
ALEXANDRIA TOWNSHIP

PLANNING COMMISSION

MEETING PACKET FOR
July 23, 2012



PRELIMINARY AGENDA
Alexandria Township Planning Commission
July 23, 2012
6:00 p.m. – Township Conference Room

Call to Order

Adopt Agenda

Approve Minutes – May 30, 2012

Public Hearing

1.

Zoning Administrator's Report

New Business:

1. Discussion – Sign Ordinance Update

2.

Old Business:

1.

Adjournment

**NOTE: This is a preliminary agenda, subject to change at any time.



STAFF REPORT

Issue: Sign ordinance update

Agenda Item: New Business

Background: In coordination with Douglas County Land & Resource, the Alexandria Township Board of Supervisors has approved an updating of the Township and County sign ordinances. Both the County and Township language regarding signs is identical, except that billboard signs are permitted by the County in commercial and industrial districts while the Township requires a conditional use permit for billboards in these districts.

The general plan for updating the ordinance includes the following steps:

1. Initial research by Hometown Planning to develop a listing of the issues that typically arise in the writing of a sign ordinance and initial suggestions for amendment.
2. Initial consultation with Douglas County staff to determine the scope of issues that it would like to address in its updated ordinance.
3. Initial consultation with Alexandria Township to determine the scope of issues that it would like to address in its updated ordinance.
4. Develop a working outline to guide the writing of the new sign ordinance. Present to Douglas County staff and Alexandria Township for review.
5. Draft an updated sign ordinance.
6. Present draft ordinance to Douglas County staff and Alexandria Township Planning Commission for review and comment.
7. Present draft sign ordinance to local sign manufacturers/installers for comment and suggested revisions, so as to ensure adequate industry input prior to a final public hearing. The sign companies would be provided a copy of the draft ordinance and Hometown Planning would make itself available for phone or in-person meetings with industry staff to discuss their thoughts and suggestions.
8. Amend draft ordinance based on County/Township comments.
9. Turn over draft ordinance to Douglas County staff for public hearing process. Hometown Planning will be available to answer questions or provide input at the public hearing if requested.
10. Once approved by the County, hold public hearing at Alexandria Township to adopt amendments (and implement more restrictive standards, if desired).

Consistent with Steps 1 and 3 above, this first meeting of the Planning Commission on this issue is to begin identifying what aspects of the current ordinance should be

changed and to what degree the Township wants to implement additional or more specific regulations.

Based on previous conversations with the Planning Commission and Douglas County staff, the following areas of the current ordinance have been identified as likely needing change:

1. The existing sign regulations are generally seen as too restrictive within commercial- and industrial-zoned districts (primarily along Highway 27 and Liberty Road intersection within the Township).
 - a. Currently, there is a 50 ft setback required for all signs from the road right-of-way. This makes it difficult to erect signs in a location that is easily visible by those driving by.
 - b. Currently, there is a requirement that signs on the same side of the road be at least 500 feet apart. This makes it difficult or impossible for each business owner in the Township's commercial/industrial areas to erect a sign on their property.
 - c. Currently, there is a restriction that the combined surface area of signs not exceed 100 sq ft. This is possibly too restrictive if it applies to both sides of a sign in total. 50 sq ft per side significantly limits the size of sign that a business can have.
 - d. Currently, there is a restriction that the bottom of a sign cannot be more than ten (10) feet off the ground surface. This may not be practical for typical business signs - especially in highway commercial areas.
 - e. Currently, there is a restriction that signs not exceed a horizontal length of ten (10) feet. This may not be practical for typical business signs - especially in highway commercial areas.
2. Sign ordinances across the country have come under increased scrutiny in recent years due to court rulings on free speech rights. The current ordinance does not contain specific mention of the fact that non-commercial speech cannot be regulated as much as commercial speech.
3. The current ordinance does not have specific regulations regarding digital or dynamic display signs. These types of signs are becoming much more prevalent and can raise concerns regarding driver and pedestrian safety and aesthetics. Many communities are implementing specific regulations for such signs.

Staff is attaching a general outline of sections/issues typically addressed in sign ordinances. This is not a complete outline and the specific outline used for the Township and the County will be subject to discussion.

In the definitions section of the general outline, we have listed the various types of signs that are defined and regulated in most sign ordinances. There will obviously be other terms that need to be defined; this is just to help get us thinking about the various types of signs and how we might want to regulate them.

Planning Commission Direction: This meeting is primarily for the purpose of identifying the issues and start drafting out a general outline of what a new sign ordinance should include and what specific aspects of the current ordinance should be changed. As such, Staff sees the following as some good general questions to begin asking:

1. Is the list above of desired changes to the current ordinance language accurate?
2. What other issues/concerns do Commission members have regarding sign regulations that could be addressed in a new ordinance?
3. Generally speaking, how should sign regulations differ between commercial, residential and other zoning districts? Are there certain areas where signs should not be allowed at all? How will these sign regulations interact with restrictions on home occupations/home-based businesses?
4. What does the Commission think about digital/dynamic display signs? Where and under what circumstances are these appropriate? Should they be allowed at all in a Township setting?

For your reference, a copy of the current Township ordinances regarding signs are also included in the following pages.

General Table of Contents

Typical Sign Ordinances

1. Findings - for why a sign ordinance is necessary/desirable
2. Purpose - what we are trying to accomplish
3. Definitions
 - a. Animated
 - b. Awning
 - c. Banner
 - d. Billboard
 - e. Canopy/Marquee
 - f. Construction/Contractor
 - g. Digital/Dynamic Display
 - h. Directional
 - i. Directory (Business or Public Identification)
 - j. Double-Faced
 - k. Farm/Vegetable/Fruit Stand
 - l. Freestanding/Pylon
 - m. Governmental
 - n. Grand Opening
 - o. Identification Sign (limited to name, address and number)
 - p. Illuminated (Internally and Externally)
 - q. Monument
 - i. Residential Subdivision/Development
 - r. Off-Premise
 - s. Political
 - t. Portable
 - i. A-Frame
 - ii. Sandwich
 - iii. Wheel-based
 - u. Private Sale (Garage Sale)
 - v. Projecting
 - w. Public Service Information (Time/Temp, news, traffic control)
 - x. Real Estate
 - y. Roof
 - z. Rotating
 - aa. Scoreboard
 - bb. Sign
 - cc. Soffit
 - dd. Temporary
 - ee. Walkway

- ff. Wall
- gg. Window
- 4. Design, Construction and Maintenance
 - a. Size
 - b. Repairs
 - c. Removal
 - d. Maintenance
- 5. Administration
 - a. When Permit Required
 - b. Application Requirements/Information
 - c. Exemptions
 - d. Fees
- 6. Enforcement
- 7. Signs in Residential Zones
 - a. Permitted signs
 - b. Prohibited signs
 - c. Size
 - d. Setbacks
 - e. Illumination
 - f. Height
- 8. Signs in Public, Farm and Forest Zones
 - a. Permitted signs
 - b. Prohibited signs
 - c. Size
 - d. Setbacks
 - e. Illumination
 - f. Height
- 9. Signs in Business/Commercial Zones
 - a. Permitted signs
 - b. Prohibited signs
 - c. Size
 - d. Setbacks
 - e. Illumination
 - f. Height
- 10. Signs in Other Zones
 - a. Permitted signs
 - b. Prohibited signs
 - c. Size
 - d. Setbacks
 - e. Illumination

- f. Height
- 11. Electronic Display Sign Standards
 - a. Duration of messages/speed of changeover
 - b. Motion, animation and video
 - c. Brightness
 - d. Sign placement and spacing
 - e. Size of signs
 - f. Text size and legibility
- 12. Non-Commercial Speech
 - a. Special allowances during election season
- 13. Non-Conforming Signs
- 14. Variances
- 15. Severability

CURRENT ALEXANDRIA TOWNSHIP REGULATIONS REGARDING SIGNS

SECTION III. ZONING DISTRICT REGULATIONS

B. Uses Permitted.^{1 2} The following set of tables establishes the uses permitted, permitted by conditional or interim use permit, or not permitted. **All uses are subject to the requirements or performance standards of this ordinance.** Performance standards applicable to uses in all zoning districts are given in Section V.

Key: A = Allowed, no permit required; P = A use allowed, but which may require a land use permit; CU = A use requiring a Conditional Use Permit; IU = A use requiring an Interim Use Permit; X = not permitted.

COMMERCIAL USES	RC R	RR	UR	RS	CS	C-U	C-R	I
Billboard sign	X	X	X	X	X	CU	CU	CU

SECTION V. PERFORMANCE STANDARDS

A. SIGNS.³

All signs existing or hereafter erected, altered, substantially repaired, relocated and maintained (except as erected by an official unit of government for the direction and control of traffic and information to the general public, or warning signs posted by public utilities) shall conform to the provisions of this Ordinance.

1. Permits Required.

- a. No sign shall be erected, operated or maintained without a permit from the Zoning Administrator or his/her agent except as exempted by Sec. V.A.6. The permit shall be provided by the Zoning Administrator or his/her agent and shall require such pertinent information as location, surface area, name of owner and occupant of the land, distance from adjoining signs and a statement that the owner has consented thereto. Permit fees therefore shall be as specified in the Alexandria Township Permit and License Fee Schedule.

¹ Amended 7/2/2007 (Resolution #07-09)

² Amended 12/7/2009 (Resolution #09-05) to reflect addition of interim uses

³ License Requirement for Sign installers deleted 12/15/08 (Resolution #08-16)

- b. The sign for which a permit has been issued shall be erected within 12 months after the permit has been issued or a new permit will be required.
- c. A permit may be revoked by the Zoning Administrator after hearing before the Planning Commission upon thirty (30) days notice if it is found that the provisions of this Ordinance have not been or are not being complied with or that the application for permit or license was false or misleading; provided that such false or misleading information has not been corrected within thirty (30) days after written notification thereof.

2. Location.

- a. Signs may be permitted in commercial and industrial districts except as specifically exempted in Section V.A.6. In all other zoning districts signs are prohibited (except as specifically allowed as part of a home occupation of home-based business).
- b. Signs shall not be located closer than fifty (50) feet from the right of way of a road.
- c. No sign except as erected by an official unit of government for the direction of traffic or necessary public information, or warning signs erected by public utilities, shall be permitted within the right-of-way of any public road.
- d. No sign shall be located in any zoning use district which borders on or is traversed by a freeway or expressway route which shall be visible from such route except as is exempted by the terms of this Ordinance. Directional signs at interchanges, turn-offs, or similar situations shall be permitted, but only in such manner, style and construction as shall first be approved by the Planning Advisory Committee.
- e. No sign shall be closer than five hundred (500) feet to another sign on the same side of the road except those erected by an official unit of government for the direction of traffic or necessary public information at intersections, turn-offs or similar situations. This section shall not be construed to prohibit the location of privately erected signs nearer than five hundred (500) feet to official signs.
- f. All sign locations shall be kept free from growth, debris and rubbish. Failure to correct such conditions after being so directed in writing by an authorized official of the Township shall be cause

for revocation of the existing permit and removal of the sign or signs on said location or locations.

3. Size.

- a. No sign shall exceed the following standards:
 - (1.) Combined surface area of one hundred (100) square feet in commercial and industrial zones.
 - (2.) The bottom of the sign shall not exceed 10 feet above the ground.
 - (3.) Horizontal length of ten (10) feet.
 - (4.) Combined surface area of sixteen square feet within any residential or shoreland districts as part of a home occupation or home-based business. The bottom of the sign shall not exceed 6 feet above the ground.

4. Construction and Maintenance.

- a. All signs shall be constructed and maintained in a good workman-like manner and the copy thereon shall be neat and legible.
- b. All signs shall be constructed, situated or landscaped in such a manner as not to present an unfinished or unsightly appearance when viewed from behind.
- c. Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or land upon which the sign is located, within ten (10) days after written notification from the Zoning Administrator.

5. Exemptions.

- a. In addition to those exempt by definition, the following signs shall be exempt from the provisions of this section:
 - (1.) Directional signs, provided they are of such design and meet such specifications as required by the Douglas County Highway Department.

- (2.) Signs which are attached to a structure. The highest part of such signs shall not exceed the highest peak of the structure.
- (3.) For sale signs upon real property and advertising the same as being for sale or for rent.

6. General Regulations.

- a. The following regulations shall apply to all signs coming under the terms of this Ordinance, including those as exempted above. No signs shall be permitted:
 - (1.) In a location which would interfere with the view of any traveler on any highway or approaching vehicles or traffic control devices or signs for a distance of five hundred (500) feet along the highway.
 - (2.) On rocks, trees, or other perennial plant or on any public utility pole.
 - (3.) Containing a rotating beam or beam of light resembling an emergency vehicle.
 - (4.) Which simulates any official, directional or warning sign erected or maintained by the State, County, municipality or other governmental subdivision or which incorporates or makes use of lights simulating or resembling traffic signals or control signs.
 - (5.) Which permits light rays there from to shine into or on a highway.
 - (6.) Which interferes with public utility facilities or the maintenance thereof.
 - (7.) Which obstructs any window, door, fire escape, stairway or opening essential to the provision of light, air, ingress or egress for any building.
 - (8.) Within two hundred (200) feet of a church or school.
 - (9.) Which contain more than two (2) surface areas of facing.

- b. The following regulations shall apply to all signs for water oriented needs servicing commercial, public or semi-public uses. Land uses that have patrons arriving by watercraft may use signs with lighting to convey needed information and are subject to the following standards:
 - (1.) No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the county sheriff.
 - (2.) Other outside lighting may be located within the shore impact zone or over public waters if it is used primarily to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination out across public waters. This does not preclude use of navigational lights.
- c. In addition to the above, all signs must be in compliance with State and Federal sign regulations.

H. ABANDONMENTS

No use, structure, sign, building, vehicle, machine, or any other piece or article of real estate or personal property may be abandoned or permitted in any public or private place, because of disuse or neglect, to become unsightly or offensive to the public.

1. Removal and Restoration.

- a. Any nonconforming use or use authorized by this Ordinance, when abandoned or discontinued, shall be removed or restored to as near its original state as is practicable. Non-use for a period of twelve (12) months shall be presumptive evidence of intention to abandon or discontinue.

2. Enforcement.

- a. The penalty for such offense shall be the obligation to remove or correct such unsightly or offensive thing or condition or remove or restore such abandoned or discontinued use within a time to be fixed by the Zoning Administrator. The same may be ordered, removed, or corrected and the cost thereof assessed against the owner of such property or the real estate on which the same is found to exist, together with all costs of prosecution.

M. BED AND BREAKFAST FACILITIES.

1. Facilities used for the purposes of providing lodging with breakfast being served to transient guests for compensation may be allowed by conditional use permit and shall meet or exceed the following standards.
 - j. Signage is limited to one wall or pylon sign not exceeding eight (8) square feet in size and hooded if lighted.

U. HOME OCCUPATIONS⁴

1. Definitions

This ordinance establishes three general categories of “home occupations,” which shall include any business or other use not typically associated with residential use or which would generate nuisance characteristics beyond those normally expected in a residential setting. Activities conducted as a hobby shall not constitute a home occupation. The three general categories are defined as follows:

- a. **Home Occupation, Low Activity (LAHO).** Any non-residential use where there is effectively no evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way. Such uses shall be clearly incidental and secondary to the primary use of the property for residential purposes.
- b. **Home Occupation, Moderate Activity (MAHO).** Any non-residential use where there is only indirect evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way. Such uses shall be clearly secondary to the primary use of the property for residential purposes.
- c. **Home Occupation, High Activity (HAHO).** Any non-residential use where there is direct evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way or which generates regular and sustained nuisance characteristics beyond those normally associated with residential properties in the same or similar neighborhood.

2. Performance Standards

l. Signage

- i. LAHO - No signage allowed.
- ii. MAHO - No signage allowed.

⁴ Added 3/21/2011 (Resolution #11-02)

iii. HAHO - One sign, no larger than 35 square feet shall be allowed, whether placed on a building or free-standing. Such signs shall not be located anywhere within a public road right-of-way or so as to interfere with normal traffic and road maintenance activities.

