

Ordinance Amendment; EMC signage as a Special Land Use
Definitions added to Section 2.2,
Section 16.2 Electronic Message Centers (EMC) added as a Special Land Use
Additional language included as informational only

Intent and Purpose

In order to provide controllable and reasonable flexibility, this Article permits detailed review of certain specified types of land use activities which, because of their particular and unique characteristics, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. Land and structure uses possessing these characteristics may be authorized within certain zoning districts by the issuance of a special land use permit. By such a procedure, safeguards upon each use which are deemed necessary for the protection of the public welfare may be reviewed and the standards set forth within the Ordinance shall be considered and determined by the Township Board.

Many issues in Zoning are driven by changes in technology. The old “reader board” with plastic letter tracks and letters, requiring a person with a long pole to change the letters rain or shine is rapidly being replaced. Most businesses want to move towards the Electronic Message Center (EMC) signs with an instant ability to change the sign face colors and message from an office by merely downloading a message a placing it on the sign. Not having this option is seen as a competitive disadvantage between a village and township or region. These new EMC changeable copy or graphic or video display signs have been in use long enough that new zoning language has evolved and been established to address and ease the administration.

Add the following definitions to Sec. 2.2:

Electronic Message Centers (EMC) is hereby defined and includes all of the following:

- A. **Changeable copy sign:** a sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

- B. **Changeable copy sign, electronic:** a sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED’s), fiber optics, light bulbs, or other illumination devices within the display area. EMC changeable copy signs include computer programmable, microprocessor controlled electronic displays. EMC changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

C. **Electronic graphic display sign:** a sign or portion thereof that displays electronic, static images, static graphics, static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. EMC graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. EMC graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

D. **Video display sign:** a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including EMC changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

ARTICLE XVI - SPECIAL LAND USE PERMITS: SUPPLEMENTARY USE REGULATIONS

Sec. 16.1 Supplemental Regulations

This Article establishes the supplemental regulations for the issuance of Special Land Use Permits. Prior to the issuance of a Special Land Use Permit the issuing authority must find that in addition to the standards specified in Article IV, that the specific supplemental regulations are also met.

Sec. 16.2 Electronic Message Centers (EMC)

Freestanding Pole Signs

1. Freestanding Pole Signs shall be directed perpendicular to the traveled road.
2. In no case may freestanding pole signs exceed fifty (50) square feet in surface area if the lot on which the sign is located has less than two hundred (200) feet of lot frontage on the road toward which that sign is primarily oriented, eighty-five (85) square feet on lots with two hundred or more, but less than four hundred (400) feet of lot frontage, and one hundred twenty (120) square feet on lots with four hundred (400) or more feet of frontage.
3. Such sign shall be located behind the road right-of-way line. Further, a freestanding pole sign shall not be located within twenty (20) feet of the intersection of the access drive and the road right-of-way line.
4. A freestanding pole sign shall not exceed a height of fifteen (15) feet above ground level.

5. A freestanding pole sign may be a lighted sign with lighted LED display which may not change messages no more than once every five (5) seconds.

Wall Signs

1. Wall Signs shall not project above the roofline or cornice.
2. Surface display area shall not exceed ten (10) percent of the building facade; however, no sign shall exceed one hundred twenty (120) square feet.
3. In the case of several tenants utilizing a common customer access, such as a shopping mall or office building, one (1) common wall sign shall be permitted provided that such sign does not provide more than twenty (20) square feet of surface display area for each tenant listed, up to a maximum of ten (10) percent of the building facade.

ARTICLE XIV - ADMINISTRATION

Sec. 14.19 Site Plan Review - Purpose and Intent

It is the purpose of this Part IV of Article XIV to require site plan review for certain buildings, structures and uses that can be reasonably expected to have a significant impact on natural resources, traffic patterns, and the character of development in an area, or the capacity of public infrastructure and services.

The requirements contained in this Part IV are intended to reduce the hazards to life and property due to fire, flooding, soil erosion, poor surface water drainage, inadequate private sewage disposal systems, pollution, dust, fumes, noise vibrations, noxious odors and other hazards; and to promote and facilitate the adequate provision of a system of roads, streets and parking, sewage disposal, drainage, public education, recreation and other public requirements, and to promote the harmonious relationship of land uses through proper design.

Sec. 14.20 Jurisdiction

Either a major or a minor site plan is required to be submitted for review as specified in this Article for all of the following land uses:

1. All residential developments requiring a Zoning Permit other than individual single-family homes, duplexes, and accessory buildings associated with them, unless located in a watershed overlay district;
2. All nonresidential developments requiring a Zoning Permit;
3. Any use by right with conditions specified as requiring site plan review;

4. All platted subdivisions and Condominium Projects involving more than two dwelling units;
5. All special land uses;
6. All PUDs;
7. All expansions or enlargements to nonconforming uses or nonconforming structures that results in a need for ten (10) or more additional parking spaces, per the standards of this Ordinance, and
8. Any other land use requests referred to the Planning commission by the Zoning Administrator.

14.20.1 Administration

The Planning commission shall approve, deny or approve with conditions site plans for Special Land Uses (see Article XVI), PUDs (see Article XVII) and Condominium Projects (see Article XVIII) as part of the review and approval process for those uses; except that site plans for Hardship PUDs and platted subdivisions shall be acted upon by the Township Board of Trustees. Where site plans are reviewed by the Zoning Administrator, the Zoning Administrator shall take action to approve, approve with conditions, or deny the site plan, except where the final decision is made by the Planning commission or Township Board of Trustees.

14.20.2 Major and Minor Site Plans:

A. All site plans associated with a platted subdivision, a Condominium Project, an application for a Special Land Use Permit, or a PUD Permit, and all other site plans for new land uses or expansions or changes of use of existing land uses requiring more than ten (10) new parking spaces or a principal structure of more than five-thousand (5,000) square feet, or more than two (2) acres in affected area for nonresidential land uses, shall be classified as major site plans.

B. All other site plans are classified as minor site plans unless the Zoning Administrator determines that the proposed project may have a significant impact on natural resources, traffic patterns or future development in the vicinity, in which case the site plan shall be processed as a major site plan.

14.20.3 Minor Site Plans:

A. The Zoning Administrator shall review and approve the following site plans without their submission to the Planning commission; except that where the applicant, the Planning commission, or the Zoning Administrator so requests; then the site plan shall be reviewed by the Planning commission before final action by the Zoning Administrator:

1. Accessory uses incidental to a conforming existing use where said use does not require any variance and where said site plan conforms with all the requirements of this Ordinance.

2. Expansion and/or addition to an existing conforming use where said site plan conforms with all the requirements of this Ordinance.
3. Accessory storage buildings in all Zoning Districts.
4. Increases in off-street parking areas, parking buildings and/or structures, increases in loading/unloading spaces, and landscape improvements as required by this Ordinance.
5. For those Special Land Uses so specifically identified in this Ordinance.
6. Amendments to approved site plans.
7. Final site plans.
8. Any other site plan review not delegated for review by the Planning commission.

B. The Zoning Administrator shall apply all applicable standards and procedures of this Ordinance in approving, conditionally approving or denying minor site plans.

14.20.4 Relationship to Variances:

If it is evident that in order for a site plan to be approved, one or more variances must be obtained, the Zoning Administrator shall so inform the applicant and explain the procedural steps and implications of initiating a variance request. The applicant shall make the decision as to when or whether to proceed with a variance request.