the city.
 - cc. The sign is of exemplary technology, craftsmanship, or design for the period in which it was constructed; uses historic sign materials or means of illumination; or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation.
- iii. *Factors for Approval of Iconic Sign Repair or Restoration.* Any repair or restoration to an iconic sign requires a permit and shall be reviewed by the planning commission by the above described process, and must comply with the following:
 - aa. The sign will be restored and repaired to its substantially original condition, using the same color scheme, graphics, and materials to the extent practicable in order to replicate the original appearance of the sign;
 - bb. Text changes either match or are compatible with existing text in material(s), letter size, font/typography; and

cc. Restoration or repair of the sign is not expanded beyond the original sign area.

iv. Iconic Sign Removal. Nothing in this chapter prohibits the voluntary removal of an iconic sign. Once removed, an iconic sign cannot be replaced unless it is removed as part of an approved sign restoration.

Section 7 Article V Definitions is amended to delete definitions as follows:

Signs; Awning or canopy; Flag; Freestanding sign; Inflatable sign; Marquee sign; Mural; Off-premises sign; Permanent sign; Projecting sign; Reader board; Temporary sign; Wall sign and Window sign.

Section 8 Article V Definitions is amended to include new definitions as follows:

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 monito, 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.

Hanging attention device: a temporary visual display, sign, or object extending from the face of a building typically by a pole on an angle used to draw attention to the space or business. Examples can include flags, balloons or windsocks or similar items.

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.).

Iconic sign: a sign found in its sustainably original form or construction that exemplifies historical, cultural or architectural features or is deemed to be unusual, significant, or meaningful to the city streetscape or the city's history.

Inflatable sign: a sign composed of an inflatable, nonporous bag.

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.

Obscene: any material that meets all of the following criteria:

___ a. The average individual, applying contemporary community standards, would find the material, taken as a whole, appeals to the prurient interest.

___ b. The reasonable person would find the material, taken as a whole, lacks serious literary, artistic, political, or scientific value.

___ c. The material depicts or describes sexual conduct in a patently offensive way

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. On-site informational signs are located entirely on private property and do not extend or have the ability to extend over lot lines.

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 flagpoles mounted to buildings, subject to the maximum building height of the zoning district it is in and located on private property. However, if such flags are greater than 30 square feet, they are considered signs and are subject to regulations in this Section 71-30 Sign standards.
- 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.

Effective Date

This Ordinance shall become effective fifteen (15) days after its adoption and publication as required by Section 7.4 of the City Charter.

MADE, PASSED, AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN ON THE __ DAY OF APRIL 2026 AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON DAY __ OF APRIL 2026 BY

MARK WEEDON, MAYOR _____

KALLA LANGSTON, CITY CLERK _____

CERTIFICATION, I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the __ day of April 2026, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk



302 Redbud Trail North
Buchanan, MI 49107
Tel: (269) 695-3844
Fax: (269) 695-4330

Text Amendment (Changing Language in Unified Development Code – zoning ordinance) Application

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Applicable Section of Zoning Ordinance that amendment is requested: _____
Section 71-30 Sign standards and Article V Definitions.

Briefly Explain Request: Updated sign standard regulations while addressing missing regulations
and modified and added definitions associated with signage

Are there other requests associated with application?: If yes, explain: No, please see
attached redline and draft language.

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: City of Buchanan - Kristen Gundersen

Relationship to Property Owner: staff

Mailing Address: 302 N Redbud Trail

City: Buchanan **State:** MI **Zip Code:** 49107

Telephone Number: 269.695.3844 **Emergency Number:** _____

E-mail Address: kgundersen@cityofbuchanan.com

Attorney: Butzel

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Engineer or Architect: N/A

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Proposed Language Change (please use additional paper if needed)

Existing section and language from Zoning Ordinance: See attached

Proposed new language for the Zoning Ordinance: See attached

Explain how the proposed new language supports the goals and objectives of the adopted Master Plan: The draft changes will help to ensure the development review process is simple, efficient, predictable and easily accessible (4-1) by adding purpose statement, layout, sign categories and definitions. Creates a process where the Planning Commission can grant sign modifications without going to Zoning Board of Appeals for requests.

Text Amendment Standards

If needed use additional sheets of paper to respond to Standards.

Section 71-35.B.2 Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the City Commission. In determining whether to adopt or disapprove d the proposed amendment, the City Commission must consider the following factors:

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan. Proposed amendments are consistent with 4-1 to ensure the development review process is simple, efficient, predictable and easily accessible. The proposed amendments improved the flow of the section while providing detailed information for sign regulations and standards.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment. The existing language did not provide enough information to easily make decisions. The 2015 US Supreme Court ruling regarding temporary signs found existing language was unclear and would be difficult to enforce. Clear and concise information is needed in sign regulations to decrease confusion.

- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

The maximum allowable size of a free-standing sign was similar to an off-premise billboard sign. Limiting the font size was difficult for others to design signage. Standards needed to be provide improved to allow those using the standards to easily understand and design compliant signage.

- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.

The proposed text amendment pertains to properties or uses described in the language. It is believed the proposed amendment creates, clear and concise regulations.

- e. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Properties relying on the proposed amendment for improvements to private property will help to maintain a logical and orderly development pattern.

TEXT AMENDMENT APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 10, day of August, 2026, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature], City Buchanan
Signature of Applicant or Authorized Agent

Kristen Gundersen
Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 10 day of

Aug, 2026

[Signature]

Notary Public

KALLA LANGSTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF BERRIEN
My Commission Expires June 09, 2032
Acting in the County of Berrien

NOTE: Deleted language is shown with strikethrough and new language is shown with highlight. For ease of review all of Section 71-30 Sign standards was deleted along with associated definitions. In several cases, the current language can be found in the new draft language.

Sec. 71-30 Sign standards

This section establishes the standards for the number, size, placement, and physical characteristics of on-premise signs visible from a public sidewalk or adjacent property.

A. ~~These regulations do not restrict the content of signs.~~

B. ~~Permits required. All signs with the exception of the following require a sign permit:~~

1. ~~A frame ground sign;~~
2. ~~Small signs. Any sign that does not exceed four square feet in area;~~
3. ~~Window signs;~~
4. ~~Official sign. Notices required by law, signs erected by a governmental agency or public utility; and~~
5. ~~Temporary signs. Not more than one temporary sign is permitted per facade and may not exceed 32 square feet in area. Temporary signs must be removed within 48 hours after the event. Temporary signs may not be displayed longer than the event or 30 days.~~

C. ~~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.~~

D. ~~Non-conforming signs.~~

1. ~~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.~~
2. ~~Illumination may not be added to a nonconforming sign.~~
3. ~~A nonconforming sign may not be replaced except to bring it into complete conformance with this section.~~
4. ~~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.~~

E. ~~Prohibited signs. Signs with the following features are prohibited:~~

1. ~~Off-premise signs, including snipe or bandit signs and vehicular signs;~~
2. ~~Signs located within the clear sight triangle according to [Figure 71-B Clear site lines](#);~~
3. ~~Signs extended above the parapet or eave of a roof;~~
4. ~~Signs utilizing animation or which contain the optical illusion of sign movement;~~
5. ~~Signs incorporating noisy mechanical devices or emitting smoke or steam;~~

6. ~~Inflatable signs;~~
7. ~~Portable signs, except a frame ground signs; and~~
8. ~~Any unsafe sign.~~

F. ~~Permitted signs and restrictions.~~

1. ~~Permitted sign types are limited by district and the following restrictions according to [Table 71-T](#):~~
 - a. ~~The number of signs per type;~~
 - b. ~~The area of signs; and~~
 - c. ~~The height of sign copy.~~
2. ~~All signs must be a minimum of eight feet clear over sidewalks and vehicular areas.~~
3. ~~No sign may be placed in or over a public right of way with the exception of the following:~~
 - a. ~~A-Frame signs are permitted on a public sidewalk during hours the associated business is open, but must maintain a five foot clear path for pedestrian travel;~~
 - b. ~~Awning and/or canopy signs;~~
 - c. ~~Hanging signs;~~
 - d. ~~Marquee signs; and~~
 - e. ~~Projecting signs.~~
4. ~~All signs may be double-sided by right, if the configuration of the sign permits. Only the larger side contributes to the calculation of sign area.~~
5. ~~All signs may be illuminated by an external light source or internally illuminated if neon with the exception of signs located in NE and GN.~~
 - a. ~~If externally illuminated, the source of the light must be enclosed and directed to prevent the source of light from shining directly onto traffic or a residential property.~~
6. ~~All signs must comply with the building and electrical codes of the City of Buchanan. Underground wiring is required for all illuminated signs.~~

TABLE 71-T SIGN STANDARDS										
Sign	Signs (max)	Area (max)	Copy Height (max)	N	NE	GN	NC	D	SC	I
A-Frame	1 per tenant	9 sq. ft.	n/a				■	■	■	■
Awning	1 sloping plane & 1 valence per awning	75% awning area	16 in. on sloping plane, 8 in. on valence				■	■	■	■

Banner	1 per event	76 sq. ft.	n/a				■	■	■	■
Canopy	1 per canopy	2 sq. ft. per linear ft.	30 in.				■	■	■	■
Hanging	1 per tenant	6 sq. ft.	n/a				■	■	■	
Marquee	1 per entry	4 sq. ft. per linear ft.	30 in.					■	■	
Monument	1 per facade	36 sq. ft.	n/a		■	■	■		■	■

TABLE 71-T SIGN STANDARDS

Sign	Signs (max)	Area (max)	Copy Height (max)	N	NE	GN	NC	D	SC	I
Mural	1 per facade	no max.	n/a				■	■	■	■
Off-premise	Not permitted	n/a	n/a							
Pole	1 per property	200 sq. ft.	30 in.						■	■
Projecting	1 per tenant	6 sq. ft.	8 in.				■	■	■	■
Reader board	1 per tenant	6 sq. ft.	12 in.						■	■
Wall	1 per tenant	3 sq. ft. per linear ft.	18 in.					■	■	■
Window	1 per window	25% of glazed area	12 in.				■	■	■	■

■ Permitted

G. Maintenance and liability.

1. 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.
2. Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.
3. 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

Sec. 71-36 Specific standards for development approval

I. Sign permit.

1. 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. ~~Fails to comply.~~

i. ~~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](#).~~

ii. ~~If the application is not resubmitted within 30 days, the application will be considered withdrawn.~~

Article V Definitions

Signs: A 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. Awnings are typically used to cover outdoor seating for restaurants and cafes.~~

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

Freestanding sign: ~~A temporary or permanent sign erected by the City of Buchanan, Berrien County, or the state or federal government, including temporary signs as necessary in conjunction with the improvement of public infrastructure.~~

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.~~

Marquee sign: ~~a sign affixed flat against the surface of a marquee.~~

Mural: ~~a design or representation painted or drawn on a wall.~~

Off-premises sign: ~~a freestanding sign owned by a person, corporation or other entity that engages in the business of selling or donating the display space on that sign, commonly referred to as a billboard.~~

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.~~

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

Reader board: ~~a portion of a sign on which copy can be changed periodically, either manually or electronically.~~

Temporary sign: ~~a sign intended for a limited period of display, including all portable signs, banners, and/ or balloon signs.~~

Wall sign: ~~a single faced sign painted or attached directly to and parallel to the exterior wall of a building.~~

Window sign: ~~a sign placed on the inside of a window and intended to be viewed from the outside.~~

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 to residents of the City of Buchanan, the business community and visitors.

The regulations also promote the goals of the master plan by improving the visual character of thoroughfares and fostering business retention while attracting new businesses. Accommodation for special circumstances or events may create a need for temporary signs or modifications to adopted regulations. The need to eliminate potential hazards to motorists and pedestrians resulting from sign clutter and visual distractions and preventing blight is necessary.

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 obscene, profane, 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 71-261 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 vehicle on which the sign is displayed does not regularly go unoperated for a period exceeding seven consecutive days.
- h. Signs located on or within a building, in compliance with MCL125.3205d (or Article I, Section 5 of MI Constitution), that commemorate any of the following:
 - i. Any of the following who 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.
- 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. Signs that emit noise.

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

Table 71-T District Sign Regulations

	N, NE, GN, NC - One to Four Residential Dwellings Units	N, NE, GN, NC - Five-Family or more Residential Dwelling Units 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		Six feet eight inches (6'8") 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			6 feet 8 inches		
Illumination - see section ___ for additional information					

	N, NE, GN, NC - One to Four Residential Dwellings Units	N, NE, GN, NC - Five-Family or more Residential Dwelling Units 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					6 feet 8 inches
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					6 feet 8 inches
Illumination - see section ____ for additional information					

5. Temporary signs allowed under certain conditions

- 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. Temporary signage in the D Downtown District - sandwich board or hanging attention device are allowed under the following:

- i. A business is limited to one temporary sign that is placed on or hangs over the public sidewalk that complies with the following:

a. Sandwich Boards

- i. One sandwich board sign per business
- ii. Maximum height of 4 feet
- iii. Maximum size is 8 square feet.
- iv. Maximum width 30".
- 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.
- viii. Shall not be illuminated or have sound amplification.
- ix. 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.
- x. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.

b. Hanging Attention Device

- i. One hanging attention device.
- ii. Minimum clearance of 6'8" from the ground to the lowest hanging portion of device.
- iii. Maximum projection of equipment from building of not more than 24".
- iv. Maximum size of 3.5 square feet. For circular items the square footage is based on drawing a rectangle around the largest portions of the item.
- v. Displayed outside during business hours and stored inside when the business is closed.
- vi. Wording shall not include business name or logo.
- vii. Shall be constructed of fabric or similar material that blows in the wind.

- e. Pennant signs are allowed under the following:

- i. Shall be 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. Shall be located on private property.
 - iii. Shall 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. Shall be displayed on private property no more than one week prior to advertised event.
- h. Sandwich boards located on private property are allowed under the following:
 - i. One sandwich board sign per business
 - ii. Maximum height of 4 feet
 - iii. Maximum square footage of 8 square feet.
 - iv. Maximum width 30".
 - 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.
 - ix. 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.
 - x. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.

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.

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 where the business is located.
 - ii. Changeable message boards shall only advertise on-site products or services or non-commercial public information such as time/temperature, safety alerts, 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

1. Signs and sign structures must be maintained free of broken or torn materials, peeling paint or paper, sun fading, staining, rust or other conditions which impair the legibility of the sign.
2. Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.

G. Removal of unsafe, abandoned, obsolete and prohibited signs and sign structures.

1. Public Property or Rights-of-Way. Any unauthorized sign or sign structure located in a public right-of-way or on public property may be removed without notice and may be destroyed after seven days of being removed.
2. Abandoned, Obsolete, Unsafe or Prohibited Signs. If upon inspection, the zoning administrator finds that a sign or sign structure located on private property is abandoned, obsolete, unsafe, and/or prohibited, the zoning administrator shall issue a written order to the sign owner and the property owner upon which the sign or sign structure is located stating the nature of the violation and requiring them to repair, remove, or conform the permanent sign or sign structure within 30 calendar days of the date of the order, or to remove temporary signs or sign structures within five calendar days of the order.
3. Imminent Danger. When any sign or sign structure is found to be in such condition as to make it an imminent danger to the life or safety of the public, in addition to any other remedy in this chapter, the zoning administrator is hereby authorized and empowered to immediately order

the necessary work to be done as is necessary to render such sign or sign structure temporarily safe. In such event, the owner of the premises upon which the sign is located is responsible for such costs and the zoning administrator shall cause such appropriate action as is necessary to recover those costs.

H. Non-conforming signs.

Every permanent sign which was erected legally and which lawfully exists at the time of the enactment of this article, but which does not conform to the provisions of this chapter as of the date this chapter is effective, is hereby deemed to be nonconforming and may remain except as provided in this section.

1. Nonconforming status shall not be granted to any temporary sign, banner, or other non-permanent sign. In addition, a sign illegal at the time of the adoption of the ordinance from which this section derives shall not become a non-conforming sign by reason of such adoption, but shall remain an illegal sign.

2. The right to maintain any nonconforming sign shall terminate whenever any of the following occurs:

a. The nonconforming sign is dimensionally or structurally altered, enlarged, modified, added to, reduced or changed, except as may be required by law, unless it is made to conform with this chapter.

b. The nonconforming sign is located on property that is being modified as requested and initiated by the owner of the property or owner's representative, for an application that involves a public hearing request before the planning commission (examples include: map amendment (rezoning), text amendment, special use permits, or planned unit developments) or zoning board of appeals (example, a dimensional variance).

c. The principal structure associated with the sign or the non-conforming sign is demolished or destroyed by fire or other casualty loss when restoration will constitute more than 50 percent of the value of the structure.

d. The principal structure associated with the sign is renovated or remodeled when renovation or remodeling will constitute more than 50 percent of the value of the structure on the date the renovation or remodeling begins.

e. The nonconforming sign is unsafe, abandoned, obsolete and/or prohibited.

3. The nonconforming sign shall not be relocated or moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to the regulations of this chapter and other applicable regulations of the city.

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.

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, Mural requests or Iconic Sign Designation.

Sec. 71-34 General provisions.

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	Planning commission: Not less than 15 days prior to public hearing
	City commission: reasonable time 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		
Sign modification or mural	No notice is required	

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					
Sign permit, modifications, mural and iconic designation	DM or R	DM	[A]	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					

B. Sign permit.

1. Administrative review of sign applications.

- 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.
- 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 minimizes 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.

3. Authority to Grant Iconic Sign Designation and Maintenance. The planning commission has authority, in connection with an application, to grant approval of the application for iconic sign designation, subject to the following regulations.

- a. Review. The planning commission shall, within 90 days of receiving a complete application, either grant the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within 90 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
- b. Factors for Approval of Iconic Sign Designation. Iconic sign standards are intended to provide for the preservation of the city's unique character, history, or identity as reflected in its historic and iconic signs. A sign may be designated as an iconic sign if the planning commission determines that the sign is structurally safe or capable of being made so without materially altering its historical character or significance, and the applicant presents a proposed maintenance program that addresses general maintenance, repair, restoration, and other potential future modifications (e.g., text changes).

In addition, the planning commission must determine that the sign meets a majority of the following criteria:

- 1. The sign has been in continuous existence at its present location for at least 10 years.
- 2. The sign is associated with historic figures, events, or locations within the city; is recognized as a popular focal point in the community; or reflects the history or historical use of the building or the history of the city.
- 3. The sign is of exemplary technology, craftsmanship, or design for the period in which it was constructed; uses historic sign materials or means of illumination; or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation.

- c. *Factors for Approval of Iconic Sign Repair or Restoration.* Any repair or restoration to an iconic sign requires a permit and shall be reviewed by the planning commission by the above described process, and must comply with the following:

1. The sign will be restored and repaired to its substantially original condition, using the same color scheme, graphics, and materials to the extent practicable in order to replicate the original appearance of the sign;
 2. Text changes either match or are compatible with existing text in material(s), letter size, font/typography; and
 3. Restoration or repair of the sign is not expanded beyond the original sign area.
- d. *Iconic Sign Removal.* Nothing in this chapter prohibits the voluntary removal of an iconic sign. Once removed, an iconic sign cannot be replaced unless it is removed as part of an approved sign restoration.

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.

Hanging attention device: A temporary visual display, sign, or object extending from the face of a building typically by a pole on an angle used to draw attention to the space or business. Examples can include flags, balloons or windsocks or similar items

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.)

Iconic sign: A sign found in its sustainably original form or construction that exemplifies historical, cultural or architectural features or is deemed to be unusual, significant, or meaningful to the city streetscape or the city's history.

Inflatable sign: a sign composed of an inflatable, nonporous bag.

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.

Obscene: Any material that meets all of the following criteria:

a. The average individual, applying contemporary community standards, would find the material, taken as a whole, appeals to the prurient interest.

b. The reasonable person would find the material, taken as a whole, lacks serious literary, artistic, political, or scientific value.

c. The material depicts or describes sexual conduct in a patently offensive way

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. On-site informational signs are located on entirely on private property and do not extend or have the ability to extend over lot lines.

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 flagpoles mounted to buildings, subject to the maximum building height of the zoning district it is in and located on private property. However, if such flags are greater than 30 square feet, they are considered signs and are subject to regulations in this Section 71-30 Sign standards.
- 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.

WRITTEN PUBLIC COMMENT

Proposed Amendment to UDC Section 71-30

To: City of Buchanan Planning Commission

From: William T. Bielby

Date: September 8, 2026

Re: Barrier option for hanging attention devices

I support the proposed revisions to Buchanan's sign regulations, including the creation of a small "hanging attention device" for downtown businesses. I appreciate the work city staff and the Planning Commission have done to accommodate the Buchanan Business Boosters' OPEN-flag initiative.

One important issue remains. The proposed language requires the lowest portion of every hanging attention device to be at least 6 feet 8 inches, or 80 inches, above the sidewalk. We ask the Commission to retain 80 inches as the normal minimum wherever pedestrians may walk beneath the device, but also permit a carefully controlled installation below 80 inches when a compliant barrier prevents pedestrian travel into the area of reduced clearance.

This is not a request to disregard or weaken accessibility standards. Section 307.4 of the 2010 ADA Standards expressly provides that where vertical clearance is less than 80 inches, a guardrail or other barrier must be provided, with its leading edge no more than 27 inches above the walking surface. The U.S. Access Board's official guidance specifically identifies fixed planters, benches and similar elements as possible barriers.

We therefore ask the Commission to recommend a limited barrier option subject to conditions such as these:

- The bench, planter, railing or similar barrier must be fixed or otherwise secured while in use, must be cane-detectable, and must prevent pedestrian travel beneath the entire area of reduced clearance.
- The protected area must account for the rigid support and the reasonably foreseeable movement of the fabric.
- An unobstructed ADA-compliant pedestrian route must remain available around the installation.
- The barrier must be present whenever the below-80-inch device is displayed. If the barrier is removed for snow clearing, seasonal storage or any other reason, the device must also be removed or raised to provide 80 inches of clearance.
- Each proposed installation must provide sufficient dimensional information for city staff to determine whether these requirements are satisfied.

The OPEN-flag hardware we have proposed projects approximately 19 inches horizontally from the building, while a typical 24-inch-deep bench or planter extends beyond the rigid support. Compliance would still have to account for the full movement of the fabric and the conditions at each location. Approval of the barrier option would not mean that every business or every bench automatically qualifies.

The practical concerns that have been raised can therefore be addressed through clear standards, staff review and enforcement. No business would be permitted to display a low-hanging device without its required barrier. If winter conditions make the barrier impractical, the low device simply cannot be displayed during that period.

Our bottom line is straightforward: permit the ADA-recognized barrier method, require businesses to comply with all of its conditions, enforce those conditions, and evaluate the policy based on actual experience. If genuine problems emerge, the City can revisit the regulation. The possibility of future noncompliance is not, by itself, a reason to prohibit a properly designed and compliant installation.

Respectfully submitted,

William T. Bielby
RiverTown Gallery & Studio
111 Main Street

Federal references: 2010 ADA Standards for Accessible Design, Section 307.4; U.S. Access Board, Guide to the ADA Accessibility Standards, Chapter 3: Protruding Objects.