



Memorandum

TO: City of Hartford Planning Commission
FROM: Hillary Taylor, NCI, Senior Planner
Ethan Senti, Assistant Planner
SUBJECT: **Proposed Billboard Ordinance**
DATE: August 29, 2025

This memo provides an overview of the proposed billboard regulations along with the draft ordinance text. It is intended to solicit feedback from the Planning Commission on whether the proposed language is appropriate for the City of Hartford and how it might be further adapted to meet the City's needs.

LEGAL CONTEXT FOR SIGN REGULATION

Before reviewing the proposed ordinance, it is important to understand a landmark United States Supreme Court decision that continues to shape how local governments regulate signage.

In *Reed v. Town of Gilbert* (2015), the Court unanimously ruled that ordinances distinguishing between signs based on the type of information they convey—such as treating temporary, political, or ideological signs differently—constitute content-based regulations of speech. Such regulations are prohibited under the First Amendment. The case arose in Gilbert, Arizona, where the local ordinance imposed stricter size and time limits on temporary directional signs than on political or ideological signs. Because the ordinance required officials to read a sign's message to determine which rules applied, the Court held that it regulated based on content.

The decision established that nearly any ordinance distinguishing among signs by message will be unconstitutional. Instead, regulations must be content-neutral, relying on objective standards such as size, height, location, spacing, and illumination rather than on the subject matter of the sign.

For Hartford, this means that any local ordinance addressing billboards or other signage must be written in a way that applies uniformly, without regard to the content of the message. The proposed ordinance follows this approach by regulating billboards according to neutral criteria, ensuring that the City's rules can be applied consistently while also protecting against potential legal challenges. The Planning Commission should keep this framework in mind as it reviews the proposed ordinance. Questions to guide feedback are included at the end of this memo to help determine how the ordinance can best be tailored to Hartford's needs.

PROPOSED ORDINANCE OVERVIEW

Location. The proposed ordinance would permit billboards only along I-94, subject to several restrictions on placement and design. Billboards must be spaced at least 1,000 feet apart, with no more than three permitted per mile of roadway. They may not be placed within 200 feet of homes, schools, or churches (300 feet if illuminated), and must also respect setbacks from property lines.

Size. In terms of size and scale, each sign face is limited to 300 square feet and a maximum height of 20 feet. Double-faced or V-shaped boards are allowed, but still subject to the per-face size cap.



Illumination. Illumination is permitted, provided it is directed only toward the sign face and does not create glare or distraction for drivers or neighbors. Flashing, rotating, or otherwise moving lights are prohibited.

Structure. Billboards must be structurally sound, anchored to withstand local conditions, and maintained in good repair. They cannot be mounted on or above buildings.

PROPOSED ORDINANCE LANGUAGE

REGULATION OF BILLBOARDS

A. Location. Billboards may be erected adjacent to I-94, provided that they must meet all of the following conditions. For purposes of these conditions, double-faced billboards (i.e. structures with back-to-back faces containing or able to contain advertising) and V-shaped billboards having only one (1) face visible to traffic proceeding from any given direction on a Street shall be considered as one (1) billboard.

1. Billboards having more than one (1) face, including billboards with tandem (side-by-side) or stacked (one-above-the-other) faces, shall be considered as multiple billboards and shall be prohibited in accordance with the minimum spacing requirements set forth below. A billboard's surface display area containing or able to contain advertising shall be considered to be the billboard's face(s).
2. Not more than three (3) billboards may be located per linear mile of Street, regardless of the fact that such billboards may be located on different sides of the Street. The linear mile measurement shall not be limited to the City's boundaries if the particular Street extends beyond such boundaries.
3. No billboard may be located within one thousand (1,000) feet of another billboard. The one thousand (1,000) feet measurement shall not be limited to the City's boundaries.
4. No billboard may be located within two hundred (200) feet of any residential zoning district, a pre-existing dwelling, a pre-existing church, or a pre-existing school. If the billboard is illuminated, the required distance shall be increased to three hundred (300) feet.
5. No billboard may be located closer than seventy-five (75) feet from a property line adjoining a street. No billboard may be located closer than ten (10) feet from any other property line of the lot on which the billboard is located.

B. Dimensional Requirements.

6. A billboard's face may not exceed three hundred (300) square feet. Double-faced billboards and V-shaped billboards may have two (2) faces, but neither one may exceed three hundred (300) square feet.
7. A billboard's height may not exceed twenty (20) feet above the grade of the ground upon which the billboard sits, or above the grade of the abutting street, whichever is higher.
8. A billboard may be illuminated, but only if such illumination is concentrated on the billboard's face(s) and is located so as to avoid glare or reflection onto any portion of an adjacent street, the path of oncoming vehicles, or any adjacent lot. No rotating or oscillating beam, beacon, flashing illumination, or intermittent lights may obscure or interfere with the effectiveness of an official traffic sign, signal, or device.

C. Structure.

9. A billboard shall be securely anchored and otherwise adequately constructed in order to withstand all wind and vibration forces, which can normally be expected to occur in the vicinity. A billboard



shall be adequately maintained to assure its continued structural soundness and the continued readability of its message.

10. No billboard may be placed on top of, cantilevered from, or otherwise suspended above the roof of any building.

D. A billboard adjacent to the interstate highway, freeway, and primary highway systems of the State of Michigan, as such terms are defined in the Highway Advertising Act of 1972 (Michigan Public Act 106 of 1972, as amended), shall comply with all of the above requirements as well as the applicable regulations promulgated thereunder, as such provision and/or regulations may be amended from time to time.

FEEDBACK REQUESTED

This draft language is flexible and can be shaped to reflect Hartford's priorities within the legal constraints of the Reed v. Gilbert decision. To help tailor it appropriately, we ask that the Planning Commission provide feedback on the following questions:

- Should billboards be allowed within City limits at all? If so, only on I-94, or also on Center/Main/Red Arrow?
- Should spacing or distance rules be stricter (between billboards, or from homes/schools/churches)?
- Is the proposed size (300 sq ft) and height (20 ft) appropriate, or should they be smaller/lower?
- Should illuminated or digital/LED billboards be allowed?
- Should billboard appearance (supports, landscaping, maintenance) be regulated for visual quality?
- Is the Planning Commission interested in a follow-up memo outlining the proposed signage recommendations (beyond just billboards)?

Please review the draft language and feedback questions and be prepared to share your guidance on how the ordinance should be further adapted at the next Planning Commission meeting.

Regards,

Hillary Taylor, Senior Planner