Definitions from Section 2.01

Signs: The following terms relating to signs shall have the meaning defined below:

A. **Banner**: A flexible sign made of natural, synthetic or plastic material used to call attention to a property; however, not including pennants or flags.

B. **Changeable message sign**: A sign on which the message can be changed by hand, mechanically, or electronically.

C. **Flag**: Usually a rectangular piece of fabric made of natural, synthetic or plastic material having a distinctive size, color and design

D. **Freestanding sign**: A sign supported by one (1) or more uprights, poles, braces, or some other structure, placed in or upon the ground surface and not attached to any building.

E. **Illuminated sign**: A sign that provides artificial light by either emission (usually from inside) or reflection (usually either from light above or below the sign).

F. **Non-conforming sign**: A sign lawfully existing on the effective date of this Ordinance which does not conform to one (1) or more of the regulations set forth in this Ordinance.

G. **Pennant**: A small, often triangular, tapering flag used in multiples as a device to call attention to a land use or activity.

H. **Portable sign**: A freestanding sign not permanently anchored or secured to either a building or the ground (such as a sandwich sign), and includes trailered or similarly mounted signs or signs on parked vehicles where the sign is the primary use of the vehicle or wheeled object while it is parked.

I. **Projecting sign**: A sign which is affixed to any building or structure other than a marquee and projects in such a way that the message is not parallel to the wall to which it is attached.

J. **Roof sign**: A sign erected, constructed, or maintained upon, or which projects above, the roof line of a building.

K. **Sign**: Any identification, description, illustration, display or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard, or temporary sign designed to advertise, identify or convey information. For the purpose of removal, signs shall also include all sign poles and similar supporting structures. Signs under one-square foot in size on or next to a door or on a mailbox or post are not regulated by this Ordinance.
L. **Sign, accessory**: A sign which is accessory to the principal use of the premises.

M. **Sign face**: That part of a sign structure which is used to graphically communicate a message or announcement.

N. **Temporary sign**: A display sign, or advertising device with or without a structural frame, intended for a limited period of display.

O. **Wall-mounted sign**: A sign which is attached directly to or painted upon a building wall which does not project more than twelve (12) inches there from. The exposed face of the sign must be in a plane parallel to the building wall or structure (such as a water tower). The sign shall not extend above the height of the building, wall or structure.

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**Section 22.07 Signs and Billboards**

Sign plans shall be reviewed for approval, conditional approval or rejection by the Zoning Administrator. The Zoning Administrator may refer any sign plan to the Planning Commission for review and approval.

**22.07.1 Intent**

The sign standards contained in this Ordinance are declared to be necessary to protect the general health, safety, and welfare of the citizens of Emmet County, and are based on the following objectives:

A. To promote signs which are visible at eye level and can be readily seen from moving vehicles with the least amount of eye distraction.

B. To encourage native plants and other landscaping materials around all freestanding signs so as to complement the site and integrate the sign with the buildings, parking areas and natural site features.

C. To avoid excessive use of signs in order to give each use optimum visibility to passer-by traffic and if possible, to prevent one sign from blocking the view of another sign.

D. To place and size signs in such a way that scenic views are protected and visual obstructions to the natural landscape are minimized.

E. To maintain and enhance economic stability by keeping aesthetic appeal to tourists, resorters, and visitors, and encouraging sign planning that will complement the County's natural environment and preserve its scenic and natural beauty by minimizing visual obstructions to the natural landscape.

F. To encourage the use of aesthetically pleasing sign materials and colors, and to encourage signs to be predominately natural in appearance, through the use of weather tolerant wood or material of equivalent character.
G. To encourage the use of subdued colors, with bright colors used only for accent.

H. To avoid creation of obstacles or traffic hazards by distracting or confusing motorists, impairing motorists’ ability to see pedestrians, read other traffic signs, or see other vehicles.

I. To enhance the effectiveness of necessary signs.

J. To preserve property values from the negative impacts of unsafe, cluttered, and otherwise unregulated signs on abutting property or in the area.

K. To avoid bright lights and reflection, and to protect views of the night sky against poorly shielded lights.

L. To encourage wall-mounted signs not to violate the architecture of the building to which it is attached. For example, signs should not cut across columns or be placed on architectural features.

The standards in this Article are determined to be the minimum necessary to achieve the above stated purposes.

Compliance with this Section does not relieve the applicant from the responsibility of compliance with other local, state or federal sign regulations, nor does the issuance of a Sign Permit grant permission to the applicant to place signs on any property, including road rights-of-way, other than property owned or otherwise legally under the control of the applicant. The issuance of a Sign Permit only assures the applicant that the sign meets the requirements of the County Zoning Ordinance.

It is also acknowledged that the county's economic well-being is heavily dependent upon the resort and tourist industry. This dependence makes the preservation of the environment from unreasonable signage a matter of critical importance to this County.
22.07.2 Signs Authorized Requiring a Permit (unless stated otherwise)

<table>
<thead>
<tr>
<th>Freestanding Sign – Permit required for new signs</th>
<th>R-1, R-2, RR, and SR</th>
<th>FF-1 and FF-2</th>
<th>B-1, B-2, B-3, PT, and I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number Allowed</td>
<td>Maximum size allowed</td>
<td>Number Allowed</td>
<td>Maximum size allowed</td>
</tr>
<tr>
<td>1</td>
<td>18 sq. ft. and 8 ft. in height</td>
<td>1</td>
<td>32 sq. ft. and 8 ft. in height</td>
</tr>
<tr>
<td>(Signs located in the road right of way shall not exceed 32 sq. ft. and 8 ft. in height)*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shall not be longer than four (4) times its width.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AND/OR</td>
<td>OR</td>
<td>AND</td>
<td></td>
</tr>
</tbody>
</table>
| Wall-Mounted Sign – Permit required for new signs | 1 | 8 sq. ft. May project outward up to three (3) feet \(\text{Wood crafted or is a sign of equivalent character.}\) | 1 | 32 sq. ft. Shall not be longer than four (4) times its width. | 1 or 2 | 15% of the surface area of the mounting wall \(\text{(computed on the ground level story only – ground level story height may not exceed 12 feet)} \)
\(\text{A second wall-mounted sign may be permitted on buildings located on a corner lot.}\)
\(\text{A banner may be permitted in lieu of a wall-mounted sign provided it is securely attached to the wall and it meets all other requirements of a wall-mounted sign.}\)
<p>| Wood crafted or is a sign of equivalent character. | Shall not project beyond or overhang the wall face by more than five (5) feet. (\text{No sign shall project above the ridge line of a hip, gambrel, gable, or mansard roof, or above the parapet of a flat roof.}) | | | | |</p>
<table>
<thead>
<tr>
<th>Additional Signs – No permit required</th>
<th>R-1, R-2, RR, and SR</th>
<th>FF-1 and FF-2</th>
<th>B-1, B-2, B-3, PT, and I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number Allowed</td>
<td>Maximum size allowed</td>
<td>Number allowed</td>
<td>Maximum size allowed</td>
</tr>
<tr>
<td>Four (4) accessory signs not to exceed four (4) square feet in area on buildings; except that one sign may be located at each approved driveway not to exceed four (4) sq. ft. and six (6) feet in height.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Signs – no permit required</td>
<td>1</td>
<td>Non-illuminated – two (2) square feet</td>
<td>One (1) non-illuminated – three (3) square feet</td>
</tr>
<tr>
<td>Window Signs – no permit required</td>
<td>10% of the total window space</td>
<td>10% of the total window space</td>
<td>10% of the total window space</td>
</tr>
<tr>
<td>Canopy or Marquee Signs</td>
<td>Integral canopy signs shall be allowed in place of permitted wall mounted signs with message information, i.e., letters, numerals, symbols etc., not to exceed fifteen (15) percent of the canopy surface. For the purposes of calculation, the subject canopy will be considered to fall within a measurable square or rectangular enclosure.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Signs cannot obstruct the view of permanent signs, drives, roads, etc. Signs in a right-of-way are subject to any further rules, provisions, or prohibitions as determined by the governmental unit or agency having jurisdiction.

It is intended that freestanding signs located at an approved driveway be included on the sign plan for approval as to location and number by the Zoning Administrator.

A. **Accessory Signs in all Districts**

In addition to the permitted signs, a development may have one non-illuminated freestanding sign, located within the project area and not to exceed the freestanding sign size standard for the applicable district. Such sign shall not be readily visible from the frontage road. Additional signs mounted on and parallel with the wall may be permitted provided the signs in total do not exceed the area standards for the wall mounted signs in the applicable Zoning District.

B. **Signs as a Main Use**

Signs on vacant property shall be restricted to the B-2 District provided the area of the sign does not exceed fifty-six (56) square feet, the height of the sign does not exceed ten (10) feet, there is at least two thousand (2,000) feet of separation between any two such signs on both sides of the road and two hundred (200) feet of separation between a sign as a
main use and an accessory sign, and two hundred (200) feet of separation between a sign as a main use and any other existing building over two hundred (200) square feet.

A sign as a main use may not include a changeable message sign or changeable message component.

All required permits from the Michigan Department of Transportation shall also be obtained before erecting the sign as a main use.

C. Changeable Message Signs

One changeable message sign per business premise subject to the following: changeable message signs, including, but not limited to, electronic changeable message signs, shall be permanently affixed to, and be parallel with the wall of the main building or designed into the freestanding sign as an integral part of the freestanding sign structure.

1. Changeable message signs may not exceed 40% of the allowable sign area.

2. Such changeable message signs shall have no moving parts.

3. The background shall be unlit, and the letters shall be monochrome.

4. Electronic changeable message signs must meet all other standards of Section 22.07

5. Electronic changeable message signs may not be illuminated between the hours of 10:00 P.M. and 6:00 A.M., except for premises that are open for business after 10:00 P.M., then the lighting shall be turned off at the close of business.

D. Accessory Signs In PUD Districts

In PUD Zoning Districts, sign standards shall be determined by site plan, PUD development plan and the proposed uses. Residential PUD projects may be allowed signs as regulated in Residential Zoning Districts. Business and/or Industrial uses may be permitted to have signs as regulated in Business and/or Industrial Zoning Districts.

22.07.3 Non-Conforming Signs

It is the intent of this Section to permit the continuance of all permanent signs or outdoor advertising structures existing at the effective date of this Section although such sign or outdoor advertising structure may not conform to the provisions of this Article. It is also the intent that nonconforming signs shall not be enlarged upon, expanded, or extended. Further, it is the intent that nonconforming signs shall be gradually eliminated and ended upon their natural deterioration, destruction, removal, or replacement. The continuance of all nonconforming signs and outdoor advertising structures within the County shall be subject to the conditions and requirements set forth below.
A. **Structural Changes**: Signs may be repaired, or renovated, and kept in good repair. The faces, supports, or other parts of any nonconforming sign shall not be structurally changed, altered, substituted, or enlarged unless the resultant changed, altered, substituted, or enlarged sign conforms to the provision of this Section.

B. **Placement**: No nonconforming sign shall be relocated on a property, unless located in conformance with this Ordinance and sized to conform to this Ordinance.

C. **Illumination**: Illumination may not be added to any nonconforming sign.

D. **Destruction**: Should any nonconforming sign be destroyed by any means, to the extent of 80 percent or more, it shall be reconstructed only in conformity with the provisions of this ordinance.

E. **Change on Sign Face**: The message of a nonconforming sign may be changed so long as this does not create any new nonconformities.

### 22.07.4 Signs Prohibited

A. Signs containing flashing, intermittent, or moving: lights, images, motion pictures, or similar mechanisms.

B. Signs which are erected in such a manner as to obstruct free and clear vision or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

C. Signs with moving or revolving parts and/or messages.

D. Signs affixed to trees, rocks, shrubs, fences, utility poles, or other similar features.

E. Signs which are insecurely fixed, unclear, or in need of repair.

F. Portable signs utilizing vehicles, trucks, vans, or other wheeled devices; or tripod, sandwich boards, or changeable message signs, except that licensed vehicles painted or affixed with signs shall not be prohibited from properly parking in a designated parking space.

G. Advertising devices such as banners, balloons, advertising flags, pennants, pinwheels and searchlights or other devices with similar characteristics unless otherwise permitted in this Section.

H. Signs which overhang or extend into a dedicated public right-of-way without the written consent of the governmental unit having jurisdiction.

I. Signs that have concrete foundations or other solid anchoring devices that project above the surface of the ground and located so as to constitute a safety hazard to vehicle traffic.
J. Signs using glass beads, and/or reflectors shall be prohibited as main background treatment of the sign, but may be used in minor proportions for lettering or incidental artistic details, provided there are no visual conflicts with official traffic signs.

22.07.5 Signs Not Requiring a Zoning Permit

The following, provided such signs are established in a lawful manner and placed so as not to cause a nuisance or create a safety hazard:

A. Signs required by or approved by federal, state, or local units of government.

B. Banners, balloons, advertising flags, pennants, and pinwheels, or other devices with similar characteristics may be used temporarily for periods not to exceed thirty (30) consecutive days upon the opening of a new type of business or use by a new owner.

C. Replacement Signs
An existing sign that is removed shall only be replaced if it conforms to the size, area, height, and lighting requirements of this ordinance. No permit is required; however, review of the proposed sign with the Zoning Administrator is recommended.

D. Temporary Sign
One additional temporary sign may be permitted in all zoning districts on property offered for sale or lease. Such sign shall not exceed 10 sq. ft. and 8 ft. in height on properties zoned R-1, R-2, RR, or SR. Such sign shall not exceed 32 sq. ft. and 8 ft. in height in all other zoning districts.

Other temporary signs, not listed in this Section, shall be regarded and treated in all respects as permanent signs which require a permit.

22.07.6 Placement of Signs and Setbacks

A. Accessory signs may be located at the right-of-way line, but shall not be located within the right-of-way unless permitted by the road agency having jurisdiction. Accessory signs shall be sited to prevent one sign from blocking the view of another sign.

B. Signs as a main use shall be setback the required distance in the zone (front and side).

22.07.7 Flags

Flag pole heights shall not exceed thirty (30) feet. The total number of flagpoles shall be limited to three (3) per site. Flag poles may not be located in the road right-of-way unless permitted by the road agency having jurisdiction.

22.07.8 Sign Lighting
Sign lighting should be of no greater wattage than is necessary to make the sign visible at night and should not reflect onto adjacent properties. Lighting sources shall not be directly visible to passing pedestrians or vehicles and should be concealed so that direct light does not shine through, under, or over any element of a sign.

A. Sign lighting other than street and security lights shall be turned off between the hours of 10:00 P.M. and 6:00 A.M., except for premises open for business after 10:00 P.M., then the lighting shall be turned off at the close of business.

B. For internally lighted signs, the sign background, or field, shall be dark colored and opaque. Letters, numerals, logos, and similar message elements may be of a translucent material to permit internal lighting to reveal the message or information for which the sign is intended. All other lighted signs shall incorporate the lighting source as part of the sign structure, i.e. top, bottom, or side mounting. Ground mounted lighting sources are prohibited.

C. Night lighting of flags shall be of sufficient wattage to illuminate flag surfaces only and shall not be excessive thus contributing to light pollution of the night sky. It is recommended that the flag be illuminated from the top down and directed so as not to interfere with passing pedestrians or vehicles. Ground mounted lighting is prohibited.

D. Neon lighting and/or other gas filled light tubes are permitted when used for the indirect illumination of signs, and/or when placed in windows.

E. Signs with reflective paint are encouraged in lieu of sign lighting.

22.07.9 Measuring - Area and Height of Sign

The area of sign shall be determined by circumscribing the exterior limits of each display erected on one sign structure, including the sign background (but not supporting features or roof like covers) with the smallest square, rectangle, triangle, circle, parallelogram, or trapezoid, that will connect all extreme points of the sign display and including voids, unused space, or air spaces between multiple display features. The structural features and supporting elements of a freestanding sign, including decorative facades, canopies, and base treatments, shall not have a facing surface area that exceeds the area of the message portion of the sign.

The area of sign measurement shall be based on one display face, but both sides of the display face may be used for sign purposes without increasing the area of sign. Sign panels, if not back-to-back and the back face is separated or angled from the other by more than four (4) feet for parallel faces, and/or angled on the inside more than forty-five (45) degrees, the second face shall be added to the allowable area of sign.

The height of all free standing signs as specified in this ordinance shall be measured from the average existing grade at the base of the sign to the top of the sign and shall include roof like covers and supporting structures.

22.07.11 Sign Variances
In order to allow greater flexibility in property and use signing, the Emmet County Zoning Board of Appeals may permit signs that:

A. Exceed the maximum number of signs permitted when there is more than one bordering County Primary or State Trunkline Highway, and the sign is placed directly in front of the building wall, which faces each road, or farther from the intersection line than the wall,

B. Exceed the maximum sign area for the following reasons: Deep use setback, cooperative sign use (joint use or community type advertising), large site area, and/or natural feature limitations to attaining reasonable signing of the use, or if the property shares a common front or side lot line with a B or I Zoning District.

In granting sign variances, the Zoning Board of Appeals shall consider the impact of each sign on adjoining residential districts, scenic views, out of character skyline intrusions, and obstructions to signs or uses on adjoining properties. The purpose of the sign and its applicability to uses that serve tourists or passerby motorists shall be considered in granting or denying a sign exception.

22.07.12 Application Procedure

Applications for sign permits shall be made upon forms provided by the Zoning Administrator and shall contain or have attached thereto the following information:

A. Name, Address, telephone number, and email address of the applicant and property owner (if other than the applicant).

B. Location of building, structure or lot to which the sign or other advertising structure is to be attached or erected.

C. Site or plot plan showing the location of the sign.

D. One (1) graphic of the proposed sign(s), including dimensions, height, and lighting details (as applicable).

E. Written authorization of the property owner where the sign is to be erected.

Sign plans referred to the Planning Commission by the Zoning Administrator shall follow the process for Site Plan Review. The sign plan may be separately submitted or be an integral feature of the Site Plan. If submitted separately from the initial site plan review, a separate application process and fee applies. Sign Variances shall follow the procedures for Zoning Board of Appeals review. Sign Review applications and detailed procedures are available through the office of the Zoning Administrator.

No provision of this Section shall be construed to prevent an applicant from seeking prompt judicial review of a decision on an application.
22.07.13 Review

Sign permits shall be denied, approved, or approved with conditions within 45 days after submission of the complete application. If a decision on the application has not been made within 45 days, the application shall be considered approved. Sign Variances per Section 22.07.11 shall be denied, approved, or approved with conditions within 90 days after submission of the complete application. If a decision on the Sign Exception application has not been made within 90 days, the application shall be considered approved.

22.07.14 Substitution Clause

Any sign that can be displayed under the provisions of this ordinance may contain a non-commercial message.

22.08.15 Sign Removal from Public Right-of-Way

Any unauthorized sign that is placed on public property or within the road right-of-way is subject to removal by the Zoning Administrator. If the owner or party responsible for such sign is known, the county shall provide the owner or responsible party with an opportunity to retrieve the removed sign. Any such sign that has not been retrieved within 30 days following removal is subject to disposal. The county shall not be responsible for any loss or damage incurred in connection with the removal or temporary storage of any unauthorized sign.