ERIE TOWNSHIP ORDINANCE NO. 117-E (Amendment to Erie Township Zoning Ordinance No. 117)

An ordinance enacted pursuant to the authority granted in Act 110, Public Acts of 2006, as amended, better known as the Michigan Zoning Enabling Act, and according to the General Development Plan of the Township, dated May 8, 2012, as amended from time to time, and to further provide for the public health, safety and general welfare of the persons and property of the Township of Erie, and to amend Erie Township Ordinance #117, known as Erie Township Zoning Ordinance, by amending the following sections, for the purposes of promoting and protecting the public health, safety and general welfare of the residents and property of the Township of Erie:

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE, COUNTY OF MONROE, STATE OF MICHIGAN, ORDAINS:

SECTION 1:AMENDMENTS TO ARTICLE 10, ZONING DISTRICTS, REGULATIONS, AND MAP, Table 10-2:
**Table 10-2** Remove **BR** use for Communication Towers, Class 2 from **R-1, R-2, R-3, R-4**, and **R-5**SECTION 2: AMENDMENTS TO ARTICLE 21, DEFINITIONS:
**Communication Tower:** A relay structure, including both antenna and structural supports, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, telephone, microwave, or any other form of telecommunications signals. Not included within this definition are: citizen band radio facilities; radio and television citizen band radio facilities; short wave receiving facilities; federally licensed amateur (ham) radio facilities; satellite dishes; and governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

1. Class 1: A communication tower proposed to be newly established and not otherwise meeting the definition of a Class 2 communication tower.

2. Class 2: A communication tower meeting either of the following requirements:

a. A communication tower to be affixed to an existing structure, such as existing building, tower, water tank, utility pole, and the like, or Small Cell Facilities in accordance with Michigan Public Act 365 of 2018, where the proposed combined existing structure and communication tower is either less than a total height of twenty (20) feet or does not extend the height of the existing structure by more than twenty percent (20%) and additionally conforms to the requirements of Article 20.27.

b. A proposed collocation upon an existing communication tower which had been pre-approved for such collocation as part of an earlier approval by the Township.

SECTION 3: AMENDMENTS TO ARTICLE 20, GENERAL PROVISIONS:

**20.27 Communication Towers
A. Class 1**

1. Any newly established communication tower (or antenna) not otherwise meeting the definition of a Class 2 communication Tower

2. Site Plan review (per Article 4) or Special Use approval (per Article 5) shall be required as listed in Table 10-2 Permitted Principle Uses In All Districts.

**B. Class 2**

1. Collocation of any communication tower (or antenna) on an established communication tower shall require Zoning Administrator Approval for Plot or Site Plans.

2. Collocation of any communication tower (or antenna) on an existing structure, such as existing building, tower, water tank, utility pole, and the like, not located within the Public right-of-way (ROW) shall require Township Planning Commission Approval for Site Plans.

3. Collocation of any communication tower (or antenna) on an existing structure, such as a utility pole, and the like, and located within the Public right-of-way (ROW) and conforming to all of the requirements of this section, shall require shall require Zoning Administrator Approval for Plot or Site Plans.

a. The proposed combined existing structure and communication tower is either less than a total height of twenty (20) feet or does not extend the height of the existing structure by more than twenty percent (20%)

b. Each antenna is located inside an enclosure or not more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than 6 cubic feet.

c. All other wireless equipment associated with the facility is cumulatively not more than 25 cubic feet in volume.

d. A Small Cell tower, antenna or facility shall not be located within a Residential Zoning District, a residential subdivision, or with 100 feet of a property that contains a residential use.

SECTION 4:AMENDMENT TO ARTICLE 11, STANDARDS FOR SPECIFIC SPECIAL USES:
11.31 Freestanding Accessory Solar Energy Systems
**(A)Standard Requirements:** A Freestanding Accessory Solar Energy System is a special use in certain zoning districts and is subject to the following standard requirements
**1. Association with Principal Use**: Freestanding Accessory Solar Energy Systems must be associated with a habited or non-habited building which is the principal use of the subject property.
**2. Setbacks**: Freestanding accessory solar energy systems may not be located between the front lot line and the principal building on the lot, and must meet all applicable setbacks associated the principal building on the lot, or shall be able to demonstrate that systems will blend the facility into the existing environment. Appropriate landscaping and/or screening materials may be required to help screen equipment from public roads and neighboring property. **3. Height:** Freestanding accessory solar energy systems may not exceed the height permitted in Section 14.06(C), or shall be able to demonstrate that systems will blend the facility into the existing environment. Appropriate landscaping and/or screening materials may be required to help screen equipment from public roads and neighboring property. The height shall be measured from the grade at system base to the highest peak, including the highest position of any adjustable system or associated apparatus.
**4. Size of Freestanding Accessory Solar Energy System:** Systems shall be included in, and not exceed the maximum permitted lot coverage for all structures (table 10-3) if the property is zoned for residential purposes, or when property is zoned for non-residential purposes, systems may not occupy more than five percent of the parcel upon which it is located, or one-half (1/2) of the footprint of the principal building served, whichever is greater, or shall be able to demonstrate that systems will blend the facility into the existing environment. Appropriate landscaping and/or screening materials may be required to help screen equipment from public roads and neighboring property.
**(B) Performance Standards:** A Freestanding Accessory Solar Energy System is subject to the following performance standards:
**1. Blending with the existing environment:** Freestanding Accessory Solar Energy Systems shall, to the extent reasonably possible, use materials, colors, and textures that will blend the facility into the existing environment. Appropriate landscaping and/or screening materials may be required to help screen equipment from public roads and neighboring property.
**2. Noise:** No Freestanding Accessory Solar Energy System shall produce noise that exceeds more than 5 dB(A) above ambient sound pressure levels. Adequate setbacks shall be provided to comply with these limitations.
**3. Glare:** No Freestanding Accessory Solar Energy System shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.
SECTION 5: AMENDMENT TO ARTICLE 14, FREESTANDING ACCESSORY SOLAR ENERGY SYSTEMS:
14.06 Freestanding Accessory Solar Energy Systems The following standards shall apply to the Freestanding Accessory Solar Energy Systems which are allowed in any zoning district. To be considered to be an accessory solar energy systems it must be associated with a habited or non-habited building which represents a principal use of the subject property. All freestanding accessory solar energy systems shall be located on the same lot as the building being served. Where there is no principal building, an accessory solar energy system is not allowed.
**(A) Location:** Freestanding accessory solar energy systems are permitted in certain zoning districts as shown in Table 10-2. If one or more of the following requirements are not met, such freestanding accessory solar energy systems are reclassified as a special use pursuant to Section 11.31.
**(B) Setbacks**: Freestanding accessory solar energy systems may not be located between the front lot line and the principal building on the lot, and must meet all applicable setbacks associated the principal building on the lot.
**(C) Height:** Freestanding accessory solar energy systems may not exceed 6 feet in height. The height may be increased by up to 50% when the setback is 25 feet or greater, and the height may be increased by up to 100% when the setback is 50 feet or greater. The height shall be measured from the grade at system base to the highest peak, including the highest position of any adjustable system or associated apparatus.
**(D) Size of Freestanding Accessory Solar Energy System:** Systems shall be included in, and not exceed the maximum permitted lot coverage for all structures (table 10-3) if the property is zoned for residential purposes. When property is zoned for non-residential purposes, systems may not occupy more than five percent of the parcel upon which it is located, or one-half (1/2) of the footprint of the principal building served, whichever is greater.
SECTION 6: AMENDMENT TO ARTICLE 15, SIGNS:

### Article 15 - SIGNS

### 15.01Purpose

The purpose of this Article is to provide a framework within which the identification and informational needs of all land uses can be harmonized with the desires and aesthetic standards of the general public. It is intended through the provisions contained herein to give recognition to the legitimate needs of business, industry and other activities, in attaining their identification and informational objectives. It is a basic tenet of this Article that unrestricted signage does not support the existing character of the Township and does not benefit either private enterprise or the community-at-large as it creates traffic safety hazards, visual clutter, confusion for vehicle drivers and visual blight. It is similarly the purpose of this Article to protect the character of residential neighborhoods by discouraging the encroachment of signage which undermines the intended character of such areas.

### 15.02 Definitions

#### Abandoned Sign: An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor service, owner, product or activity, and/or for which no legal owner can be found.

#### Air-Activated Graphic Sign: A sign all or any part which is designed to be moved by action or forced air so as to make the sign appear to be animated or otherwise have motion.

#### Balloon Sign: A temporary sign composed of cloth, canvas, plastic fabric or similar lightweight non-rigid material that can be mounted to a structure with cord, rope, cable or a similar method or that may be supported by stakes in the ground

#### Bandit Sign: Temporary, portable yard signs used for commercial and non-commercial messages for on-premise and off-premise activities and advertising.

#### Blade Sign (a.k.a., Feather, Teardrop and Flag): A temporary sign that is constructed of cloth, canvas, plastic fabric or similar lightweight non-rigid material and that is supported by a single vertical pole mounted into the ground or on a portable structure.

#### Business Center Sign: A grouping of two or more business establishments on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise developed as a unified grouping of businesses. A business center shall be considered one use for the purposes of determination of the maximum number of free-standing signs.

#### **Business Sign**: A sign advertising the name, services, goods or any other aspect or feature of a commercial or industrial business.

#### Changeable Copy Sign: A sign designed so that the characters, letters, or illustrations can be changed or rearranged manually or electronically without altering the sign display surface. May also be known as readerboards. See also the definition of “Electronic Message Center”.

#### Commercial Message Sign: Any sign wording, logo or other representation that directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity

#### Customary Farm and Crop Sign (a.k.a., Agricultural Sign): A sign identifying the farm on which it is placed and advertising the produce, crops, animals or poultry raised or grown thereon.

#### Electronic Message Center (EMC): A sign designed so that the characters, letters, or illustrations can be changed or rearranged automatically on a lamp bank or through mechanical means (e.g. electronic or digital signs).

#### Freestanding Sign: A sign which is not attached to a principal or an accessory structure, including center pole signs, posts and panels, or monument signs, but excluding off-premises signs

#### Human Sign (a.k.a., Human Mascot, Sign Spinner and Person Sign): A person attired or decorated with commercial insignia, images, costumes, masks, or other symbols that display commercial messages with the purpose of drawing attention to or advertising for an on-premise activity. Such person may or may not be holding a sign.

#### Monument Sign: A permanent freestanding sign other than a pole sign, not attached to a building that is placed upon or supported by the ground independently of any other structure, typically on a monument or pedestal structure

#### Mural/Mural Sign: A large scale temporary or permanent sign/work of art/graphic illustration/advertising display that covers all or a major portion of a blank or unfinished wall, building or structure.

#### Non-Commercial Sign: Any sign wording, logo or other representation that is not defined as a commercial message. Such signs may include, but not be limited to showing location of restrooms, restrictions on smoking, or political and/or religious philosophies.

#### Off-Premises Advertising Sign (Billboards): A sign which identifies goods, services, facilities, events, or attractions which are available or provided at a location other than the lot or parcel upon which such sign is located (commonly referred to as “billboards”).

#### Permanent Sign: A sign located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

#### Portable Sign: Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building, including but not limited to "A-frame", "T-frame", or inverted "T-shaped" structures, including those signs mounted on wheeled trailers, hot-air and gas filled balloons, sandwich boards, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, non-governmental flags and searchlights

#### **Projected-Image Sign**: A sign which involves an image projected on the face of a wall, structure, sidewalk, or other surface, from a distant electronic device, such that the image does not originate from the plane of the wall, structure, sidewalk, or other surface.

#### **Projecting Sign:** A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.

#### Roof Sign: A sign mounted on the roof of a building or structure, lying either flat against the roof or upright at an angle to the roof pitch. This also includes any advertising on pitched roofs formed by using different color shingles or other roof coverings and/or signs painted on the roofing shingles or other roofing material.

#### Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or other representation, or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity or product, which is located upon any land or on or in any building, is such manner as to attract attention from outside the premises

#### **Sign Face:** The area or display surface used for the message.

#### Snipe Sign: A temporary sign illegally tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.

#### Temporary Sign: Any sign not intended or designed for permanent display or attachment to the ground or a structure and intended for a limited period of display. For the purposes of this zoning ordinance, temporary signs may include, but not be limited to construction signs, garage/estate sales, political signs, holiday and special events, and real estate signs (including the leasing or sale of rental units, commercial/industrial space and buildings and residential dwellings).

#### Vehicle Sign: Any sign permanently or temporarily attached to or placed on a vehicle or trailer in any manner so that the sign is used primarily as a stationary identification or advertisement sign.

#### **Wall Sign:** A sign which faces an adjacent parking area and/or public street and is attached directly to a building wall, or rigid or non-rigid fabric marquee or awning-type structure attached to a building, and is generally parallel to the building wall, including signs painted on any building wall, or extending from the wall in the case of a canopy, awning, or marque-type structure.

#### Window Sign: A sign located in or on a window which is intended to be viewed from the outside.

### 15.03 General Standards

#### Sign Area: The area of a sign shall be computed by calculating the square footage of a sign face as measured by enclosing the most protruding points or edges of all sign faces of the sign within a single parallelogram, rectangle, triangle, or circle, including any framing. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where (2) such similarly shaped faces are placed back-to-back, parallel to one another and less than one (1) foot apart from one another, the area of the sign shall be the area of one (1) face. Sign area shall comply with the provisions of this Article except where otherwise regulated by Article 11, Standards for Specific Special Land Uses.

#### Sign Setbacks: Unless otherwise specified, the following setback requirements shall apply:

1. All setbacks shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground, to the right-of-way or property line.
2. All freestanding signs shall be setback a minimum distance from all lot lines of at least one half (1/2) the minimum setback distances for buildings within the said District, except as provided below:
3. No freestanding sign shall be located closer than three hundred (300) feet from any railroad grade crossing.
4. No freestanding sign shall be located closer than two hundred (200) feet from any existing residence or Residential District.

#### Sign Height: The height of a freestanding sign shall be measured from the highest point of the sign, including all frame and structural members of the sign, to the ground elevation directly below the sign. Artificial means intended to increase the height of a sign by increasing the ground elevation below the sign is prohibited.

#### Illumination: All signs, except as specifically stated in this chapter, may be illuminated by internal or reflected lights, provided that such illumination shall:

* + 1. Be shielded from all adjacent residential buildings and all streets;
		2. Not have an intensity or brightness to cause reasonable objection from pedestrians or vehicle drivers.
		3. No illuminated signs that flash on or off in varying degrees of intensity causing a nuisance shall be permitted outside of buildings and or as window signs that are inside buildings but seen from the outside. This prohibition on flashing, moving, or intermittent lighting shall not apply to permitted Electronic Message Centers and Changeable Copy Signs.
		4. Signs shall not be lighted so as to obstruct traffic control or other public information signs.
		5. All sign lighting shall comply with the provisions of Section 18.04.
		6. Signs may be illuminated to 0.3 foot candles above ambient light conditions when measured at the distances identified hereunder:

|  |  |
| --- | --- |
| AREA OF SIGN sq. ft. | MEASUREMENT Distance (ft.) |
| 10 | 32 |
| 15 | 39 |
| 20 | 45 |
| 25 | 50 |
| 30 | 55 |
| 35 | 59 |
| 40 | 63 |
| 45 | 67 |
| 50 | 71 |
| 55 | 74 |
| 60 | 77 |
| 65 | 81 |
| 70 | 84 |
| 75 | 87 |
| 80 | 89 |
| 85 | 92 |
| 90 | 95 |
| 95 | 97 |
| 100 | 100 |

#### Construction Standards:

1. Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.
2. Signs shall be fabricated on and be of materials which are of good quality, of good durability and complementary to the building or site of which they become a part.
3. The construction, erection, safety and maintenance of signs shall comply with state and local codes.

#### Required Maintenance of Signs: All signs shall be maintained and in good condition consistent with applicable property maintenance and building code provisions.

#### Standards for Temporary Signs:

#### No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected.

#### No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roof of a structure.

#### Portable temporary signs are permitted provided they are anchored to prevent damage to other structures or property and are not located on a wheeled or other transport chassis.

#### No temporary sign shall be located in a right-of-way

#### Off-premise temporary signs permitted subject to approval from the off-premise property owner.

### 15.04 Signs Permitted in All Districts

#### The following signs are permitted in any zoning district provided all standards of this Article and Ordinance are met and a zoning permit for such sign is issued where required. (See Section 15.10):

* + - 1. Decorative flags or flags with the insignia of a nation, state, community organization, college, university, or corporation.
			2. Miscellaneous signs affixed to vending machines, gas pumps, and ice containers indicating the contents or announcing on-premises sales, provided each sign does not exceed two (2) square feet in area.
			3. Customary farm and crop signs on active farms.
			4. Temporary signs that meet the required regulations and as permitted by zoning district.
			5. Permanent signs that meet applicable standards and as permitted by zoning district.
			6. Warning signs such as no trespassing and warning of electrical current or animals, provided that such signs do not exceed six (6) square feet, or if more than one such sign is posted, each sign shall not exceed two (2) square feet and shall be spaced no closer than necessary to alert the public of the restriction.
			7. Regulatory, direction, and street signs erected by a public agency.
			8. Signs which assist motorists in determining or confirming a correct route, driveway, or parking area location, provided that such signs shall not exceed four (4) square feet in area or two (2) feet in height, and provided that any property identification or logo on such signs shall be included in the calculation of total permitted wall or freestanding sign area.
			9. Home occupation signs, one sign permitted, two square feet in size for dwellings 15 feet or less from the public right-of-way or one sign, six square feet in size if more than 15 feet from the public right-of-way.
			10. Residential subdivision/apartment complex entranceways (consisting of a platted subdivision, condominium subdivision, multiple family development, mobile home park, or other unified residential development consisting of at least five (5) dwelling units) is permitted one (1) sign per vehicle entrance, no closer than fifteen (15) feet to the right-of-way of a street, and having a sign area not exceeding eighteen (18) square feet and a height not exceeding six (6) feet.
			11. Signs carved into stone, concrete, or similar material, or made of bronze, aluminum, or other noncombustible material, which identify the name of a building, a building’s date of erection, or monumental citations, provided such signs do not exceed ten (10) square feet in area and are an integral part of the structure.
			12. Historical markers, plaques, or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding sixteen (16) square feet in area.
			13. One bulletin board sign is permitted on a site in any district which is used for a church or other religious institution, school, museum, library, or other similar institution. Such sign shall have a maximum height of six (6) feet and shall not exceed forty-eight (48) square feet. Such sign shall be setback a minimum of ten (10) feet from any property line or street right-of-way.
			14. Changeable Copy Signs and Electronic Message Centers subject to zoning district regulations and Planning Commission review.
			15. Freestanding signs including pole and monument signs as permitted by zoning district.

### 15.05 Signs in Commercial and Industrial Districts

In addition to the signs permitted pursuant to Section 15.04, the following business signs shall be permitted in Agricultural/Conservation districts where commercial production of agricultural products take place and/or where agri-businesses are located, and in Commercial and Industrial districts subject to the following restrictions, except where otherwise regulated by Article 11 (Standards for Specific Special Land Uses) or Article 20 (General Provisions).

#### Type and Usage: Signs shall be wall signs and/or freestanding signs and shall pertain exclusively to the business or businesses located on the lot on which the sign is located.

Wall Signs:

* + - 1. Number: There is no limitation on the number of wall signs placed upon a building provided all maximum sign area requirements are met.
			2. Area: The maximum total sign area of all wall signs upon a building facade shall not exceed ten percent (10%) of the area of such façade, but in no case shall exceed one-hundred (100) square feet. In the case of a business center, any wall signs used to identify the business center and/or individual businesses shall be applied toward meeting this maximum standard of ten percent (10%) of the area of such façade.
	1. The above referenced ten percent (10%) may be increased to twenty percent (20%) where no freestanding sign is located on the site, but in no case shall wall sign area exceed two-hundred (200) square feet.
1. Window Signs: Window signs shall constitute a wall sign and the area of such window signs shall be counted in the determination of the above referenced maximum wall sign area standards. However, in no case shall the area of a wall sign exceed ten percent (10%) of the window area on which it is attached or faces except that such sign shall not exceed fifty percent (50%) of the window area on which it is attached or faces in the case of the advertising of the grand opening of a business for a period not to exceed forty-five (45) days.
	* + 1. **Dimensions**: The maximum vertical dimension of any wall sign shall not exceed one third (1/3) of the building height, and shall not project above the roof line or cornice of the building to which it is attached. The maximum horizontal dimension of any wall sign shall not exceed two-thirds (2/3) of the building width.

Freestanding Signs:

* + - 1. **Number:** No more than one (1) freestanding sign shall be permitted on a lot or parcel, with the exception of the C-TC zoning district – where no freestanding signs are permitted.
			2. **Area:** The maximum total sign area of a freestanding sign shall not exceed one half (1/2) square feet for each foot in length of the building, but in no case shall exceed forty-eight (48) square feet except as provided below:
			3. In the case of a business center, such sign shall not exceed forty-eight (48) square feet.
			4. In the case where a sign is on a C-2 District lot or parcel within five-hundred (500) feet of the Interstate 75 right-of-way line, such sign shall not exceed seventy-two (72) square feet.
			5. **Height:** Freestanding signs shall not exceed a height of 20 feet.

Changeable Copy Signs

1. In commercial and industrial districts, the permitted manual changeable copy sign area is allowed to be an electronic message center such that:
	* + 1. Messages shall be static and can only change once every 8 seconds.
			2. The electronic message center shall come equipped with an automatic dimming photocell, which automatically adjusts the display’s brightness based on ambient light conditions.
			3. The brightness level shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot candle meter as a pre-set distance.
			4. The procedure and distances for measurement of brightness shall be as established by the International Sign Association’s Recommended Night-time Brightness Levels for On-Premise Electronic Message Centers.
			5. The owners of such signs shall include a signed letter accompanying their zoning permit application, certifying that they will comply with the prescribed brightness limitations set by this code.
			6. All electronic message centers shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.
			7. No electronic message center shall be located closer to a residential use than the distance of the side yard requirements in Article 10 Table 10-4~~.~~
			8. Display messages may only include activities that occur on the premises and not advertise or promote off site businesses, products or services.

Temporary Signs

Temporary signage is permitted in these districts as provided hereunder, but does not include snipe or bandit signs.

1. Freestanding temporary yard signs related to a temporary event or condition (property for sale, construction/remodeling activity, election, etc.) of limited duration are permitted subject to the following requirements. Such signs may not exceed thirty-six (36) square feet in size and six feet in height and must be located at least 10 feet from a property line or public right-of-way. Up to two freestanding temporary signs are permitted and must be removed within thirty (30) days after the temporary event or condition.
2. Temporary wall signs related to a temporary event or condition (property for sale, rent, construction/remodeling activity, election, etc.) of limited duration are permitted subject to the following requirements. Such signs may not exceed 10 percent of the wall surface facing the street, and no more than two temporary wall signs shall be permitted and must be removed within thirty (30) days after the temporary event or condition.
3. Freestanding temporary yard signs not related to a temporary event or condition are permitted in commercial and industrial districts subject to the following requirements. Such signs may not exceed 36 square feet in size and six feet in height and must be located at least 10 feet from a property line or public right-of-way. Up to two freestanding temporary signs not related to a temporary event or condition shall be permitted and must be removed after 30 days. Once removed freestanding temporary signs not related to a temporary event or condition may not reappear for 90 days.
4. Temporary wall signs not related to a temporary event or condition are permitted in such districts subject to the following requirements. Such signs may not exceed 10 percent of the wall surface facing the street and no more than two temporary wall signs may be permitted and must be removed after 30 days. Once removed the temporary wall signs not related to a temporary event or condition may not reappear for 90 days.

### 15.06 Signs in Conservation and Residential Districts

In addition to the signs permitted pursuant to Section 15.04, signs for institutions, public buildings, special land uses and businesses authorized in Conservation or Residential Districts shall be permitted in such Conservation and Residential Districts subject to the following restrictions, except where otherwise regulated by Article 11 (Standards for Specific Special Land Uses) or Article 20 (General Provisions).

#### Type and Usage: Signs shall be wall signs and/or freestanding signs and shall pertain exclusively to the business or businesses located on the lot on which the sign is located.

Wall Signs:

1. **Number:** There is no limitation on the number of wall signs placed upon a building provided all maximum sign area requirements are met.
2. **Area:** The maximum total sign area of all wall signs upon a building facade shall not exceed ten percent (10%) of the area of such façade, but in no case shall exceed forty-eight (48) square feet.
3. **Dimensions:** The maximum vertical dimension of any wall sign shall not exceed one third (1/3) of the building height, and shall not project above the roof line or cornice of the building to which it is attached. The maximum horizontal dimension of any wall sign shall not exceed one half (1/2) of the building width.

Freestanding Signs:

* + - 1. **Number:** No more than one (1) freestanding sign shall be permitted on a lot or parcel.
			2. **Area:** The maximum sign area of a freestanding sign shall be sixteen (16) square feet.
			3. **Height:** Freestanding signs shall not exceed a height of six (6) feet.
			4. **Monument:** Such signs shall not exceed 36 square feet in size with a maximum height of six feet and a maximum sign face of sixteen (16) square feet.

Changeable Copy Signs

In conservation, agricultural rural business and residential districts, changeable copy signs and electronic message centers may be permitted subject to the following provisions:

1. Up to (16) square feet of a permitted monument sign may be an electronic message center such that:
2. Messages shall be static and can only change once every 8 seconds.
3. The electronic message center shall come equipped with an automatic dimming photocell, which automatically adjusts the display’s brightness based on ambient light conditions.
4. The brightness level shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot candle meter as a pre-set distance.
5. The procedure and distances for measurement of brightness shall be as established by the International Sign Association’s Recommend Night-time Brightness Levels for On-Premise Electronic Message Centers.
6. The owners of such signs shall include a signed letter accompanying their zoning permit application, certifying that they will comply with the prescribed brightness limitations set by this code.
7. All electronic message centers shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.
8. Such signs shall be accessory in use and the display messages shall only include activities that occur on the premises and not advertise or promote off site businesses, products or services.

Temporary Signs

Temporary signage is permitted in conservation and residential districts as provided hereunder, but does not include snipe signs.

1. Freestanding temporary yard signs including off-premise temporary signs related to a temporary event or condition (property for sale, garage/estate sales, construction/remodeling activity, election, etc.) of limited duration are permitted subject to the following requirements. Such signs may not exceed 6 square feet in size, six feet in height, must be located 10 feet from the public right-of-way and for off-premise temporary signs must have property owner approval. Up to three freestanding temporary yard signs related to a temporary event or condition are permitted so long as the aggregate sign face of all signs does not exceed twelve (12) square feet. Such signs must be removed within thirty (30) days after the temporary event or condition.
2. Freestanding temporary yard signs not related to a temporary event or condition are permitted subject to the following requirements. Such signs may not exceed 12 square feet in size and six feet in height and must be located at least 10 feet from a property line or public right-of-way. Up to three freestanding temporary yard signs not related to a temporary event or condition are permitted so long as the aggregate sign face of all signs does not exceed twelve (12) square feet.

### 15.07 Signs Prohibited

#### The following signs are prohibited in all Districts:

* + - 1. Any sign not expressly permitted.
			2. Signs that incorporate intense flashing, blinking or moving lights that cause a nuisance.
			3. Signs affixed to a parked vehicle or truck trailer that is being used principally for advertising purposes, rather than for transportation purposes.
			4. Roof signs including advertising on shingles or other roof coverings of pitched, hipped, mansard or gambrel roofs.
			5. Any sign that obstructs free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "stop", "look", "danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
			6. Snipe signs.

### 15.08 Off-Premises Signs

#### Off-premises signs are permitted provided such signs comply with all provisions of the Highway Advertising Act, P.A. 106 of 1972, as amended, and all rules promulgated pursuant to such Act, and the following provisions:

* + - 1. Outdoor advertising signs shall be permitted on parcels in Conservation, Commercial or Industrial Districts where such parcels abuts the M-125, U.S.-24, or Interstate 75 right-of-way. Additionally, Agricultural Parcels abutting the Interstate I-75 right-of-way may have outdoor advertising signs.
			2. The following setbacks shall apply: Except where otherwise required by this Section, outdoor advertising signs are required to have the same setback as other principal buildings in the District in which they are located, and shall be set back a minimum of one hundred (100) feet from all right-of-ways.
			3. No off-premises sign shall be located within three hundred (300) feet of a park, school, church, hospital, cemetery, or government building, or within two hundred (200) feet of a Conservation or Residential District.
			4. No off-premises sign shall be located within five hundred (500) feet of a federal highway interchange or at-grade intersection.
			5. There shall be a minimum of one-thousand five-hundred (1,500) feet between any two off-premise advertising signs along the same side of the interstate.
			6. An outdoor advertising sign’s total surface area shall not exceed three hundred (300) square feet, nor exceed a height of twenty (20) feet.

### 15.09 Nonconforming Signs

It is the intent of this Section to permit the continuance of a lawful use of any sign or outdoor advertising structure existing at the effective date of adoption of this Section, although such sign or outdoor advertising structure may not conform to the provisions of this Section. It is also the intent that nonconforming signs and outdoor advertising structures shall not be enlarged upon, expanded or extended. Sign face changes of nonconforming signs, however, are permitted if the replacement is of equal size or less of the existing nonconforming sign and no structural or foundation work of the existing nonconforming sign is changed or altered. Nonconforming signs shall be maintained in good condition consistent with applicable property maintenance and building code provisions. Further, it is the intent that nonconforming signs and outdoor advertising structures shall be gradually eliminated and terminated upon their natural deterioration or accidental destruction. The continuance of all nonconforming signs and outdoor advertising structures within the Township shall be subject to the conditions and requirements set forth herein.

#### Existing Nonconforming Signs:

#### An existing nonconforming sign may be changed or modified subject to approval from the Zoning Board of Appeals. In reviewing such cases, the Zoning Board of Appeals must find that specific circumstances are consistent with Section 6.05 (C) (1) and that the proposed changes reduce the degree of nonconformity.

#### Damages: Should such structure be destroyed by any means to an extent of more than fifty (50) percent of its appraised replacement cost, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

### 15.10 Signs Requiring Permits

**(A)** All new permanent signs, wall signs or murals, changeable copy signs and electronic message centers shall require a zoning permit to include site plan approval prior to erection and/or placement. If site plan review is required for a proposed project that includes any of the aforementioned signs, the Planning Commission may review both as part of the site plan review procedure. If a new sign is proposed to be placed on an existing development for which site plan approval has already been granted, Planning Commission review and approval will be required.

**(B)** Replacement of existing permanent signs, wall signs or murals, changeable copy signs and electronic message centers shall require a zoning permit to include a plot plan for review and approval by the Zoning Administrator.

### **15.11 Non-Commercial Message or Graphics**

Noncommercial signs are allowed in all districts and may be substituted for any sign expressly allowed or regulated under these codified ordinances. Noncommercial signs are subject to the same requirements, restrictions on size and type, placement and other conditions and specifications as apply to the sign for which they are being substituted.

SECTION 7: REPEAL.

All ordinances or parts of ordinances, in conflict with this Ordinance are hereby repealed.

SECTION 8: SEVERABILITY.

This Ordinance, and the various parts, sections, and clauses are hereby declared to be severable. If any part, sentence, section or clause is determined unconstitutional or invalid by a court of law, the remaining Ordinance will not be affected.

SECTION 7: EFFECTIVE DATE.

This Ordinance shall become effective eight (8) days after publication in a newspaper of general circulation in the Township of Erie, County of Monroe, State of Michigan, unless otherwise provided by law.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE, COUNTY OF MONROE, STATE OF MICHIGAN

ADOPTED: May14, 2019

A copy of this Ordinance can be reviewed or downloaded or at erietownship.com after the effective date or at the Erie Township Office.

PUBLISHED: May 24, 2019

EFFECTIVE: June 1, 2019