PLANNING COMMISSION
MEETING AGENDA
SPECIAL/STUDY MEETING

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
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planning@troymi.gov

Michael W. Hutson, Chair, and Mark Maxwell, Vice Chair
Donald Edmunds, Tom Krent, Philip Sanzica, Robert M. Schultz
Thomas Strat, John J. Tagle, and Lon M. Ullmann

August 23, 2011 **7:30 P.M.** **Council Board Room**

1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – August 9, 2011 Regular Meeting
4. PUBLIC COMMENT – For Items Not on the Agenda
5. ZONING BOARD OF APPEALS (ZBA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

OTHER ITEMS

8. REVISIONS TO CHAPTER 85 – SIGNS – Discuss Document
9. PUBLIC COMMENT – Items on Current Agenda
10. PLANNING COMMISSION COMMENT

ADJOURN

NOTICE: *People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*

Vice Chair Maxwell called the Regular Meeting of the Troy City Planning Commission to order at 7:30 p.m. on August 9, 2011 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:	Absent:
Donald Edmunds	Michael W. Hutson
Tom Krent	Robert Schultz
Mark Maxwell	
Philip Sanzica	
Thomas Strat	
John J. Tagle	
Lon M. Ullmann	

Also Present:
Allan Motzny, Assistant City Attorney
Zachary Branigan, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2011-08-048
Moved by: Edmunds
Seconded by: Strat

RESOLVED, To approve the Agenda as prepared.

Yes: All present (7)
Absent: Hutson, Schultz

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2011-08-049
Moved by: Sanzica
Seconded by: Tagle

RESOLVED, To approve the minutes of the July 26, 2011 Special/Study meeting as prepared.

Yes: All present (7)
Absent: Hutson, Schultz

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUESTS

5. PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 390) – Proposed Holiday Inn Express Hotel & Suites, East side of Stephenson Highway, North of 14 Mile (466 Stephenson Highway), Section 35, Currently Zoned OM (Office Mixed Use) District

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2011-08-050
Moved by: Sanzica
Seconded by: Strat

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Holiday Inn Express Hotel & Suites, located on the east side of Stephenson Highway, north of 14 Mile Road, at 466 Stephenson Highway, Section 35, within the OM (Office Mixed Use) zoning district, be granted, subject to the following:

1. Show lot coverage calculation.
2. Add a bike rack with capacity of at least two bicycles.
3. Satisfy landscape requirements as follows:
   a. Add one deciduous street tree.
   b. Provide landscaped area calculations.
   c. Correct errors and inconsistencies in the landscape plan and existing tree inventory.
   d. Provide detailed landscaping calculations showing how all requirements of Section 13.02 are being met.
   e. Add a 3-foot landscape berm in the lawn area between the parking lot and the right-of-way for Stephenson Highway, specifically along the length of the actual area where the 10 parking spaces facing Stephenson are proposed.
   f. Show protective techniques for trees proposed to remain.
4. Seal remaining architectural sheets.
5. Provide samples, swatches, or manufacturer's specification sheets of the predominant proposed exterior materials and colors of all buildings and permanent structures, including walls and fences.

Yes: All present (7)
Absent: Hutson, Schultz

MOTION CARRIED

6. PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 391) – Proposed Kroger Retail Fuel Center D-464, Southwest Corner of South Boulevard and Crooks (2105 W. South Boulevard), Section 5, Currently Zoned NN (Neighborhood Node) District (Controlled by Consent Judgment)

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2011-08-051
Moved by: Edmunds
Seconded by: Krent

RESOLVED, The Planning Commission hereby recommends to City Council that Special Use Approval and Preliminary Site Plan Approval for the proposed Kroger Retail Fuel Center, located at the southwest corner of South Boulevard and Crooks Road, Section 5, within the NN (Neighborhood Node) zoning district, controlled by Consent Judgment, be granted, subject to the following:

1. If fire suppression is required, demonstrate that the fire protection devices under the canopy are architecturally screened so that the tanks are not directly visible from the street.
2. Demonstrate compliance with light levels along the South Boulevard and Crooks Road rights-of-way.

Yes: All present (7)
Absent: Hutson, Schultz

MOTION CARRIED

OTHER BUSINESS

7. SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 388 A) – Proposed Adult Foster Care Home, North Side of Square Lake, East of Beach (2420 W. Square Lake), Section 6, Currently Zoned R-1A (One Family Residential) District

A variance request for this item is scheduled at the August 16, 2011 Zoning Board of Appeals.

8. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

The Regular Meeting of the Planning Commission adjourned at 8:45 p.m.

Respectfully submitted,

_____

Mark Maxwell, Vice Chair

_____

Kathy L. Czarnecki, Recording Secretary

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DATE: August 19, 2011

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: REVISIONS TO CHAPTER 85 - SIGNS – Discuss Document

On August 4, 2011 all Planning Commission members were emailed an electronic version of Chapter 85. Members were asked to review the document. Members were also asked to pay particular attention to signs within the City, documenting their thoughts through notes or photographs. Some members forwarded photographs, which are attached. We will discuss Planning Commission findings and ideas at the August 23, 2011 Special/Study meeting.

Some questions to consider:

- In general, what do you think of signage in Troy?
- Are the provisions too restrictive, too lenient, or where they need to be?
- Are there specific sign types that should be restricted more than they are presently?
- What should we do about signage in our Form Based Districts, which are intended to be more pedestrian in nature?

Attachments:

1. Chapter 85 - Signs
2. Photos

cc: File

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PC 2011.08.23
Agenda Item # 8

Chapter 85 - Signs

85.01.00 Administration

85.01.01 Title and Purpose

A. Short Title: This Ordinance shall be known as and may be cited as the City of Troy Sign Ordinance.

B. Findings and Purpose: It is hereby determined that proliferation of signs in the City is unduly distracting to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct and warn the public. It is also determined that the appearance of the City is marred by proliferation of signs. It is also determined that proliferation of signs restricts light and air. It is also determined that proliferation of signs negatively affects property values. It is also determined that proliferation of signs results in an inappropriate use of land. The purpose of this Ordinance is to control the occurrence and size of signs in order to reduce the aforementioned negative effects. It is also determined that the signs of least value to people within the City are those which carry commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located or indicates the sale or rental of such premises. It is also determined that the regulations contained in this Ordinance are the minimum amount of regulation necessary to achieve its purposes. It is also determined that restrictions in this Ordinance on the size of signs, their height and placement on real estate, are the minimum amount necessary to achieve its purposes.

85.01.02 Enforcement:

A. This Chapter shall be administered and enforced by the Zoning Administrator as provided for in Chapter 3 of the Troy City Code.

(Rev. 06-07-2010)

B. Responsibility of Compliance: The owner of any property on which a sign is placed, and the person maintaining said sign are equally responsible for the condition of the sign and the area in the vicinity thereof.

C. Removal of Signs: Should any sign be found unsafe, insecure, improperly constructed or not in accordance with the requirements of this Chapter, the Sign Erector and/or Owner shall be required to make the sign safe, secure and otherwise in compliance with the requirements of this Chapter within 30 days of written notice. If the Sign Erector or Owner fails to comply within the allocated 30-day period, then the Zoning Administrator shall remove the offending sign within 48 hours from the time of written notification. However, if the enforcing official determines that a sign is unsafe and an immediate hazard to health or safety, then the sign shall be removed or repaired at the owner's expense within 48 hours of written notification of such condition.

(Rev. 06-07-2010)

85.01.03 Definitions: For the purpose of this chapter, certain terms, words and tenses used herein, shall be interpreted or defined as follows:

Board of Appeals: Board of Appeals means the Building Code Board of Appeals.

Business Development: One or more uses within a building or buildings that share common parking facilities.

Department: The Planning Department of the City of Troy, its officers, inspectors and other employees.

(Rev. 06-07-2010)

Ground Sign: A freestanding sign supported by one or more uprights, braces, or pylons located in or upon the ground and not attached to any building.

Owner: A person, firm, partnership, association or corporation and/or their legal successors.

Person: Any individual firm, partnership, association or corporation and their legal successors.

Political Sign: A sign whose message relates to: The election of a person to public office, or to a political party, or to a public issue, which shall be voted on at an election called by a public body.

Projecting Sign: A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structure, by more than twelve (12) inches.

Public Property: All publicly-owned property, including streets, rights-of-way, and everything affixed thereto and there over.

Road Closure Construction Sign: A sign permitted when road lane(s) adjacent to a property are closed, due to road construction activity, for a period of 30 or more calendar days.

(Rev. 06-07-2010)

Roof line: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, the deck line of mansard roofs, and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

Roof Sign: A sign that is erected, constructed or maintained upon, and projects above or beyond the roof or parapet.

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting,

balloon, streamer or other similar object in any form whatsoever which contains printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

Sign Erector: Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.

Wall Sign: A sign attached to, painted on, or placed flat against the exterior wall or surface of any building, no portion of which projects more than 12 inches from the wall, and which may not project above the roof or parapet line.

Zoning Administrator: The City Manager or his/her designee, the person charged with the administration of this Ordinance.

85.01.04 Requirements for Permits

A. Permit Required: It is unlawful for any person to erect, re-erect, alter, or relocate any sign without obtaining a permit from the Zoning Administrator and paying the applicable permit fee, as set forth-in Chapter 60 of the City Code.

(Rev. 06-07-2010)

Exceptions:

1. Sign Permits shall not be required for street signs, which are erected by the City, State or Federal Government for street direction or traffic control.

2. Sign Permits shall not be required for signs located on the interior of buildings.

3. Sign Permits shall not be required for signs that are not visible from any adjacent right-of-way which do not exceed thirty-six square feet.

4. Sign Permits shall not be required for small ground signs for uses other than one and two family dwellings, as long as the signs are not more than two square feet in area.

5. Sign Permits shall not be required for temporary signs, as set forth in Section 85.03.02 of this Chapter.

6. Sign Permits shall not be required for flags that are allowed by Section 85.03.04.

B. Permit Application: Applications for sign permits shall be made upon forms provided by the Department and shall contain the following information:

1. Name, address and telephone number of applicant.

2. Name and address of the Sign Erector.

3. Location of the building or structure to which the sign is to be attached or lot where the sign is to be erected.

4. Position of the sign in relation to nearby buildings, structures, property lines, and existing or proposed rights-of-way.

5. The zoning district of the real property where the sign is to be located.

6. Two copies of the plans and specifications for the proposed sign and the method of construction and attachment to the building or placement in the ground.

7. If deemed necessary by the Zoning Administrator, two copies of stress sheets and calculations, bearing the signature and seal of a registered professional engineer or architect, which show the structure as designed for dead load and wind pressure, and demonstrate that the proposed sign will satisfy the regulations adopted by the City of Troy.

   (Rev. 06-07-2010)

8. Such other information as the Zoning Administrator may require to demonstrate that the proposed sign would meet full compliance with this and other applicable laws of the City of Troy and the State of Michigan.

   (Rev. 06-07-2010)

C. Contractor Registration Required:

1. All Sign Erectors, as defined in Section 85.01.03 of this Chapter, shall annually register with the Department. The Sign Erector registrations shall expire April 1st of each year. The registration fee is as set forth in Chapter 60 of the City Code.

2. Insurance Requirement: The following insurance is required before a sign permit will be issued:

   a. Insurance Certificates: Before a permit is issued for the erection of a sign, the installing company shall submit a Certificate of Insurance for Public Liability in the amount of One Hundred Thousand ($100,000) Dollars for injuries to one person and Three Hundred Thousand ($300,000) Dollars for injury to more than one person, and Property Damage insurance in the amount of Twenty-Five Thousand ($25,000) Dollars for damage to any property due to the actions of the Sign Erector or any of their agents or employees. This Certificate shall be submitted to the Planning Department, and approved by the City's Risk Manager or his/her delegate.

(Rev. 06-07-2010)

b. Lapsing of Insurance: Sign Erectors shall maintain the above referenced insurance coverage at all times in order to be eligible to obtain sign permits. If the insurance coverage lapses at any time, the City can automatically revoke the right of a Sign Erector to obtain sign permits.

c. Notification of Change: A Sign Erector shall notify the Planning Department of any change in address, or any change in ownership or management that differs from what is indicated on the Insurance Certificates.

(Rev. 06-07-2010)

D. Permit Fees: Permit fees are as set forth in Chapter 60 of the City Code.

85.01.05 Prohibited Signs

A. Signs in Right-of-Way: No sign shall be located in, project into, or overhang a public right-of-way or dedicated public easement, except as provided below:

1. Signs established and maintained by the City, County, State, or Federal Governments may be located in the right of way.

2. Banners advertising civic events may be permitted on lighting poles within the median of Big Beaver Road, between Rochester Road and Cunningham Drive, for a period not to exceed thirty days, subject to the approval of the City Manager.

3. In its discretion, City Council may approve an agreement to allow residential development identification signs in the medians of boulevard entrance streets. Any such agreement shall require continuing liability insurance and also provide satisfactory maintenance of the sign, as well as any other condition that is deemed necessary by the Troy City Council to protect the right of way. The agreement must also indicate the City Council's approval of the proposed design and materials for the sign. The residential development identification sign shall not exceed five feet in height, and shall not be more than 50 square feet in area. The height of such signs shall not exceed 30" when located in the corner clearance area depicted in Figure 85.01.05 A.

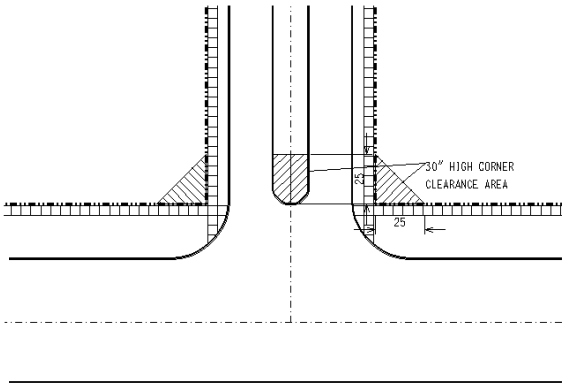

Figure 85.01.05 A

B. Corner Clearance: Signs higher than 30 inches shall be prohibited in the triangular area formed at the intersection of any two street right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection. No sign shall be located in that area, or project into, or overhang into the area.

C. Roof Projecting Signs: Roof signs and projecting signs are prohibited.

D. Fire Escapes: No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.

E. Support Location: No pole, cable or support of any nature shall be placed on any publicly owned property, street right-of-way, or proposed street right-of-way.

F. Traffic Interference: No advertising device 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 a manner as to interfere with, mislead, or confuse traffic.

G. Flashing Signs: Flashing or intermittent illumination of signs shall be prohibited.

H. Neon Tubes: Installation of neon tubing used as borders or accent strips on the exterior of any building shall be prohibited.

85.01.06 Inspections

A. Concealed Work: In cases where fastenings are to be installed and enclosed in such a manner that the Building Inspector cannot easily remove material to see the fastenings and material used, the Sign Erector must advise the Zoning Administrator so that the inspection may be made before concealment.

(Rev. 06-07-2010)

B. Compliance Certification: All signs shall be inspected at original installation; if found to comply with this chapter, the sign shall be issued a certificate of compliance.

C: Inspections of Existing Signs: The Zoning Administrator can inspect existing signs to determine compliance with the provisions of this chapter.

(Rev. 06-07-2010)

85.01.07 Non-Conforming Signs:

A. Intent: It is the intent of this Chapter to encourage eventual elimination of signs that, as a result of the adoption of this Chapter, become non-conforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Chapter. It is the intent, therefore, to administer this Chapter to facilitate the removal of illegal non-conforming signs while simultaneously avoiding any unreasonable invasion of established private property rights.

B. Continuance: A non-conforming sign shall be maintained in good condition. A non-conforming sign may be continued, but shall not be:

1. Replaced by another non-conforming sign; or

2. Structurally altered so as to prolong the life of the sign; or

3. Expanded; or

4. Re-established after damage or destruction to the sign, if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost of the sign.

85.01.08 Appeals:

A. Procedure

1. Any person aggrieved by any decision, ruling or order from the Building Inspector may appeal that decision to the Board of Appeals. The appeal shall be made by filing an application for a hearing with the Department. The application shall specify the grounds for the appeal. The Zoning Administrator shall transmit the application and all other documents relating to the appeal to the Board of Appeals. Upon receipt of the Appeal Application, the Building Inspector shall administratively establish a date of the Public Hearing.

(Rev. 06-07-2010)

2. The Zoning Administrator shall notify all owners of real property within 300 feet of the real property that is proposed as the site of the sign subject to the

appeal. The notice shall be sent by U.S. Mail to the owners at the address listed with the Troy Assessing Department, and shall be postmarked no less than 14 days before the date of the Public Hearing.

(Rev. 06-07-2010)

B. Powers of the Board of Appeals

1. The Board of Appeals has the power to grant specific variances from the requirements of this Chapter, upon a showing of each of the following:

   a. The variance would not be contrary to the public interest or general purpose and intent of this Chapter; and

   b. The variance does not adversely affect properties in the immediate vicinity of the proposed sign; and

   c. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

2. Duration of Variances: The Board of Appeals shall not grant any variance for a period that exceeds 15 years. All variances shall terminate at the expiration of the period of time set by the Board of Appeals, or upon alteration or reconstruction of more than 50% of the sign, whichever occurs first.

85.01.09 Violations

A. It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move, or convert any sign in the City of Troy, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter. Any person violating any of the provisions of this Chapter shall be responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy. Each day that a violation continues is deemed a separate Municipal Civil Infraction. Sanctions for each violation of Chapter 85 shall include a fine of not more than $500, costs, damages and injunctive orders as authorized by Chapter 100. Any sign constituting an immediate hazard to health and safety is deemed a nuisance and may be removed by the Zoning Administrator at the expense of the owner of the sign or other responsible party, in the discretion of the Zoning Administrator.

(Rev. 06-07-2010)

B. Signs in Public Right-of-Way: In addition to the penalties prescribed in paragraph 85.01.09 A, any sign erected in violation of this Chapter may be removed by the Zoning Administrator or his/her authorized representative and stored in a safe location for at least 48 hours. During this period of time, the owner of the sign may

obtain the sign from the Zoning Administrator upon request and payment of a fee of Fifty Dollars ($50) for each sign to cover the costs of removal and storage. After 48 hours, the Zoning Administrator may dispose of the sign.

(Rev. 06-07-2010)

C. Public Nuisance: Signs installed after the effective date of the adoption or subsequent amendment of this Chapter that are in violation of this Chapter are hereby declared to be public nuisances, and may be abated by the City. The City can take any legal action to abate the public nuisance. The collection of removal fees from the Owner, Sign Erector, or other responsible person shall not preclude the City from prosecuting the responsible person.

85.02.00 General Provisions

85.02.01 Construction Requirements

A. Material Requirement: All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the Michigan Building Code and the requirements of this Chapter.

B. Fastenings: All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the Sign Erector shall be repaired by the Sign Erector.

C. Changeable Message Signs: The message change cycle of a changeable message sign shall be not less than one minute per message, except in a combined time and temperature sign, where the change cycle shall not be less than 30 seconds.

D. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.

E. Proximity to Electrical Conductors: No sign shall be erected so that any part, including cables, guys, etc, will be within six feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

85.02.02 Illuminated Signs:

A. Illumination: Only listed electrical devices shall be used for the illumination of signs. These listed electrical devices shall be installed in accordance with the requirements of the regulations adopted by the City of Troy. No open spark or flame may be used for display purposes unless specifically approved by the Zoning Administrator.

(Rev. 06-07-2010)

B. Shielding from Residential Districts: Any lighting used to illuminate signs shall be directed away from and shall be shielded from any adjacent residential zoning districts and shall not adversely affect driver visibility on adjacent public thoroughfares.

85.02.03 Identification of Sign Erector:

A. Sign Erector's Imprint: Every sign, other than temporary signs herein defined, must carry the identification of the Sign Erector, in clearly legible letters.

B. Re-hanging: In case of re-hanging or re-erection of any sign, the Sign Erector must place his/her identification and the date of the re-hanging on the sign.

85.02.04 Measurement of Signs:

A. Sign Area: For the purpose of this Chapter, the area of the sign shall include the total area within any circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, and is further calculated as follows:

1. Single Face Sign: For a single face sign, the area shall be computed as the total exposed exterior surface in square feet.

2. Multi-faced Signs: When the sign has two or more faces, the area of all faces shall be included in computing the area of the sign.

   Exceptions:

   1. For a sign that has two or more faces placed back to back, the area shall be computed as one-half the total exposed exterior surface area in square feet.

   2. For a sign that has two or more faces so arranged that the faces are greater than 24 inches from one another or such sign with any two faces that form a "V" is greater than 15 degrees, the area shall be computed as a single face sign.

3. Wall Signs: When a sign consists solely of writing, representation, emblems, logos, or any other figure or similar character which is painted or mounted on the wall of a building or a self-supporting wall or fence, without distinguishing border, the area of such sign shall be computed as if it were framed by a border consisting of horizontal and vertical lines touching the outer limits of the sign and extending not more than one foot from smaller sign elements. However, in no instance shall there be any line having a dimension of less than one foot.

B. Sign Height: The height of the sign is measured from the ground to the highest point of the sign from the ground.

85.02.05 Allowable Signs:

A. The Zoning District Regulations and Table 85.02.05 set forth the allowable signs in each zoning district. These are in addition to the signage that is exempted from permits by Section 85.01.04 A.

B. Nothing in this Chapter shall be construed so as to prohibit ideological or non-commercial advertising on any sign on which commercial advertising is allowed.

C. Specific Zoning District Regulations

1. R-1 and R-2 Districts: Signs in single-family and two-family districts shall be allowed as follows:

   a. For Special Approval Uses listed in Chapter 39, Section 10.30.00 of the Troy City Code: One sign not to exceed 100 square feet in area.

   b. For Subdivision Entrances: A maximum of two signs not exceeding a total of 100 square feet in area.

      (Rev. 08-06-2007)

   c. For Subdivisions Under Development: One sign not to exceed 100 square feet in area is allowed until such time as a certificate of occupancy is issued for all homes in the subdivision.

2. R-M, RI-T, CR-1 and C-F Districts: Signs in Multiple Family Housing or Cluster Housing, and Community Facility Developments shall be allowed as follows:

   a. One sign not to exceed 100 square feet in area.

   b. One additional sign not to exceed 36 square feet in area.

   c. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or R-2 District.

3. All O and R-C Districts: Signs in Office and Research Center districts shall be allowed as follows:

   a. One wall sign for each building, not to exceed 10% of the area of the front of the structure, to a maximum size of 200 square feet in area.

   b. One ground sign for each building in accordance with Table 85.02.05.

c. One additional ground sign for each building, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

d. Each tenant on the ground floor may have one wall sign, which shall not exceed 20 square feet in area. The sign must be located on the face of the area occupied by the tenant.

e. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or R-2 district.

4. B-1, B-2, B-3 and H-S Districts: Signs for each business development in the Commercial Districts shall be allowed as follows:

a. One ground sign in accordance with Table 85.02.05.

b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

c. The required setback for ground signs from adjacent residentially zoned property shall be the same as for buildings within the zoning district.

d. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

5. M-1 Districts: Signs for each M-1 development shall be allowed as follows:

a. One ground sign in accordance with Table 85.02.05.

b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

c. One wall sign for each building, not to exceed 10% of the area of the front of the structure, up to a maximum of 100 square feet.

d. One wall sign, not to exceed 20 square feet in area, for each tenant in multi-tenant buildings. Tenant signs must be located on the face of the area that is occupied by the tenant.

e. One additional ground sign, provided it complies with all of the following:

1. The sign is set back a minimum of 200 feet from any street right-of-way.

2. The sign is located at least 1,000 feet from any sign exceeding 100 square feet in area.

3. The sign does not exceed 300 square feet in area.

4. The sign does not exceed 25 feet in height.

f. A dealership within a Planned Auto Center shall be allowed the following additional signage:

1. One ground sign, in accordance with Table 85.02.05.

2. Two wall signs, with each sign being 20 square feet in area or less.

g. No sign shall be located closer than 50 feet to any property line of an adjacent R-1 or R-2 district.

TABLE 85.02.05
STANDARDS FOR GROUND SIGNS

Zoning District	Minimum Setbacks*	Maximum Height	Maximum Area
All R and C-F	10 ft. from Street	12 ft.	See Section 85.02.05,C,1 & 85.02.05,C,2
All B, H-S, O, R-C and Planned Auto Centers in M-1	0 ft. - 20 ft.	10 ft.	50 sq. ft.
	20 ft. - 30 ft	20 ft.	100 sq. ft.
	30 ft. +	25 ft.	200 sq. ft.
M-1	10 ft	12 ft.	100 sq. ft. Max. See Section 85.02.05,C,5,e

* Indicates setback from existing street right-of-way, or from planned right-of-way (Master Thoroughfare Plan), whichever is greater.

85.03.00 General Exceptions: The regulations of this Chapter shall be subject to the following exceptions.

85.03.01 Special Event Signs

A. Signs advertising a Special Event may be allowed for events that include, but are not limited to, grand openings, vehicle shows/displays, craft shows, benefit rummage/bake sales and festivals, as long as a Special Event Sign permit is issued. The application for a Special Event sign permit shall be submitted to the Zoning Administrator, and shall include the following:

1. Plans indicating the following:

a. Site layout (building location, parking, etc.)

b. Number, size and location of proposed signs, including banners, flags, cold air balloons, and other forms of signage.

2. Documentation detailing the purpose of the event and desired dates for the placement of the Special Event signs.

3. If the applicant for the Special Event Sign permit is not the property owner of the site where the signage is proposed to be located, then the written approval of property owner must be submitted with the application.

4. The required application fee, as set forth in Chapter 60 of the Troy City Code.

   Exception: All fees for a Special Event sign application shall be waived for all non-profit applicants who provide satisfactory proof of the non-profit status to the Zoning Administrator.

B. A Special Event Sign permit shall be issued for not more than seven (7) consecutive days within any twelve (12) month period.

C. No more than four off-site signs related to a Special Event may be permitted. Such off-site signs shall each be limited to six (6) square feet in area. Applicant must also submit written approval from the owners of properties where the off-site Special Event Signs are proposed to be located. This permission must be provided prior to the issuance of a permit.

85.03.02 Temporary Signs

A. Temporary signs include, but are not limited to the following:

1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premise for sale, rent or lease.

2. For a single dwelling or building or vacant land: an off-site real estate sign for the purpose of providing direction to another premise that is offered for sale, rent, or lease.

3. An on-site sign advertising an on-going garage, estate or yard sale.

4. An off-site sign for the purpose of providing direction to another premise that is having a garage, estate or yard sale, as long as the dates of the sale are clearly indicated on the sign.

5. Non-commercial signs, which contain non-commercial informational or directional messages.

6. Political signs.

7. Holiday or other seasonal signs.

8. Construction signs for buildings under construction.

B. All temporary signs must comply with all of the following regulations:

1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed fourteen (14) square feet. The maximum size of individual temporary signs shall not exceed six square feet in area. Temporary signs shall not be higher than forty-two (42) inches above average mean grade of the yard on which it is placed.

Exceptions:

1. For uses other than one and two family dwellings, signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 10 feet in height.

2. One sign advertising the sale or lease of vacant land, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 15 square feet of sign area per acre of land or 15 square feet of sign area per 100 lineal feet of thoroughfare frontage. In no case shall the sign be allowed to exceed 100 square feet of sign area or be more than 10 feet in height.

2. Location of Temporary Signs:

a. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way

b. Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway and shall not be located in a dedicated right-of-way.

c. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.

d. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.

e. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.

f. Signs shall be located so as to comply with the corner clearance requirements of Section 85.01.05 B.

3. Time Limitations for Temporary Signs: Each temporary sign shall be removed within 60 days of placement.

   Exceptions

   1. Where there is a valid contract for work on the premises that exceeds sixty (60) days, then temporary signs shall be permitted on the premises for the length of the contract.

85.03.03 Road Closure Construction Signs

One road closure construction sign, not exceeding 36 square feet in area, shall be permitted for each owner or tenant of a building located on property adjacent to a road lane that is closed due to construction activity for a period of 30 or more calendar days. Road closure construction ground signs shall not exceed 10 feet in height and shall be located outside of the right-of-way. Road closure construction wall signs shall be placed flat against the exterior surface of the building, shall not project more than 12 inches from the building surface, and shall not project above the roof or parapet line. Road closure construction signs shall be removed upon the opening of all road lanes adjacent to the property

(06-07-2010)

85.03.04 Signs on Motor Vehicles

A. No person, corporation, partnership or other legal business entity shall stand or park a motor vehicle on public or private property in the City of Troy for the purpose of advertising same "for sale" or "for trade".

(Renumbered: 06-07-2010)

Exceptions:

1. Properly licensed auto dealerships and properly licensed used car lots.

2. The owner of a motor vehicle who places a “for sale” or “for trade” sign on or within the vehicle provided:

   a. The vehicle is located only on the vehicle owner’s residential property; and

   b. The owner of the vehicle displays a clearly visible sign on the vehicle indicating the owner’s name and address; and

   c. Not more than one vehicle is displayed on the residential property.

3. The owner of non-residential property who places or allows to be placed a “for sale” or “for trade” sign on or within the vehicle provided:

a. Not more than one vehicle is displayed on the nonresidential property; and

b. The owner of the vehicle displays a clearly visible sign indicating the nonresidential property owner's consent to the display of the vehicle.

B. A displayed message containing a phone number in or on a parked motor vehicle that is or was visible constitutes a presumption that it is or was for the purpose of offering the vehicle for sale or trade.

C. Proof that the vehicle described in the complaint was parked in violation of this Section, together with proof that the defendant named in the complaint was at the time of the cited parking the registered owner of the vehicle constitutes a presumption that the registered owner is responsible for the violation.

85.03.05 Flags

(Renumbered: 06-07-2010)

A. The display of the flag of the United States of America or other political subdivision thereof shall not be regulated by this Chapter when attached to a structure or standardized flagpole.

B. The display of not more than one flag, such as but not limited to, corporate, civic, social, cultural, church or club group shall be permitted if flown in conjunction with an American flag of equal or greater size.

(09-12-2005)

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