

Torch Lake Township
Ordinance Number 01 of 2023

An Ordinance to amend portions of the Torch Lake Township Zoning Ordinance Chapter 3A Signs.

Torch Lake Township Ordains:

Section 1. Amendment.

The Torch Lake Township Zoning Ordinance is hereby amended to completely replace Chapter 3A-Signs with the following language:

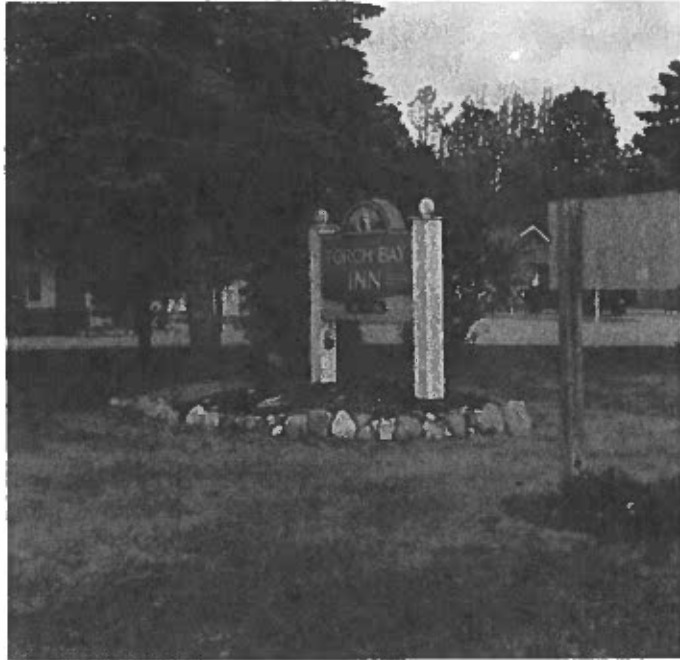
CHAPTER 3A SIGNS

3A.1 Intent & Purpose

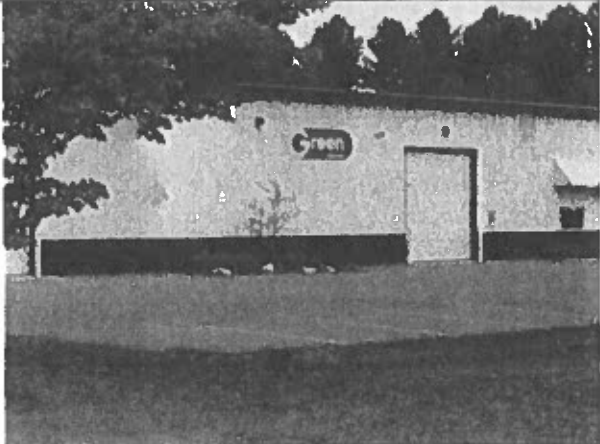
The intent of this Section is to regulate the location, size, construction, and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety, welfare, and traffic safety. While this Section recognizes that signs and outdoor advertising are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

- A. To prevent the placement of signs in a manner that will conceal or obscure signs of adjacent businesses.
- B. To keep the number of signs and sign messages at the level reasonably necessary to identify a business and its products.
- C. To keep signs within a reasonable scale with respect to the buildings they identify.
- D. To reduce visual distractions and obstructions to motorists traveling along, entering, or leaving streets.
- E. To promote a quality manner of display which enhances the scenic and rural character of the Township.
- F. To prevent the proliferation of temporary signs which might promote visual blight.
- G. To promote economic development by allowing a fair opportunity for each property owner to attractively display their message in a clean and clear way.
- H. To minimize light pollution in the Township.


3A.2 Freestanding Signs

FREESTANDING SIGN STANDARDS					
Definition		Example (for illustrative purposes only)			
<p>A sign supported by structures or supports that are placed on, or anchored in, the ground, and that is independent and detached from any building or other structure.</p>					
General Regulations					
<p>A. Freestanding ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme</p> <p>B. No freestanding sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, right-of-way, or other areas required to remain unobstructed.</p> <p>C. Freestanding signs shall be located 1/2 the distance of the required front setback and not in the side setback.</p>					
District	Max. Area (total for type)	Max. Height	Max. Quantity (for type)	Limitations	Permit Required
T	--	--	--	<ul style="list-style-type: none"> Not permitted 	--
A	1 st sign: 50 sq ft 2 nd sign: 24 sq ft	10 ft	Parcels <200 ft wide: 1 / parcel Parcels >200 ft wide : 2/ parcel	<ul style="list-style-type: none"> External illumination only Min. 10 ft setback from ROW 	Yes
R-1	10 sq ft	8 ft	1 / parcel	<ul style="list-style-type: none"> Illumination prohibited Min. 10 ft setback from ROW 	Yes
R-2	10 sq ft	8 ft	1 / parcel	<ul style="list-style-type: none"> Illumination prohibited Min. 10 ft setback from ROW 	Yes
VB/V	1 st sign: 50 sq ft 2 nd sign: 24 sq ft	10 ft	Parcels <200 ft wide: 1 / parcel Parcels >200 ft wide : 2/ parcel	<ul style="list-style-type: none"> Min. 10 ft setback from ROW 	Yes
C	1 st sign: 50 sq ft 2 nd sign: 24 sq ft	10 ft	Parcels <200 ft wide: 1 / parcel Parcels >200 ft wide : 2/ parcel	<ul style="list-style-type: none"> Min. 10 ft setback from ROW 	Yes

3A.3 Wall Signs

WALL SIGN STANDARDS					
Definition			Example (for illustrative purposes only)		
<p>A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. Also known as a fascia sign, parallel wall sign, or band sign.</p>					
General Regulations					
<p>A. No portion of a wall sign shall extend out more than twelve (12) inches from the building wall on which it is affixed.</p>					
District	Max. Area (total for type)	Max. Height	Max. Quantity (for type)	Limitations	Permit Required
T	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed	<ul style="list-style-type: none"> • Illumination prohibited 	Yes
A	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed	<ul style="list-style-type: none"> • Illumination prohibited 	Yes
R-1	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed	<ul style="list-style-type: none"> • Illumination prohibited 	Yes
R-2	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed	<ul style="list-style-type: none"> • Illumination prohibited 	Yes
VB/V	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed		Yes
C	20% of façade, not to exceed 25 sq ft total	12 ft	Up to maximum area allowed		Yes

3A.4 Small Temporary Signs

SMALL TEMPORARY SIGN STANDARDS					
Definition			Example (for illustrative purposes only)		
<p>A type of non-permanent sign that is located on private property that can be displayed for a limited duration of time and is not intended to be a permanent display.</p>					
<p>General Regulations</p> <p>A. Small temporary signs shall not reduce the unobstructed width of any sidewalk or pedestrian path to less than 4 feet.</p> <p>B. A small temporary sign shall not be placed in any rights-of-way.</p> <p>C. Shall be removed within 5 days of the event that the sign is advertising.</p>					
District	Max. Area (total for type)	Max. Height	Max. Quantity (for type)	Limitations	Permit Required
T	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No
A	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No
R-1	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No
R-2	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No
VB/V	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No
C	8 sq ft	4 ft	---	<ul style="list-style-type: none"> • Illumination prohibited 	No

3A.5 General Requirements

- A. **Permit Required:** Prior to the erection or structural alteration of a sign, a zoning permit shall be secured from the Zoning Administrator. Exceptions to the permit requirements of this subsection shall include:
1. Address signs bearing only the property numbers, post box numbers, name of occupants, or other identification of the premises, limited to one (1) per building entrance and two (2) square feet of area.
 2. Historical signs designated by the state or federal government.
 3. Government signs erected on behalf or pursuant to the authorization of a government body, including street signs, legal notices, informational signs, and regulatory signs.

- B. Design and Condition: All signs and sign structures shall be properly maintained and kept in a good state of repair.
- C. Right-Of-Way: No sign shall be placed in or extend into any public right-of-way.
- D. Clear Vision Area: No sign above three (3) feet shall be placed in any required clear vision area.
- E. Traffic Interference: No sign shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such manner as to interfere with, mislead, confuse, or create a visual impediment or safety hazard to pedestrian or vehicular traffic.
- F. The requirements in this section shall not be applicable to any sign not visible from a public or private right-of-way or water.

3A.6 Sign Measurements

- A. Surface Area:
 - 1. Signs shall not exceed the maximum allowable area permitted in this Section for sign type and district or use. When not limited to one (1) sign of a specific type, the maximum area shall be determined by the cumulative total of all the signs of a specific type.
 - 2. The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided it does not contain any lettering, wording, or symbols and is not more than 1.5 times the area of the sign.
 - 3. Where the sign consists of individual letters, designs, or symbols attached to a structure, building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
 - 4. Signs that consist of, or have attached to them, one or more three-dimensional (3-D) or irregularly-shaped objects, shall have a sign area of the sum of two (2) adjacent vertical sign faces of the smallest cube encompassing the sign or object.
 - 5. Only one (1) face of a double-sided sign will be used to determine the area of the sign.
 - 6. For V-shaped signs, either horizontally or vertically oriented, with interior angles greater than ninety (90°) degrees the sign area is the sum of both sign faces, otherwise the area is the same as for double-sided signs.

B. Height:

1. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade at the base of the sign.
2. Clearance for projecting, awning, and canopy/marquee signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
3. The permitted maximum height for all signs is determined by the sign type and the zoning district or use in which the sign is located.

3A.7 Sign Illumination

Internal and external illumination of signs shall be permitted for all signs, except where limited or prohibited in this section, subject to the following requirements:

- A. All illumination shall be concentrated on the area of the sign or landscape feature and directed or shielded so as to not interfere with the vision of persons on the adjacent streets or adjacent property.
- B. No sign shall be illuminated by other than electrical means or devices, and wiring shall be installed underground in accordance with the National Electrical Code.
- C. All illumination shall emit light measuring three thousand degrees Kelvin (3,000 K) or warmer (between 0 K and 3,000 K) on the Kelvin scale and shall not exceed eight hundred (800) lumens.
- D. Internally illuminated signs shall have a dark background and light lettering.
- E. No sign shall include reflective materials.
- F. A sign incorporating an electronic message sign shall be considered an illuminated sign.

3A.8 Prohibited Signs

The following signs shall be prohibited:

- A. Signs incorporating any manner of flashing, strobe, or moving lights, with the exception of approved electronic message signs.
- B. Animated Signs: A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, feather flags, and/or other devices or displays that respond to naturally occurring external motivation.
 2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
 3. Flashing: Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds one (1) hour.
- C. Signs on park-type benches, trees, or utility poles except for a small donor plaque.
 - D. Abandoned signs.
 - E. Inflatable signs.
 - F. Roof signs.
 - G. Pole- or pylon-mounted signs, except associated with the installation of an approved billboard sign.
 - H. Portable and vehicle signs parked primarily for the purpose of attracting attention to the message contained within.
 - I. Any sign unlawfully installed, erected, or maintained.
 - J. Signs that completely block the view of other signs.
 - K. Any additional signage for a business that has an existing nonconforming sign.

3A.9 Nonconforming Signs

A legal nonconforming sign may be continued and shall be maintained in good condition, including replacement faces, but it shall not be:

- A. Expanded, altered or changed from a manual changeable letter sign to electronic changeable copy sign so as to increase the degree of nonconformity of the sign.
- B. Re-established after its discontinuance for one hundred eighty (180) days.
- C. Continued in use after cessation or change of the business or activity to which the sign pertains.

- D. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50%) percent of the appraised replacement cost, as determined by the Zoning Administrator.

3A.10 Removal of Unsafe, Unlawful, or Abandoned Signs

- A. Unsafe or Unlawful Signs: Upon written notice by Zoning Administrator, the owner, person, or firm maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication, or it is determined by Zoning Administrator to be a nuisance, it is deemed unsafe by Zoning Administrator, or it is unlawfully erected in violation of any of the provisions of this Ordinance.
- B. The Township may remove or cause to be removed the sign at the expense of the owner and/or lessee in the event of the owner of the person or firm maintaining the sign has not complied with the terms of the notice within thirty (30) days of the date of the notice. In the event of immediate danger, the Township may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.
- C. Abandoned Signs:
 - 1. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within one hundred eighty (180) days of the sign becoming abandoned as defined in this Ordinance. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.
 - 2. Where the owner of the property on which an abandoned sign is located fails to remove such sign in one hundred (180) days the Township may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the Township may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

3A.11 Permit Application & Approval Process

- A. Application and Approval: Application forms for a zoning permit to erect, alter, or move a sign shall contain or have attached to it the following information at a minimum:
 - 1. Name, mailing address, email address, and telephone number of the applicant.
 - 2. Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
 - 3. If proposed to be attached to a building, its proposed location on the building and planned building height.



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June 7, 2023

Ms. Sara Kopriva
Zoning Administrator
Torch Lake Township
[sent via email to: skopriva@torchlaketownship.org]

Dear Ms. Kopriva:

At their special meeting of June 6, 2023 the Antrim County Planning Commission reviewed the proposed Torch Lake Township Ordinance that would amend the zoning ordinance by completely replacing Chapter 3A - Signs. The following motion was made and approved:

That the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed Torch Lake Township amendment to replace Chapter 3A and recommends that the Torch Lake Township Board approve the proposed ordinance.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Janet Koch
Deputy County Administrator

