

City of Southgate

PLANNING COMMISSION AGENDA

Monday, March 13th, 2023

6:30 p.m. – Informal Planning Commission/Work Study Meeting

7:00 p.m. – Regular Planning Commission Meeting

A. Call to Order

B. Roll Call

Anderson, Clark, Crawford, Gawlik, Godbout, Nemeth, Orman

C. Minutes

- 1) Minutes of Informal Planning Commission Meeting dated February 13, 2023
- 2) Minutes of Planning Commission Meeting dated February 13, 2023

D. Administrative Reports

E. Public Hearings

F. New Business

- 1) Section 1298.18, Sign Ordinance, Section 4

G. Old Business

H. Announcements

I. Adjournment

Next Meeting: 3/13/2023

City of Southgate
Planning Commission Informal Meeting

February 13, 2023

This meeting of the Planning Commission was held in the Municipal Caucus Room, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, February 13, 2023 and called to order by Chairperson Ed Gawlik, at 6:30 p.m.

PRESENT: Ed Gawlik, Linda Clark, Chad Godbout, James Yoos, Priscilla Ayers-Reiss, Patricia Anderson

ABSENT: Leticia Crawford, (excused), Jerry Orman

ALSO PRESENT: Plan Consultant John Enos and Alissa Starling, City Attorney Ed Zelenek, Building Official Tim Leach, City Administrator Dan Marsh

The Agenda will be revised, by removing Item 2, Taystee Burger, under Public Hearings and New Business.

City Planner Starling stated a public hearing will be held for a rezoning of a 4.72 acre parcel, located on Allen Road, from C-2, General Business to PD-Planned Development. The application seeks to convert the existing vacant parcel to an assisted senior living development. We recommend approval of this request.

Discussion will be held on the City's Sign Ordinance changes.

The election of Chairperson, Vice Chairperson and Secretary will be held for the year 2023.

The meeting ended at 6:55 p.m.

City of Southgate
Planning Commission Meeting
February 13, 2023

This meeting of the Planning Commission was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, February 13, 2023 and called to order by Chairperson Ed Gawlik, at 7:00 p.m.

PRESENT: Ed Gawlik, Linda Clark, Chad Godbout, James Yoos, Priscilla Ayers-Reiss, Patricia Anderson

ABSENT: Leticia Crawford, (excused), Jerry Orman

ALSO PRESENT: Plan Consultant John Enos and Alissa Starling, City Attorney Ed Zelenek, Building Official Tim Leach, City Administrator Dan Marsh

Agenda:

Moved by Anderson, supported by Ayers-Reiss, revise the Agenda, by removing Item 2, Taystee Burger, under Public Hearings and New Business. MOTION APPROVED UNANIMOUSLY.

Minutes:

The first order of business is approval of the minutes from the December 12, 2022 Planning Commission meeting.

Moved by Ayers-Reiss, supported by Clark, that the minutes of the Planning Commission Meeting dated December 12, 2022 be approved. MOTION APPROVED UNANIMOUSLY.

Administrative Reports:

City Administrator Marsh stated work is moving along on the development of old PNC Bank Project.

Public Hearings:

- 1. Applicant Tahir Khan, Oasis Senior Living, Allen Road, Requesting Rezoning from C-2 General Business District to PD-Planned Development. PC 01-2023**

A PUBLIC HEARING WAS HELD FOR TAHIR KHAN, OASIS SENIOR LIVING, ALLEN ROAD, REQUESTING REZONING FROM C-2 GENERAL BUSINESS DISTRICT TO PD-PLANNED DEVELOPMENT. PC 01-2023.

Notices were sent out.

Moved by Anderson, supported by Ayers-Reiss, to open this Public Hearing.

Plan Consultant Enos, stated the applicant is requesting a rezoning of 4.72 acres to PD-Planned Development. The application seeks to convert the existing vacant parcel to an assisted senior living home. This would be in line with the intent for Future Land Use. We recommend approval of the requested rezoning.

The applicant was present discussing the plans for the project if the rezoning is approved. They are proposing a 60,613 sq. foot building for an assisted senior living home. They are excited about this project and feel it would be suitable for this area.

Several residents were present with concerns regarding traffic, noise, and access points. No objections were received for this project.

Moved by Anderson, supported by Ayers-Reiss, to close this Public Hearing.

Moved by Anderson supported by Clark, to recommend City Council approve the request by Tahir Khan, Oasis Senior Living, to rezone property on Allen Road, from C-2, General Business to PD-Planned Development. PC 01-2023. Motion Carried Unanimously.

New Business:

3. Section 1298.18 Sign Ordinance, Section 3 – Permitted Signs.

Planner Starling distributed copies of the ordinance that has been completed, including the Intent and Purpose, Definitions, and Permitted Signage, including new additions e.g. Murals and Electronic Message Boards, for review. Following this meeting, the outstanding language will be divided into two additional sections, including Prohibited Signs, Exempt Signs, Signs in Residential Districts, Temporary Signs, Performance Standards, and Non-Confirming Signs. As part of the final read-through, updated illustrations will also be provided for your review.

4. Election of Officers for 2023.

Election of Chairperson for 2023

Moved by Yoos, supported by Anderson, to nominate Ed Gawlik to serve as Chairperson of the Planning Commission for the year 2023, and having no other nominations for Chairperson, Ed Gawlik is hereby elected to serve as Chairperson of the Planning Commission for the year 2023. MOTION APPROVED UNANIMOUSLY.

Election of Vice Chairperson for 2023

Moved by Yoos, supported by Clark, to nominate Patricia Anderson to serve as Vice Chairperson of the Planning Commission for the year 2023, and having no other nominations for Vice Chairperson, Patricia Anderson is hereby elected to serve as Vice Chairperson of the Planning Commission for the year 2023. MOTION APPROVED UNANIMOUSLY.

Election of Secretary for 2023

Moved by Anderson, supported by Ayers-Reiss, to nominate Leticia Crawford to serve as Secretary of the Planning Commission for the year 2023, and having no other nominations for Secretary, Leticia Crawford is hereby elected to serve as Secretary of the Planning Commission for the year 2023. MOTION APPROVED UNANIMOUSLY.

Old Business:

None.

Announcements:

None.

Adjournment:

Moved by Yoos, supported by Anderson, that this meeting of the Planning Commission be adjourned at 7:50 p.m. MOTION APPROVED UNANIMOUSLY.

Ed Gawlik
Chairperson, Planning Commission
as

Section 4. City of Southgate Sign Ordinance

For review on March 13, 2023

(e) Prohibited Signs.

- (1) Any sign in which a proprietor has not received a sign permit, unless specifically exempt.
- (2) Strings of light bulbs, pennants, balloons, streamers, banners, beacons, or other portable signs are prohibited, except as allowed in subsection (h) hereof.
- (3) Signs that employ any flashing, moving, oscillating, blinking, or variable intensity of light, and are not either an animated or reader board sign.
- (4) Roof signs and integral roof signs.
- (5) Billboard signs.
- (6) Vehicle signs.
 - (1) Vehicles with signs are permitted if used in the day-to-day operation of the business. At the close of the business, the vehicle must either be removed from the property or parked within the loading/unloading zone. If no loading zone exists, the vehicle must be parked at a point on the site not readily visible from the public rights-of-way when not in use. The vehicle must be in operable condition and licensed with the State of Michigan.
- (7) Temporary window signs that exceed 25% of the area of the window and door on which such signs are located.
- (8) Any notice, placard, bill, card, poster, sticker, sign, advertising or other device calculated to attract the attention of the public which any person posts, prints, sticks, stamps, tacks or otherwise affixes, or causes the same to be done to or upon any street, right-of-way, public sidewalk, crosswalk, curb, hydrant, tree, telephone pole, or upon any fixture of the police or fire alarm system of the City is prohibited.

(f) Exempt Signs.

- (1) The following signs are exempt from the regulations of this section, including sign permits, but shall comply in all other respects with the regulations set forth herein:
 - A. Legal notices, identification, information, or directional sign erected, or required by a government agency.
 - B. Historic markers placed under the authority of the local, state, or federal government.
 - C. Essential service signs.
 - D. Placards not exceeding 2 square feet.
 - E. Building marker not exceeding 2 square feet.
 - F. Flags.

Section 4. City of Southgate Sign Ordinance

For review on March 13, 2023

- G. Decorative, seasonal, or temporary signs displayed by the City of Southgate. Such displays shall be only in commemoration of a national holiday or varied civic purpose of public interest.
 - H. Signs erected by a government agency.
- (2) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of 90 days prior to and 3 days after a designated election day on which there is at least 1 ballot item: the maximum allowable area of temporary signs shall be increased to 64 square feet per premise in all districts. The maximum area of an individual sign remains.
- (3) In residential areas, signs identifying properties for sale, lease, or rent provided the sign does not exceed 6 square feet in area for a single surface area or 12 square feet for signs of 2 or more faces or a height of 4 feet nor shall there be more than 2 signs on any 1 lot.
- A. In all other districts, a sign shall not have a surface area greater than 32 square feet for a single surface area or 64 square feet for signs of 2 or more faces. Only signs for industrial properties are permitted within 500 feet of a freeway, provided that such signs are used during the construction of a building or the offering for sale or rental of real estate, and provided, further, that they are not larger than 10 square feet in area. Such signs shall be removed within 10 days following the sale, lease, or rent of the property.

(g) Signs in a Residential District.

- (1) No signs shall be permitted in the R-1, R-1A, R-1B or RM Districts, except for the following:
- (2) Entranceway signs.
- (3) Signs for a permitted use other than residential are subject to the following conditions:
 - A. 1 freestanding sign with a maximum display area per side of 60 square feet and a maximum height of 6 feet, measured from the base of the sign on the ground to the highest point of the sign structure, shall be permitted.
 - B. 1 wall sign per street frontage shall be permitted. Such signs shall not exceed 25 square feet in total display area per sign and shall be affixed flat against a wall or engraved into a wall or portico of a building.
 - C. Additional directional or identification type name plate signs, affixed flat against a wall or door, shall be permitted. Such signs shall not exceed a total of 12 square feet of display area per sign, nor exceed 1 foot in height.
 - D. Freestanding signs and wall signs may be illuminated.

(h) Temporary Signs.

Section 4. City of Southgate Sign Ordinance

For review on March 13, 2023

- (1) 1 temporary sign is provided the sign is no larger than 32 square feet for a single surface area or 64 square feet for signs of 2 or more faces and is displayed for no more than 2 weeks prior to the event or activity and that it be removed within 24 hours of the conclusion of the event or activity.
- (2) Temporary event signs are allowed for residential properties provided they are not placed in the public right-of-way and do not exceed 6 square feet for a single surface area or 12 square feet for signs of 2 or more faces. Garage and yard-sale signs shall be removed within 24 hours of the conclusion of the event or activity.
- (3) Temporary promotional signs typically associated with uses where at least 51% of inventory is designed for the outdoor display and sale of merchandise on a year-round basis shall be exempt. This exemption shall only apply to promotional signs and/or devices that relate to the sale of the merchandise which is located on the lot. This exemption shall not be interpreted to include large scale inflatable devices (such as inflatable rooftop balloons or characters), strobes, spotlights, beacons, or signs that display any flashing or moving lights, or painted signs. Temporary promotional signs for these specific uses shall comply with all applicable general provisions of this section.
- (4) Portable signs, not larger than 48 square feet and the temporary display of banners or pennants events may be installed in any C-1, C-2 or C-3 District, and shall meet the following criteria:
 - A. 8 individual permits may be requested throughout the calendar year. Each permit shall be for a period of 7 consecutive days. These permits may be spread out throughout the calendar year or requested in larger increments. For example, if a 2week display is needed; 2 permits will be required.
 - B. A permit must be secured from the Building Department and the appropriate fee paid prior to installation.
 - C. All portable signs must comply with this section.
 - D. All portable signs shall be located on the property accessory to and cannot interfere with the vision of pedestrians or traffic.
 - E. If a portable sign is to be illuminated, the temporary connection shall meet the requirements of the National Electrical Code. Each portable, illuminated sign shall be protected by a ground fault circuit interrupter. Temporary cord connections to buildings or other means must be approved by the Electrical Inspector prior to energizing the sign. All temporary cords must be a minimum of No. 14 gauge wire.
- (5) Temporary Window Signs.
 - A. Each business establishment shall be permitted temporary window signs, provided that such signs do not exceed 25% of the area of any single window or of adjoining windows on the same frontage. This provision is not intended

Section 4. City of Southgate Sign Ordinance

For review on March 13, 2023

to restrict signs utilized as part of a window display of merchandise when such signs are incorporated within such display.

(6) Freestanding Message Board Signs.

A. 1 message board sign which display daily specials or promotions of the associated business may be utilized throughout the calendar year provided the following conditions are met:

1. No other temporary signs (including but not limited to portable; banners; pennants; streamers; signs transported by means of wheels; additional A- or T-frames; additional menu and sandwich boards; balloons; or umbrellas used for advertising; and signs attached to or painted on vehicles) shall be requested or utilized by the establishment.
2. Total height of the sign shall not exceed 4 feet and the total sign display area shall not exceed 24 inches by 36 inches.
3. The message board sign shall only be displayed during regular business hours and must be removed and appropriately stored within the business at the close of the business each day.
4. The message board sign shall be located on the property accessory to and shall not impede pedestrian or vehicular traffic. At no time shall the message board be allowed within required parking spaces or public rights-of-way, which includes public sidewalks.
5. The message board sign shall be properly anchored to the ground to avoid movement and ensure the public health, safety, and welfare.
6. The message board shall meet all the general provisions of this section as outlined in subsection (b) hereof.
7. A plot plan of the site indicating where the temporary message board sign will be placed shall be submitted to the Building Department as part of the permitting process. The location of the message board sign will be approved by the Building Department and shall be always adhered to by the applicant.

(j) Any sign not expressly permitted in this section is hereby prohibited.

(k) Substitution.

- (1) Notwithstanding any provision of this Section to the contrary, to the extent that this Section allows a sign containing a commercial copy, it shall allow a non-commercial sign to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from 1 noncommercial message to another, as frequently as

Section 4. City of Southgate Sign Ordinance

For review on March 13, 2023

desired by the sign's owner, provided that the sign is not prohibited, and the sign continues to comply with all requirements of this Section.

1298.19 PERFORMANCE STANDARDS.

No use otherwise allowed shall be permitted within any district set forth in this Zoning Code, which use does not conform to applicable performance standards pertaining to the limitation of smoke, dust, dirt, fly ash, chemical propellants, glare, radioactivity, fire, explosive hazards, noise, vibration, odors and wastes as set forth and regulated by County, State or Federal laws.

1298.20 NONCONFORMING SIGNS.

The lawful use of a sign exactly as the sign existed on the date of adoption of this amendment, may be continued, except as otherwise provided in this chapter, although that sign does not conform with this chapter. It is the intent of this chapter, however, to recognize the prompt elimination, as expeditiously as is reasonable, of such lawful nonconforming signs.

(a) A nonconforming sign:

- (1) Shall not be altered in any fashion to prolong the life of the sign or to change the shape, size, type, or design of the sign.
- (2) Shall not be re-established after the activity, business, or usage to which it relates has been discontinued, closed, or sold.
- (3) Shall not be re-established after having been damaged or destroyed if the estimated expense of reconstruction exceeds 50% of the replacement cost as determined by the Building Official.
- (4) Shall not have any changes to the content displayed on the sign unless the sign is a changeable message board sign or substantially similar type of sign designed for periodic change of the sign message.

(c) Prohibited Signs.

(1) Any sign in which a proprietor has not received a sign permit, unless specifically exempt.

(2) Strings of light bulbs, pennants, balloons, streamers, banners, beacons or other portable signs are prohibited, except as allowed in subsection (j) hereof.

(3) Signs that employ any flashing, moving, oscillating, blinking or variable intensity of light and are not either an animated or reader board sign.

(4) Roof signs and integral roof signs.

~~—(5) Murals are prohibited unless utilized only for aesthetic and architectural purposes and approved by City Council.~~

~~—(6) Painted signs on exterior walls.~~

(7) Billboard ~~or off-premise~~ signs.

(8) Vehicle ~~business~~ signs.

(A) Vehicles with **business** signs are permitted if used in the day-to-day operation of the business. At the close of the business, the vehicle must either be removed from the property or parked within the loading/unloading zone. If no loading zone exists, the vehicle must be parked at a point on the site not readily visible from the public rights-of-way when not in use. The vehicle must be in operable condition and licensed with the State of Michigan.)

(9) Temporary window signs that exceed ~~twenty-five percent (25%)~~ of the area of the window and door on which such signs are located.

(10) Any notice, placard, bill, card, poster, sticker, sign, advertising or other device calculated to attract the attention of the public which any person posts, prints, sticks, stamps, tacks or otherwise affixes, or causes the same to be done to or upon any street, right-of-way, public sidewalk, crosswalk, curb, hydrant, tree, telephone pole, or upon any fixture of the police or fire alarm system of the City is prohibited.

(d) Exempt Signs.

(1) The following signs are exempt from the regulations of this section, including sign permits:

(2) Legal notices, identification, information, or directional sign erected, or required by a government agency. ~~Highway and street signs erected by a state, county or municipal road agency identifying highways, giving direction to streets or places of interest or establishing restrictions or conditions of use for streets and highways. This exemption shall further include all such signs authorized by a road agency in conjunction with infrastructure improvements.~~

(3) Historic markers placed under the authority of the local, ~~state~~state, or federal government.

(4) Essential service signs.

(5) Placards not exceeding two square feet.

(6) Building marker not exceeding two square feet.

(7) Flags.

(8) Decorative, seasonal or temporary signs displayed by the City of Southgate. Such displays shall be only in commemoration of a national holiday or some other civic purpose of general public interest.

(e) Signs Exempt from Permits.

(1) The following signs shall not require a sign permit but shall comply in all other respects with the regulations set forth herein:

(2) ~~(1) Government signs.~~ Signs erected by a government agency.

~~—(2) Real estate signs are allowed in any residential zoning district provided that they shall not have a surface area greater than six square feet for a single surface area or 12 square feet for signs of two or more faces or a height of four feet nor shall there be more than two signs on any one lot. Real estate signs are permitted in any non-residential zoning district provided that they shall not have a surface area greater than 32 square feet for a single surface area or 64 square feet for signs of two or more faces. Real estate signs must be removed within ten days of the sale, rent or lease of the property. Only signs advertising industrial real estate for sale or rental are permitted within 500 feet of a freeway, provided that such real estate advertising signs are used during the construction of a building or the offering for sale or rental of real estate, and provided, further, that they are not larger than ten square feet in area.~~

~~—(3) Construction signs are allowed within any zoning district provided a building permit has been issued for the project. Construction signs shall not exceed 32 square feet in area for a single surface area or 64 square feet for signs of two or more faces or six feet in height. Construction signs must be removed from the property within five days of receipt of certificate of occupancy.~~

~~—(4) One temporary sign is allowed for the promotion of a special event or activity of a church, non-profit or educational institution provided the sign is no larger than 32 square feet for a single surface area or 64 square feet for signs of two or more faces and is displayed for no more than two weeks prior to the event or activity and that it be removed within 24 hours of the conclusion of the event or activity.~~

~~—(5) Temporary garage or yard sale signs, graduation, birthday parties, open houses, etc. are allowed for residential properties provided they are not placed in the public right of way and do not exceed six square feet for a single surface area or 12 square feet for signs of two or more faces. Garage and yard-sale signs shall be removed within 24 hours of the conclusion of the event or activity.~~

~~—(6) Temporary promotional signs typically associated with uses where at least fifty-one percent (51%) of inventory is designed for the outdoor display and sale of merchandise on a year-round basis shall be exempt. This exemption shall only apply to promotional signs and/or devices that relate to the sale of the merchandise which is located on the lot. This exemption shall not be interpreted to include large scale inflatable devices (such as inflatable rooftop balloons or characters), strobes, spotlights, beacons, or signs that display any flashing or moving lights, or painted signs. Temporary promotional signs for these specific uses shall comply with all applicable general provisions of this section.~~

(3) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of 90 days prior to and three (3) days after a designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to sixty-four (64) square feet per premise in all districts. The maximum area of an individual sign remains

(4) ~~(6)~~ In residential areas, signs identifying properties for sale, lease, or rent provided the sign does not exceed 6 square feet in area for a single surface area or 12 square feet for signs of two or more faces or a height of four feet nor shall there be more than

two signs on any one lot. In all other districts, a sign shall not have a surface area greater than 32 square feet for a single surface area or 64 square feet for signs of two or more faces. Only signs for industrial properties are permitted within 500 feet of a freeway, provided that such signs are used during the construction of a building or the offering for sale or rental of real estate, and provided, further, that they are not larger than 10 square feet in area. Such signs shall be removed within 10 days following the sale, lease, or rent of the property.

(f) –Signs in a Residential District.

(1) No signs shall be permitted in the R-1, R-1A, R-1B or RM Districts, except for the following:

(21) ~~Subdivision entrance signs;~~Entranceway signs;

(32) ~~Freestanding accessory signs and accessory wall signs for schools, churches, cemeteries, golf courses, hospitals, elderly housing, or convalescent care and nursing homes, subject to the following conditions;~~Signs for a permitted use other than residential are subject to the following conditions:

A. One freestanding sign with a maximum display area per side of 60 square feet and a maximum height of ~~6~~six feet, measured from the base of the sign on the ground to the highest point of the sign structure, shall be permitted.

B. One wall sign per street frontage shall be permitted. Such signs shall not exceed 25 square feet in total display area per sign and shall be affixed flat against a wall or engraved into a wall or portico of a building.

C. Additional directional or identification type name plate signs, affixed flat against a wall or door, shall be permitted. Such signs shall not exceed a total of 144 square inches of display area per sign, nor exceed six inches in height.

D. Freestanding signs and wall signs may be illuminated.

~~(g) –Free Standing Signs. Free-standing signs in any Commercial or Industrial District shall be not more than 20 feet in height nor more than 100 square feet in area on each side. The bottom of such sign shall be a minimum of eight feet above the ground level. A monument sign, not more than ten feet in height, may be a maximum of 150 square feet on each side, provided such sign is erected so as not to obscure pedestrian traffic at driveways and approaches. Where more than one establishment is connected together (as in a shopping center) only one free-standing sign will be allowed. The developer shall make arrangements during construction to provide a central location for a free-standing sign, with a minimum of three-fourths inch galvanized conduit from each establishment to the proposed sign footing base.~~

~~–(h) Directional Signs. Directional signs are allowed provided they are limited to the identification of functions such as traffic control, loading areas, etc., on the lot and do not advertise the use of the lot. Directional signs shall not exceed two feet in height or two square feet in area for a single surface area or four square feet for signs of two or more faces.~~

~~—(i) Wall Mounted Signs. Wall mounted signs shall comply with the following standards:~~

~~—(1) One principal wall sign shall be permitted for each wall containing an entrance designed and intended for public (customer) access. A principal wall sign shall not exceed 100 square feet in total display area, except that the display area of a principal wall sign may be increased one square foot for every three feet or fraction thereof that the wall to which the sign is to be attached sets back behind the minimum setback requirement of the district, up to a maximum of 250 square feet, or up to a maximum display area of ten percent (10%) of the total area of the wall to which the sign is to be attached, including all doors and windows in the wall, whichever shall result in the lesser amount.~~

~~—(2) Additional accessory wall signs (excluding directional signs) may be attached to any wall at the discretion of the applicant up to a maximum total square feet of display area for all such signs of not more than 100 square feet, except that the total square feet of display area may be increased by one square foot for every five feet or fraction thereof that the wall or walls to which these signs are to be attached sets back behind the minimum setback requirement of the district, up to a maximum of 150 square feet, or up to a maximum display area of five percent (5%) of the total area of the wall to which a sign or signs are to be attached, including all doors and windows in the wall, whichever shall result in the lesser amount.~~

~~—(3) No advertising shall be placed on any awning or canopy except the name of the owner, business or industry conducted within the premises; it may be painted or otherwise permanently placed flush on the awning or canopy, but only if the combination of all signs on the building front do not exceed the maximum allowable area for wall signs.~~

~~—(4) No wall sign shall extend above the roof line of the building to which is it attached.~~

~~—(5) No sign that is mounted along the face of the building on the premises shall project or overhang the wall or any permanent architectural feature.~~

(j) Temporary Signs.

—(1) One temporary sign is provided the sign is no larger than 32 square feet for a single surface area or 64 square feet for signs of two or more faces and is displayed for no more than two weeks prior to the event or activity and that it be removed within 24 hours of the conclusion of the event or activity.

—(2) Temporary event signs are allowed for residential properties provided they are not placed in the public right-of-way and do not exceed 6 square feet for a single surface area or 12 square feet for signs of two or more faces. Garage and yard-sale signs shall be removed within 24 hours of the conclusion of the event or activity.

—(3) Temporary promotional signs typically associated with uses where at least 51% of inventory is designed for the outdoor display and sale of merchandise on a year-round basis shall be exempt. This exemption shall only apply to promotional signs and/or devices that relate to the sale of the merchandise which is located on the lot. This exemption shall not be interpreted to include large scale inflatable devices (such as inflatable rooftop balloons or characters), strobes, spotlights, beacons, or signs that display any flashing or moving lights.

or painted signs. Temporary promotional signs for these specific uses shall comply with all applicable general provisions of this section.

(4) Portable signs, not larger than 48 square feet and the temporary display of banners or pennants ~~relating to special promotional~~ events may be installed in any C-1, C-2 or C-3 District, and shall meet the following criteria:

(A1) Eight individual permits may be requested throughout the calendar year. Each permit shall be for a period of seven consecutive days. These permits may be spread out throughout the calendar year or requested in larger increments. For example, if a two-week display is needed; two permits will be required.

(B2) A permit must be secured from the Building Department and the appropriate fee paid prior to installation.

(C3) All portable signs must comply with this section.

(D4) All portable signs shall be located on the property accessory to ~~must be on private property~~ and cannot interfere with the vision of pedestrians or traffic.

(E5) If a portable sign is to be illuminated, the temporary connection shall meet the requirements of the National Electrical Code. Each portable, illuminated sign shall be protected by a ground fault circuit interrupter. Temporary cord connections to buildings or other means must be approved by the Electrical Inspector prior to energizing the sign. All temporary cords must be a minimum of No. 14 gauge wire.

~~—(6) This paragraph shall not apply to City displays.~~

(k) Temporary Window Signs.

(1) Each business establishment shall be permitted temporary window signs, provided that such signs do not exceed ~~twenty-five percent (25%)~~ of the area of any single window or of adjoining windows on the same frontage. This provision is not intended to restrict signs utilized as part of a window display of merchandise when such signs are incorporated within such display.

(l) Freestanding Message Board Signs.

(1) One message board sign which display daily specials or promotions of the associated business may be utilized throughout the calendar year provided the following conditions are met:

(1) No other temporary signs (including but not limited to portable; banners; pennants; streamers; signs transported by means of wheels; additional A- or T-frames; additional menu and sandwich boards; balloons; or umbrellas used for advertising; and signs attached to or painted on vehicles) shall be requested or utilized by the establishment.

(2) Total height of the sign shall not exceed ~~4~~four feet and the total sign display area shall not exceed 24 inches by 36 inches.

(3) The message board sign shall only be displayed during regular business hours and must be removed and appropriately stored within the business at the close of the business each day.

(4) The message board sign shall be located on ~~private~~ the property accessory to and shall not impede pedestrian or vehicular traffic. At no time shall the message board be allowed within required parking spaces or public rights-of-way, which includes public sidewalks.

(5) The message board sign shall be properly anchored to the ground to avoid movement and ensure the public health, safety, and welfare.

(6) The message board shall meet all the general provisions of this section as outlined in subsection (b) hereof.

(7) A plot plan of the site indicating where the temporary message board sign will be placed shall be submitted to the Building Department as part of the permitting process. The location of the message board sign will be approved by the Building Department and shall be adhered to at all times by the applicant.

~~(m)~~ (m) Substitution Clause.

(1) Notwithstanding any provision of this Section to the contrary, to the extent that this Section allows a sign containing commercial copy, it shall allow a non-commercial sign to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited, and the sign continues to comply with all requirements of this Section.

(n) Any sign not expressly permitted in this section is hereby prohibited.

~~(Ord. 458, Passed 1-4-89; Ord. 476, Passed 3-29-90; Ord. 480, Passed 7-18-90; Ord. 486, Passed 11-7-90; Ord. 489, Passed 1-30-91; Ord. 542, Passed 1-12-94; Ord. 606, Passed 3-5-97; Ord. 649, Passed 11-12-97; Ord. 658, Passed 6-24-98; Ord. 666, Passed 7-22-98; Ord. 781, Passed 6-18-03; Ord. 832, Passed 10-4-06; Ord. 835, Passed 11-15-06; Ord. 844, Passed 2-21-07; Ord. 858, Passed 2-20-08; Ord. 859, Passed 2-20-08; Ord. 860, Passed 2-20-08; Ord. 893, Passed 12-16-09; Ord. 895, Passed 1-6-10; Ord. 913, Passed 8-4-10; Ord. 957, Passed 12-19-12; Ord. 963, Passed 7-3-13.)~~

1298.19 PERFORMANCE STANDARDS.

No use otherwise allowed shall be permitted within any district set forth in this Zoning Code, which use does not conform to applicable performance standards pertaining to the limitation of smoke, dust, dirt, fly ash, chemical propellants, glare, radioactivity, fire, explosive hazards, noise, vibration, odors and wastes as set forth and regulated by County, State or Federal laws.

~~{Ord. 458. Passed 1-4-89.}~~

1298.20 NONCONFORMING SIGNS.

(a) The lawful use of a sign exactly as the sign existed on the date of adoption of this amendment, may be continued, except as otherwise provided in this chapter, although that sign does not conform with this chapter. It is the intent of this chapter, however, to recognize the prompt elimination, as expeditiously as is reasonable, of such lawful nonconforming signs.

~~{Ord. 531. Passed 6-30-93.}~~

(b) A nonconforming sign:

(1) Shall not be altered in any fashion so as to prolong the life of the sign or to change the shape, size, type or design of the sign;

(2) Shall not be re-established after the activity, business or usage to which it relates has been discontinued, closed or sold;

(3) Shall not be re-established after having been damaged or destroyed if the estimated expense of reconstruction exceeds fifty percent of the replacement cost as determined by the Building Official; and

(4) Shall not have any changes to the content ~~made in the words or symbols used or the message~~ displayed on the sign unless the sign is a ~~bulletin board~~ changeable message board sign or substantially similar type of sign designed for periodic change of the sign message.

~~{Ord. 652. Passed 11-26-97.}~~

Mural and Sign Committee.