

Chapter 14

OFF-STREET PARKING AND LOADING

SECTION 14.1 INTENT AND PURPOSE

It is the intent of this Chapter that off-street parking and loading spaces shall be provided and adequately maintained by each property owner in every district for the parking of motor vehicles for the use of occupants, employees, vendors, and patrons of each building and premise constructed, altered, or enlarged under the provisions of this Ordinance.

SECTION 14.2 JURISDICTION

At the time any building or structure is erected, enlarged, or increased in capacity, or new uses established, off-street parking spaces shall be provided in all districts according to the requirements specified in this Chapter.

SECTION 14.3 PARKING AND LOADING PLAN REVIEW

- A. Whenever five (5) or more vehicle parking spaces are required for a given use of land, plans and specifications for the construction or alteration of an off-street parking area shall be submitted for approval of the Village Council, after receipt of a recommendation from the Planning Commission, before a development permit is issued.
- B. Such plans and specifications shall indicate the location, precise use of buildings, size, site, design, surfacing, marking, lighting, drainage, curb cuts, entrances, exits, landscaping, and any other detailed features essential to the complete design and construction of the parking area.
- C. Whenever fifteen (15) or more vehicle parking spaces are required for a given use of land, plans and specifications for the construction or alteration of off-street parking areas shall be submitted by a registered professional engineer or other appropriate professional.

SECTION 14.4 LOCATION OF PARKING AREAS

All off-street parking and loading areas shall be located on the same lot, or other lot in the same zoning district located not more than two hundred (200) linear feet from the building intended to be served. On-street public parking may be considered available to meet all or any portion of the needs of a non-residential use, provided that the Planning Commission finds parking spaces are reasonably available at the time of day needed.

SECTION 14.5 PARKING AREAS EXISTING BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE

A parking area, parking space, or loading area which exists at the time this Ordinance becomes effective, or which subsequent thereto is provided for the purpose of complying with the

provisions of this Ordinance shall not be relinquished or reduced in any manner below the requirements established by this Ordinance.

SECTION 14.6 USE OF RIGHT-OF-WAY

The right-of-way of any Village street, shall not be used for off-street parking without the written permission of the Clinton County Road Commission, the Village Council and / or the State of Michigan Department of Transportation depending on the jurisdiction for the street.

SECTION 14.7 USES OF PARKING AREAS

- A. Parking spaces and loading areas shall be used exclusively for the parking of vehicles associated with a building, structure or land use for which whose employees and patrons it is designed to serve. No commercial activity, special events, repair work, advertising, servicing, or selling of any kind shall be conducted within required parking areas without permission being granted by the Village Council. No portable structures, buildings, or equipment shall be permitted within required parking areas, except as may otherwise be permitted by this Ordinance.
- B. No signs shall be erected in parking areas except the following: no more than one (1) directional sign at each entrance or exit may be erected which may also bear the name of the enterprise the lot is intended to serve; disabled parking space signs, as provided by the Michigan Construction Code Act, Public Act 230 of 1977, as amended, MCLA 125.1501 et. seq. Such signs shall not project beyond the property line of the premises.

SECTION 14.8 SCHEDULE OF PARKING REQUIREMENTS

The following table contains the parking requirements for individual uses and activities within the Village of Fowler:

USE	Number of Parking Spaces Required Per Unit of Measure *
Residential / Institutional / Recreational	
Single family or duplex dwellings	Three (3) for each dwelling unit, one of which shall be within an enclosed garage
Multiple family dwellings	Three (3) for each dwelling unit, one of which shall be within a covered parking structure
Lodging and boarding house, fraternity, or similar use, including bed and breakfasts	One (1) for each room
Housing for the elderly	One (1) for every two (2) dwelling units, plus one (1) space for each five dwelling units. However, should units revert to general occupancy, then three (3) spaces per unit shall be provided, one of which shall be within a covered parking structure
Community building, clubhouse, meeting facility, or any similar type of use.	One (1) space for each one hundred (100) square feet of gross building area or one (1) space for each three (3) persons permitted to occupy the building by law, whichever is greater
Churches, synagogues, Temples or similar places of worship	One (1) for each four (4) seats in the main room for worship
Hospitals	Two (2) for each patient bed
Home for the aged and nursing home	One (1) for each two (2) beds
Day care centers, group	Two (2) spaces, plus one (1) for every eight (8) children licensed capacity
Elementary and junior high schools	Five (5) spaces plus one (1) space for each classroom in addition to the requirements of the auditorium
Senior high schools	Five (5) spaces plus one (1) space for each classroom plus one (1) space for each ten (10) students, OR space required for the auditorium or stadium, whichever is greater
Theaters & auditoriums	One (1) for each four (4) seats
Stadium, sports arenas or similar places of outdoor assembly	
Dance halls, civic clubs, fraternal orders, union halls, or any similar type of use	One (1) space for each one hundred (100) square feet of gross floor area or one (1) space for each three (3) persons permitted to occupy the building by law, whichever is greater

USE	Number of Parking Spaces Required Per Unit of Measure *
Commercial	
Automobile washes	Three (3) standing spaces for each washing bay if self serve and seven (7) standing spaces for an automatic wash
Vehicle repair and service stations	Two (2) for each service bay and one (1) for each washing bay
Miniature golf courses	Five (5) spaces plus three (3) for each hole
Bowling alleys	Five (5) for each alley, in addition to any requirement for other uses such as bar, restaurant or billiard room
Funeral homes and mortuary Establishments	One (1) for each thirty (30) square feet of floor space
Personal Service Establishments	One (1) space for each fifty (50) square feet UFA
Restaurants - without drive-through facilities	One (1) space for each one hundred (100) square feet UFA or one (1) space for each two (2) persons allowed within the maximum occupancy load established by any applicable codes or ordinances, whichever is greater
Restaurants with drive-through facilities	One (1) space for each one hundred (100) square feet of UFA or one (1) space for each one and one-half (1½) persons allowed within the maximum occupancy load established by any applicable codes or ordinances, whichever is greater
Retail stores not otherwise specified	One (1) space for each two hundred (200) square feet GFA
Video rental stores	One (1) space for each one hundred (100) square feet UFA
Motels, hotels, or other commercial lodging establishments	One (1) for each occupancy unit plus extra spaces for dining rooms, ballrooms, or meeting rooms as required by this Ordinance. Should units revert to multiple-type use, then two (2) spaces per unit shall be provided
Office	
Business or professional offices and banks not including medical office	One (1) for every two hundred (200) square feet of floor area
Medical Offices and Clinics	One (1) for every one hundred and fifty (150) square feet of floor area
Industrial	
Industrial or research establishments	One (1) space for each one thousand (1,000) square feet plus those spaces required for offices located on the premises
Warehousing or wholesale establishments	One (1) for every seventeen hundred (1,700) square feet of floor area

* For the purposes of this Chapter, a seat shall be a minimum of twenty (20) inches in width.

SECTION 14.9 RULES FOR MEASUREMENT AND INTERPRETATION

- A. In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed, shall apply.
- B. When benches, pews, or other similar seating is used, each twenty-two (22) inches of said seating shall be counted as one seat.
- C. Requirements for parking stated in terms of employees shall be based upon the maximum number of employees likely to be on the premises during the largest shift.
- D. Floor area, unless otherwise noted, shall include the entire enclosed floor area of a building as measured from the exterior surface of exterior walls.
- E. Where units or measurement determining the number of required parking spaces result in a fraction equal to or greater than one half an additional space shall be required.

SECTION 14.10 SITE DEVELOPMENT REQUIREMENTS

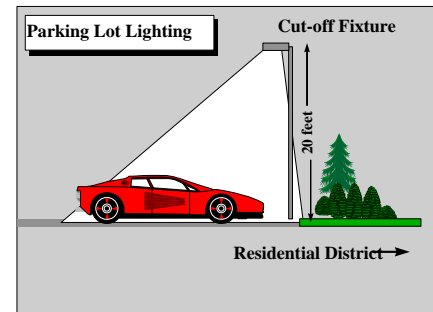
- A. All off-street parking areas shall be designed, constructed and maintained in accordance with this Section.
- B. All parking areas shall have a bituminous asphalt or concrete surface.
- C. Ingress and egress to parking areas shall be provided by means of clearly limited and defined drives as provided for below:
 - 1. All parking areas providing more than five (5) parking spaces shall be provided with a drive for ingress and egress of not less than twenty four (24) feet in width. When one-way drives or boulevards are utilized, the minimum width of a lane shall be twelve (12) feet.
 - 2. All parking areas providing more than five (5) parking spaces shall be designed so as to not make it necessary for vehicles to back directly onto a street.
- D. Each parking space shall be clearly identifiable. Parking spaces and maneuvering lanes shall be sufficient in width to allow ease in turning movements in and out of parking spaces. The minimum required dimensions of parking spaces and maneuvering lanes shall be as indicated on the accompanying table.
- E. Off-street parking facilities for trucks, buses, and recreational vehicles at restaurants, motels, hotels, service stations, commercial garages, and similar establishments shall be sufficient in size to adequately serve large vehicles and trucks without interfering with other vehicles shall not be less than twelve (12) feet in width and forty (40) feet in length. Access drives for such vehicles shall be designed with adequate turning radius and with special provisions for slow entry onto public streets and highways.

F. Commercial Vehicles

1. The owner, tenant, or lessee of any lot, parcel, or tract of land in a Residential District or on a lot used for residential purposes shall not permit or allow the storage or parking, at any time thereon, of trucks, semi-trucks and tractor trailers, manufactured homes, tractors, bulldozers, earth carriers, drag lines, cranes, steam shovels and/or any other heavy equipment or machinery.
2. It is provided, however, that the owner, tenant, or lessee of a farm may openly store the machinery and equipment used on the farm; and it is further provided that equipment necessary to be parked on a lot or parcel during the construction work thereon shall be excepted from this restriction.
3. This restriction shall not apply to pickup or panel trucks under nineteen (19) feet in length.

G. Parking lots shall be adequately lit to ensure security and safety and shall meet the following requirements:

1. Light fixtures shall be no higher than twenty (20) feet and shall be provided with light cut-off fixtures that direct light downward.
2. For parking lots serving a single building or groups of related commercial, industrial, or office buildings in excess of five hundred (500) spaces the Planning Commission may permit a higher light fixture in selected locations within the parking lot where existing or planned residential areas will not be affected.
3. Lighting shall not be attached to buildings or other structures that permit light to be directed horizontally.

**SECTION 14.11 JOINT USE OF PARKING AREAS**

- A. The use of a single parking area by two (2) or more uses which are individually required to maintain more than ten (10) parking spaces shall be encouraged whenever such use is practical and when all requirements for location, design, and construction are met.
- B. In computing capacities of any joint use of parking areas, the total parking space requirement is the sum of the individual requirements that will occur at the same time each day. When parking space requirements for individual uses occur at distinctly different times during the day, the total required parking spaces may be reduced by action of the Village Council, upon recommendation of the Planning Commission, provided that no parking spaces shall be counted which are more than two hundred (200) feet from any entrance to building using joint parking areas.
- C. A copy of an agreement between the joint users of a parking area shall be recorded with the Clinton County Register of Deeds. Such agreement shall guarantee the long term use and maintenance of the parking facility by each party.

SECTION 14.12 BUILDING ADDITIONS AND CHANGE OF USE

Whenever a building, structure, or use is modified, expanded, and changed in use from one category to another, and such activity requires a permit pursuant to this Ordinance, the parking space requirements shall be reviewed and made to comply with the standards of this Ordinance.

SECTION 14.13 LOADING AND UNLOADING SPACE REQUIREMENTS

- A. In order to prevent undue interference with the public use of streets, every manufacturing, storage, warehouse, department store, wholesale store, retail store, hotel, hospital, laundry, dairy, mortuary, and other uses similarly and customarily receiving or distributing goods by motor vehicle shall provide loading and unloading space on the premises for the number of vehicles that will be at the premises at a particular time on an average day of full use.
- D. Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted pursuant to Chapter 11, Site Plan Review.
- E. Loading spaces required under this Section shall be provided as area additional to off-street parking spaces required in this Chapter, and such loading spaces shall not be considered as supplying off-street parking space.
- D. There shall be provided adequate space for standing, loading, and unloading services not less than twelve (12) feet in width, forty (40) feet in length, and fifteen (15) feet in height, open or enclosed, for uses listed in the following table:

Use	Floor Area (Sq. Ft.)	Required Spaces
Commercial uses, such as retail stores, personal services amusement, automotive service	First 2,000	none
	Next 20,000 or fraction thereof	1
	Each additional 20,000 or fraction thereof	1
Hotels, Offices	First 2,000	none
	Each additional 50,000 or fraction thereof	1
Wholesale and storage, including building and contractor's yards	First 20,000	1
	Each additional 20,000 or fraction thereof	1
Manufacturing uses	First 20,000 or fraction thereof	1
	Each additional 20,000 or fraction thereof	1

Use	Floor Area (Sq. Ft.)	Required Spaces
Funeral Homes and Mortuaries	First 5,000 or fraction thereof	1
	Each additional 10,000 or fraction thereof	
Hospitals	First 10,000	none
	Next 100,000 or fraction thereof	1
	Each additional 200,000 or fraction thereof	1
For similar use not listed	For each building 5,000 or over	1

- A. All off-street loading and unloading facilities that make it necessary to back directly into a public road shall be prohibited. All maneuvering of trucks and other vehicles shall take place on the site and not within a public right-of-way.
- B. Design Requirements
 - 1. Off-street loading spaces and access drives shall be drained, and shall have appropriate bumper or wheel guards where needed.
 - 2. Any light used for illumination shall be arranged to reflect light away from adjoining premises and streets.
 - 3. Where any off-street loading space adjoins or abuts a lot or premises used for residential or educational purposes, or abuts the Residential Zoning District, a masonry wall or solid fence not less than four (4) feet in height shall be provided between the off street loading and unloading space and said uses or district.

SECTION 14.14 DEFERRED PARKING

The Village Council, upon recommendation from the Planning Commission, may defer construction of a portion of the required number of parking spaces for nonresidential uses if the following conditions are met:

- A. Deferred parking areas shall be shown on a site plan and shall be of sufficient area to permit the construction of the total number of parking spaces required by this Section. Such areas shall not be used for any other purpose required by this Ordinance (such as landscaped buffers, etc.) and shall be kept open.
- B. Alterations to the deferred parking area to add parking spaces may be initiated by the owner or required by the Zoning Administrator based on parking needs and shall require the submission and approval of an amended site plan, as required by Chapter 11.

SECTION 14.15 DISABLED PARKING REQUIREMENTS

Off-street parking areas shall include spaces for the disabled in accordance with the provisions of Act 230 of the Public Acts of the State of Michigan, 1972, as amended and shall be included in the count of required spaces.

SECTION 14.16 NONRESIDENTIAL & MULTIPLE FAMILY ACCESS

- A. The following shall apply to any new development proposed for nonresidential and multiple family uses:
1. A maximum of one (1) driveway per street shall be permitted per principal use, or collective principal use.
 2. A second driveway may be permitted provided that such drive is constructed and permitted to share access with an adjoining principal use or existing lot within the same zoning district, or such drive is part of a one-way driveway system that permits a single point of ingress and a single point of egress.
 3. The Village Planning Commission may permit additional driveways, if justified by a professional traffic study provided by the applicant or owner indicating the need for such additional driveways.
 4. The location of new driveways shall be determined by the Village Planning Commission which shall take the following factors into consideration:
 - a. The ability to share driveways with adjacent properties and the general compatibility of those adjacent land uses;
 - b. The proximity of the proposed driveways to existing driveways on adjacent properties and properties on the opposite side of the street;
 - c. Any provisions made for front or rear service drives that may eliminate the potential for future driveways on nearby properties;
 - d. The relationship of the proposed driveway location to the internal circulation of the development site.
 - e. The proximity of the proposed driveway to street intersections. Driveways shall be located as far as practicable from any public or private street intersection.

Chapter 15 SIGNS

SECTION 15.1 PURPOSE AND INTENT

The purpose of this Chapter is to promote traffic safety, public safety, and the conservation of property values through the application of reasonable controls over the use, size, placement, and general appearance of signs.

SECTION 15.2 DEFINITIONS

The following definitions refer to this Chapter of this Ordinance and are placed here for convenience:

- A. **Sign:** Sign shall mean and include every individual announcement, declaration, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person.
- B. **Sign, Billboard:** Any sign, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location not available on the lot on which the sign is located, or to express a point of view, by any means, including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each substantially different face of a billboard structure shall constitute a separate billboard.
- C. **Sign, Business:** Any sign erected for the purpose of advertising a business, product, or subject related to the premises on which the sign is located.
- D. **Sign, Display Area:** Display area means the entire area enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
- E. **Sign, Freestanding:** An advertising structure which is supported by one or more uprights with all parts of the display surface of the sign eight (8) feet or more above the grade at the base of the sign.
- F. **Sign, Ground:** A sign which is supported by one or more uprights in or upon the ground where parts of the display surface are less than eight (8) feet above the grade to the bottom of the display area.
- G. **Sign, Home Occupation:** A sign containing only the name and occupation used for the purpose of advertising services in conjunction with a lawful home occupation.

- H. **Sign, Identification:** A sign giving the nature, logo, trademark or other identifying symbol; address; or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.
- I. **Sign, Incidental:** A sign that identifies street address, entrances and exits, safety precautions, identifying logos without text, and other such incidental information, and which sets forth no other advertisement intended to be read from the street.
- J. **Sign, Marquee:** A sign which is attached to or hung from the underside of a marquee, awning, canopy, or other covered structure projecting from and supported by a building and does not project horizontally beyond or vertically above said marquee, awning, canopy, or covered structure.
- K. **Sign, Name Plate:** A sign located on premises, giving the name or address, or both, of the owner or occupant of a building or premises.
- L. **Sign, Off-Premise:** A sign located on a different parcel of land or lot or premise than where the business, product, service, event, or person or subject is being advertised.
- M. **Sign, On-Premise:** A sign located on the parcel of land or lot advertising a business, product, service, event, person or subject being offered on said parcel of land or lot.
- N. **Sign, Placard:** A sign not exceeding two (2) square feet which provides notices of a public nature, such as "No Trespassing" or "No Hunting" signs.
- O. **Sign, Portable:** A sign that is not permanent, affixed to a building, structure or the ground including signs supported on mobile chassis other than motor vehicles.
- P. **Sign, Projecting:** A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches but not more than five (5) feet from the face of the wall.
- Q. **Sign, Roof:** A sign which is erected, constructed and maintained upon or above the roof of a building, or parapet wall and which is wholly or partially supported by the building.
- R. **Sign, Setback:** The minimum linear distance as measured from the street right-of-way line to the nearest part of the sign or advertising structure.
- S. **Sign, Wall:** A sign that is attached directly to a wall, mansard roof, roof overhang, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, and which projects not more than eighteen (18) inches from the building or structure wall, and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flag poles, electrical or mechanical equipment, TV antennas or any other similar equipment and extensions.

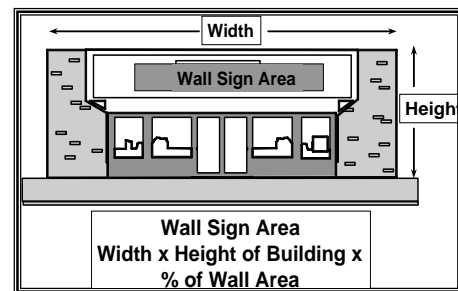
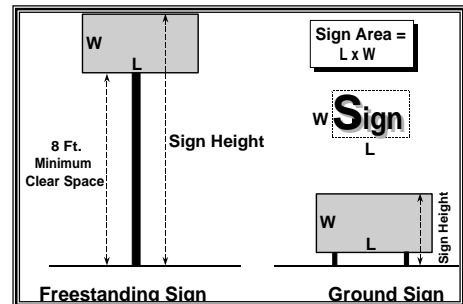
SECTION 15.3 GENERAL PROVISIONS RELATED TO SIGNS

A. Permits

1. No sign, name plate, marquee, or other advertising structure shall be erected, replaced, structurally altered, enlarged, illuminated, changed in purpose, or relocated without first obtaining a sign permit pursuant to this Chapter, except those signs specifically exempted by Section 15.3, D of this Ordinance.
2. An application for a sign permit shall be made to the Village Clerk, by the owner of the property on which the sign is proposed to be located or by his or her agent, or lessee.
3. The Zoning Administrator shall review all properly filed applications for sign permits and issue permits only for those applicants fully meeting the criteria established in this Ordinance and the Village Building Code. The Zoning Administrator shall approve or reject the application within a reasonable time period of receipt of a completed application submittal.
4. A schedule of permit fees shall be established and may be amended from time to time by resolution of the Village Council.

B. Determination of Display Area and Height

1. Except as noted in subparagraphs 3-4 below, the display area permitted for any sign shall be determined as the entire area within a square, rectangle, circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
2. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign; except that where two (2) such faces are placed back to back and are at no point more than three (3) feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
3. The display area of signs painted directly on building wall surfaces shall be limited to that area within a circle, square, rectangle, triangle, or parallelogram enclosing the extreme limits of writing, letters or numbers.
4. Time and temperature displays including clock facings shall not herein be counted toward the allowable sign display area.



5. The height of a sign shall be measured to the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign. Berms or other supporting measures for any sign shall be included in the computation for height.
6. Buildings with multiple tenants
 - a. The sign areas for wall signs, marquee signs, projecting signs, and awning signs shall be determined by taking that portion of the front wall of the building, applicable to each tenant space, and computing sign requirements for that portion of the total wall.
 - b. In the case of a corner lot, the wall area adjacent to the tenant space on the second street frontage shall be used to calculate the sign area for a second wall sign, awning sign, or projecting sign.
 - c. Each sign shall be attached to the same wall which is used to determine its size.

C. Prohibited Signs

1. Any sign not expressly permitted is prohibited, including all signs noted in this subsection.
2. Roof signs: For the purpose of this Chapter, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered as a roof sign, but shall instead be considered as a wall sign for that side of the building, provided that no part of such sign extends above the uppermost building line not including chimneys, flag poles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.
3. No sign shall employ any flashing, moving, oscillating, blinking, or variable intensity light or intermittent lights resembling the flashing lights customarily used in traffic signals, or police, fire, ambulance, or rescue vehicles, or lights so bright as to be blinding or distracting to a vehicle driver. However, variable time-temperature signs and intermittent electronic message boards may be permitted, provided each message shall not change more often than once every three (3) seconds.
4. No sign shall contain any moving or animated parts nor have the appearance of having any moving or animated parts.
5. No sign shall use the words, "Stop," "Danger," or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.
6. Billboards either as on or off-premise signs.
7. Any sign which obstructs the ingress or egress from a required door, window, or other required exit.
8. Signs located in the right-of-way of public streets or highways, except as may otherwise be permitted by this Chapter.

D. Exempt Signs: The following signs are permitted on premise with permission of the landowner without a written sign permit.

1. Real estate signs on premise for property to be sold or leased.
2. Building construction signs.
3. Political signs.

4. Placards and directional signs, not exceeding six (6) square feet in display area on each side.
 5. Signs identifying a builder's address and/or the names of the occupants, but not advertising an occupation or business and not exceeding two (2) square feet in display area on each side.
 6. Historic markers, signs identifying the name of a building or date of erection of a structure and official notices of any court or public agency not exceeding six (6) square feet in display area on each side.
 7. Incidental signs located on the premises of a customary agricultural operation as defined in this Ordinance which identify and advertise, name of a farm, the operator's name, seed, fertilizer, herbicide, pesticide, feed, feed supplements, livestock, test plots, farm organizations, awards, and similar agricultural activities, including seed, feed, fertilizer, herbicide, and pesticide dealers, but excluding equipment and implement dealers and related repair facilities. Such signs shall not exceed thirty-two (32) square feet in total display area including all such signs.
 8. Signs identifying the owner, operator, or name of a customary agricultural operation when located on agricultural buildings without display area limitations.
 9. Traffic control, directional, warning, or informational signs when authorized by a public agency having appropriate jurisdiction which conforms to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
 10. Flags, pennants, or banners bearing the official insignia of a nation, state, county, municipality, or educational institution not to exceed fifty (50) square feet in display area on each side and not used for the purposes of advertisement.
- E. **Residential Subdivisions:** Provided below is a list of additional regulations applicable to ground signs and decorative walls for residential subdivisions (see also Section 15.5).
1. Subject to the provisions of this Chapter, a sign identifying entrances to a residential subdivision within the Village may be permitted. Such signs shall be permitted as noted in Section 15.5, provided that they will not, by reason of their size, location, construction, or manner of display, endanger persons or property, cause a traffic hazard, be incompatible with adjoining property use, and shall harmonize with aesthetic considerations of the subdivision.
 2. The location of subdivision identification signs may be within the public street right-of-way, but not in the traveled portion thereof for vehicular traffic. Written approvals of proposed sign placement and location shall first be obtained from appropriate Village or County Officials.
 3. All such signs shall be maintained in good condition and be visually attractive. The immediate area surrounding the sign shall be landscaped.
 4. Maintenance of all signs shall be at the expense of the owner, or owners, of the signs, which may be the subdivision property owners association, proprietor of the plat or other responsible person or entity.
 5. The owner(s) of such signs shall obtain liability insurance coverage for injury to persons and damage to property, arising out of their ownership, use or maintenance, in limits suitable to the Village. Such insurance shall be primary to all other insurance coverage, shall include the Village as a named insured, and shall be maintained at all times while the sign is located within the public street right-of-way. Proof of insurance shall be furnished to the Village.

6. As a condition of approval of the placement of subdivision signs in the public street right-of-way the owner(s) of the sign shall enter into an agreement with the Village of Fowler in which the owner(s) covenants to hold the Village harmless from any injury to persons and/or property damage arising out of the ownership, use and maintenance of the signs, and to indemnify the Village for any injury and/or damage it may sustain by reason of such ownership, use or maintenance, including costs and attorney's fees.
7. Removal and replacement of such signs shall be by application to the Zoning Administrator. Approval shall be granted by the Zoning Administrator unless safety conditions, sign modifications, utility placement or relocation, street widening or relocation, need of other municipal improvements, or other such changing conditions occur which may for reasons of public health, safety, and welfare make replacement impractical. The Village may require removal of such signs in the public right-of-way, at the owner's expense in any such cases where the public health, safety, or welfare is adversely affected by the continued existence of the sign in its location.

SECTION 15.4 SIGNS PERMITTED IN ANY ZONING DISTRICT

- A. **Construction signs:** Signs identifying contractors, architects, builders, or owners name during the period of construction are permitted subject to the following restrictions:
 1. Such signs shall not exceed fifty (50) square feet in display area on each side and eight (8) feet in height.
 2. Signs designating the future site of a subdivision shall not exceed thirty-two (32) square feet in display area on each side.
 3. Construction signs shall not be erected until a building permit has been issued for the project which is the subject of the proposed sign and construction activity has begun.
 4. Signs must be setback at least fifteen (15) feet from the front property line.
 5. Construction signs shall be removed within fifteen (15) days of the issuance of any Occupancy Permit for any building or structure which is the subject of the construction sign.
- B. **Directional signs:** These signs are permitted subject to the following restrictions:
 1. A directional sign may contain a logo of an on-premises establishment, but no advertising copy.
 2. No such sign shall exceed six (6) square feet in area or four (4) feet in height.
 3. Directional signs shall be limited to traffic control functions.
- C. **Incidental signs:** Signs pertaining to any conforming activity being conducted on the premises are permitted in any District, subject to the following restrictions:
 1. No individual sign shall exceed six (6) square feet in area.
 2. Only those signs which, in the opinion of the Zoning Administrator are necessary to indicate entrances, exits, safety precautions, including identifying logos without text, and other such incidental language shall be permitted.

**SECTION 15.5 NON-CONFORMING SIGNS, ILLEGAL SIGNS, AND SIGNS
ACCESSORY TO NON-CONFORMING USES**

- A. Every permanent sign which does not conform to the height, size, area, or location requirements of this section as of the date of the adoption of this Ordinance, is hereby deemed to be non-conforming.
- B. Non-conforming signs may not be altered, expanded, enlarged, or extended; however, non-conforming signs may be maintained and repaired so as to continue the useful life of the sign.
- C. For purposes of this Chapter, a non-conforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing the privilege of non-conforming use. If a sign is nonconforming in its setback, this Section shall not apply, and the sign may not be replaced.
- C. Any non-conforming sign destroyed by fire or other casualty loss shall not be restored or rebuilt if the cost of reconstruction will constitute more than fifty (50) percent of the value of the sign on the date of loss.
- D. Any sign which for a period of ninety (90) days or more no longer advertises a bona fide business conducted, service performed, or product sold, shall be removed by the owner of the building, structure, or property upon which such sign is located, within thirty (30) days of receipt of written notice by the Zoning Administrator. This does not include activities that operate on a seasonal basis, such as an ice cream stand, unless it is clear that the use has been abandoned.
- E. A sign, accessory to a non-conforming use, may be erected in the Village in accordance with the sign regulations for the subject zoning district.

SECTION 15.6 SIGN REQUIREMENTS FOR INDIVIDUAL ZONING DISTRICTS

Sign requirements for specific zoning districts are contained in the following tables.

RESIDENTIAL ZONING DISTRICTS - PERMITTED SIGNS	
Ground signs for manufactured home parks, multiple family complexes, or other non-residential uses allowed in the District	
Number	1 per major entrance
Size	No greater than 32 square feet
Location	Minimum of ½ of the front setback required for main buildings and a minimum of 15 feet from any side or rear property line
Height	No higher than 8 feet
Ground signs and decorative walls for residential subdivisions (see also Section 15.3, E)	
Number	1 per street entrance
Size	No greater than 75 square feet (sign size only)
Location	Within a public street right-of-way, outside the traveled portion of the roadway, unless permission from the owner of the property on which the sign is located grants permission. In this instance, the sign may be setback no more than 10 feet from the public right-of-way.
Height	No higher than 8 feet
Wall signs for home occupations	
Number	1 per lot or parcel
Size	No greater than 2 square feet
Location	On wall of house facing street and non-illuminated
Wall signs for non-residential uses	
Number	1 per street frontage
Size	No greater than 5% percent of the wall area to which the sign is affixed
Location	On wall of building facing street
Political signs	
Number	1 per issue or candidate per lot or parcel
Size	No greater than 6 square feet
Location	Minimum of 15 feet from any side or rear property line and no closer than the street right-of-way
Height	No higher than 6 feet

RESIDENTIAL ZONING DISTRICTS - PERMITTED SIGNS	
Real estate signs	
Number	1 per lot or parcel
Size	No greater than 6 square feet for lots or parcels under 1 acre; 32 square feet for vacant lots or parcels over 1 acre
Location	Minimum of 15 feet from any side or rear property line and no closer than the street right-of-way
Height	No higher than 6 feet

(C-1) CENTRAL BUSINESS DISTRICT - PERMITTED SIGNS	
Wall signs or projecting signs	
Number	1 per street frontage plus 1 per side facing a parking lot to identify the location of any public entrance
Size	Street frontage - no greater than 10% percent of the wall area to which the sign is affixed; Parking lot frontage - no greater than 5% percent of the wall to which the sign is affixed
Location	On wall of building facing street and wall facing public or private parking area
Height	Projecting sign: Minimum clear space of 8 feet from bottom of sign and not higher than the roof line of the building
Ground sign or freestanding sign, when no projecting signs are used	
Number	1 street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage
Size	No greater than 50 square feet per sign
Location	Minimum of 5 feet from any property line or adjacent building
Height	Ground sign: No higher than 8 feet; Freestanding sign: No higher than 20 feet
Political signs	
Number	1 per issue or candidate per lot or parcel
Size	No greater than 6 square feet
Location	Minimum of 5 feet from any property line or adjacent building
Height	No higher than 6 feet
Real estate signs	
Number	1 per lot or parcel
Size	No greater than 16 square feet
Location	Minimum of 5 feet from any property line or adjacent building and no closer than the street right-of-way
Height	No higher than 6 feet

(C-1) CENTRAL BUSINESS DISTRICT - PERMITTED SIGNS	
Marquee signs	
Number	1 per street frontage
Size	No greater than 50 square feet
Location	On face of marquee
Height	Minimum clear space of 8 feet from bottom of marquee
Awning signs	
Number	1 per awning face
Size	No greater than 20% percent of any awning face to which the sign is affixed
Location	On face of awning
Height	Minimum clear space of 8 feet from bottom of awning
Portable signs	
Number	1 per lot or parcel limited to a total display period of 90 days, in any 365 day period.
Size	No greater than 32 square feet
Location	No closer than the street right-of-way
Height	No higher than 6 feet

(C-2) COMMERCIAL DISTRICT - PERMITTED SIGNS	
Ground Signs	
Number	1 per street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage
Size	No greater than 50 square feet
Location	Minimum of 15 feet from any side or rear property line, minimum of 5 feet from the street right-of-way line
Height	No higher than 8 feet
Freestanding signs	
Number	1 street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage
Size	No greater than 50 square feet
Location	Minimum of 15 feet from any side or rear property line, minimum of 5 feet from the street right-of-way line
Height	No higher than 20 feet, except when the front setback of the sign exceeds 30 feet 1 additional foot in height shall be allowed for each additional foot in setback beyond 30 feet

(C-2) COMMERCIAL DISTRICT - PERMITTED SIGNS	
Wall signs	
Number	1 per street frontage
Size	No greater than 10% percent of the wall area to which the sign is affixed.
Location	On wall of building facing street
Political signs	
Number	1 per issue or candidate
Size	No greater than 6 square feet
Location	Minimum of 15 feet from any side or rear property line
Height	No higher than 6 feet
Real estate signs	
Number	1 per lot or parcel
Size	No greater than 16 square feet
Location	Minimum of 10 feet from the street right-of-way line, 15 feet from all other property lines
Height	No higher than 6 feet
Portable signs	
Number	1 per lot or parcel limited to a total display period of 90 days, in any 365 day period.
Size	No greater than 32 square feet
Location	Minimum of ½ the required setback for the main building from any property line and street right-of-way line
Height	No higher than 6 feet

(I) INDUSTRIAL DISTRICT - PERMITTED SIGNS	
Ground signs	
Number	1 per lot or parcel
Size	No greater than 32 square feet
Location	Minimum of 5 feet from the street right-of-way line, 15 feet from all other property lines
Height	No higher than 6 feet
Wall signs	
Number	1 per street frontage
Size	No greater than 5% percent of the wall area to which the sign is affixed
Location	On wall of building facing street

(I) INDUSTRIAL DISTRICT - PERMITTED SIGNS	
Political signs	
Number	1 per issue or candidate per lot or parcel
Size	No greater than 6 square feet
Location	Minimum of 5 feet from the street right-of-way line, 15 feet from all other property lines
Height	No higher than 6 feet
Real estate signs	
Number	1 per lot or parcel
Size	No greater than 16 square feet
Location	Minimum of 5 feet from the street right-of-way line, 15 feet from all other property lines
Billboard signs	
Number	1 per lot or parcel
Size	No greater than 150 square feet
Location	Minimum of 35 feet from the street right-of-way line, no closer than 50 feet to any other property line, and no closer than 1,500 feet to any other billboard on the same or opposite side of the street.
Height	No higher than 20 feet