

# MANISTEE CITY PLANNING COMMISSION

Special Meeting/Worksession of Thursday, October 20, 2005  
6:00 p.m. -Council Chambers, City Hall, 70 Maple Street,  
Manistee, Michigan

## AGENDA

- I Roll Call
- II Public Hearing
  - 1. None
- III Approval of Minutes
  - Planning Commission Meeting (10/6/05)
- IV New Business
  - 1. Design Plus - Sketch Plan Review, for a condominium project on Manistee Lake (A.D. Joslin Site)
  - 2.
- V Unfinished Business
  - 1.
- VI Other Communications
  - 1.
  - 2.
- VII Citizen Questions, Concerns and Consideration  
**(Public Comment Procedures on the Reverse Side)**
- VIII Work/Study Session
  - 1. Zoning Ordinance Re-write
  - 2. Set Date for Public Hearing - New Zoning Ordinance
  - 3. Misc.
- IX. Adjournment

## Public Comment Procedures

The City of Manistee Planning Commission welcomes public comment in support of its decision-making process. To assure an orderly, fair and balanced process, the Planning Commission asks that participants at all public hearings and during the Public Comment portion of the meeting observe the following rule of procedure:

1. The Chairperson will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
2. Each speaker shall state their name and address for the record and may present written comments for the record.
3. Speakers shall address all comments and questions to the Planning Commission.
4. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for the collective comments of the group as presented by that speaker.
5. The Chairperson may request that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak.
6. The Chairperson may establish additional rules of procedure for particular hearings as he/she determines appropriate.
7. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior is not helpful to the decision-making process and may result in removal from the hearing or an adjournment.

Thank you for your interest in the work of the City of Manistee Planning Commission and for your cooperation with these rules of procedure.



PLANNING AND ZONING  
COMMUNITY DEVELOPMENT  
231.398.2805  
FAX 231.723-1546

## MEMORANDUM

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TO: Planning Commissioners

FROM: Denise Blakeslee 

DATE: October 13, 2005

RE: Special Meeting/Worksession - October 20, 2005

Commissioners, we will have a Special Meeting/Worksession at **6:00 p.m.** on Thursday, October 20, 2005 in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

The Special Meeting was called to allow the Planning Commission the opportunity to schedule a date for the Public Hearing - New Zoning Ordinance. There were still items that the Planning Commission wanted to discuss after the Meeting on October 6, 2005.

Also we have placed Design Plus on the Agenda for Sketch Plan Review, for a condominium project on Manistee Lake (A.D. Joslin Site). Enclosed is a letter from Peter Lazdins, Design Plus and copy of the proposed plan. This Plan has been developed under the proposed Zoning Ordinance, Waterfront District Zoning.

Jay Kilpatrick and Lynee Wells from Williams and Works will be at the Special Meeting/Worksession to continue our review of the proposed ordinance. Jay will be preparing a summary of changes that the Planning Commission has made to the ordinance. Also a new Sign Ordinance is being prepared with changes that would eliminate so many non-conformities. These changes will be ready early next week. Once received we will deliver them to your homes so that you have time to review for the Special Meeting/Worksession.

If the Planning Commission feels we are ready to schedule the Public Hearing for the New Zoning Ordinance we will be able to schedule the date at the meeting. We are looking at November 17<sup>th</sup> or December 1<sup>st</sup>.

Please bring your books with you. See you at the Special Meeting/Worksession.

:djb

Design Plus = Architects + Landscape Architects + Mechanical  
Engineers + Electrical Engineers + Interior Designers  
201 Ionia Avenue SW Grand Rapids Michigan 49503-4136  
p: 616 458 0875 f: 616 458 2806 www.design-plus.com

Design+

October 11, 2005

Ms. Denise Blakeslee  
PO Box 358  
Manistee, MI 49660

Project: Manistee Lake Condominiums  
Project No.: 05231  
Re: Project Overview & Proposed Site Plan

Dear Denise:

Based on our conversation, I wanted to provide you with an overall description of the Manistee Lake Condominium project prior to the Planning Commission work session on the 20<sup>th</sup> of October.

The enclosed site plan is based on the proposed W-F Waterfront District zoning currently being reviewed by the Planning Commission. A decision has been made by the developer to wait until the new zoning classification has been adopted prior to submitting for site plan approval. After reviewing the current C-3 Commercial District zoning, the setbacks and other regulations would make it very difficult to develop the site in a practical manner.

The proposed site plan indicates a total of 24 units, four buildings at six units per building. The units are two stories with two-car garage accessed from the US31 side. As part of the amenity package, we have included a pool, sun deck, and a cabana. A volleyball court with surrounding greenspace, landscaping, and 15 guest parking spaces has been designed for the south portion of the site.

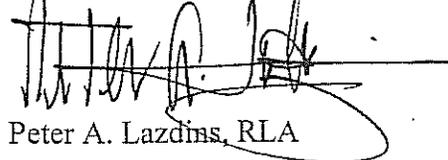
Another goal of the master plan is to make this pedestrian-oriented. We have included a walkway along the water's edge connecting to a gazebo at the north end of the site. Breaks in between the building provide additional connections to the waterfront, pool, and parking areas. The developer will also offer boat slips for sale to the residents of the development.

Hopefully, this overview provides the Planning Commission a vision of our master planning efforts. We look forward to meeting with the Planning Commission next week to further explain what we feel is a very exciting development opportunity.

Please call me at 616.458.0875 if you have any questions.

Sincerely,

DESIGN PLUS, INC.



Peter A. Lazdins, RLA

PAL/tds  
Enclosures

cc: West Coast LLC – Greg Gust  
Marketnet – J.T. McDonald  
DeVecht Realty – Tony DeVecht  
Design Plus – Jack DeBruin, File



SCHEMATIC SITE PLAN - 24 UNITS/ 18' UNIT WIDTH

MANISTEE LAKE DEVELOPMENT  
 MANISTEE, MICHIGAN

Design+

# MEMO

TO: Planning Commissioners  
FROM: Jon Rose, Community Development Director  
DATE: October 12, 2005  
RE: Wall Signage Percentages

We took some photographs of existing signage in our community to demonstrate the percentage of existing wall signs. These photographs pictures indicate the percentage of building front that is used by the primary sign in the photograph.

The last page is in color that includes all of the wall signs and window signs at Family Video. This percentage does not include the Coke machine.



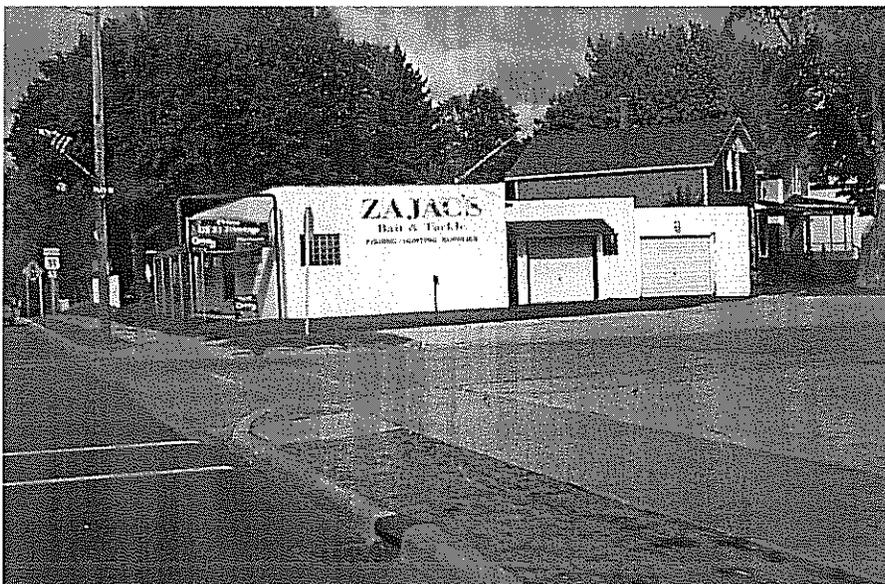
Mancino's  
34 Arthur Street  
6%



Unplugged  
Communications  
48 Arthur St  
10%



Grand Rental  
52 Arthur Street  
5.8%



Zajac's  
65 Cypress Street  
10%



Glass Specialties  
64 Arthur Street  
5.5%



Dial A Ride  
180 Memorial Drive  
11%



North Shore Marine  
70 Arthur St  
11%



China Buffet  
115 Cypress Street

6.5%



Family Video  
113 Cypress Street

11.1%



West Michigan Bank  
120 Cypress Street

3.2%



**Family Video - All Signage except Coke Machine 16%**



PLANNING AND ZONING  
COMMUNITY DEVELOPMENT  
231.398.2805  
FAX 231.723-1546

## MEMORANDUM

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TO: Planning Commissioners  
FROM: Denise Blakeslee   
DATE: October 19, 2005  
RE: Information for Worksession

Enclosed are copies of a memo from Jay Kilpatrick that indicates changes that were made to the ordinance and a revised copy of the sign ordinance. The Special Meeting/Worksession begins at **6:00 p.m.** in the Council Chambers.

I have hand delivered them in the hopes that you will have time to review them prior to the meeting. Three members will not be at the Special Meeting/Worksession (Roger Yoder, Christa Johnson-Ross and Maureen Barry).

If you are unable to attend please call me. See you Thursday!

:djb

TO: City of Manistee Planning Commission and Staff

FROM: Jay Kilpatrick, AICP  
Lynée Wells, AICP

DATE: October 19, 2005

RE: Summary of Revisions to the Draft Zoning Ordinance



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This memorandum summarizes the substantive revisions and modifications made to the June 2005 version of the Manistee Draft Zoning Ordinance. The revisions respond to public comment received at the August 24, 2005 Open House, as well as the direction and comment provided by the Planning Commission at the September 23, 2005 Work Session and the October 6, 2005 meeting. We believe that the revisions made to the ordinance are consistent with the goals of the City and will help provide a more cohesive ordinance that is user-friendly and corresponds to the City's Master Plan.

Article I: No substantive changes.

Article II: Definitions.

- ◆ The definition of Electronic Messaging Board has been modified consistent with the industry standard definition as provided by Amor Signs. The new definition reads: Any sign display, device or portion thereof with lighted messages that change at intermittent intervals by electronic process or remote control.
- ◆ The following definition was added for Dwelling, Upper Story Accessory: A dwelling, which is considered an accessory use, located in the same building as the principal commercial use and located on or above the second story of a building.
- ◆ The definition of Recreation Vehicle was clarified to read "truck bed mounted camper" instead of "pick-up camper."

Article V, Section 511, Driveways and Curb Cuts

- ◆ Driveway standards apply to R-4, C-1, C-2, C-3, and W-F districts. R-1, R-2 and R-3 standards were added that stipulate that driveway curb cuts shall be placed at least thirty (30) feet from an intersection.
- ◆ A requirement was added that all driveways in every district shall be located at least three (3) feet from a side yard property line.
- ◆ A requirement was added that all driveways be paved with asphalt or concrete and connect to the public right-of-way.

Article V, Section 514, Vehicular Parking Space, Access and Lighting

- ◆ After reviewing the Institute of Transportation Engineers parking standards<sup>1</sup> for medical clinics and medical and dental offices, required parking has been reduced from one space for each 200 hundred square feet of office space, plus three (3) spaces for each doctor, dentist or other senior medical professional to three and one half (3.5) spaces for each 1,000 square feet of office space. The standards for offices, other than medical and dental, have also been reduced from one space for each 200 square feet of office space to one space for each 250 square feet of office space.

Article V, Section 532, Key Street Segments

- ◆ An explanation and list of key street segments was added to General Provisions and reads as follows: Key street segments are located throughout the City and are identified on the zoning map. Key street segments tend to include a mix of land uses, and, due to traffic patterns, are appropriate locations for certain uses within a zoning district. If a property fronts on a key street segment, certain uses shall be permitted as Special Land Uses that are not otherwise permitted in other locations throughout the zoning district boundaries.

Articles VII-XVI District Standards and Map

- ◆ Section 704, Table 7-2, an asterisk was added to identify Special Land Uses that may only be permitted along key street segments.
- ◆ Section 800, R-1 District. The minimum lot size was decreased from 18,000 to 15,000 square feet. The minimum building width was increased from twenty to twenty-five feet. The minimum living area was increased from one thousand to fifteen hundred square feet.
- ◆ Section 900, R-2 District. Parcel Area. The calculations for parcel area were modified to better accommodate the lot size and density standards. Minimum parcel area was modified to read: "a minimum of 10,000 square feet shall be provided for the first two units, plus 5,500 square feet for each additional dwelling unit."
- ◆ Section 1000, R-3 District. Minimum Living Area. The minimum living area of 960 square feet for single-family was added to the table. Minimum living area for multi-family dwellings is 500 square feet.
- ◆ Section 1300, C-1 District, Special Uses. Contractor's Facility was added as a Special Land Use.
- ◆ Section 1400, C-2 District. Special Uses. Contractor's Facility was added as a Special Land Use.
- ◆ Section 1500, C-3 District. Permitted Uses. Upper Story Accessory Dwellings were added as permitted uses in the C-3 district. This modification was made to help facilitate the use of upper stories in existing commercial buildings for residential uses, especially in the historic district. Standards for upper story dwellings were added to the C-3 district, which will require submission of a site plan for administrative approval. Standards for Upper Story Dwellings include:

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<sup>1</sup> McCourt, Ransford S., *Parking Generation*, Institute of Transportation Engineers, 2004.

- A. Upper story dwellings are permitted in existing structures within the C-3 district, new structures proposing upper story dwellings shall be governed as a mixed use.
  - B. Upper story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.
  - C. No commercial or office use shall be located on the same floor as a residential use.
  - D. No dwelling unit shall exceed a maximum of two (2) bedrooms.
  - E. Each dwelling unit shall have a minimum floor area of five hundred (500) square feet.
  - F. A basic site plan shall be required and reviewed by the Zoning Administrator per Section 2201, A.
- ◆ Section 1500, C-3 District. Special Land Uses. A Contractor's Facility was added as a Special Land Use.
  - ◆ 1820.B.1 Regulations and Standards. Added C-1, C-2, and C-3 to zoning districts limiting outside storage.

Articles XIX-XX- No substantive changes.

Article XXI-Signs

- ◆ Section 2102, A, 3, General Standards, Height. The height standards were modified to limit the height of pole signs to 20 feet, unless fronting on US-31 where sign height limitations are 25 feet.
  - The height of ground signs is limited to 8 feet except in the G-1 district, where ground signs may be up to 12 feet in height.
  - The height of window, wall and projecting signs in any district shall not exceed the height limit of the respective district.
- ◆ Section 2102, A, 4 the word 'sign' was clarified to read 'sign structure.'
- ◆ Section 2102, A, 7. Sign Area. New language was added related to calculating the area permitted for wall, window and projecting signs. This section was added to allow the area of permitted signage along US 31 to be a function of the building frontage. This recommendation came from Amor Signs, and has been modified to apply only for Use Type 4, and only along US 31. The new text includes:
  1. Area of Signs
    - a. For Use Type 3 in the C-1, C-2, C-3 and W-F districts when fronting US 31, wall, window, marquee, projecting, and/or electronic signs are permitted and the maximum total cumulative area shall be not more than fifteen (15%) percent of the building frontage facing the public right-of-way.
    - b. The maximum width of any wall sign shall not exceed ninety (90) percent of the width of the wall to which the sign is attached and shall not project higher than the roof line of the structure to which it is attached.

c. For buildings located on corner lots where two or more sides of the building face a public right-of-way, maximum permitted total cumulative sign area may be determined for each building side that faces the road right-of-way provided that in no instance shall said cumulative sign area exceed the fifteen (15) percent of that frontage.

◆ Section 2102, B, 3, Light Emitting Diode (LED) was added since it is similar to neon.

◆ Section 2102, D, 3 was removed due to concerns arising from regulation of speech.

◆ Section 2102, G. Setbacks. The following text has been added:

G. Setbacks. All signs shall be setback at least four (4) feet from the public right-of-way to the front of the sign, provided clear vision can be maintained, pursuant to Section 513.

◆ Section 2102, I. Covering. The following text has been added:

I. Covering around a pole or pylon shall be limited to a width of not more than thirty (30) percent of the total width of the sign face. Signage or copy shall not be permitted on pole or pylon coverings.

◆ Section 2103, E, Exempt Signs. Menu boards were added to the list of exempt signs so long as they do not exceed twenty (20) square feet in area.

◆ Section 2105, Use Types:

○ Table 2100-Use Type 1 Low Intensity and Residential: The number of signs permitted in this use type has been reduced to one (1) sign in the R-4 district. Pole signs have been removed from this use type.

○ Table 2100-Use Type 2 Residential and Recreational Commercial: Pole signs have been removed from this use type.

○ Table 2100-Use Type 3 Low Intensity Commercial/Office: This table has been combined with Use Type 4. After considering the impact of these uses, as well as the new method for calculating sign area, there was not enough differentiation to justify having two tables with similar uses.

○ Table 2100-Use Type 4 Commercial (now Use Type 3 and it includes Low Intensity Commercial/Office): A new method for calculating sign area has been created. See Section 2102, A, 7, Sign Area. Wall, window, and projecting signage are determined by calculating the area of building frontage. Fifteen percent of the building frontage can be in wall, window or projecting signage. In addition to the 15% for window, wall or projecting signs, one pole and/or ground sign is permitted up to 64 square feet. For parcels with more than 600 feet of frontage, one additional pole or ground sign is permitted. This method for determining sign area is applicable in the C-1, C-2, C-3, and WF districts when the parcel abuts US 31.

When the parcel does not abut US 31, the sign area is determined by calculating the wall area of the first story (up to 10 feet) and allowing the signage to be 15% of the first story frontage. For parcels with more than 600 feet of frontage, one additional ground sign is permitted in the C-1, C-2, C-3 and WF districts. Finally, projecting signs shall be limited to one per parcel and be no greater than sixteen (16) square feet regardless of the district.

- Table 2100-Use Type 5 Institutional  
Restricting number of signs has been removed. Pole signs are only permitted on parcels that abut US 31.
- Table 2100-Use Type 6 Industrial  
Restricting number of signs has been removed. Pole signs are only permitted on parcels that abut US 31. For parcels with more than 600 feet of frontage, one additional sign is permitted in the C-1, L-I, G-I and WF districts.
- ◆ Section 2113, Temporary Portable Signs, A. The stipulation that A-frame signs were only allowed on a sidewalk was removed.
- ◆ Article XXVIII- Article 29 will include the Historic Overlay District requirements as they exist in the current ordinance. A map of the overlay area will be included in this Article, but will not appear on the zoning map. The Historic Overlay District will be included in the ordinance until the Local Historic District is established and a separate ordinance is in place governing historic preservation and creating a Historic District Commission.

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**ARTICLE TWENTY-ONE**  
**SIGNS**

**SECTION 2100      PURPOSE**

Regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services, and facilities in the City of Manistee, to improve pedestrian and vehicular safety, and to promote and preserve the general attractiveness of the community. Accordingly, it is the intention of this Ordinance to establish regulations governing the display of signs that will:

- A. Encourage and protect the public health, safety, welfare and convenience;
- B. Enhance the economy and the business and industry of the City by promoting the reasonable, orderly, and effective display of signs, and thereby encourage improved communication with the public;
- C. Restrict signs and lights which overload the public's capacity to receive information, which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision, and which are deemed to detract from the aesthetics of the community; and
- D. Reduce conflict between signs and their illumination and public and private land uses.

**SECTION 2101      PROCEDURES**

- A. Sign Permit Application. The Planning Commission or the Zoning Administrator may approve sign permit applications. Where signs are proposed as part of a broader Site Plan, the Planning Commission shall review the entire Site Plan, including signage, per **Article 22**. Where proposed signage is not an element of a broader proposed use requiring site plan approval, the Zoning Administrator may waive the submission of certain materials outlined in **Article 22**, if such materials are determined not to be applicable to the proposed sign permit application or relevant to the consideration of the Zoning Administrator for the proposed or modified sign; in which case, materials submitted with a sign permit application, at a minimum, shall include:
  - 1. Names and addresses of the owner, applicant and installation contractor (if any).
  - 2. Common street address, property identification number, and official name of business (if a non-residential property) relating to the parcel on which the sign is proposed.
  - 3. A fee, as determined by resolution of the City Council, which may be re-established from time to time.
  - 4. A plan, at a scale determined by the Administrator to be reasonable, illustrating the following elements of the proposed or modified signage:
    - a. Sign type, per the definitions in **Section 220**;
    - b. Dimensional characteristics, such as height, width, vertical clearances, and area;

- c. Colors, materials, appearance, and lighting of the signage;
  - d. Relationship with buildings or structures;
  - e. Setbacks from buildings, landscaping, driveways, and rights-of-way; and,
  - f. Locations of any existing signage in the subject development or on the subject parcel.  
The site plan shall also include proposed and existing signage not requiring a permit.
5. Within ten (10) business days of receiving an application, the Administrator shall review the application for completeness. If the application is complete, it shall be processed. If the application is incomplete, the Administrator shall advise the applicant of additional elements required for submission to the City.
  6. Within ten (10) business days of receiving a complete application, the Administrator shall review the application for compliance with this Ordinance. If the application is compliant, the Administrator shall issue a sign permit to the applicant. If the application is not in compliance, the Administrator shall advise the applicant and reference the applicant to sections of this Ordinance that need to be addressed.
  7. The Administrator shall retain the right to forward any sign permit applications to the Planning Commission for their review and approval.
  8. The Historic District Commission and City Council may approve exceptions to this Article 21 for historically significant signage or community events, respectively.
- B. Inspection and Compliance. The Administrator shall inspect each new or modified sign for which a permit is issued. If the sign is in full compliance with this Ordinance, and if applicable building and electrical inspections have been successfully completed and documented by the inspection agency, the Administrator shall issue a Certificate of Compliance. If the construction is not in full compliance with this Ordinance and applicable codes, the Administrator shall give the applicant notice of the deficiencies and order corrective action. If the deficiencies have been corrected upon re-inspection, the Administrator shall issue a certificate of compliance. If the deficiencies are not corrected within thirty (30) days, the permit shall be revoked and the sign shall be removed at the expense of the applicant.
- C. Permit Lapse. A sign permit shall lapse if the business activity on the premises is discontinued for a period of six (6) months, unless the business is a seasonal activity, in which case, the sign permit shall lapse if the business activity is discontinued through one (1) normal business season. A sign whose permit has lapsed shall be removed by the owner within thirty (30) days of receipt of notice to remove from the City. If the event the owner fails to remove a sign in accord with such an order, the sign may be removed by the City, at the owner's expense, without notice or action from the City. The City shall reserve the right to place a lien on the property on which the sign exists to recover any expense associated with sign removal.
- D. Permit Assignment. A sign permit shall be assignable to the successor of a business on the same parcel, except where the proposed sign is materially or substantially different in any way to the sign which was permitted. The Administrator shall make this determination.

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**SECTION 2102 GENERAL STANDARDS**

- A. Computations. The following standards shall be met when calculating the area and height of a sign.
1. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Ordinance regulations and is clearly incidental to the sign display itself.
  2. The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) sign faces are placed back-to-back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart at any point, the sign area shall be computed by the measurements of one (1) of the faces.
  3. The height of a sign shall be computed as the distance from the grade of the site (per Section 509 C) to the top of the highest attached component of the sign. The Planning Commission may require a professional survey to make this determination. The height of the uppermost portions of ~~window, wall, pole~~ and projecting signs shall not exceed twenty (20) feet in all districts; ~~however, the height of a pole sign along US-31 may be twenty-five (25) feet except the C-1, LI and GI districts, where the uppermost portions of such signs may extend to thirty (30) feet.~~ The height of the uppermost portions of ground signs shall not exceed eight (8) feet in height in all districts except the ~~C-1, LI and GI~~ districts, where the uppermost portions of such signs shall not exceed ~~fifteen- twelve (15|12)~~ feet. The uppermost portions of ~~pole signs~~ window, wall, and projecting signs shall not exceed the height limits in the respective districts. ~~where the uppermost portion of a pole sign shall not exceed thirty-five (35) feet.~~
  4. Where a projecting sign, awning, canopy, marquee, suspended sign, or similar element projects or protrudes over any public or private sidewalk or walkway, the bottommost point of the sign structure shall be at least eight (8) feet from said walkway, so as to provide adequate space for average height adults to walk underneath the projection or protrusion.
  5. The allowed area of all signs on a parcel shall be determined in accord with the standards of this Article.
  6. Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and limitations of the defined sign types shall apply.
  7. Area of Signs (wall, window, marquee, projecting, electronic).
    - a. For Use Type 3, as provided in Section 2108, in the C-1, C-2, C-3 and W-F districts when fronting US-31, wall, window, marquee, and/or electronic signs shall be

permitted and the maximum cumulative sign area permitted shall be not more than fifteen (15) percent of the building wall area facing the public right-of-way.

1. The maximum width of any wall sign shall not exceed ninety (90) percent of the width of the wall to which the sign is attached and shall not project higher than the roofline of the structure to which it is attached.
2. For buildings located on corner lots where two or more sides of the building face a public right-of-way, maximum permitted cumulative sign area may be determined for each building side that faces the road right-of-way provided that all such sign area shall only be allowed to the building side for which it is based.

b. For Use Type 3, as provided in Section 2108, in the C-1, C-2, C-3 and WF districts that do not front US-31, wall, ground, projecting, window and marquee signs shall be permitted and the maximum cumulative sign area permitted shall not be more than fifteen (15) percent of the first story measured as ten (10) feet in height by building width facing the public right-of-way, or fifty (50) square feet, which ever is greater.

1. The maximum width of any wall sign shall not exceed ninety (90) percent of the width of the wall to which the sign is attached and shall not project higher than the roofline of the structure to which it is attached.
2. For buildings located on corner lots where two or more sides of the building face a public right-of-way, maximum permitted cumulative sign area may be determined for each building side that faces the road right-of-way provided that all such sign area shall only be allowed to the building side for which it is based.
3. Projecting signs shall be limited to one per parcel and no greater than sixteen (16) square feet in area.

B. Lighting. No sign shall be lighted externally or internally, except in accordance with the terms of this Article. No sign shall be equipped with lighting that provides illumination in excess of that necessary to render the sign visible and readable, in the judgment of the Zoning Administrator.

1. Internally lit signs shall be continuously maintained to provide neither more or less than the designed degree of illumination and the translucent surface shall be maintained to fully cover all light sources and to present a complete and readable message.
2. All light sources for externally lit signs shall be directed and equipped with lenses, shields or other devices to screen the light source from view from any vantage point located off or above the subject property.
3. For the purposes of this Article, neon and light-emitting diode (LED) signs shall be considered internally lit signs, unless the context specifically states otherwise.

- C. Signs for Accessory Uses. Signs advertising accessory uses as regulated by Section 516 of this Zoning Ordinance, shall meet all requirements of this Article.
- D. Continuation of Legal Nonconforming Signs. A legal nonconforming sign may be continued and shall be maintained in good condition, but it shall not be:
1. Converted to another nonconforming sign, or replaced by another nonconforming sign;
  2. Expanded or altered so as to increase the degree of nonconformity of the sign;
  3. ~~Changed or altered with respect to its message, unless the sign, at time of permit approval, was meant for a periodic change of its message;~~
  4. Structurally altered to prolong the life of the sign or to change the size, shape, or type of the sign;
  5. Re-established after its discontinuance for six (6) months, or more;
  6. Continued in use after cessation or change of the business or activity to which the sign pertains; or
  7. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty percent (50%) of the appraised replacement cost, as determined by the Zoning Administrator.
- E. Erection of New Signs Where Legal Nonconforming Signs Exist.
1. On lots where an existing on-premises sign exceeds the sign area allowed by this Article, and in that respect is a legal nonconforming sign, no new on-premises sign shall be erected until such existing legal nonconforming on-premises sign is brought into compliance with this Article.
  2. When a use or parcel including a nonconforming sign is subject to the requirements of Site Plan Review under Article 22, all signs and sign structures shall be brought into compliance with this Article 21 as a condition of the approval of such site plan.
- F. Sign Area on Corner Lots. Where the sign area permitted in Table 2100-1 is a function of street frontage, on corner lots the frontage shall be the sum of all abutting street frontage.
- G. Setbacks. All signs shall be setback at least four (4) feet from the public right-of-way to the front of the sign, provided clear vision can be maintained, pursuant to Section 513.
- H. Billboards. Refer to Section 1814.
- I. Covering. Covering around a pole or pylon shall be limited in width to a width of not more than thirty (30) percent of the total width of the sign face. Signage or copy shall not be permitted on pole or pylon coverings.

## SECTION 2103 EXEMPT SIGNS

The following signs shall be exempt from regulations in this Article.

- A. Any public notice, traffic control or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.

- B. Any sign wholly located within a building and not visible from outside the building. This does not include window signs.
- C. Holiday lights and decorations with no commercial message.
- D. Works of art that do not contain a commercial message.
- E. Traffic control signs, incidental signs, or menu boards on private properties that do not contain a commercial message, including Stop, Yield, One Way, and similar signs, provided that menu boards shall not exceed twenty (20) square feet in area.
- F. Governmental historical designation signs.
- G. Flags up to twenty-four (24) square feet in area.
- H. For sale and for rent signs on real property, provided such signs do not exceed six (6) square feet in the R-1, R-2, R-3, R-4, and C-2 districts or sixteen (16) square feet in the C-1, C-3, W-F, L-I or G-I districts.
- I. One sign attached to a building or fence not to exceed two (2) square feet in area displaying such messages as "No Trespassing," "Beware of Dog," etc.
- J. Political election signs with a maximum area of eight (8) square feet, provided such signs shall be temporarily erected not more than four (4) months prior to an election and such signs shall be removed not more than seven (7) days following an election.
- K. Temporary signs advertising yard sales, items for sale or similar temporary activities, provided such signs are not illuminated and temporarily erected with a total surface area not to exceed eight (8) square feet and are removed within seven (7) days of installation.
- L. Construction signage identifying a building project including the names of the developer, financier, and the various professionals and contractors involved. Such signage shall be allowed only during the time in which the development is actually under construction and shall not exceed thirty-two (32) square feet in sign face. Such signage shall not be placed closer than fifteen (15) feet from the edge of the right-of-way and shall not exceed ten (10) feet in height.

## SECTION 2104 PROHIBITED SIGNS

The following signs shall not be allowed in any district.

- A. Signs which are obsolete, that do not relate to existing business or products.
- B. Signs which are illegal under State laws or regulations and applicable local ordinances or regulations, and which are not consistent with the standards in this Ordinance.
- C. Signs that are not clean and in good repair, and signs that are out of compliance with applicable building and electrical codes.
- D. Off-Premise Signs. Except as provided in Section 1814 of this Ordinance, off-premise signs as defined herein, shall be prohibited in all districts.
- E. Signs not securely affixed to a supporting structure.

- F. Signs that are not official traffic signs that appear to or attempt to regulate, warn, or direct the movement of traffic, which interfere with or resemble any official traffic sign, signal, or device, and which may obstruct a motorist's vision.
- G. Signs located in, projecting into or overhanging within a public right-of-way or dedicated public easement, except the following:
  - 1. Official traffic signs posted by a governmental agency;
  - 2. Public transit signs, including bus stop signs and routing signs, erected by a public transit company;
  - 3. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
  - 4. Projecting, marquee, and suspended signs projecting over a public right-of-way as permitted and regulated in the C-2 and C-3 districts.
  - 5. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the right-of-way.
  - 6. Banners that have been approved by the City Council.
  - 7. "A-frame" signs, as permitted and regulated in Section 2113.
- H. Signs that project above the maximum height limitation of the zoning district and signs that extend above the highest point of any building upon which they are affixed.
- I. Beacons.
- J. Electronic Message Boards and other signs that include flashing, scrolling, ~~or blinking~~ or moving lights or parts, and animated signs located such that they may distract drivers.

## SECTION 2105 USE TYPES AND SIGN STANDARDS

For the purposes of this Article, the uses permitted by right and as special uses are classified by type as set forth in Table 2100-1. Table 2100-1 provides standards for the regulation of sign type, the number of signs permitted, the cumulative area of signs permitted, the nature of illumination (if any) and any conditions that may apply, by type of use and by zoning district. In the event that other provisions of this ordinance including the Standards of Article 5 regarding General Provisions or Article 18 regarding Special Uses, conflict with the requirements of Table 2100-1, the most restrictive standard shall apply. Provided, that the classification of various land uses by type for the purposes of Table 2100-1 shall not override the use requirements and standards set forth for each zoning district.

In the use of Table 2100-1, the Zoning Administrator, Planning Commission and applicants shall first determine the type of use under consideration and then apply the appropriate sign standards for the district in which it will be located.

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section 2106 Use Type 1, Low Intensity and Residential  
 Description Uses of this type include dwelling units and associated uses.  
 Examples of Uses Dwelling - Single Unit, Dwelling - Multiple Unit, Duplex, Manufactured Housing Community, Home Based Business, Major Home Occupation, and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	N <sup>o</sup> . Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1	Wall, Ground	1	4 Sq. Ft.	None	
R-2	Wall, Ground	1	4 Sq. Ft.	None	A multiple unit project or complex shall be permitted one, externally lit 16 square foot sign
R-3	Wall, Ground	1	4 Sq. Ft.	External	A multiple unit project or complex shall be permitted one, externally lit 32 square foot sign
R-4	Wall, Ground	2	4 Sq. Ft.	Either	A multiple unit project or complex or manufactured housing community shall be permitted two, externally or internally lit 32 square foot signs
C-1	Wall, Ground, Pole, Projecting	1	16 Sq. Ft.	<del>External</del> Either	A multiple unit project or complex shall be permitted one, externally or internally lit 32 square foot sign
C-2	Wall, Ground, Pole, Projecting	1	16 Sq. Ft.	External	A multiple unit project or complex shall be permitted one, externally lit 16 square foot sign
C-3 & W-F	Wall, Ground, Pole, Projecting	1	16 Sq. Ft.	External	A multiple unit project or complex shall be permitted one, externally lit 16 square foot sign

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section 2107 Use Type 2, Residential and Recreational Commercial

Description Uses of this type include care facilities and small-scale accommodations as well as outdoor recreation facilities.

Examples of Uses Adult Foster Care, Bed &amp; Breakfast, Golf Course, Nursing and Convalescent Home, and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1 & R-2	Wall, Ground	1	4 Sq. Ft.	External	
R-3	Wall, Ground	1	4 Sq. Ft.	External	
R-4	Wall, Ground	1	4 Sq. Ft.	External	
C-1	Wall, Ground, Pole, Window	2	64 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 150 feet of frontage, may be increased up to 120 sq. ft. of total sign area. For parcels with more than 600 feet of frontage, one additional ground sign shall be permitted.
C-2	Wall, Ground, Pole, Projecting, Window	2	32 Sq. Ft.	Either	
C-3 & W-F	Wall, Ground, Pole, Projecting, Window	2	32 Sq. Ft.	Either	

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section 2108 Use Type 3, Low Intensity Commercial and Office

Description Uses of this type include retailing, various personal and professional services, accommodations.

Examples of Uses Animal Grooming, Convenience Stores w/o fuel pumps, Group Day Care, Financial Institutions, Galleries and Museums, Hotels, Laundry and Dry Cleaners, Marinas, Medical and Dental Offices, Mortuaries, Outdoor Recreation and Park Facilities, Personal Service Establishments, Professional Offices, Professional Service Establishments, Sports and Recreation Clubs, Studios for Performing and Graphic Arts, Veterinary Clinics, and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	N <sup>o</sup> . Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1 & R-2	Wall, Ground	1	16 Sq. Ft.	None	
R-3	Wall, Ground, Window, Marquee	1	16 Sq. Ft.	External	
R-4	Wall, Ground	1	16 Sq. Ft.	External	
C-1	Wall, Ground, Pole, Window, Marquee, all including Electronic Signs		64 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 150 feet of frontage, may be increased up to 120 sq. ft. of total sign area
C-2	Wall, Ground, Pole, Projecting, Window, Marquee		32 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 150 feet of frontage, may be increased up to 64 sq. ft. of total sign area
C-3 & W-F	Wall, Ground, Pole, Projecting, Window, Marquee, all including Electronic Signs		32 Sq. Ft.	Either	
LI & OI	Wall, Ground, Pole, Window		32 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 150 feet of frontage may be increased up to 64 sq. ft. of total sign area

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section 21092108 Use Type 43, Commercial and Office

Description Uses of this type include retailing, various personal and professional services, accommodations and high-traffic retail and service facilities.

Examples of Uses Animal Grooming, Auto Repair Facility, Car Wash, Convenience Store with or w/ out fuel pumps, Commercial Day Care, Eating and Drinking Establishments, Galleries and Museums, Gasoline Stations, Greenhouses and Nurseries, Group Day Care, Financial Institutions, Hotels, Laundry and Dry Cleaner, Marinas, Medical and Dental Offices, Mini/Self-storage, Mortuaries, Motels, Outdoor Recreation and Park Facilities, Outdoor Sales Facility, Personal Service Establishments, Professional Offices, Professional Service Establishments, Public Parking Facility, Retail Businesses, Sports and Recreation Clubs, Studios for Performing and Graphic Arts, Theaters, Veterinary Clinics, Wholesale Facilities and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1 & R-2	Wall, Window, Ground	1	16 Sq. Ft.	Internal	
R-3	Wall, Ground, Window, Marquee	1	16 Sq. Ft.	External	
R-4	Wall, Ground	1	16 Sq. Ft.	External	
C-1, C-2, C-3 and W-F when fronting on US-31	Wall, Ground, Pole, Window, Marquee, all including Electronic Signs	21	64 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 150 but less than 300 feet of frontage, may be increased up to 120 sq. ft. of sign area and up to 3 signs may be permitted. Cumulative sign area for uses on parcels with more than 300 feet of frontage, may be increased up to 250 sq. ft. of total sign area and up to 4 signs may be permitted. For parcels with more than 600 feet of frontage, one additional pole or ground sign shall be permitted.
	Wall, Window, Marquee, all including Electronic Signs	n/a	15% of wall area per Section 2102, A, 7, a	Either	
C-1, C-2, C-3 & W-F (not fronting US-31)	Wall, Ground, Projecting*, Window, Marquee	n/a	32 Sq. Ft. 15% of wall area per Section 2102, A, 7, b	Either	No single sign shall be greater than thirty-two (32) square feet, except in the C-3 district when the property is within the Manistee Historic Commercial District, a wall sign shall be no greater than fifty (50) square feet in area. Ground mount signs shall be limited to one per parcel. Internally lit signs shall be prohibited in the Manisree Historic Commercial District.
LI & G-I	Wall, Ground, Window	n/a	32 Sq. Ft.	Either	For parcels with more than 600 feet of frontage, one additional ground sign shall be permitted.

\* Projecting signs shall be limited to one per parcel and no greater than sixteen (16) square feet in area.

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section 21102109 Use Type 54, Institutional

Description Uses of this type include public and quasi-public facilities with varying traffic demand.

Examples of Uses Cemetery, Education Facility, Places of Public Assembly, Civic and Government Buildings, and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	N <sup>o</sup> . Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1 & R-2	Wall, Window, Ground	n/a	16 Sq. Ft.	Either	
R-3	Wall, Window, Ground, Marquee	n/a	32 Sq. Ft.	Either	
R-4	Uses of this type are normally not permitted in the R-4 District				
C-1	Wall, Window, Ground, Pole, Marquee	n/a	64 Sq. Ft.	Either	
C-2, C-3 & W-F	Wall, Window, Ground, Marquee	n/a	32 Sq. Ft.	Either	
LI, & G-I	Wall, Window, Ground, Pole, Marquee	n/a	64 Sq. Ft.	Either	

**TABLE 2100-1 USE TYPES AND SIGN STANDARDS**

Section ~~2111~~2110 Use Type ~~65~~, Industrial

Description Uses of this type include manufacturing, processing, shipping and transportation facilities.

Examples of Uses Contractor's Facility, Mining and Mineral Processing, Processing and Manufacturing, Research, Testing and Laboratories, Public Warehouses, and similar uses in the judgment of the Zoning Administrator

Zoning Districts	Permitted Sign Types	Nº. Signs Permitted	Cumulative Sign Area	Lighting	Conditions
R-1 & R-2	Uses of this type are normally not permitted in the R-1 or R-2 Districts				
R-3	Wall, Ground, Window	1	16 Sq. Ft.	External	
R-4	Uses of this type are normally not permitted in the R-4 District				
C-1	Wall, Ground	<u>n/a</u>	64 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 300 feet of frontage, or with frontage on two or more rights of way may be increased up to 120 sq. ft. of total sign area, and one sign for each frontage may be permitted. For parcels with more than 600 feet of frontage, one additional ground sign shall be permitted.
C-2 & C-3	Uses of this type are normally not permitted in the C-2 or C-3 Districts				
W-F, L-1, G-1	Wall, Window, Ground, Marquee	<u>n/a</u>	64 Sq. Ft.	Either	Cumulative sign area for uses on parcels with more than 300 feet of frontage, or with frontage on two or more rights of way may be increased up to 120 sq. ft. of total sign area, and one sign for each frontage may be permitted. For parcels with more than 600 feet of frontage, one additional ground sign shall be permitted.

**SECTION 2112 UNCLASSIFIED USES, MIXED USES AND COMBINATIONS OF USES**

A. The Zoning Administrator shall be authorized to classify uses not specifically listed in Table 2100-1. In the event of Unclassified Uses, the provisions of Section 530 shall apply.

- B. Combinations of Uses. Signs for combinations of land uses, such as an adaptive re-use project, mixed-use development, planned unit development, subdivisions or similar development form shall be regulated by the following standards.
1. Parcels with not more than 20,000 square feet of gross land area shall be entitled to one (1) wall, marquee or ground sign, not to exceed 32 square feet in surface area, for each road frontage, or more than one wall, marquee or ground sign, provided the cumulative sign surface area of all signs does not exceed 32 square feet for each road frontage. In the R-1 and R-2 Districts if such signs are illuminated, they shall be externally lit. In all other districts such signs may be either internally or externally lit.
  2. Parcels with more than 20,000 square feet but less than two (2) acres in gross land area shall be entitled to one (1) wall, marquee or ground sign, not to exceed 48 square feet in surface area, for each road frontage, or more than one wall, marquee or ground sign, provided the cumulative sign surface area of all signs does not exceed 48 square feet for each road frontage. Such signs may be either internally or externally lit.
  3. Parcels with more than two (2) acres in gross land area shall be entitled to one (1) wall, marquee or ground sign, not to exceed 64 square feet in surface area, for each road frontage, or more than one wall, marquee or ground sign, provided the cumulative sign surface area of all signs does not exceed 64 square feet for each road frontage. Such signs may be either internally or externally lit.

### SECTION 2113 TEMPORARY PORTABLE SIGNS

The Zoning Administrator shall be authorized to permit temporary and portable signs within any district of the City, under the following standards.

- A. No temporary or portable sign shall be placed within a public or private right-of-way and shall be placed no closer to the right-of-way than ten (10) feet if located facing US-31 or a key street segment as defined herein, and no closer than five (5) feet to any other right of way. Provided, that the Zoning Administrator shall be authorized to require a greater distance to assure visibility for motorists and pedestrians and to assure compatibility with the surrounding land uses. Provided further, that "A-frame" signs shall be permitted ~~on a sidewalk~~ in the C-2 and C-3 districts subject to a determination by the Zoning Administrator that said placement will not impact safety or visibility for motorists and pedestrians.
- B. The lights of an internally lit temporary or portable sign proposed to be located in the R-1, R-2 and R-3 ~~and~~ districts shall be turned off after 9:00 PM.
- C. The maximum surface area of a temporary or portable sign shall not exceed thirty-two (32) square feet.
- D. A temporary or portable sign shall not remain in place for more than fourteen (14) days and not more than three (3) temporary or portable sign permits shall be issued for any parcel of land in any given twelve (12) month period.
- E. An application for a temporary or portable sign permit shall be filed with the Zoning Administrator on forms to be provided by the Zoning Administrator and shall include the following information:

1. The name and address of the applicant and the owner of the property on which the proposed sign will be located. The name, address and phone number of the owner of the temporary sign, if different from the property owner.
  2. The purpose of the sign, such as temporary sale, celebration, community announcement, etc.
  3. A description of the proposed sign including its dimensions and illumination as well as any anchoring mechanism proposed to prevent damage in high winds.
  4. A sketch plan of the parcel on which the sign will be located, including the proposed location of the sign with dimensions to rights-of-way lines and existing buildings.
  5. The proposed dates the sign will be displayed.
  6. A temporary or portable sign permit fee as established from time-to-time by the City Council.
- F. Upon receipt of a complete application, the Zoning Administrator shall inspect the proposed location for the temporary or portable sign as well as the proposed sign, if available. If the Zoning Administrator finds that the requirements of this section will be met, a temporary or portable sign permit shall be issued.