

## CHAPTER 28 SIGNS

### SECTION 28.01 DESCRIPTION AND PURPOSE

Except as otherwise or additionally regulated for particular types of signs (e.g., billboards), this chapter sets forth regulations regarding the size, number, location and manner of display of signs in the Township to address the following purposes (without limitation):

- A. To protect and further the health, safety and welfare of Township residents, property owners and visitors.
- B. To prevent traffic and pedestrian hazards caused by signs, which obstruct vision, distract, disorient or confuse drivers, or are improperly secured or constructed.
- C. To conserve and enhance community character and avoid the appearance of clutter.
- D. To promote uniformity in the size, number and placement of signs within districts.
- E. To promote the economic viability of commercial areas by minimizing visual clutter and allowing for proper placement of signs to safely direct motorists to their destination.
- F. To balance the public's right to be informed and its desire to avoid visual and hazardous conditions.
- G. To minimize light pollution and light spillover as well as the effects of light pollution and light spillover on adjacent areas.

### SECTION 28.02 DEFINITIONS

- A. **Abandoned Sign:** A sign which no longer identifies or advertises a currently operating business, lessee, service, owner, product, or activity, and/or for which no legal owner can be found.
- B. **Agricultural Industry Sign:** A sign that identifies items, products, breeds of animals, poultry or fish, materials, or farming methods used on a farm and also including signs for farm organizations.
- C. **Animated Sign:** A sign, which uses movement or change of lighting to depict action or to create a special effect or scene. The transition time associated with a lawful digital sign does not cause a digital sign to be deemed an animated sign.

- D. **Awning/Canopy:** A retractable or fixed shelter constructed of materials on a supporting framework from the exterior wall of a building. An awning is the same as a canopy.
- E. **Awning /Canopy Sign:** Letters, numerals or other drawings painted on, printed on, or attached flat against the surface of an awning/canopy.
- F. **Balloon Sign:** A sign composed of a non-porous bag of material filled with air or gas whether or not it contains a message.
- G. **Banner Sign:** A sign constructed of cloth, fabric or other light temporary material with or without a structural frame, used for a limited period of display not to exceed 45 continuous days, including decoration displays for holidays or public demonstrations.
- H. **Banners:** A piece of cloth or other flexible material attached to a pole for decorative purposes.
- I. **Beacon Sign:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source, or any light with one or more beams that rotate or move.
- J. **Billboard:** A billboard shall constitute an accessory use of property in designated commercial, industrial and planned zoning districts. A billboard is also referenced as an off-premise sign which advertises or depicts an establishment, service, merchandise, use, entertainment, activity, or product that is not conducted, sold, produced, or furnished upon the lot where the sign is located. A billboard may incorporate the technology identified herein for a “digital sign.”
- K. **Campaign Sign:** A temporary sign related to a primary, general or special election, which displays the name, party or other related information of political candidates running for office, issues placed upon a ballot to be voted upon or other political issues. Without limitation, a campaign sign is not permitted in the public right-of-way.
- L. **Clearance (of a Sign):** The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including all framework, except poles, and embellishments, extending over that grade.
- M. **Commercial Establishment:** A business operating independent of any other business which is separated from other businesses by walls from the ground up and with a door or entrance which may regularly be used by the public for exclusive ingress and egress to that business.
- N. **Community Service Group Sign:** A sign which displays the name or logo of an agency, organization or group whose primary purpose is to promote or provide community or public service such as the Rotary Club, Jaycee's, Lion's Club or Ambucs.

- O. **Community Special Event Sign:** A portable sign which is erected for a limited time to call attention to special events of interest to the general public which are sponsored by governmental agencies, schools, religious institutions, or other groups which are non-profit and whose purpose is charitable, philanthropic, religious or benevolence.
- P. **Construction Sign:** A sign regarding a project which is under construction and identifies the name of a business or proposed use and any or all of the following: Owners; Developers; Financiers; Contractors; Architects; Landscape Architects; Engineers; and, “Coming Soon” or “Opening Date” types of announcements.
- Q. **Copy:** The wording or graphics on a sign surface in either permanent or removable letterform.
- R. **Digital Sign:** A sign that has or appears to contain movement or that appears to change, caused by a method other than physically removing and replacing the sign or its components, whether the real or apparent movement or change is in the display, the sign structure itself, or any other part of the sign. A digital sign often incorporates a technology allowing the sign face to change the image without the necessity of physically or mechanically replacing the sign face or its components. A digital sign may include a rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, “digitalink,” electronic message centers, or other similar methods or technologies that permit a sign face to present different images or displays.
- S. **Directional Sign:** A sign providing directions for vehicular or pedestrian circulation within, into or out of a land use. A directional sign shall not contain advertising copy and shall be located on the property where the land use is located.
- T. **Directory Sign:** A sign, which displays the names and locations of occupants or the use of a building. A directory sign shall not contain advertising copy.
- U. **Easel and Sandwich Board Signs:** An easel or sandwich board sign is a portable, fixed copy sign mounted to a freestanding pedestal, sandwich board, or easel frame.
- V. **Exempt Sign:** A sign that is not regulated by the provisions of this Ordinance.
- W. **Expressive Sign:** A sign expressing or communicating a noncommercial message, opinion, or point of view, such as ideological, religious, and social message signs. Without limitation, an expressive sign is not permitted in the public right of way.
- X. **Facade:** The entire building front including the parapet, mansard roof and any planter wall. In the case of a corner lot the building front shall be the wall of the building facing the front lot line as defined in Section 2.83A.

- Y. **Face of Sign:** The area of a sign on which the copy is placed.
- Z. **Farm Identification Sign:** A sign, which identifies the name of the farm, or the family or person operating the farm.
- AA. **Festoons:** A string of lights, ribbons, tinsel, streamers, sequins, disks or pinwheels, whether or not they contain graphics, symbols and/or written copy, except for Christmas decorations.
- BB. **Flag Sign:** A flag that is attached to a pole or a structure.
- CC. **Flashing Sign:** A sign which contains an intermittent or sequential flashing, moving, oscillating, or blinking light source used to attract attention. An otherwise lawful reader board, digital sign or animated sign is not a flashing sign.
- DD. **Freestanding Sign:** A sign not attached to a building or wall which is supported by one, or more poles or braces or which rests on the ground or on a foundation resting on the ground.
- EE. **Government Sign:** A sign erected or required to be erected by the Township, Kent County, a public or private school, or the State or Federal government.
- FF. **Ground Sign:** A freestanding sign supported by a base which rests directly on the ground.
- GG. **Height (of Sign):** The vertical distance measured from the highest point of the sign, including any decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever ground elevation is less compare with "Clearance."
- HH. **Illegal Sign:** A sign that does not meet the requirements of this Ordinance and is not legally nonconforming.
- II. **Illuminated Sign:** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- JJ. **Incidental Sign:** A sign, emblem or decal attached to poles, a building or another structure, informing the public of goods, facilities or services available on the premises, e.g., a credit card sign, a restroom sign or a sign indicating hours of business.
- KK. **Inflatable Sign:** A sign that is either expanded to its full dimensions, or supported by gasses contained within the sign, or parts, at pressure greater than atmospheric pressure.
- LL. **Maintenance:** The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

- MM. **Memorial or Historical Sign:** A sign, tablet, or plaque memorializing a person, event, structure or site.
- NN. **Marquee:** A permanent structure that projects from the exterior wall of a building.
- OO. **Marquee Sign:** A sign affixed flat against the surface of a marquee.
- PP. **Mural:** A design or representation painted or drawn on a wall of a building, which does not advertise an establishment, product, service, or activity and does not contain letters or numerals.
- QQ. **Nameplate:** A non-illuminated, on-premise sign giving only the name, address and/or occupation of an occupant or group of occupants.
- RR. **Nonconforming Sign:** A sign, which was legally erected prior to this Ordinance but does not conform to this Ordinance. A nonconforming sign is also known as a lawfully nonconforming sign.
- SS. **Obsolete Sign:** Any sign, or any part thereof, which identifies or advertises a business, person, product, accommodation, service, or activity that has ceased to operate.
- TT. **Occupancy:** The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.
- UU. **Off-Premise Sign:** Another term for a billboard.
- VV. **On-Premise Sign:** A sign, which pertains to the use of the premises on which it is located.
- WW. **Placard:** A sign not exceeding two square feet which provides notices of a public nature, such as "No Trespassing," "No Hunting" signs or "Gas Main" signs.
- XX. **Pennant:** A triangular shaped, lightweight piece of plastic, fabric, or other material, whether or not containing a message of any kind, suspended from or attached to a rope, wire, or string, usually in series, designed to move in the wind.
- YY. **Permanent Sign:** A sign which is permanently affixed into the ground or a building and meets the requirements of a structure under the Township Building Code or its successor code.
- ZZ. **Pole Sign:** A free standing sign which is supported by a structure, or poles, pylon or braces.
- AAA. **Portable Sign:** A sign that is not permanent or affixed to a building or structure and by its nature may be or is intended to be moved from one location to another such as "A" frame signs or signs on moveable trailers whether rented or owned.

- BBB. **Projecting Sign:** A double-faced sign attached to a building or wall that extends more than 12 inches but not more than 36 inches from the face of the building or wall.
- CCC. **Reader Board:** Reader Board means one or more of the following:
- i. **Automatic:** An electrically controlled sign, where different copy changes are shown on the same unexposed lamp bank or rotating portion of the face of the sign, used as a message center reader board. An automatic reader board is a type of digital sign and subject to all requirements for digital signs.
  - ii. **Manual:** A sign on which a copy is changed manually, such as reader boards with changeable letters or pictorials.
- DDD. **Real Estate Sign:** A sign advertising the premises upon which the sign is located as being for sale, rent, or lease.
- EEE. **Residential Development Sign:** A sign identifying a platted subdivision, site condominium development, multi-family development or other residential development
- FFF. **Roof Line:** The top of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.
- GGG. **Roof Sign:** A sign attached to a building, any portion of which is located above the roofline of a building or is designed to be part of the roof.
- HHH. **Rotating Sign:** A sign in which the sign itself or any portion of the sign visually moves. Such motion does not refer to methods of changing copy on a reader board, or multi-message displays using a series of turning triangles.
- III. **Seasonal, National or Holiday Signs:** Signs in the nature of decorations which are seasonal, clearly incidental and customarily associated with a national, local or similar holiday.
- JJJ. **Sign:** A device, structure, fixture, or placard, which may or may not use graphics, symbols, and/or written copy designed specifically for the purpose of advertising, identifying, depicting or commenting about an establishment, product, service, activity, person or idea.
- KKK. **Sign or Copy Area:** The area of a sign shall be measured within a single, continuous perimeter composed of any straight-line geometric figure, which encloses the extreme limits of the sign, excluding the necessary supports, braces or uprights of the sign. Where a sign has two or more faces, the cumulative area of all faces shall be included in determining the area of a sign, except that where two faces are placed back-to-back and are at no point more than two feet from one another, the area of the sign shall be deemed to be only the area of one face,

or if faces are of different sizes, the area of the larger face. Poles and pole covers shall not be included in the area of a sign if they do not bear advertising copy or colors, patterns or logos.

- LLL. **Sign Owner:** The owner of the premises upon which a sign is located is the person responsible for the sign.
- MMM. **Snipe Sign:** Signs that are attached to a utility pole, tree, fence, stake, wire or any object located or situated on public or private property.
- NNN. **Street Banner Sign:** A sign, which is stretched across and hung over a public or private street right-of-way.
- OOO. **Strobe Sign:** Any sign or device that uses a flash lamp that produces high intensity short duration light pulses by electric discharge in a gas.
- PPP. **Temporary Sign:** Any sign that is used only temporarily (or is designed to be used temporarily) and is not permanently mounted which is to be in place for a period of time not to exceed one year.
- QQQ. **Under-Canopy Sign:** A sign suspended beneath a canopy, ceiling, roof, or marquee.
- RRR. **Vehicle Sign:** A vehicle, which is primarily located or used to serve as a sign rather than as transportation. This includes trucks, trailers either attached or detached from a truck tractor, vans, cars, boats and other similar types of vehicles.
- SSS. **Wall Sign:** A sign painted or attached directly to and parallel to the exterior wall of a building extending no greater than 12 inches from the exterior face of a wall to which it is attached.
- TTT. **Window Sign:** A sign installed on the inside surface of a window and intended to be viewed from the outside.

#### SECTION 28.03 SIGNS PROHIBITED

A sign not expressly permitted by this Ordinance is prohibited. Without limiting the foregoing, the following types of signs are prohibited:

- A. Abandoned signs, including any supporting structure, existing for more than one year.
- B. Animated signs.
- C. Festoons.
- D. Portable signs except as expressly permitted herein.

- E. Balloon signs.
- F. Flashing signs.
- G. Roof signs.
- H. Rotating signs.
- I. Signs imitating or resembling official traffic or government signs or signals.
- J. Snipe signs.
- K. Strobe signs.
- L. Vehicle signs.
- M. Temporary signs, except as expressly permitted herein.
- N. Illegal signs.
- O. Beacon signs.
- P. Flag signs, except as regulated in Section 28.04K.
- Q. Inflatable signs.

#### SECTION 28.04 SIGNS EXEMPTED

The following signs shall be exempted from the provisions of this Ordinance except for the regulations of Section 28.13.

- A. Government signs with a sign area of two square feet or less.
- B. Window signs.
- C. Memorial signs with a sign area of four square feet or less.
- D. Noncommercial murals with a maximum area of ten percent of the wall area on which it is painted or attached.
- E. Signs that are designed or located so as not to be visible from any adjoining street or property.
- F. Signs for public services with a sign area of four square feet or less.
- G. Placards.
- H. Community service group signs with a sign area of four square feet or less.



- I. Newspaper box signs.
- J. Farm identification signs with a sign area of four square feet or less.
- K. A maximum of three pole-mounted flags or insignia, none of which exceed 60 square feet in area, of any nation, state, township, community organization or educational institution.
- L. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, telephone booths, ATM machines and gasoline pumps.
- M. Real Estate “Open House” signs with a sign area of two square feet or less.

**SECTION 28.05 SIGN REGULATIONS APPLICABLE TO ALL DISTRICTS**

The following sign regulations are applicable in all Zone Districts.

- A. **On-Premise Signs:** All signs shall be on-premise signs except for billboards, community special event signs, development identification signs, and signs advertising farm products or operations as permitted herein or government signs as regulated in Section 28.05 K.2.
- B. **Reader Boards/Changeable Copy:** Permitted wall and freestanding signs may include reader boards or any type of digital sign provided, however, that the area of the reader board or digital sign may not exceed 50% of the total sign area.
- C. **Pole Sign Clearance:** Any permitted pole sign, including awnings to which signs are affixed or displayed shall maintain a minimum clear space of eight feet from the bottom of the sign to the ground.
- D. **Vehicle Signs:** Vehicle signs are not permitted, however, commercial vehicles which have signs and are regularly used in the lawful use of the parcel on which the vehicle is located may be parked on site provided they are located in a designated parking area on an approved site plan and they are not parked in a highly visible area to passing motorists to purposefully attract attention in such a manner that they function as a sign.
- E. **Ground Signs:** Any permitted ground sign that is located less than 20 feet from any public or private street right-of-way or the nearest edge of any curb cut or driveway shall not exceed 48 inches in height. Ground signs may be five feet from any side or rear lot line.
- F. **Duration of Real Estate Signs:** Any permitted real estate sign shall be removed within three days after the completion of the sale or lease of the property.

G. **Construction Signs:** One construction sign is permitted on a parcel within any District, subject to the following restrictions:

1. **Size and Height:** Construction signs shall be no larger than 32 square feet and shall not exceed six feet in height and shall comply with Section 28.05E.
2. **Building Permit Required:** Construction signs shall not be erected until a building permit has been issued for the project, which is the subject of proposed sign, and construction activity has begun.
3. **Duration:** Construction signs shall be removed immediately upon the issuance of any Occupancy Permit for the building or structure, which is the subject of the construction sign.
4. **Warning Signs:** Signs warning of construction, excavation, or similar hazards, so long as the hazard may exist.

H. **Community Special Events Sign:** Community special event signs, including banner signs, are permitted in any District, subject to the following restrictions:

1. **Number and Size:** One special event sign is permitted to be located on the lot on which the special event is being held. Such signs shall have a maximum sign area of 32 square feet, a maximum height of six feet and shall comply with Section 28.05E.
2. **Off-site:** Off-Site special event signs are permitted, provided, that the sign area of any individual sign shall not exceed three square feet and the total sign area of all special event signs shall not exceed 90 square feet.
3. **Duration:** The display of special event signs shall be limited to the ten days immediately preceding the special event being advertised and shall be removed within 48 hours after the completion of the special event being advertised.
4. **Street Banners:** Street banner signs are permitted for a maximum period of 14 continuous days and shall be approved by the agency having jurisdiction.

I. **Directional Signs:** Directional signs are permitted in any district subject to the following restrictions:

1. **Size and Location:** Such sign shall have a maximum sign area of six square feet, shall not exceed three feet in height, and shall not be located within any street or driveway landscaped island. Directional signs may be located adjacent to but not over a lot line.

2. Logo: A directional sign may contain a logo of an on-premise establishment, provided the logo does not exceed half (50%) of the sign size.
  3. Function: Directional signs shall be limited to traffic control functions only.
- J. **Garage Sales, Estate Sales, Auctions and Roadside Stands: Garage sales, estate sales, auctions, and roadside stand signs are permitted in any district subject to the following restrictions:**
1. Location: One sign per premises is permitted, located on the premises on which such sale is being conducted and shall be a minimum of five feet from all lot lines.
  2. Size and Height: Such sign shall have a maximum sign area of six square feet, and shall not exceed three feet in height.
  3. Duration: Such sign shall be erected no more than three days prior to the day(s) of the sale and shall be removed immediately after the completion of the sale.
- K. **Government Signs:** Government signs are permitted within any Zone District in accordance with the following:
1. Government Signs – On-Premise: One ground sign is permitted on a lot on which a government facility is located provided that the sign area does not exceed 32 square feet, the maximum height does not exceed six feet and it complies with Section 28.05 E.
  2. Government Sign – Off-Premise: Signs are permitted subject to the issuance of a Special Use permit by the Planning Commission in accordance with the procedures contained in Section 27.02 and the specific Site Design Standards contained in Section 27.05 JJ.
- L. All regulated signs shall comply with the provisions of Section 28.13.
- M. **Help Wanted:** Temporary “help wanted” signs not exceeding 45 days within any calendar year and provided the sign area does not exceed eight square feet and shall be a minimum of five feet from all lot lines.
- N. **Street Address Numbers:** Any commercial or freestanding sign larger than 24 square feet shall include the street address numbers on each side in block style, at least ten inches height. The address area shall not be included in the computation of the sign size.
- O. **Support Structure Widths:** The support structure, braces or poles of any pole sign shall not have a total or combined width greater than 50% of the sign width or three feet, whichever is less, unless the entire sign is located more than 20 feet

from any public or private street right-of-way, any property line or the nearest edge of any curb cut or driveway.

- P. **Business Development Signs:** Business Development Signs are permitted in any non-residential district in accordance with the following:
- i. One ground sign with a maximum sign area of 32 square feet is permitted at each business park development entrance onto a public or private street to identify the park and/or the commercial establishments located within the park.
  - ii. The height of any such ground sign shall not exceed six feet and shall comply with Section 28.05E.
- Q. **Additional Standards:** See Section 28.13 Design, Construction and Location Standards.
- R. **Seasonal, National or Holiday Signs.** Seasonal, holidays or national event signs are permitted to be displayed for 30 days prior to the event and seven days after the completion of the event. Such signs shall not exceed 32 square feet in area.
- S. **Campaign Signs:**
1. **Size:** The sign area of any single sign shall not exceed twelve square feet and shall be setback a minimum of five feet from all lot lines.
  2. **Number:** There shall be no more than four signs on any single property and all such signs shall be located on private property. The total amount of sign area for all signs utilized shall not exceed 32 square feet.
  3. **Duration:** Campaign signs are only permitted for a period not to exceed 60 days prior to an election or voting day, and all such signs shall be removed within 14 days after an election or voting day.
- T. **Expressive Signs:**
1. **Size:** The sign area of any single sign shall not exceed twelve square feet and shall be setback a minimum of five feet from all lot lines.
  2. **Number:** There shall be no more than four signs on any single property and all such signs shall be located on private property. The total amount of sign area for all signs utilized shall not exceed 32 square feet.
- U. **Second Floor Business Signs:** In any non-residential zone district, a business located on the second floor of a building which is a distinct business from that located on the first floor of the same building, shall be permitted one sign not more than 18 inches high or more than three feet wide to be placed on the wall frontage of the business. Interior businesses without wall frontage are not permitted exterior wall signage. However, second floor businesses may be listed

on a directory sign located at the public access to the building. No other signs are permitted for second floor businesses, except upon a permitted freestanding sign.

- V. **Projecting Signs:** A projecting sign shall not exceed a surface area of 12 square feet. It shall be at least nine feet above ground level and shall not project above the roof or parapet line. The front edge of a projecting sign must not project closer than two feet inside the street curb and must receive approval from the highway authority with jurisdiction over the adjacent right-of-way prior to obtaining a building permit. Projecting signs are only permitted for commercial establishments with frontage on West River Drive, between Laramie Avenue and School Street.

#### SECTION 28.06 RURAL PRESERVATION AND RURAL ESTATE RESIDENTIAL ZONE DISTRICTS

The following signs are permitted:

- A. Signs as permitted and regulated by Section 28.04 and 28.05.
- B. **Ground Sign:** For permitted non-residential uses and religious institutions, special uses and as an entry sign for a residential subdivision or a site condominium development.
1. **Size:** One sign per project not to exceed 32 square feet in area.
  2. **Height:** The height of a ground sign shall not exceed six feet above grade and shall comply with Section 28.05E.
  3. **Setback:** Setbacks for ground signs shall comply with Section 28.05E.
  4. **Religious Institutions:** In lieu of a ground mounted sign, a pole sign is permitted with a maximum sign area of 48 square feet on lots that have more than 66 feet of frontage on U. S. Highway 131.
- C. **Wall Signs:** One wall sign, not including uses accessory to the principal use, is permitted for approved non-residential structures with a maximum sign area of 48 square feet. However, religious institutions may have a wall sign, graphic or image with a maximum sign area not to exceed ten percent of the building wall face upon which the sign is attached.
- D. **Nameplates:** One nameplate with a sign area of two square feet or less may be located on any lot.
- E. **Agriculture Industry Signs, On-premise:** Such signs shall not exceed 24 square feet per sign. Only one sign is permitted on any parcel or for any one, single occupancy and no sign shall exceed six feet in height. Any ground sign shall comply with Section 28.05E.

F. **Roadside Stand Signs, Recreational Facilities, Golf Courses or Agricultural Industry Signs Off-premise:** Such signs are permitted subject to the following restrictions:

1. Number: No more than three such signs shall be displayed within the Township for any roadside stand or farm.
2. Size: Such signs shall have a maximum sign area of 16 square feet and shall not exceed six feet in height and shall comply with Section 28.05E.
3. Location Limitations: Such signs shall not be placed on a lot where another sign is located or which contains a principal use except for a single-family dwelling or farm. Digital and electronic signs are not permitted.
4. Easements: A copy of a recorded easement for such signs shall be provided to the Community Development Department.

G. **Real Estate Signs:** Subject to the following:

1. **Developed Land:** For single-family dwellings and residential lots, one sign is permitted per parcel. Such sign shall have a maximum sign area of four square feet, shall not exceed four feet in height and shall be setback a minimum of five feet from all lot lines.
2. **Undeveloped Land:** For undeveloped land, permitted non-residential uses, new subdivisions and site condominium developments, one ground sign advertising the property is permitted. Such sign shall have a maximum sign area of 32 square feet, shall not exceed a height of six feet, shall be setback a minimum of ten feet from all lot lines and shall comply with Section 28.05E. The sign shall be removed when the land or 80% of the lots or site condominiums are occupied or sold.

#### **SECTION 28.07 R-1, R-1A, R-2, R-3 AND R-4 RESIDENTIAL ZONE DISTRICTS**

The following signs are permitted:

- A. Signs as permitted and regulated by Sections 28.04, and 28.05.
- B. **Ground Sign:** For residential subdivisions, site condominium developments, multiple family developments, elderly housing, mobile home or manufactured home parks, schools, religious institutions, and other permitted non-residential uses.
  1. **Sign Area:** One sign per project not to exceed 32 square feet in area.
  2. **Height:** The height of a ground sign shall not exceed six feet above grade and shall comply with Section 28.05E.

3. **Ground Signs:** Setbacks for ground signs shall comply with Section 28.05E.
  4. **Religious Institutions:** In lieu of a ground mounted sign, a pole sign is permitted with a maximum sign area 48 square feet on lots that have more than 66 feet of frontage on U. S. Highway 131.
- C. **Wall Signs:** One wall sign is permitted for approved non-residential structures with a maximum sign area of 48 square feet. However, religious institutions may have a wall sign, graphic or image with a maximum sign area not to exceed ten percent of the building wall face upon which the sign is attached.
- D. **Nameplates:** One nameplate with a sign area of two square feet or less may be located on any lot.
- F. **Real Estate Sign:** Subject to the following:
1. **Developed Land:** For single and two family dwellings and residential lots, one sign is permitted per parcel. Such sign shall have a maximum sign area of four square feet, shall not exceed four feet in height and shall be setback a minimum of five feet from all lot lines.
  2. **Undeveloped Land:** For undeveloped land, permitted non-residential uses, new subdivisions, site condominium developments mobile or manufactured home parks, and condominium or apartment developments, one ground sign advertising the property is permitted. Such sign shall have a maximum sign area of 32 square feet, shall not exceed a height of six feet, shall be setback a minimum of ten feet from all lot lines and shall comply with Section 28.05E. The sign shall be removed when the land or 80% of the lots, site condominiums, condominiums or apartments are occupied or sold.

**SECTION 28.08 C-1, C-2, C-3, C-4 and C-5 Zoning Districts**

The following signs are permitted:

- A. Signs as permitted and regulated by Sections 28.04 and 28.05.
- B. **Freestanding Sign:** One ground sign or pole sign is permitted on any parcel on which one or more commercial establishments are located.
  1. **Pole Sign:** A pole sign is permitted in accordance with the following:
    - a. **Sign Area, Two or Three Lane Roads:** A pole sign with a maximum sign area of 64 square feet is permitted on a lot that fronts on a two- or three-lane road along which the sign is located.

- b. Sign Area, Four or More Lane Roads: A pole sign with a maximum sign area of 100 square feet is permitted on a lot that fronts on a four or more lane road along which the sign is located, provided, that the sign area of such sign may be increased by one square foot for each ten feet of frontage along a four or more lane road in excess of 100 feet. In no instance shall the sign area exceed 124 square feet.
  - c. Height: The maximum height of a pole sign in the C-1, C-2, C-3 and C-4 Zone Districts is 25 feet.
  - d. C-5 Zone District Exception: The maximum height of a pole sign in the C-5 zone district is 75 feet subject to the following:
    - i. The maximum sign area for signs over 25 feet in height shall be subject to the provisions of this Section 28.08B.1.a. and b. The sign area may be increased by six square feet for every one foot of height, not to exceed 250 square feet.
    - ii. Wireless Collocation Height Increase: The pole sign height may be increased up to a maximum of 120 feet in height, provided that a special use permit has been granted for a wireless facility collocation on the pole sign. The need for additional height shall be the minimum height demonstrated necessary for communication by the applicant. The sign area for a sign exceeding 75 feet in height may be increased six square feet for every one foot of height, not to exceed 300 square feet.
2. Ground Sign: In lieu of a pole sign, a ground sign is permitted on any parcel on which one or more commercial establishments are located. The height of any ground sign shall not exceed six feet and shall comply with Section 28.05E.
- C. Wall Signs: Subject to the following:
- 1. Number: One wall sign is permitted for each commercial establishment if the parcel has a freestanding sign as provided in Section 28.08B.
  - 2. Additional Wall Signage Option(s):
    - a. Wall signs are permitted on two walls of a commercially used building for each commercial establishment if the parcel has no freestanding sign as provided in Section 28.08B, has a ground mounted sign, or a freestanding sign of less than 64 square feet.



- b. An additional wall sign is permitted on the front of a commercial establishment not to exceed 32 square feet that has frontage on U.S. Highway 131, provided that the other wall sign faces the highway.
  - c. An additional wall sign is permitted on a wall which faces a public or private road (i.e. corner lot), or an approved and lawful service drive.
3. **Sign Area Permitted:** The maximum sign area on any one wall shall not exceed ten percent of the building wall face upon which the sign is located. In the case of multiple commercial establishments within a single building, only the portion of any wall face enclosing a particular occupancy can be used in determining the allowable sign area for that occupancy. An additional two square feet of total wall sign area is permitted for each one square foot reduction in the amount of permitted pole sign area. This additional wall sign area may be added to a permitted wall sign to increase its size or may be a separate sign.

D. **Pennants:** Pennants are permitted in accordance with all of the following:

- 1. **Permitted Locations:** Pennants are only permitted on lots that have frontage on four or more lane roads.
- 2. **Text and Logos:** No pennant shall contain any text, logos or other types of advertising.
- 3. **Width and Length (Pennant):** No pennant shall have a width greater than eight inches or a length greater than 15 inches.
- 4. **Length (String):** The total length of strings of pennants that can be displayed shall not exceed the equivalent of one string with a maximum length equal to three times the amount of frontage that the lot has on a four or more lane road.
- 5. **Attachment:** No string of pennants shall be attached to any public utility pole or any other public or semi-public structure.
- 6. **Setback:** All strings of pennants shall be installed with a minimum distance of ten feet between the nearest part of any pennant and the grade directly below the pennant.
- 7. **Maintenance:** All pennants and strings of pennants shall be maintained in a manner so as not to create a safety hazard or nuisance.

E. **Banners:** Banners are permitted in accordance with all of the following:

- 1. **Permitted Locations:** Banners are only permitted on lots that have frontage on four or more lane roads.

2. Text and Logos: No banner shall contain any text, logos or other types of advertising.
  3. Width and Length: No banner shall have a width greater than two feet or a length or height greater than five feet.
  4. Maximum Area: The maximum area of all banners shall not exceed 0.25 square feet for each foot of frontage that the lot has along a four or more lane road.
  5. Attachment: The top and bottom of any banner shall be firmly attached to a pole owned by the lot owner and only one banner shall be attached to a pole.
  6. Setback: All banners shall be installed with a minimum distance of ten feet between the nearest part of the banner and the grade directly below the banner.
  7. Maintenance: All banners shall be maintained in a manner so as not to create a safety hazard or nuisance.
- F. **Real Estate Signs:** One sign per parcel with a maximum sign area of 32 square feet and with a maximum height of four feet is permitted. Such sign shall be set back a minimum of ten feet from all lot lines. The sign shall be removed when the property is sold.

Condominium developments of two or more condominium units may have a maximum of four signs with a maximum sign area for all signs of 32 square feet and shall be setback a minimum of five feet from all lot lines.

- G. **Automobile Service Stations, Automobile Gas Stations, and Sales and Repair Establishments:**
1. Directional or Identification Signs: Shall not exceed six square feet and are permitted over individual vehicular entrance doors or bays in addition to other permitted signs.
  2. Awning/Canopy Signs: Awning and canopy signs with a maximum sign area of ten square feet are permitted on two sides of a pump island canopy or roofed structure in addition to other permitted signs.
- H. **Drive-Thru Restaurants:** Two menu boards, one with a maximum sign area of 24 square feet and the other with a maximum sign area of 48 square feet are permitted in addition to other permitted signs, provided, they are not located so as to be visible from any public or private street.

I. **New Vehicle Dealerships:**

1. **Freestanding Signs:** A maximum of two additional freestanding signs, in addition to a freestanding sign as permitted in Section 28.08 B. are permitted subject to all of the following requirements.
  - a. **Sign Area:** The maximum sign area of each additional sign is 48 square feet.
  - b. **Height:** The maximum height of each additional sign is 16 feet.
  - c. **Distance from other Signs:** No freestanding sign shall be located less than 100 feet from another freestanding sign on the same lot(s) occupied by the new vehicle sales establishment.
  - d. **Setback:** No freestanding sign shall be located less than five feet from a rear or side lot line, except where located adjacent to a residential zone district where the setback shall be 25 feet.
  - e. **Identification Limitations:** The additional freestanding signs shall only be used to identify a manufacturer or brand of vehicle or to identify a particular function such as “used cars” or “truck sales”.
2. **Wall Signs:** The following wall sign provisions only apply to new vehicle dealerships and in lieu of the provisions of Section 28.08C.
  - a. **Sign Area:** Wall signs with a maximum sign area of ten percent of the building wall face, may be placed on three sides of a principal building provided that they only identify the name of the business establishment and/or the manufacturer(s) or brand(s) of products offered by the establishment.
  - b. **Additional Wall Signs:** Additional wall signs may be placed on up to two walls of the principal building to identify any product or service being offered or to provide on-site traffic flow directions. These signs shall be limited in size so that the total sign area of all wall signs on any wall of a principal building does not exceed ten percent of the building wall face. These signs are further limited in size on any front wall to a maximum sign area of 20 square feet. Independent of the remainder of this subsection, an additional wall sign is also permitted which faces a public or private road, or an approved and lawful service drive.
  - c. **Ancillary or Secondary Buildings:** One wall sign is permitted on one wall of any ancillary or secondary building provided that the sign area does not exceed ten percent of the building wall face.

3. Vehicle Advertising Displays: Signs of any type and any other types of displays and devices used to advertise or call attention to a vehicle that is for sale or lease is prohibited from being located on or attached to the exterior of a vehicle.

J. **Easel and Sandwich Boards:**

1. Permitted Location: An easel sign or sandwich board sign is permitted for commercial establishments with frontage on West River Drive between Laramie Avenue and School Street.
2. Number: Only one such sign shall be permitted per lot, located adjacent to the exterior of the business establishment.
3. Design: It shall be designed with a theme related to the individual business or business district.
4. Size: It shall not exceed four feet in height and two feet in width.
5. Pedestrian and Vehicular Traffic: It shall be located so as not to impair pedestrian or vehicular traffic or as to block or obstruct any legally required fire exit, curbside car door opening area, or other exit.
6. Duration: It shall be taken inside at night after the closing of business and during periods of inclement weather, such as rain, snow, and high winds. The sign shall include a stabilizing base to prevent accidental collapse or falling.
7. Nuisance: It shall not include any lighting or sound-generation equipment.

K. **Billboards**: Billboards are allowed in the C-5, Commercial, Zoning District with the approval of a Special Use Permit by the Planning Commission in accordance with Chapter 27, any applicable site design standards, and compliance with all other applicable Township ordinances, including, without limitation, Ordinance No. 830 and 831.

L. **Business Special Events**: For the grand opening of a new business, a change in ownership or tenancy of an existing business, or a going-out-of-business sale, the Township may issue a permit for a business special event sign for a time period not to exceed 14 continuous days, during any calendar year, subject to all of the following conditions:

1. Number: Only one sign shall be permitted for any commercial establishment.

2. Sign Area: The sign area shall not exceed 48 square feet.
3. Setback: The sign must be located a minimum distance of 10 feet from any property or street right-of-way line.
4. Height: The height of the sign shall not exceed 25 feet.
5. Special Effects: In addition to a sign, any special effects including pennants, banners or special lighting shall only be approved upon a determination by the Community Development Department that the special effects will not unduly distract motorists, will not interfere with on-site traffic flow, will not be a nuisance to neighboring property owners and will not be a safety hazard.
6. Permitting: With the issuance of a permit, a reasonable deposit may be required by the Township to guarantee the prompt removal of the sign within 48 hours after the expiration date of the permit. In the event the sign is not promptly removed, the deposit may be used by the Township to cause its removal with any remaining funds to be returned to the applicant.

#### SECTION 28.09 O, LI & I ZONE DISTRICTS

The following signs are permitted:

- A. Signs as permitted and regulated by Sections 28.04 and 28.05.
- B. **Ground Sign:** One ground sign, with a maximum sign area of 32 square feet, is permitted on any parcel on which one or more commercial establishments are located. The height of any such ground sign shall not exceed six feet and shall comply with Section 28.05E.
- C. **Wall Signs:** Each commercial establishment is permitted to have one wall sign. The maximum sign area of any wall sign shall not exceed 48 square feet. An additional wall sign is permitted which faces a public or private road, or an approved and lawful service drive.
- D. **Real Estate Signs:** One sign is permitted per parcel with a maximum sign area of 32 square feet and with a maximum height of four feet. Such sign shall be set back a minimum of ten feet from all lot lines.

Condominium developments of two or more condominium units may have a maximum of four signs with a maximum sign area of four square feet and shall be setback a minimum of five feet from all lot lines.

- E. **Billboards:** Billboards are allowed within the I, Industrial Zone District, and the LI, Light Industrial Zone District upon the approval of a Special Use Permit by the Planning Commission in accordance with Chapter 27, any applicable site

design standards, and compliance with all other applicable Township ordinances inducing, without limitation, Ordinance No. 830 and 831.

#### SECTION 28.10 PUD PLANNED UNIT DEVELOPMENT DISTRICT

The Planning Commission shall determine the number, type, size and location of all signs. This determination shall be included in the Planning Commission's final recommendations, which are transmitted to the Township Board for adoption of the Final Development Plan. Upon a written request by the applicant, the determination of permitted signs shall be deferred until the applicant requests Site Plan review. Under such deferment, the Planning Commission has the sole jurisdiction for approving all signs, provided that the number of signs or the sign area of any sign shall not be greater than would be permitted for a similar use within another zone district.

#### SECTION 28.11 SIGNS NOT REQUIRING A PERMIT

The following signs shall not require a sign permit but shall be subject to all other applicable regulations of this Ordinance.

- A. Government signs.
- B. Directional signs with a sign area not exceeding six square feet and in accordance with the provisions of Section 28.05I.
- C. Construction signs with a sign area not exceeding 32 square feet and in accordance with the provisions of Section 28.05G.
- D. Public signs or notices, or any sign relating to an emergency.
- E. Signs for residential garage sales in accordance with the provisions of Section 28.05J.
- F. Real estate signs if such signs are not more than six square feet in area for residential property or 32 square feet in area for non-residential property.
- G. Agricultural industry signs as permitted by Section 28.06E.
- H. Help wanted signs.
- I. Incidental signs.
- J. Campaign signs.
- K. Expressive signs.

#### SECTION 28.12 SIGN PERMITS AND APPLICATION

- A. **Permits Required:** A sign permit shall be required for the erection, use, construction or alteration of any signs except those exempted in sections 28.04 or

28.11 and directional signs, real estate signs and signs for garage sales, estate sales and auction sales. For purposes of this section, alteration shall mean any change to an existing sign including changing the copy of the sign face of any non-conforming sign or any sign permitted by the issuance of a variance from the Zoning Board of Appeals. Alteration shall not include regular maintenance of a sign.

- B. **Application:** An application for a sign permit shall be made to the Community Development Department along with a fee as required by Township Board resolution. The application, at a minimum, shall include the following:
1. Name, address, and telephone number of the applicant, the property owner and the person, firm or corporation erecting the sign.
  2. Address or permanent parcel number of the property where the sign will be located.
  3. A sketch showing the location of the building, structure, or lot upon which the sign is to be attached or erected and showing the proposed sign in relation to buildings, structures, driveways, curb cuts and setback distances from lot lines.
  4. Two blueprints or drawings of the plans and specifications, method of construction and attachment to structures or ground.
  5. Any required electrical permit.
  6. The zoning district in which the sign is to be located.
  7. Any other information, which the Community Development Department may require in order to demonstrate compliance with this Ordinance.
  8. Signature of applicant, the property owner or person, firm or corporation erecting the sign.
- C. **Electrical Signs:** All signs requiring electrical service shall be reviewed for compliance with the Township's electrical code. Approval of electrical signs shall be noted on or attached to the sign permit.
- D. **Issuance of Sign Permit:** The Community Development Department shall issue a sign permit if all provisions of this Ordinance, the Building Code and other applicable Township ordinances are met. A sign authorized by a permit shall be installed within six months of the date of issuance of the sign permit or the permit shall expire. A new permit may be issued upon filing of a new application and payment of fee.

#### SECTION 28.13 DESIGN, CONSTRUCTION AND LOCATION STANDARDS

- A. **Sign Maintenance:** All signs shall be properly maintained and shall not be allowed to become unsightly through disrepair or as a result of the weather.
- B. **Structural Maintenance:** Sign supports, braces, guys and anchors shall be maintained in such a manner as not to cause a hazard.
- C. **Codes:** Signs shall be constructed in accordance with the requirements of the Building Code and Electrical Code, as amended.
- D. **Sign Illumination:** Signs are not required to be illuminated, but may be internally illuminated or externally illuminated provided that the source of light is shielded and directed to prevent the light intensity or brightness shining or adversely impacting onto traffic or adjacent property. The operation of lighting fixtures on or in signs from midnight to sunrise is prohibited unless premise is open for business. No sign regulated by this ordinance may utilize:
  - 1. Any exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion device.
  - 2. Any exposed incandescent lamp in excess of 160 watts unless a screen or shield is installed so that no light rays are emitted by the installed fixture at angles above the signs highest horizontal plane.
  - 3. Any revolving beacon light.

The regulations in this subsection shall not apply to digital signs.

- E. **Right-of-Way:** No sign or supporting mechanism may be located or placed, upon or over any public or private street right-of-way or alley, except as may be permitted by the Township, the Kent County Road Commission or Michigan Department of Transportation. Setbacks may be further restricted by other provisions within this Chapter.
- F. **Light Poles:** A light pole or other supporting member shall not be used for the placement of any sign unless specifically designed and approved for such use.
- G. **Vision Obstruction:** A sign shall not be erected in any place where it may, by reason of its position, shape, color, or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance in fact.
- F. **Moving or Animated Parts:** A sign shall not contain any moving or neither animated parts nor have the appearance of having any moving or animated parts except for digital signs or barber pole signs.
- G. **Extension beyond Wall Face:** A wall sign shall not extend more than 20 inches beyond the face of the wall to which it is affixed, and no wall sign shall extend above the roofline of a building.



- H. No part of any sign shall be located closer than ten feet to any side or rear lot line and may be further restricted by other provisions contained within this Chapter.

SECTION 28.14 NONCONFORMING SIGNS, ILLEGAL SIGNS, AND SIGNS ACCESSORY TO NONCONFORMING USES

- A. Every permanent sign which lawfully existed before the relevant ordinance provision which caused the sign not to conform to the height, size, area, use or location requirements of this Chapter is deemed to be a lawful nonconforming sign.
- B. Except as noted in this Ordinance, lawful nonconforming signs shall not be altered, expanded, enlarged, or extended; however, they may be maintained and repaired so as to continue the useful life of the sign provided that the cost to maintain or repair a lawful nonconforming sign does not exceed 50 percent of the cost to replace the sign with a new conforming sign as determined by the Community Development Department.
- C. For the purposes of this Chapter, a lawful nonconforming sign may be decreased in size or dimension or the copy of the sign amended or changed without jeopardizing the privilege of lawful nonconforming, status; however, a lawful nonconforming sign shall not be replaced with a new sign unless it complies with all of the requirements for a new sign.
- D. A sign for a nonconforming use may be erected in the Township in accordance with the sign regulations for the District in which the property is located.
- E. Upon receipt of a sign permit from the Zoning Administrator, and notwithstanding anything herein to the contrary, a lawful nonconforming sign may be upgraded by conversion to new technologies (e.g., digital signs) so long as all necessary approvals are received (e.g., with the approval of a Special Use Permit by the Planning Commission in accordance with Chapter 27 and any applicable site design standards).

SECTION 28.15 MAINTENANCE

All signs shall be properly maintained. Exposed surfaces shall be clean and painted, if paint is required. Defective or damaged parts shall be replaced. The Township Building Inspector has the right to order the repair or removal of any sign that is unsafe, as defined by the Building Code.

SECTION 28.16 ABANDONED, ILLEGAL AND OBSOLETE SIGNS

- A. Criteria for establishing abandonment, illegal or obsolete signs. Without limitation, a sign or sign structure shall be deemed abandoned, illegal or obsolete and shall be removed when any of the following occurs:
  - 1. A sign is erected illegally in violation of this ordinance.

2. Any business advertised thereon is no longer in business at that location and has not been in business at that location for more than one year.
  3. Any product or service advertised thereon is no longer offered and has not been offered at that location for one year.
  4. The structure no longer supports a sign.
- B. Removal of abandoned, illegal or obsolete signs. Following notice to the property owner, the Community Development Department may cause the removal of an abandoned, illegal or obsolete sign to the extent, and in the manner, permitted by law for violations of a zoning ordinance. All costs incurred by the Township in having the abandoned, illegal or obsolete sign removed may be recovered from the property owner or by imposition of a special assessment against the property, the removal of a public nuisance being deemed a public improvement.

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Administrator, as in the case of a leased sign. For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support the sign.

The Community Development Department may allow an abandoned or obsolete sign or sign structure to remain in place provided that the sign or sign structure is maintained in good condition, or that an abandoned or obsolete sign can be restored or used within a one-year period. The Community Development may require the text or message to be covered or removed from an obsolete or abandoned sign.

Provided that there is a reasonable possibility and that an illegal sign can be permitted within ten days the Community Development Department may permit an illegal sign to remain in place provided that the sign or structure is in good condition.