

CITY OF WAYLAND, MICHIGAN
ORDINANCE NO. 230

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER
20 OF THE WAYLAND CITY CODE, BEING THE ZONING
ORDINANCE, REGARDING THE REGULATION OF SIGNS.**

Whereas, the Planning Commission has reviewed the zoning ordinance in regards to the regulation of signs, and

Whereas, the Planning Commission has recommended to the City Council that the zoning ordinance be amended regarding electronic display signs generally and more specifically signs in the CBD Zoned district to improve and promote the appearance of the City and to promote and advance the public health, safety, and welfare, and

Whereas, the Planning Commission has held a public hearing on the proposed amendments to the zoning ordinance, and

Whereas, the City Council, upon the recommendation of the Planning Commission, determines it to be in the best interest of the City to amend the zoning ordinance in regards to the regulation of signs.

Section 1. Sec. 20-5 of Article I General shall be amended by addition of the following definition:

Digital/Electronic Sign. Any *signs* that use changing lights or other electronic media to form a *sign* message wherein the sequence of messages and the rate of change is electronically programmed and can be modified by an electronic process. Video display *signs* shall be considered synonymous with *digital/electronic signs*.

Section 2. Sec. 20-656 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-656. Purpose.

The purpose of this article is to regulate the location, size, construction, design and architectural compatibility with the surrounding areas and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety and welfare. While this article recognizes that signs and outdoor advertising are necessary to promote commerce and public information, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of business and residential areas of the City, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists. To achieve its intended purpose, this article has the following objectives:

- (1) To keep signs and sign messages from exceeding the level reasonably necessary to identify a business and its products;

- (2) To keep signs within a reasonable scale with respect to the buildings they identify and are located upon or near;
- (3) To reduce visual distraction and obstructions to motorists traveling along, entering or leaving streets;
- (4) To promote a quality manner of display which enhances the character of the City;
- (5) To prevent the proliferation of temporary signs which might promote visual blight; and
- (6) To insure that the design, construction material and architecture of signs is harmonious with the buildings and structures in the immediate area in order to avoid visual blight.

Section 3. Sec. 20-671 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-671 Required; Criteria.

- (a) All signs erected, altered or constructed in the city shall conform to the provisions of this article and as applicable, the provisions of Chapter 16 Article VI, Street Banners, Sandwich Boards, Structural Encroachments and Portable Signs within the Public Right of Way. All signs shall require a sign permit from the building inspector.
- (b) All signs pertaining to any new development or development expansion required to undergo site plan approval by the Planning Commission, shall be reviewed and preliminarily approved as part of the site plan review process (ref. Sec. 20-116--20-129). All new signs whether for existing or new structures and uses are subject to review and approval of the Zoning Administrator prior to the issuance of a sign permit by the building inspector.
- (c) Before issuing a sign permit, the building inspector shall in consultation with the Zoning administrator determine that:
 - (1) The construction, support and location of the signs will in no way constitute a hazard to the safety of the public or to adjacent properties, the provisions of this article notwithstanding.
 - (2) Street signs conform to all the provisions of this article and if on a state highway, to any additional regulations which may be set forth by the state highway department.
 - (3) Projecting signs meet all the requirements of this article.
 - (4) Illuminated signs conform in all respects to the electrical codes of the city and the state and to the regulations pertaining to sign illumination and electronic signs as contained in this Code (ref. Sec. 20-680, 20-689 and to the sign regulations pertaining to each zoning district).
 - (5) Sign illumination shall not be intermittent or flashing.
 - (6) The illumination of building signs, merchandise or products displayed will in no way be confused with standard traffic safety devices.

- (7) The sign or signs will not by design or arrangement simulate or imitate the size, color, lettering or design of any official traffic sign or any word, phrase or symbol used as a traffic safety control in such a manner as to confuse traffic.
- (8) The light sources will be shielded from the direct view of vehicular traffic or adjacent property. The effect of illuminated signs on neighboring residential uses shall be minimized.
- (9) Signs using glass shall be adequately constructed and located so as to produce no safety hazard should breakage occur.
- (10) The sign or signs will not be erected in a manner or location which will obstruct passage from windows or doorways.
- (11) The sign supports and construction can withstand a horizontal force of forty (40) pounds per square foot applied to the sign display area.

Section 4. Sec. 20-672 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-672 Exceptions.

The following signs will not require a permit and their area will not be included in the calculation when determining allowable sign area. The signs are otherwise subject to the standards contained herein this ordinance:

- (1) Small “temporary” and “incidental” signs as defined in Sec. 20-5, as follows:
 - (a) Non-illuminated incidental and temporary signs of five (5) square feet or less in size for all permitted residential uses in all residential zoning districts. These signs are permitted on any building wall, in window areas or may be free standing. If free standing they shall not exceed a height of forty two (42) inches above ground level.
 - (b) Non-illuminated temporary signs of sixteen (16) square feet or less in size in all Business and Industrial Districts and for all permitted non-residential uses in residential zoning districts. These signs are permitted on any building wall (excluding window and door areas) or may be free standing. If free standing they shall not exceed a height of sixty (60) inches above ground level. .,
 - (c) Non-illuminated identifying and other incidental signs of a permanent nature not exceeding five (5) square feet in area in all Business and Industrial Districts. These signs are permitted on any building wall (excluding window and door areas) or may be free standing. If free standing they shall not exceed a height of forty two (42) inches above ground level.
- (2) Street Signs which are erected by the City or State or Federal government for street direction or traffic control and equivalent street signs in association with private streets.
- (3) One construction sign displaying the name of the architect or contractor on a specific construction project provided the total area of such signs shall not exceed

twenty-four (24) square feet. Such signs shall be removed within seven (7) days of the completion of the project.

- (4) Flags of any Country, State, Municipality, Educational Institution, Non-Profit Organization or business entity when attached to a structure or flag pole. A flag pole may not exceed 30 feet above ground level.
- (5) Warning signs. Signs devoted exclusively to warning the public of dangerous conditions and unusual hazards such as steep slopes, high voltage, fire danger, explosives, no trespassing, no dumping, no parking, etc. Warning signs shall not exceed three (3) square feet in area.
- (6) Banners, pennants, string lights, ribbons, balloon signs, inflatable signs and figures and portable signs generally associated with special or seasonal events in association with any uses located in the R-A, R-1, R-2, R-3, R-4, RM AND RMH Districts only. The provisions of Sec. 20-701 shall apply to all such displays located in a B-1, B-2, B-3, RO, CBD, I-1 and I-2 District.

Section 5. Sec. 20-674 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-674 Signs Prohibited in all Districts. The following signs are expressly prohibited in all Districts.

- (1) Roof signs, as defined herein.
- (2) Any sign which, by reason of its size, location, content, coloring or manner of illumination constitutes a traffic hazard or a detriment to traffic safety, by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any traffic control device on public streets and roads.
- (3) Signs which include display of such words as “Stop,” “Look,” “Danger” or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.
- (4) Signs and sign structures that are no longer in use as originally intended or have been abandoned, or that are structurally unsafe, constitute a hazard to safety and health, or that are not kept in good repair.
- (5) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
- (6) Any sign or other advertising structure containing any obscene or illegal matter.
- (7) Any sign unlawfully installed, erected or maintained.
- (8) Signs having flashing or blinking lights or running type lights that create the effect of blinking or flashing. Electronic Message Display Signs including electronic time and temperature signs and school signs must meet the requirements of Sec. 20-688.
- (9) Display or parking of a motor vehicle or trailer upon a lot or premises in a location visible from a public right-of-way, for the primary purpose of displaying a sign attached to, painted on or placed on the vehicle or trailer. Exceptions include

vehicles used regularly in the course of conducting the principal use located on the premises and commercial vehicles parked overnight at the residence of a business owner or employee of a business or institution.

- (10) Signs having any visible portion either in motion or having the appearance of being in motion, whether on a continuous basis or at intervals, and regardless of whether the motion or appearance of motion is caused by natural or artificial sources, with the exception of electronic message display signs meeting the requirements of Sec. 20-20-688.
- (11) Billboard signs except as permitted in the B-2, B-3, I-1 and I-2 Districts.

Section 6. Sec. 20-688 of Article XIX Signs shall be added in its entirety as follows:

Sec. 20-688 Window Signs permitted in B-1, B-2, B-3, RO, CBD, I-1 and I-2 Districts.

Unless as otherwise stated in this Article within the sign provisions that are applicable to each of the individual zoned districts, window signs are permitted on each front or side of a business that faces the street, subject to the following restrictions:

- (1) All window signs must be painted or applied directly as a film on the exterior or interior window surface or hung inside of the windows and doors of the business.
- (2) Except as provided below, window sign area shall not exceed twenty-five (25) percent of the glassed window and door area on the ground floor of each side of the building. The permitted window sign area for each side of the building containing ground floor windows is calculated independently and shall not be included in the calculation of permitted "wall sign" area.
- (3) In addition to the window signs and sign area permitted in paragraph (2) above, one electronic window sign is permitted for each windowed storefront that the business has facing a street or alley. The sign may be positioned within any window located on the ground floor of building. Electronic window signs may not exceed 2.5 square feet in area. Neon lights and light emitting diodes (LED) are permitted.

If an electronic message display sign is utilized, the display may include static displays, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, animated graphics or images that are revealed or changed rather than all at once. Each message on the sign must be displayed for a minimum of five (5) seconds.

- (4) Window signs having flashing or strobe-type lighting or any other flashing or strobe-type lights within a building or structure which are visible from the exterior of the building or structure are prohibited.

Section 7. Sec. 20-689 of Article XIX Signs shall be added in its entirety as follows:

Sec. 20-689 Electronic Message Displays (EMD).

Unless otherwise regulated or restricted by the provisions of the sign requirements applicable to a specific zoning district, Electronic Message Displays (EMDs) may be permitted subject to the following requirements:

- (1) Operational Limitations.
 - a. All Sites and uses of EMDs within 150 feet of and facing or visible to a residential use or Residential District. Such displays including time and temperature displays and school signs shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity. Each message on the sign must be displayed for a minimum of five (5) seconds.
 - b. All other sites and Use of EMDs. The displays shall be limited to static displays messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, graphics or images that are revealed or appear-sequentially rather than all at once. Unless further restricted under sign the provisions applicable to a specific zoning district, each message on the sign must be displayed for a minimum of five (5) seconds.

Section 8. Sec. 20-761 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-761 Permitted signs.

Preservation and enhancement of downtown CBD landscape. Through the application of this section, it is the intent of the City to protect the public welfare and to enhance the appearance and economic value of the CBD landscape by providing that signs comply with the following:

- (a) That signs do not interfere with scenic views;
- (b) That signs do not create a nuisance to persons using the public right-of-way;
- (c) That signs do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;
- (d) That signs are not detrimental to surrounding property values;
- (e) That signs contribute to the special character and historical significance of the Central Business District; and
- (f) That signs are compatible in design, architecture, construction material and manner of lighting with the buildings in the area.

Section 9. Sec. 20-762 of Article XIX Signs shall be amended to read in its entirety as follows:

Sec. 20-762 Permitted Signs

- (1) Freestanding Signs.

(a) General Requirements.

1. Only one (1) freestanding sign may be located on any premises; except, a second sign which is not to exceed seventy-five (75) percent of the first sign area is permitted when the use has building frontage on two (2) public rights-of-way.
2. A freestanding sign shall be located no closer than ten (10) feet from the public right-of-way.
3. Maximum height: 12 feet.
4. Sign area: 32 sq. ft. per side, not to exceed a total of 64.

(2) Wall Signs and Signs attached to the Building.

(a) Wall Signs.

1. No wall sign shall be erected to extend above the window sill of the second story window on a multi-story building or above the top of the parapet wall or the roof line of a single story building. No wall sign shall be extend beyond the ends of the wall to which it is attached. Signs shall not be erected on any part of a mansard roof as this area is considered to be above the roof line.
2. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws. In no case shall any wall sign be secured with wire, straps of wood or nails.
3. The vertical dimension of a wall sign shall not be in excess of six (6) feet.
4. On each wall of the building that faces a public street, one wall sign is permitted for each use or tenant within the building.
5. On each wall of building that faces directly on an alley or parking lot a maximum of one wall sign is permitted. The sign may identify more than one tenant.
6. For purposes of this article, canopies or awnings incorporating signage are classified as wall signs and shall be regulated as such.
 - i. Awnings, canopies or marquees may have no part of the structure other than supports nearer the ground surface than 8 feet;
 - ii. The architectural style of the awning, canopy or marquee shall be consistent and harmonious with the buildings and structures in the immediate area.
 - ii. An awning, canopy or marquee may not project into the public right-of-way unless ~~it has been issued an encroachment permit from the City Council under the provisions of Chapter 16, Article VI~~ **the property owner agrees to release the City from all liability.** The awning,

canopy or marquee may not project into the public right-of-way nearer than 30 inches to the street curb or curb line. On corner lots this distance shall be at least 72 inches. No awning or marquee shall be allowed to interfere with street signs, plantings, light fixtures or other decorative street fixtures installed by the City.

(b) Projecting and Hanging Signs.

1. In addition to a wall sign, one projecting or hanging sign is permitted for each entrance of a business or separate commercial establishment within a building that faces a public street. Projecting or hanging signs on walls facing an alley or parking lot are not permitted.
2. All projecting and hanging signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws. In no case shall any wall sign be secured with wire, straps of wood or nails.
3. The bottom of the projecting or hanging sign shall be a minimum of eight (8) feet above the surface of the sidewalk or ground area, or otherwise be located so as not to interfere with pedestrian traffic.
4. Each sign shall not be higher than ~~the window sill of the second story window~~ **the height of the face of the building.**
5. ~~The sign shall project not more than forty eight (48) inches from the building~~
6. The sign must be placed on the same vertical plane as the building entrance and the sign must project from the wall at an angle of 90 degrees.
7. The sign shall be at least five feet from an adjoining building and ten feet from another projecting sign.
8. Signs shall not be internally lighted. External lighting of signs is permitted but the source of illumination shall not cause glare.
9. ~~Projecting and Hanging signs may not project into the public right-of-way unless the sign has been issued an encroachment permit from the City Council under the provisions of Chapter 16, Article VI.~~ The sign may not project into the public right-of-way nearer than thirty (30) inches to the street curb or curb line. On corner lots this distance shall be at least seventy two (72) inches. No sign shall be allowed to interfere with street signs, plantings, light fixtures or other decorative street fixtures installed by the City.

(c) Allowable Sign area.

1. Signs facing the street: For each wall facing a public street, two (2) square feet of sign area in the form of wall signs or other

forms of signs that are affixed to the wall of the building is permitted for each one (1) lineal foot of building frontage along a public street, up to a maximum total of seventy six (76) square feet. The sign area may be configured as one sign or as multiple signs affixed to the building. The sign area of all such signs, including parallel wall signs and all canopy, awning, projecting or suspended signs located on the premises shall be included in the total. Window signs are excluded.

- a. Wall signs: The maximum size of any wall sign shall be 60 square feet. The total of all tenant wall signs shall not exceed the total wall sign area permitted for the building.
- b. Projecting or hanging signs: The surface area of a projecting or suspended sign shall not exceed eight (8) square feet on each side or a total of sixteen (16) square feet. Furthermore, the total square feet of projecting and suspended signage (both sides) when added to the total square footage of a wall sign shall not exceed 100 square feet.

2. Signs facing an alley or parking lot: A maximum of one wall sign is permitted on a wall facing an alley or parking lot. The total sign area shall be limited to 16 square feet.

(3) Window Signs.

- (a) General Requirements: Window signs are permitted on each front or side of a business that faces a street (public or private) alley or parking lot, subject to the following restrictions:

1. All window signs must be painted or applied directly as a film on the exterior or interior window surface or hung inside of the windows be inside of the windows and doors of the business.
2. Except as provided below, window sign area shall not exceed twenty-five (25) percent of the external glassed window and door area located on the ground floor of each side of the building. The permitted sign area in or applied to the widows on each side of the building is calculated independently and shall not be included in the calculation of permitted "wall sign" area.
3. In addition to the window signs and sign area permitted in paragraph 2. above, one electronic window sign is permitted for each windowed storefront that the business has facing a street, alley or parking lot. The sign may be positioned within any window located on the ground floor of building. Electronic window signs may not exceed 2.5 square feet in area. Neon lights and light emitting diodes (LED) are permitted.

If an electronic message display sign is utilized, the display may include static displays, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, graphics or images that are revealed or appear sequentially rather than all at once. Each message on the sign must be displayed for a minimum of five (5) seconds.

4. Window signs having flashing or strobe-type lighting or any other flashing or strobe-type lights within a building or structure which are visible from the exterior of the building or structure are prohibited.

(4) Sandwich board/A-frame signs.

(a) General Requirements:

1. Sandwich board/A-frame signs may be permitted in the CBD district when issued a permit under the provisions of Chapter 16, Article VI. Such permits may allow for the placement of a stationary sandwich board/A-frame sign on the public sidewalk when in compliance with the following standards and the other requirements imposed by the City Council under the provisions of Chapter 16, Article VI:

- (a) Maximum height: Four feet.
- (b) Maximum area: Eight square feet for each side.
- (c) Location: The sign shall be stationary and may not be positioned closer than one foot from face of curb. A minimum sidewalk width of four feet shall remain free from obstruction.
- (d) Maximum number: One sandwich board/A-frame sign may be permitted for each storefront facing the street, regardless of number of tenant spaces within each building.
- (e) Duration: Temporary, during business hours. The sign must be removed at the end of each business day.
- (f) Flashing lights, reflectors, balloons, streamers or other items attached to the sign or sign structure are prohibited.

(5) Gasoline service stations, used car lots and garages.

- (a) Gasoline service stations, used car lots and garages may, in addition to the foregoing signs, display the following signs which are deemed customary and necessary to their respective businesses:

1. One (1) freestanding or pylon sign provided that each sign shall not exceed fifty-four (54) square feet in area on a side, shall not extend beyond the property line and shall not be less than ten (10) or more than thirty (30) feet above the ground.

2. One (1) temporary sign located inside the property line provided that the sign does not exceed eight (8) square feet in area.
3. Incidental signs or lettering on the face of the building over individual entrance doors or bays provided that there shall be not more than one (1) such sign over each entrance or bay.

Section 10. Sec. 20-763 of Article XIX Signs shall be added in its entirety as follows:

Sec. 20-763 Signs and sign structures requiring Special Use Permits.

- (1) The Planning Commission and City Council may consider and approve the following signs and sign structures as special land uses under the provisions of Sec. 20-127 and Sec. 20-128.
 - (a) Freestanding Signs that are greater than the maximum height and area requirements or less than the minimum setback requirements.
 - (b) Wall Signs that are greater in number or that are greater than the maximum height and area requirements.
 - (c) Projecting or Hanging Signs that are greater than the maximum area requirements and more than one (1) projecting sign per premises.
 - (d) Canopies, marquees and fixed awnings: Canopies, marquees and fixed awnings with signs integrated or attached thereto, having greater than the maximum height or sign area permitted by right.
- (2) In review of a sign or structure that may be permitted as a special land use under this section, the Planning Commission and City Council shall consider the following factors and insure compliance with the following standards:
 - (a) The size, shape and topography of the property;
 - (b) The relationship of the sign or sign structure to neighboring properties and signs; and
 - (c) The relationship to and visibility from the public street where the property is located; and
 - (d) The general special use standards set forth in Section 20-128.

Sec. 20-764 General Administrative Sign Review Standards.

The Planning Commission and as applicable, the City Council, depending upon the review authority set forth in the above sections 20-761 and 20-763 shall review the sign plan for conformity with the objectives and standards of this article, specifically Sections 20-761, 20-762 and 20-763, and the following:

- (1) Prevention of the placement of signs in a manner that will conceal or obscure signs or adjacent businesses;
- (2) Keeping the number of signs and sign messages from exceeding the level reasonably necessary to identify a business and its products;

- (3) Keeping signs within a reasonable scale with respect to the buildings they identify and are located upon or near;
- (4) Reduction of visual distraction and obstructions to motorists traveling along, entering or leaving streets;
- (5) Promotion of a quality manner of display which enhances the character of the City; and
- (6) Insuring that the design, construction material, architecture and method of lighting of signs are harmonious with the buildings and structures in the immediate area in order to avoid visual blight.