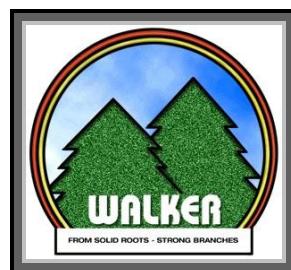


FINAL

City of Walker Billboard Study
August 14, 2008



Introduction

The City of Walker has been asked to consider modifications to its zoning ordinance to allow and regulate the placement of new billboard technologies.

Mike Hucul from CBS Outdoor, a local billboard company, has requested that the City permit “Tri-Vision” billboards, which change advertising copy via mechanical methods and “digital/LED” billboards, which are similar to large computer screens.

The City of Walker Zoning Board of Appeals (ZBA) recently determined (on 10-25-07) that these new technologies are not permitted under the current billboard ordinance. The ZBA then forwarded the issue to the Ordinance Committee for additional review.

The City of Walker Ordinance Committee, after review and discussion, forwarded this request to the Planning Commission for consideration.

On June 4th, 2008 and after considerable debate, the Planning Commission directed staff to report on the number, placement, type and ownership of billboards that currently exist within the City.

This report is presented by Walker Planning Department staff to the Planning Commission as a decision support tool.

The oblique photos included in this report were copied from the MSN Maps website.

The orthophotos and parcel maps were created using REGIS.

The Walker Zoning Ordinance and Billboards

The City's Zoning Ordinance contains the following definition for billboards:

Billboard means a freestanding sign which:

- (1) Has a minimum sign area of 100 square feet;
- (2) Does not offer to sell or lease the premises on which it is located;
- (3) Does not identify the owner or occupant of the premises and/or his trade or profession;
- (4) Does not relate to the sale of products on the premises or services performed by the occupant thereof; and
- (5) Is not owned or located by the government of the United States, or any state or subdivision thereof, or any public official acting in his official capacity.

Billboards are then defined as “off-site” signs, as they display advertisements for goods or services that are not offered on the property where the billboard is located.

Section 94-413 of the Walker Zoning Ordinance regulates the billboard placement and permitting process:

Sec. 94-413. Billboards.

Notwithstanding any other provision of this article to the contrary, billboards shall be permitted within 100 feet of a freeway on property in IPUD, ML, MH, or MP zoning districts, subject to the following regulations:

- (1) Each billboard shall not exceed a height of 35 feet above grade.
- (2) Each billboard shall be located a minimum distance of 500 feet from residential zoning districts and a minimum distance of 500 feet from all existing residences.
- (3) Each billboard shall be located a minimum distance of 1,000 feet from any other billboard facing the same direction of traffic on either side of the freeway within the city. For purposes of this subsection, the distance between billboards on opposite sides of the freeway shall be measured as the distance between the points at which lines drawn perpendicular to the freeway from the location of each billboard intersect with a line along the center of the freeway.
- (4) Each billboard shall be located a minimum distance of 500 feet from all other freestanding signs which are located on the same side of the freeway within the city and are visible from the traveled portion of the freeway; provided, however, that the minimum distance between billboards shall be governed by subsection (3).
- (5) Each billboard shall have a minimum setback of two feet from the freeway.
- (6) The area of a sign panel on a billboard shall not exceed three square feet for each one foot between the billboard and the nearest property line that intersects the property line abutting the freeway; provided, however, that the width of each sign panel on a billboard shall not exceed 14 feet and the length of each sign panel on a billboard shall not exceed 48 feet and, provided further that, notwithstanding the preceding provisions, irregularly shaped sign extensions not exceeding three percent of the area of a sign panel may extend beyond the perimeter of a sign panel on a billboard.
- (7) No billboard shall contain more than one sign panel facing the same direction of traffic on the freeway.
- (8) No billboard shall contain more than two sign panels.
- (9) The light rays of an illuminated billboard shall be cast directly upon the billboard and shall not be visible to motorists on the freeway except as reflected from the billboard.
- (10) The sign area limitations in sections 94-410 and 94-411 shall not include the area of billboards permitted by this section.
- (11) Billboards shall be permitted in MP districts pursuant to all other requirements of this section, subject to the following:
 - a. If a development plan has been approved for an industrial park, billboards shall be permitted provided that the development plan and restrictive covenants are first amended pursuant to section 94-182;
 - b. If a development plan has not been approved for an industrial park, a billboard shall be permitted provided that the owner of the property submits a written statement to the planning commission that either the billboard shall be included in the development plan and restrictive covenants when the property is developed for an industrial park or the billboard shall be removed prior to the development of the property as an industrial park.
- (12) Each billboard shall comply with section 94-406.
- (13) No billboard shall be erected unless a building permit has been issued therefore by the building inspector.

(14) A billboard shall not be constructed within the freeway and shall not be constructed on any private property located between the boundary lines of the freeway, including, without limitation, railroad rights-of-way, utility easements, and other property owned or leased by railroads, utility companies, or any other private parties.

(15) Reserved.

(Ord. No. 07-551, § 2, 7-9-07)

Walker Zoning Ordinance Section 94-406 is referenced in the billboard code and is as follows:

Sec. 94-406. Purpose, intent and general.

(a) *Purpose.* The purpose of these regulations is to promote the use of signs in the city that are safe, aesthetically pleasing, compatible with their surroundings and legible in the circumstances in which they are seen. These regulations recognize the need for a well maintained and attractive physical appearance of the community balanced with the need for adequate business identification for the conduct of competitive commerce. These regulations are also intended to reduce sign and advertising distractions for drivers, which might otherwise create public health and safety hazards. Finally, these regulations seek to reduce the visual clutter that may arise over time due to excessive signage.

(b) *Permits required.* A sign permit shall be required for the erection, use, construction or alteration of all signs except those exempted herein. For purposes of this section, "alteration" shall not mean changing the sign copy to promote, advertise, or identify another use, the normal maintenance of a sign, or changing the text of reader boards.

(c) *Sign measurement.* Except as otherwise expressly provided for in this article, all signs shall comply with the following requirements:

(1) The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight-line geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.

(2) The area of a freestanding sign that has two or more faces shall be measured by including the area of all sign faces. However, if two such faces are placed back-to-back and are of equal size and are no more than two feet apart at any point, the area of the two back-to-back faces shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the one face.

(3) The height of a freestanding sign shall be measured as the vertical distance from the highest point on the sign to the grade of the adjacent street or parking lot, whichever is spatially closer to the sign.

(d) *Design, construction and location standards.* Except as otherwise expressly provided in this Article, all signs shall comply with the following requirements:

(1) All signs shall be properly maintained so as not to become unsightly through disrepair or as a result of the weather.

(2) Sign supports, braces, guys, and anchors shall be maintained in such a manner as not to cause a public safety hazard.

(3) Signs shall be constructed to withstand all wind and vibration forces that can be normally expected to occur in the vicinity, per the standards of the Michigan Building Code.

(4) Subject to subsection (8) below, signs and billboards shall be internally or externally illuminated. The source of the illumination shall be enclosed, shielded and directed to prevent light from shining onto a public street or residence.

- (5) A light pole or other supporting member shall not be used for the placement of any sign unless the building official determines that such pole or supporting member is specifically designed for such use and all building code and other applicable structural and safety requirements are satisfied.
- (6) A sign shall not be erected in any place where it may, by reason of its position, shape, color, or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance per se.
- (7) No sign or its supporting mechanism shall project into or be placed within the right-of-way of a street.
- (8) There shall be no flashing, blinking, scrolling or intermittent illumination on any sign provided however, that electronic reader boards are permitted, provided that the electronic message shall not scroll and shall not change more often than once every 30 seconds.
- (9) No sign shall interfere with the clear vision area of any highway, street or road, or at the intersection of two or more streets, or at the intersection of a sidewalk or improved public street and a driveway.
- (10) No sign or sign component shall move, other than minor elements of clocks or thermometers.
- (11) All signs are subject to the applicable height regulations noted in this article.

(Ord. No. 07-551, § 2, 7-9-07)

On October 25th, 2007, the Walker Zoning Board of Appeals (ZBA) found the new Tri-Vision and digital/LED technologies to be inconsistent with the standards of Section 94-406 (d) as noted above (recently amended in July of 2008). The ZBA found that the mechanically moving parts of a Tri-Vision billboard and the digital screen of a LED billboard would violate Section 94-406 (d).

The New Billboard Technologies Debate

The Walker Planning Commission engaged Mike Hucul from CBS Outdoor in a discussion regarding Tri-Vision and digital/LED billboards on June 4th, 2008. The meeting minutes reflect the course and content of the discussion.

It should be noted that City Planning Department staff suggested not amending the billboard ordinance to allow these new technologies. This is noted and explained in the Planning Director's staff report to the Planning Commission dated 2-15-08.

Mr. Hucul submitted a number of traffic safety studies and other reports for the Planning Commission to consider. These studies and reports suggested that the Tri-Vision and digital/LED billboard technologies did not have a negative impact on the safety of streets and highways.

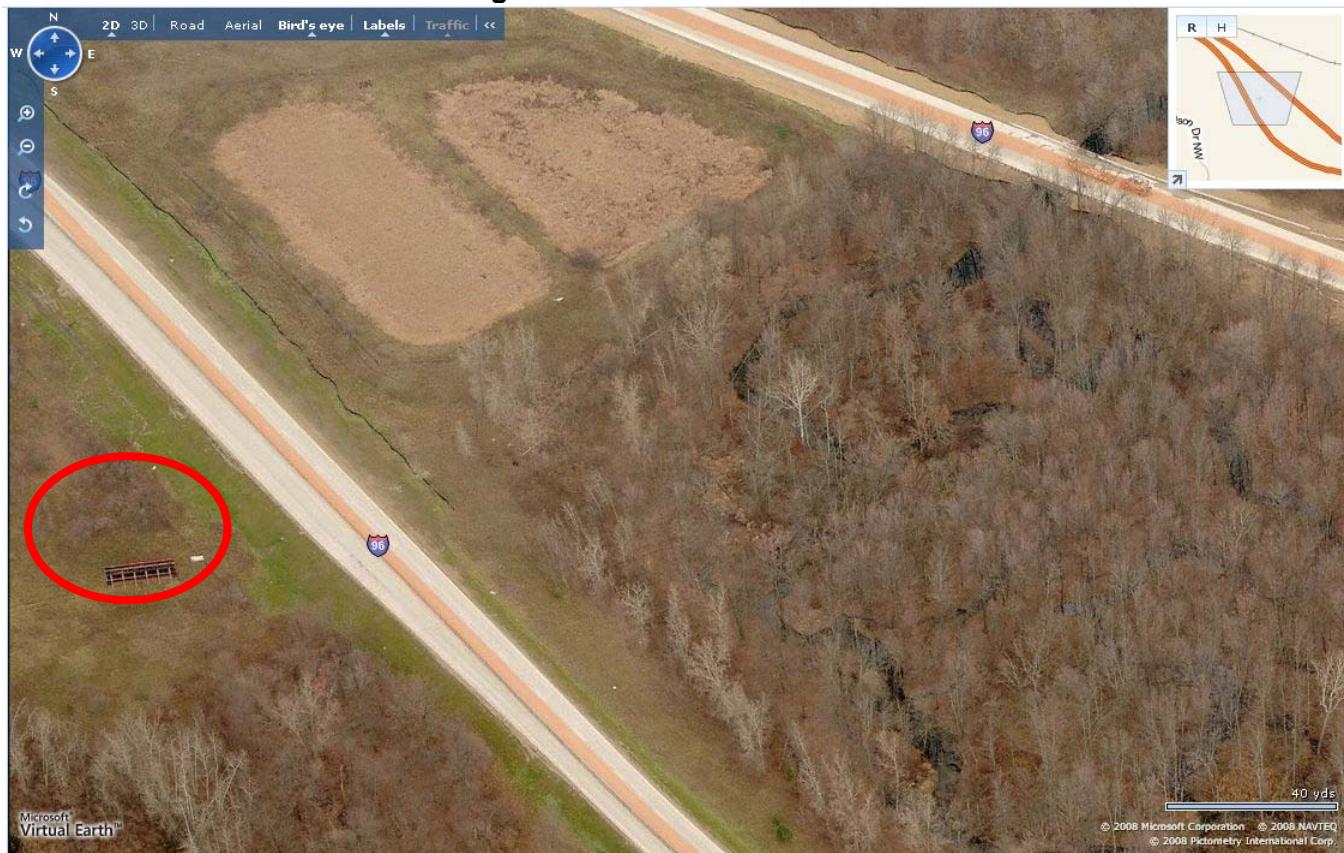
At the end of the discussion on June 4th, 2008, staff was charged with creating a report on existing billboards within the City of Walker.

The rest of this report consists of tabular information and a series of maps. The table provides reference data. The maps orient the reader and help locate the billboards. The oblique photos also make identification of sign type a bit easier. Staff found it was difficult to make a rapid assessment while either driving past the billboards or, unwisely, attempting to pull over to analyze a particular sign.

| Billboard # | Owner | Sign Type | Location |
|--------------------|---------------------------|------------------|---|
| 1 | CBS Outdoor | Single Faced | I-96 West of Fruit Ridge – South Side |
| 2 | GR Outdoor | Single Faced | SAS Property along I-96 – South Side |
| 3 | Adams | Single Faced | I-96 East of Fruit Ridge Bridge – South Side |
| 4 | Lamar | Single Faced | I-96 East of Mullins Ct. – South Side |
| 5 | Lamar | Double Faced | I-96 East of Marlin Court – South Side |
| 6 | CBS Outdoor | Double Faced | I-96 at RR Tracks, East of Peach Ridge – South Side |
| 7 | CBS Outdoor | Double Faced | I-96 @ Kamp's Pallets – South Side |
| 8 | Lamar | Double Faced | I-96 West of Walker Bridge – South Side |
| 9 | Adams | Double Faced | I-96 East of Walker EB Ramp – South Side |
| 10 | Adams | Single Faced | I-96 @ Brandon Ridge – South Side |
| 11 | Private | Double Faced | I-96/English Hills Golf Course |
| 12 | On This Site – Boy scouts | Double Faced | West of Walker WB Ramp on I-96 – North Side |
| 13 | CBS Outdoor | Double Faced | West of Peach Ridge on I-96 – North Side |
| 14 | Lamar | Single Faced | Fruitridge Exit by Wetland on I-96 – North Side |
| 15 | GR Outdoor | Single Faced | I-96 West of Dennen Steel – North Side |
| 16 | Lamar | Single Faced | East of County Line on I-96 – North Side |
| 17 | CBS Outdoor | Single Faced | Wilson and Remembrance |
| 18 | CBS Outdoor | Single Faced | Wilson and Remembrance |
| 19 | CBS Outdoor | Single Faced | Remembrance & Kinney |
| 20 | Lamar | Single Faced | SB US-131 Ramp at West River Drive |

| | | | |
|----|-------------|--------------|---|
| 21 | Lamar | Single Faced | SB US-131 – West Side |
| 22 | Lamar | Double Faced | US 131 SB – West Side |
| 23 | CBS Outdoor | Double Faced | SB US-131 Leading to Ann Street Exit – West Side |
| 24 | CBS Outdoor | Double Faced | SB US-131 at Ann Street Ramp – West Side |
| 25 | Lamar | Double Faced | WB I-96 at Pitsch Concrete Pile Site – North Side |
| 26 | CBS Outdoor | Double Faced | US-131 NB @ North Park Street – East Side |
| 27 | CBS Outdoor | Double Faced | US-131 NB Near City Limits – East Side |
| 28 | CBS Outdoor | Double Faced | US-131 on WB I-96 Ramp |
| 29 | Lamar | Double Faced | I-96 At West River Drive Overpass |

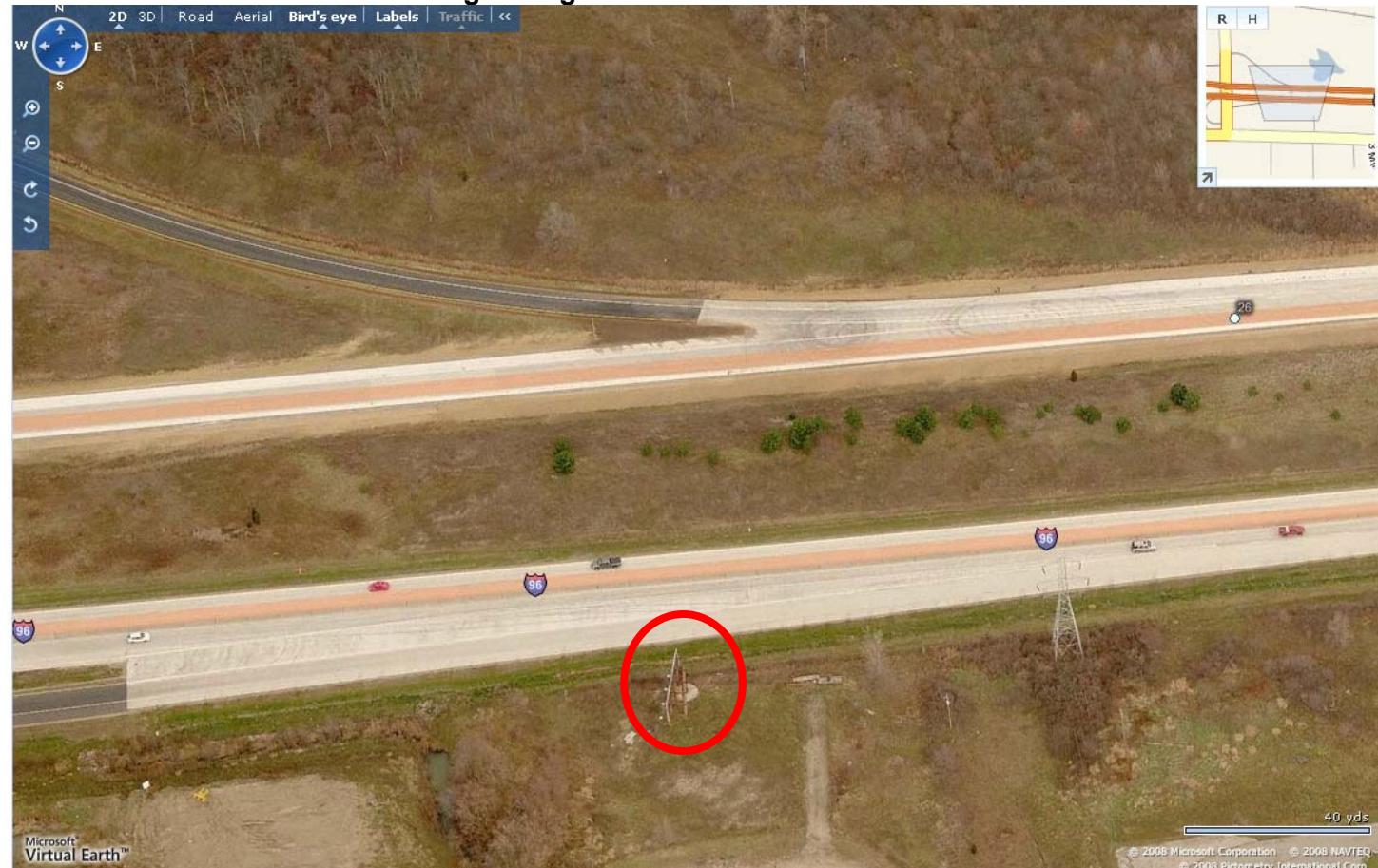
Billboard #1: I-96 West of Fruit Ridge – South Side



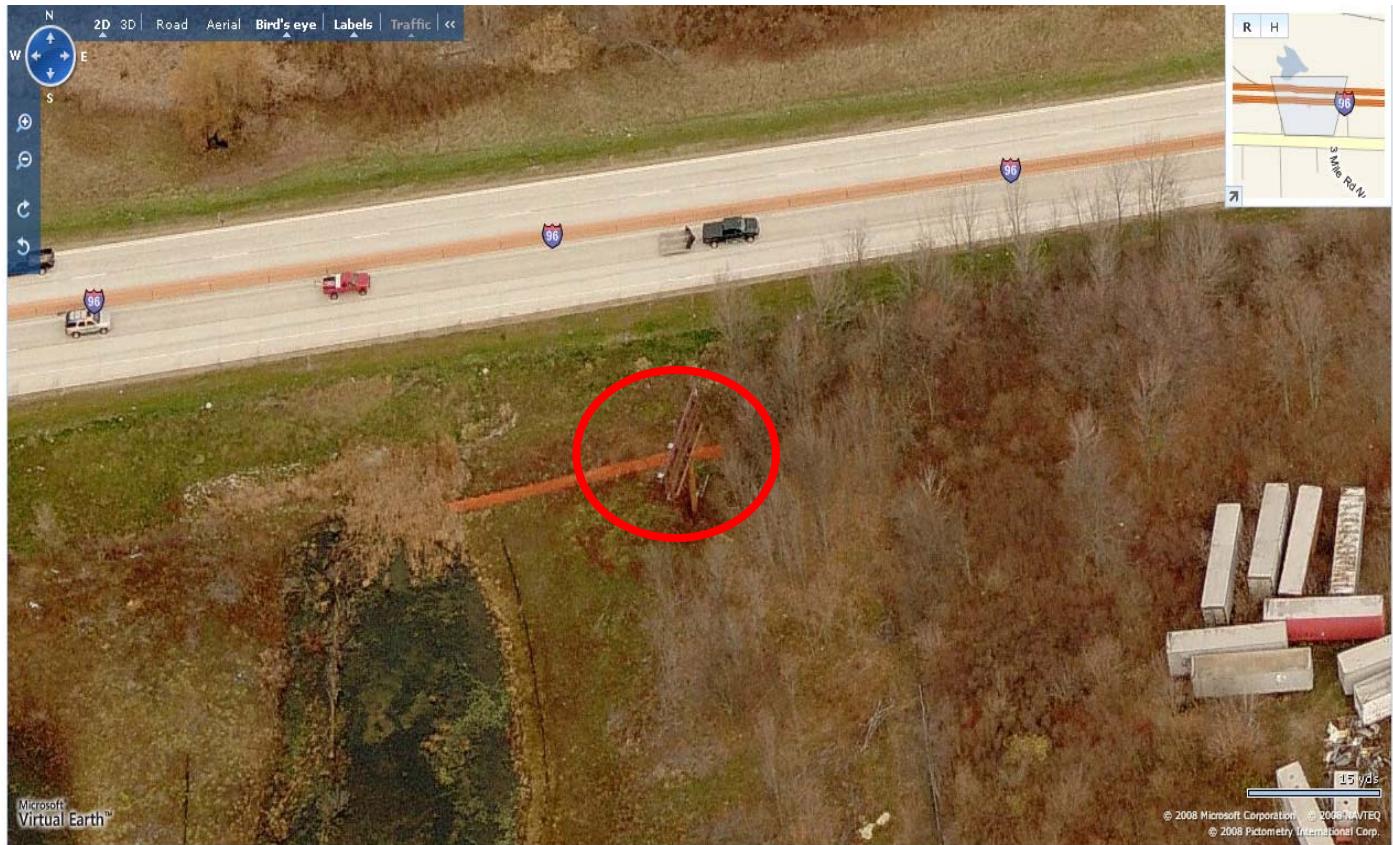
Billboard #2: SAS Property along I-96 – South Side



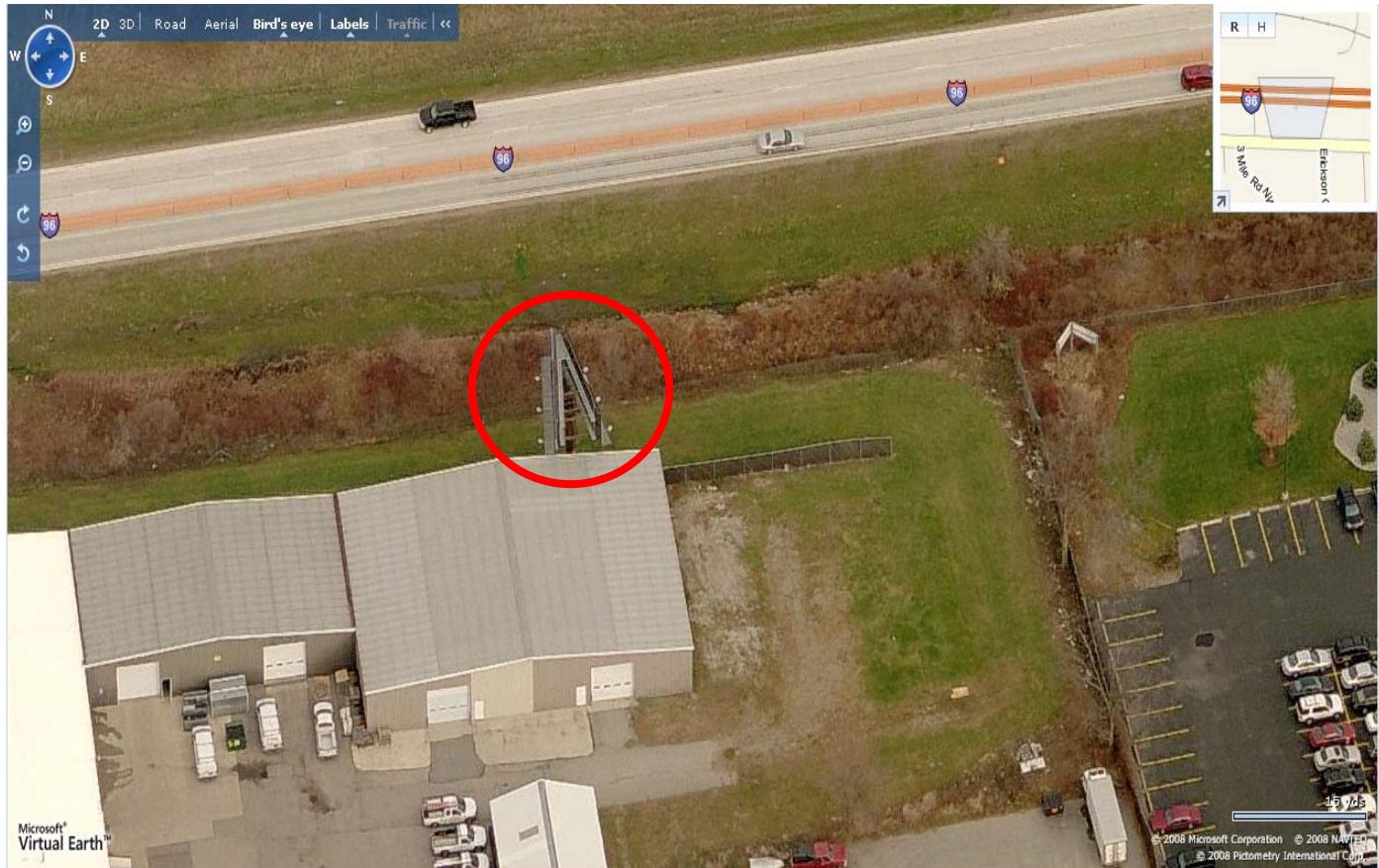
Billboard #3: I-96 East of Fruit Ridge Bridge – South Side



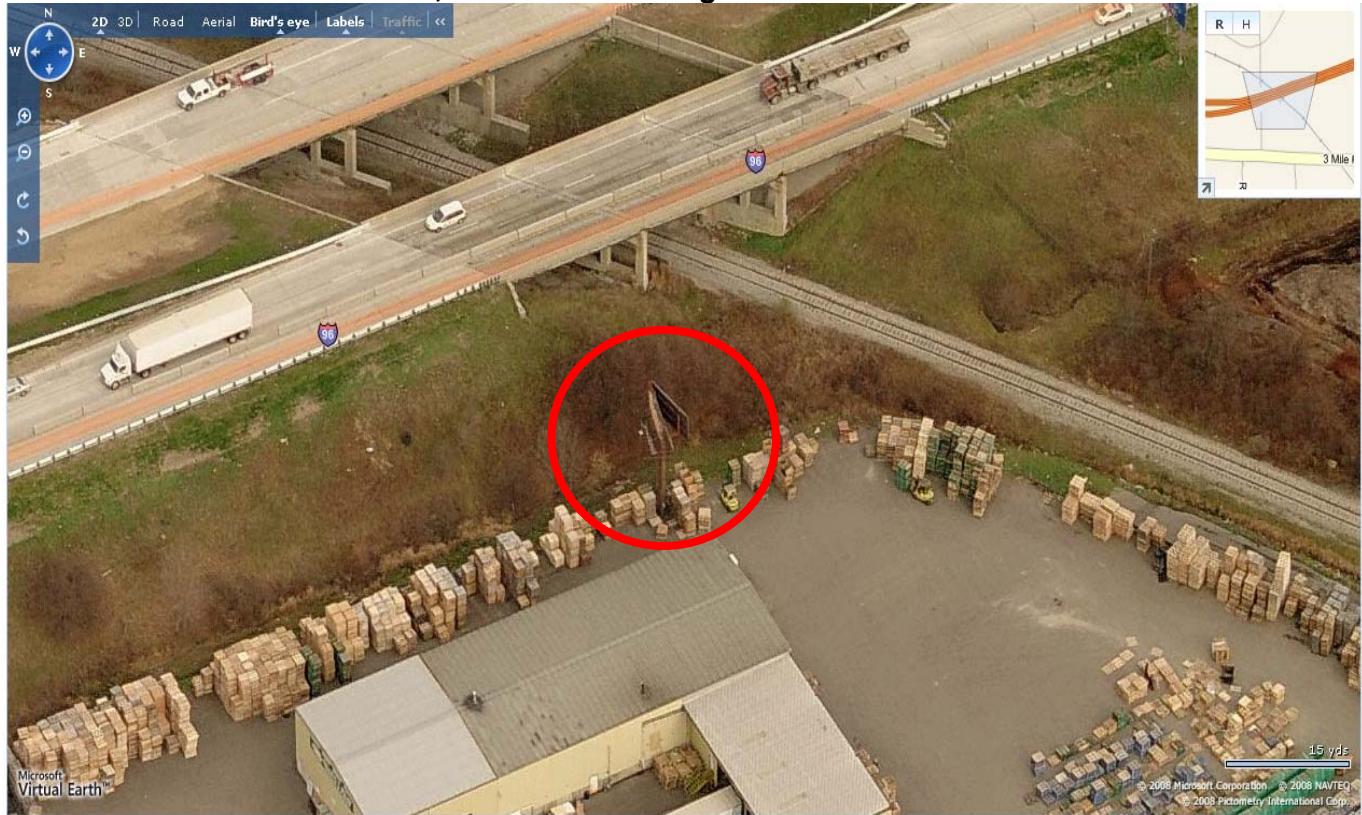
Billboard #4: I-96 East of Mullins Ct. – South Side



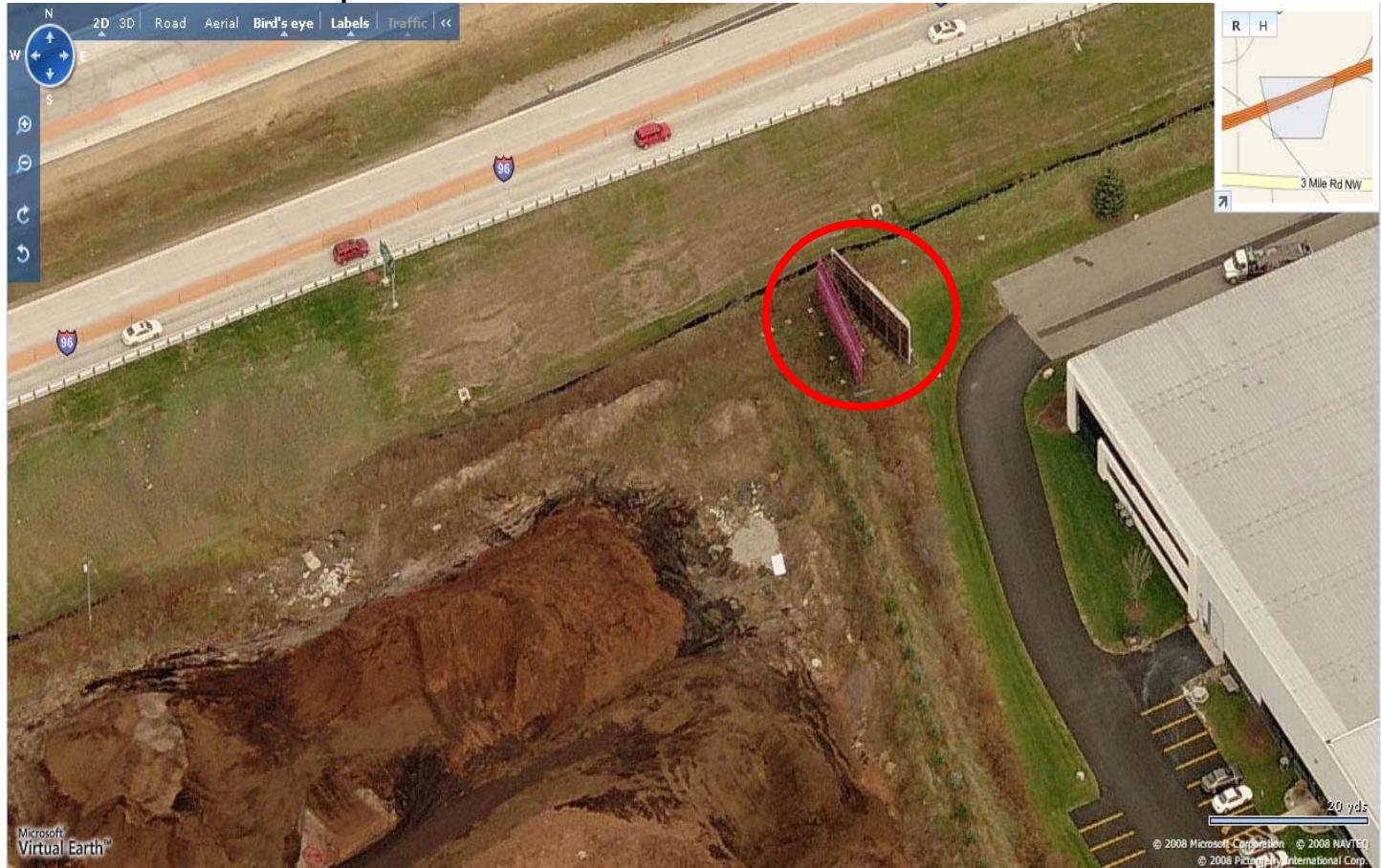
Billboard #5: I-96 East of Marlin Court – South Side



Billboard #6: I-96 at RR Tracks, East of Peach Ridge – South Side



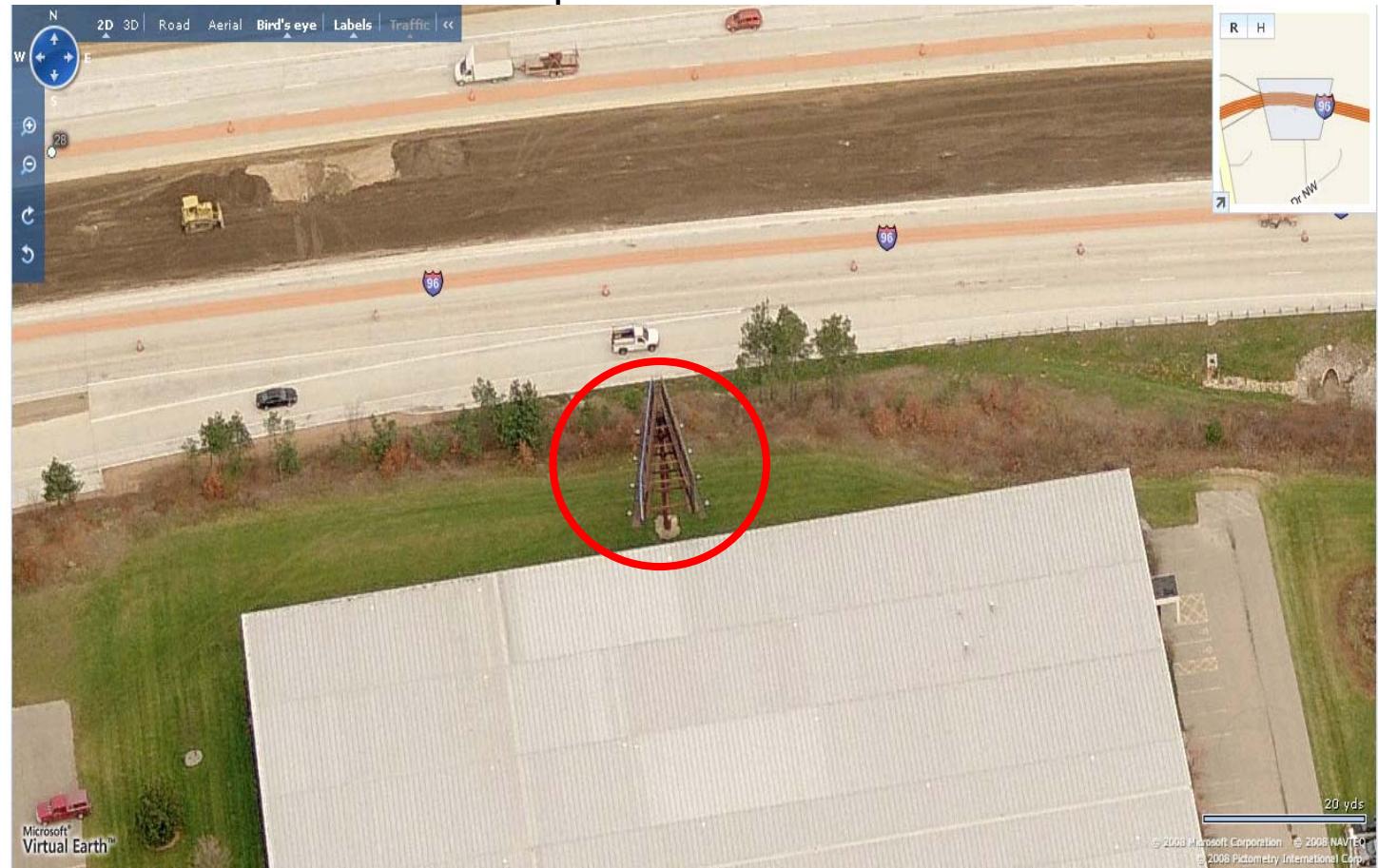
Billboard #7: I-96 @ Kamp's Pallets – South Side



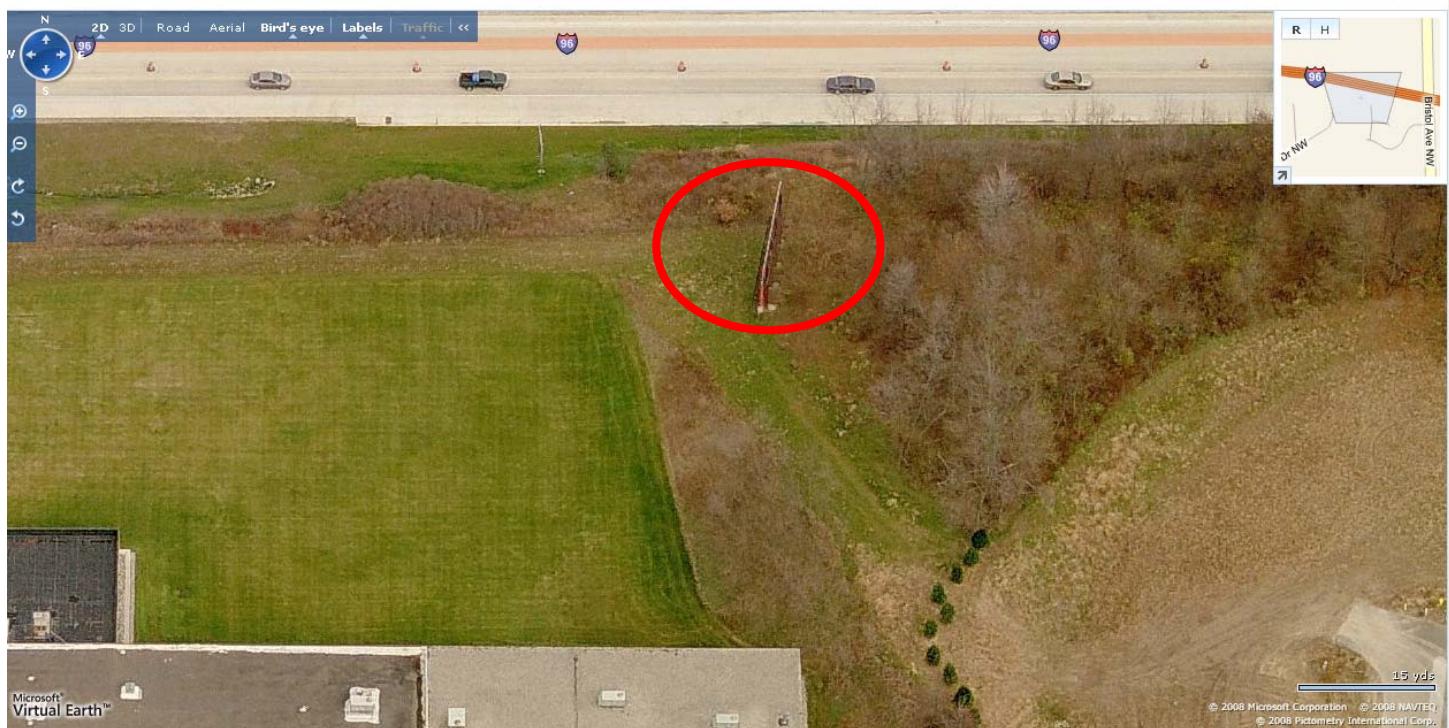
Billboard #8: I-96 West of Walker Bridge – South Side



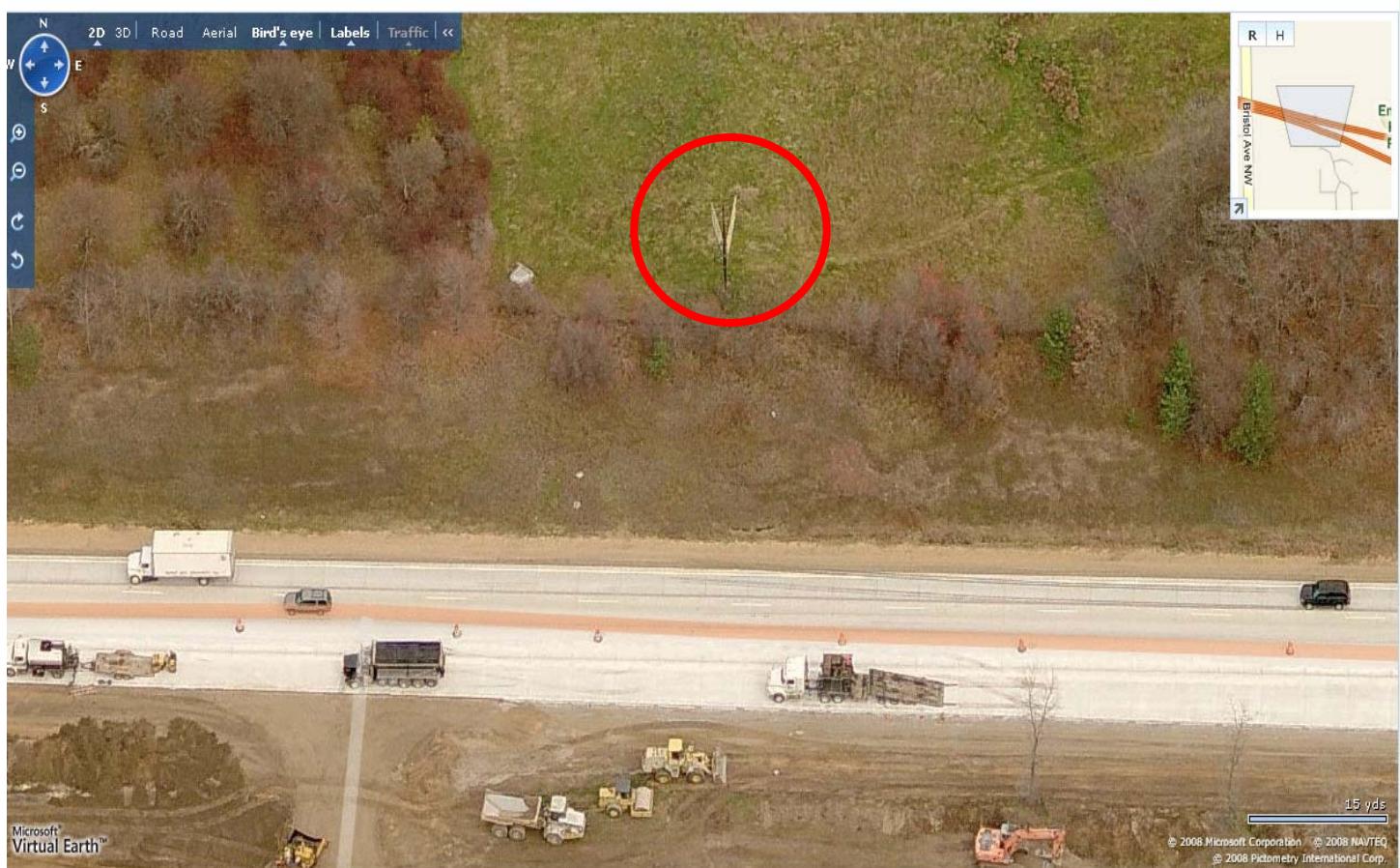
Billboard #9: I-96 East of Walker EB Ramp – South Side



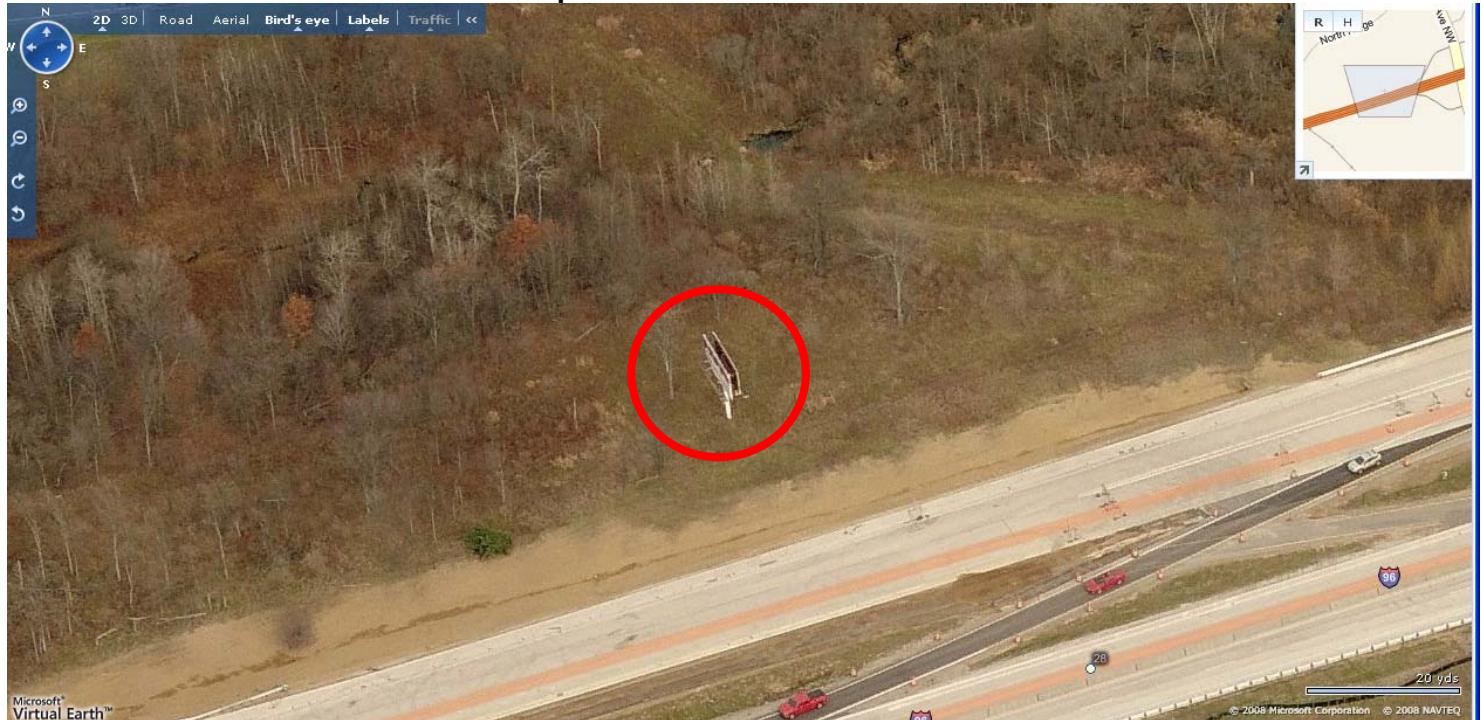
Billboard #10: I-96 @ Brandon Ridge – South Side



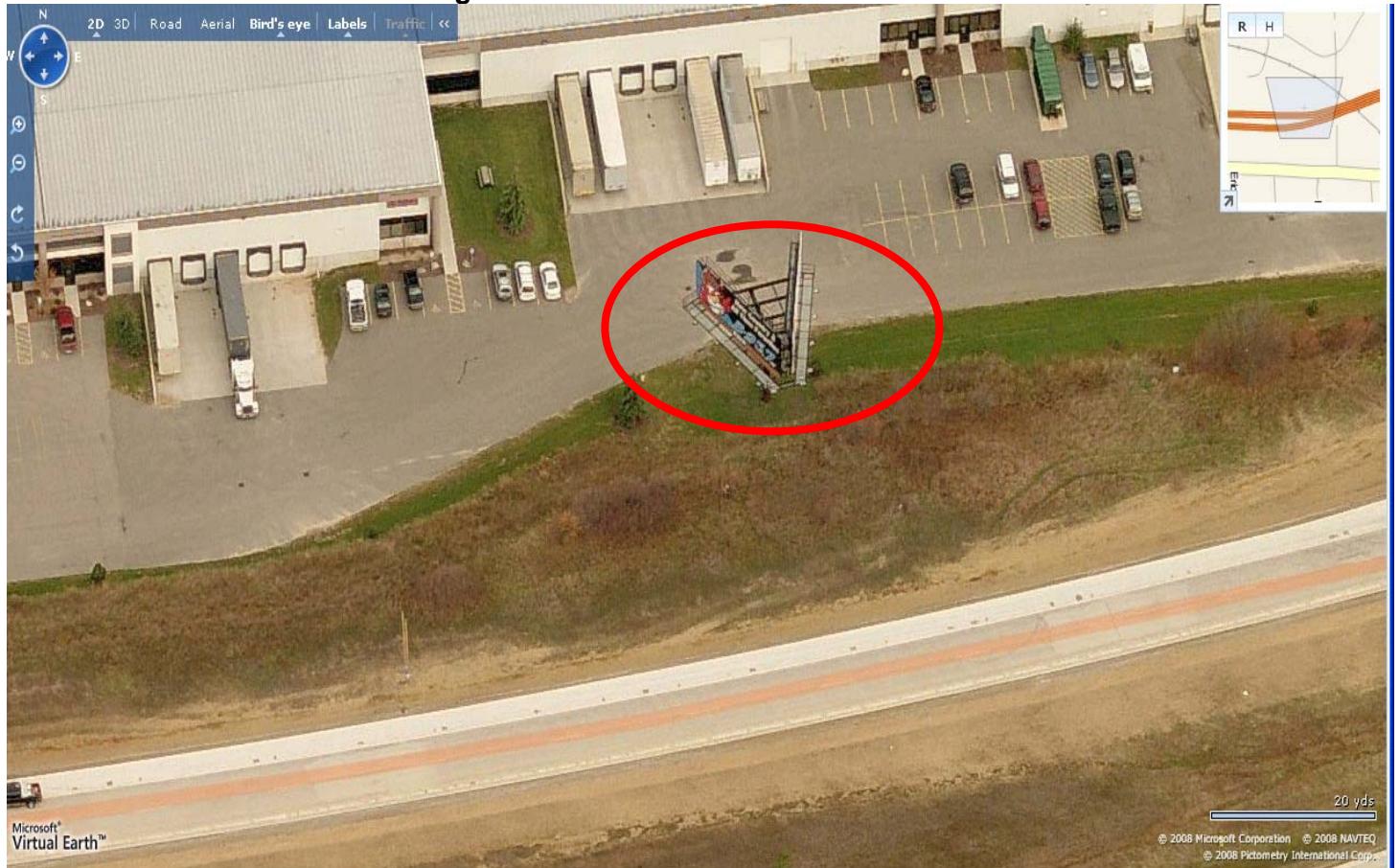
Billboard #11: English Hills Golf Course – North Side



Billboard #12: West of Walker WB Ramp on I-96 – North Side



Billboard #13: West of Peach Ridge on I-96 – North Side



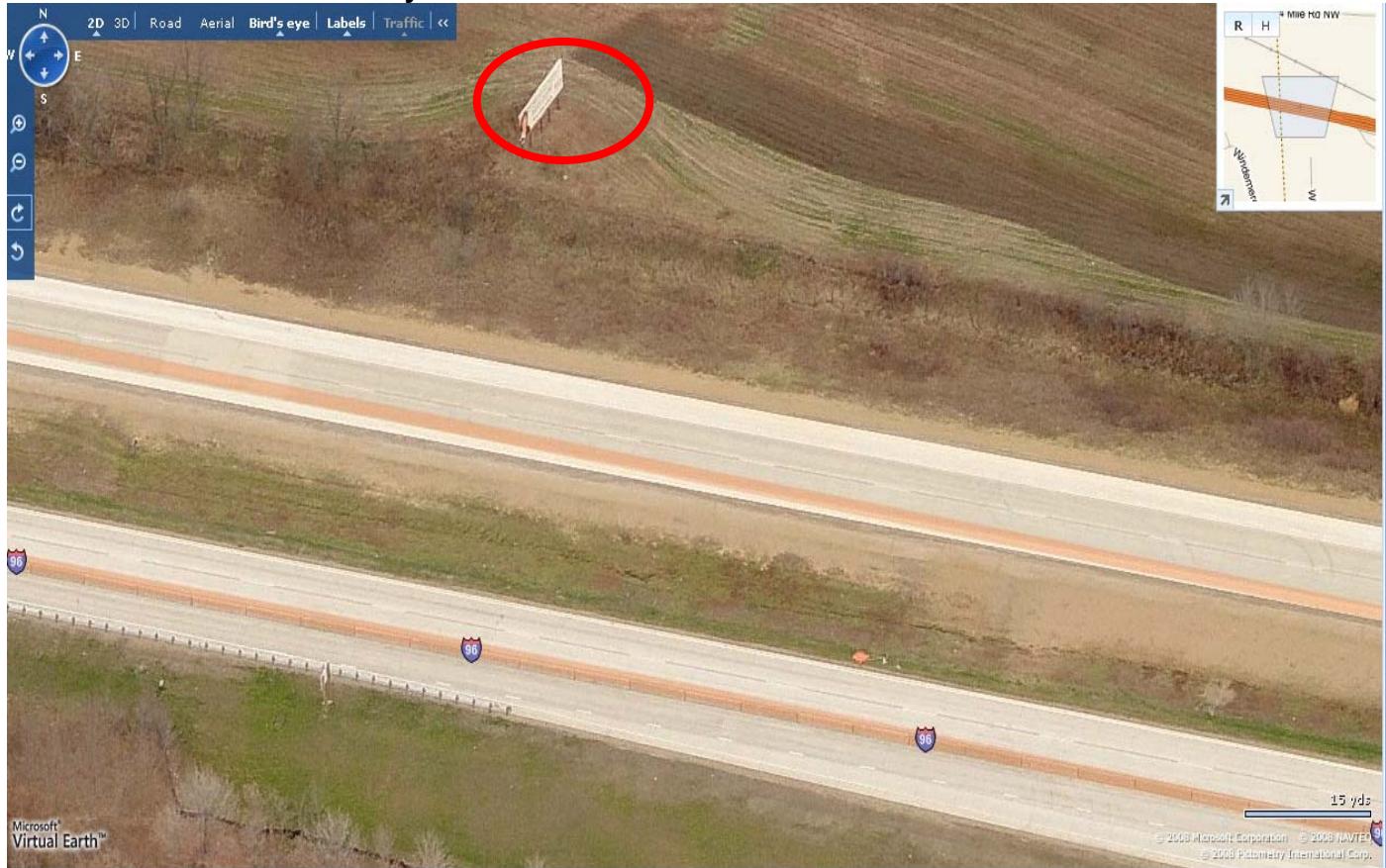
Billboard #14: Fruitridge Exit by Wetland on I-96 – North Side



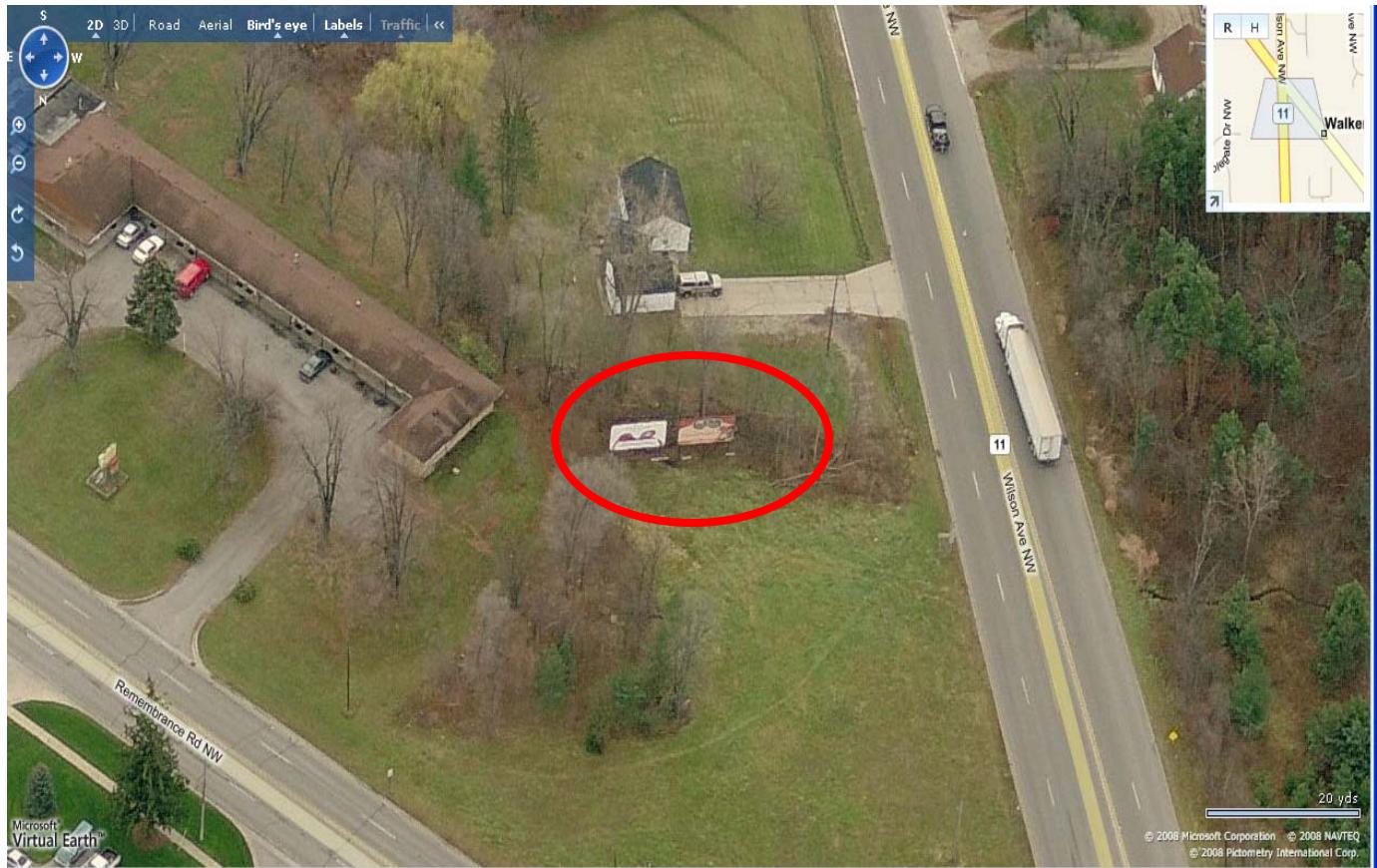
Billboard #15: New Board on I-96 West of Dennen Steel – North Side



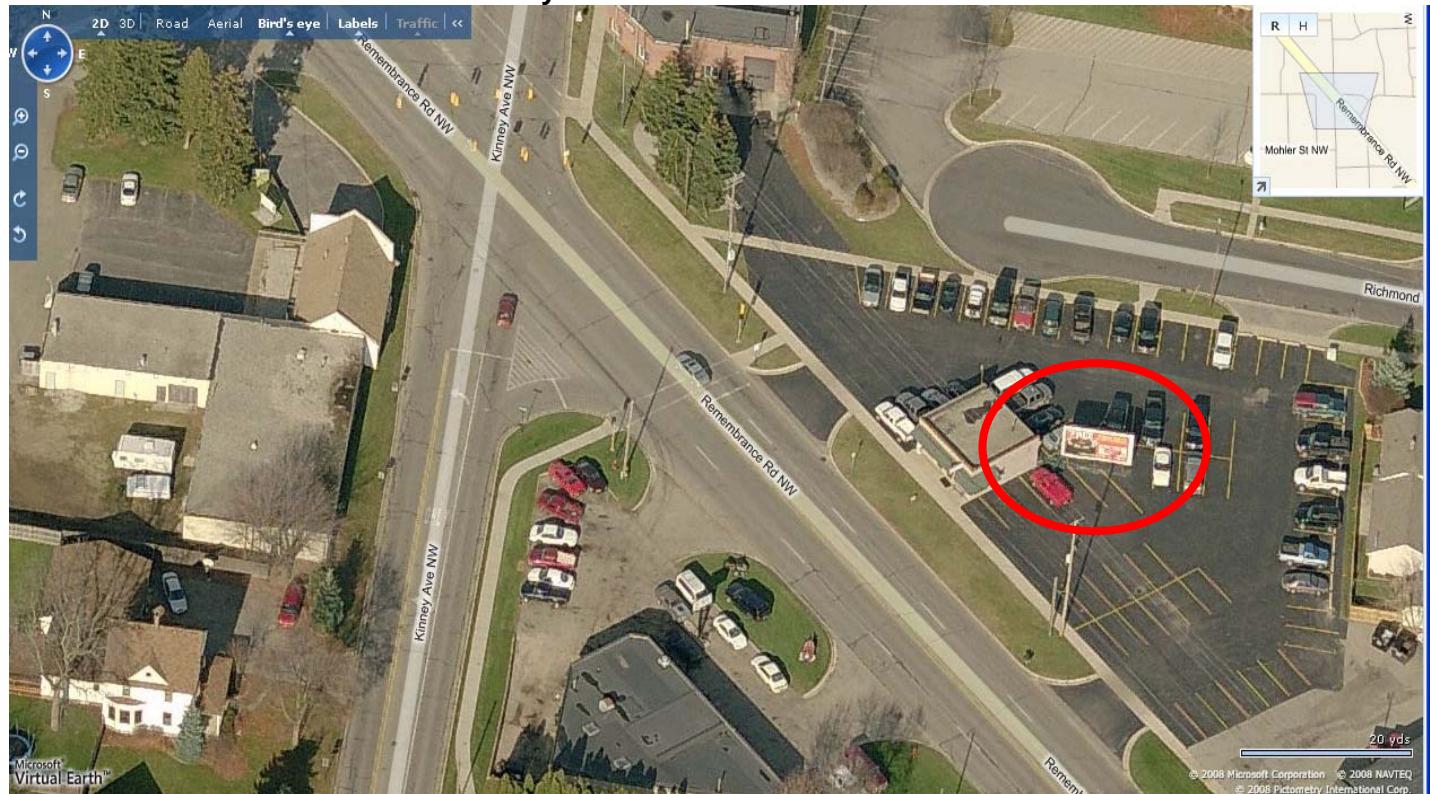
Billboard #16: East of County Line on I-96 – North Side



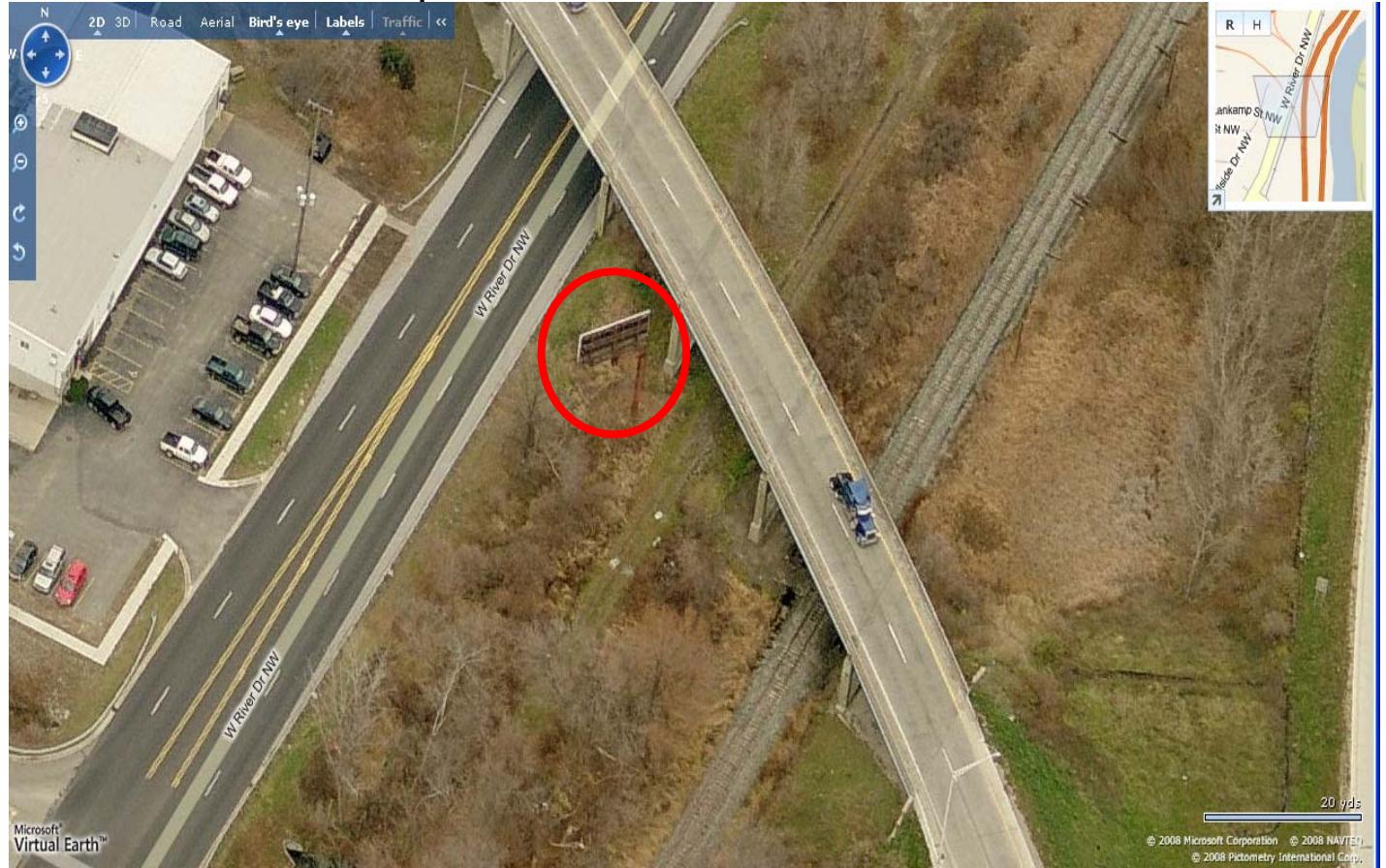
Billboards #17 & 18: Wilson and Remembrance



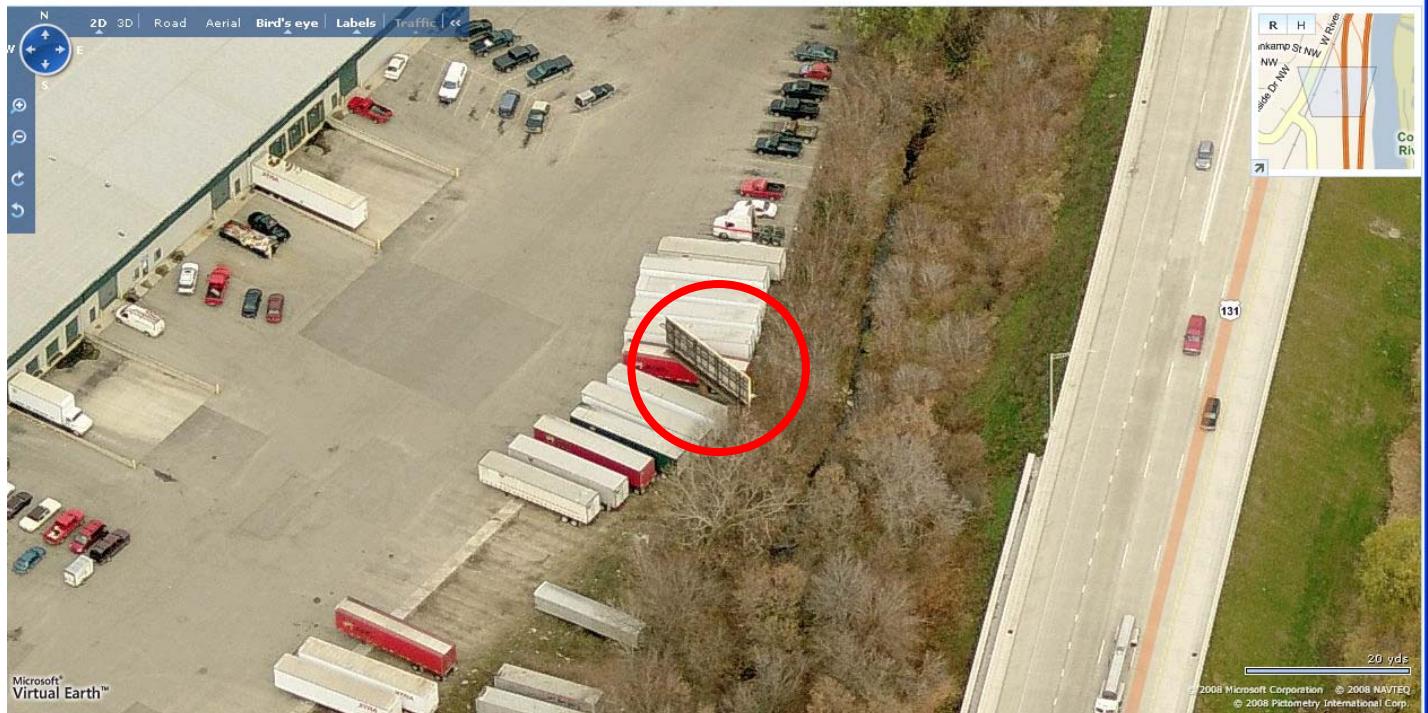
Billboard #19: Remembrance & Kinney



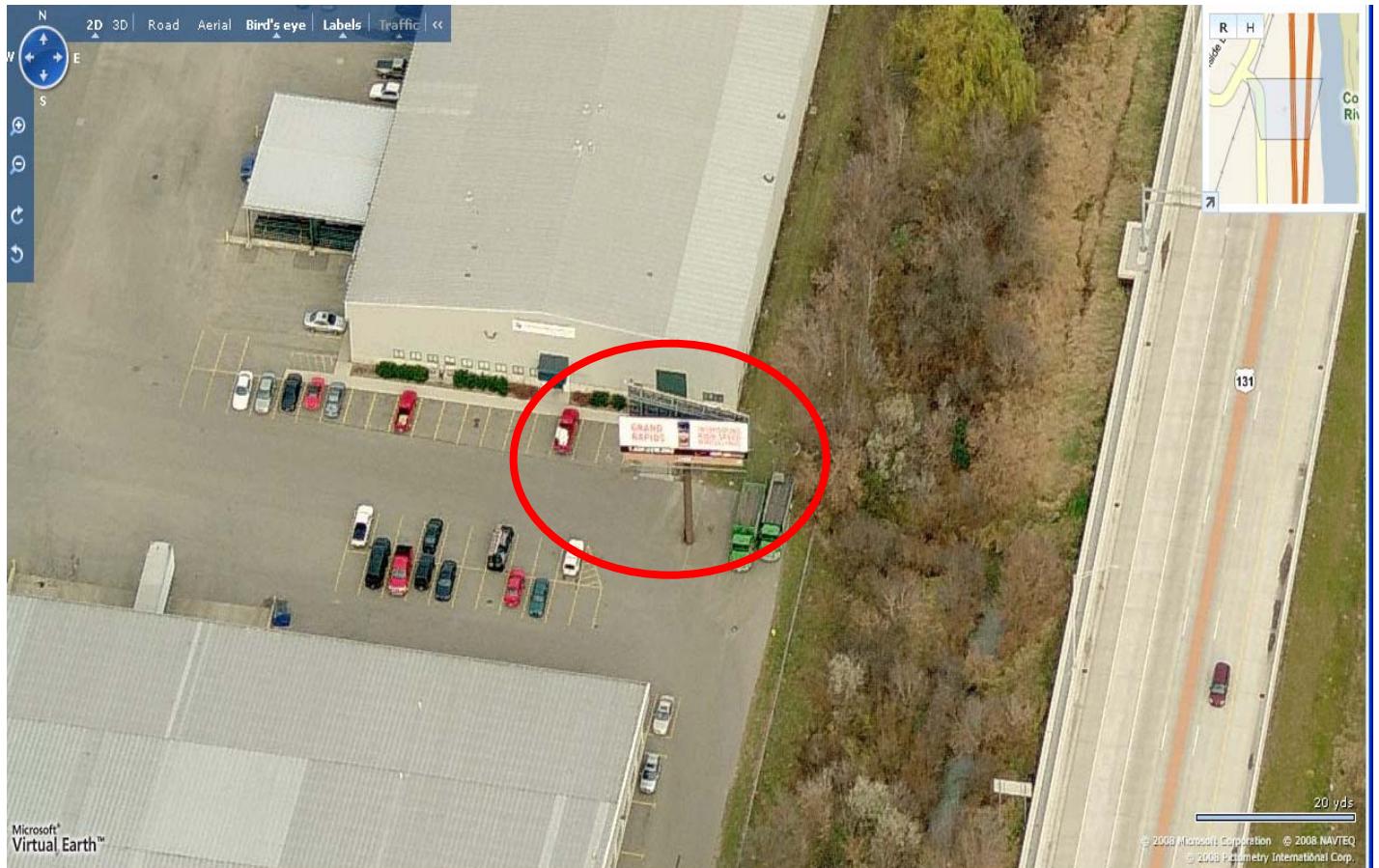
Billboard #20: SB US-131 Ramp at West River Drive



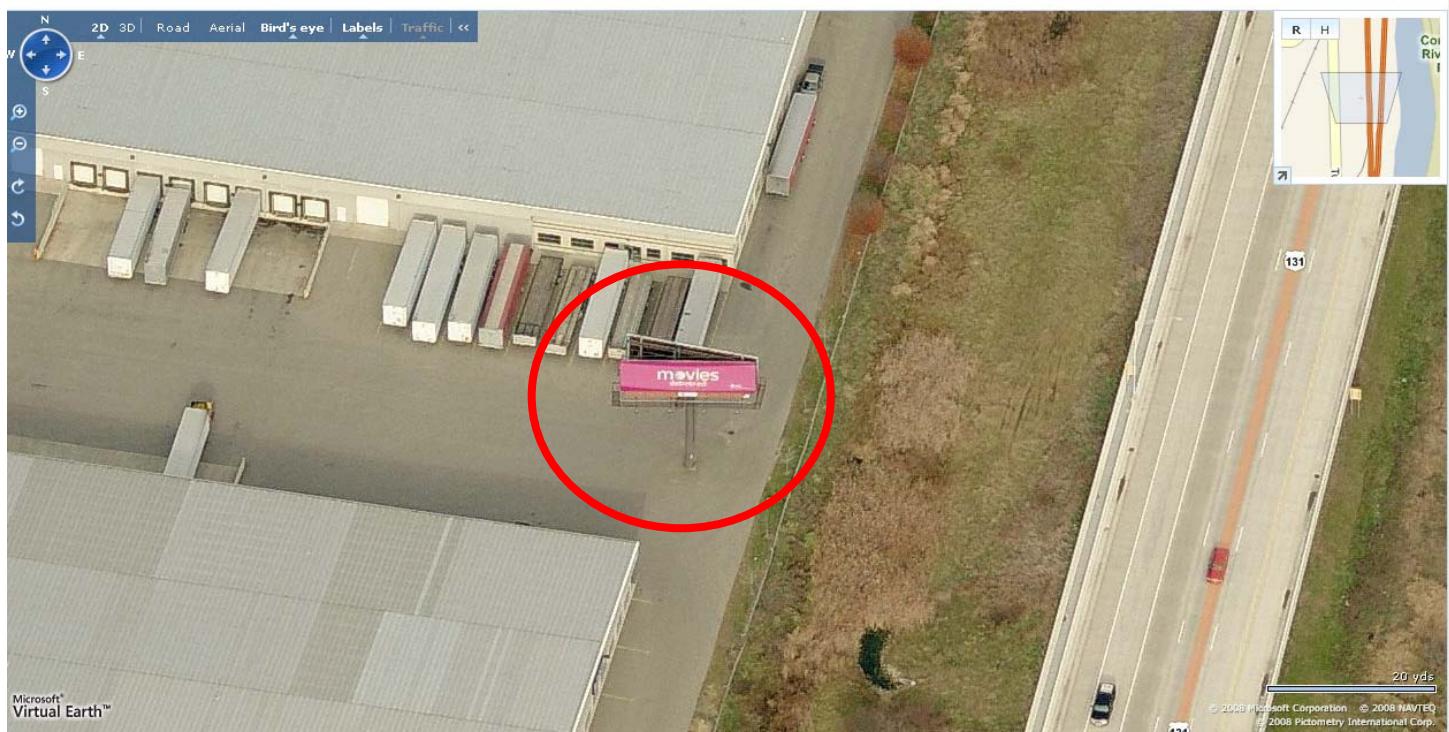
Billboard #21: SB US-131 – West Side



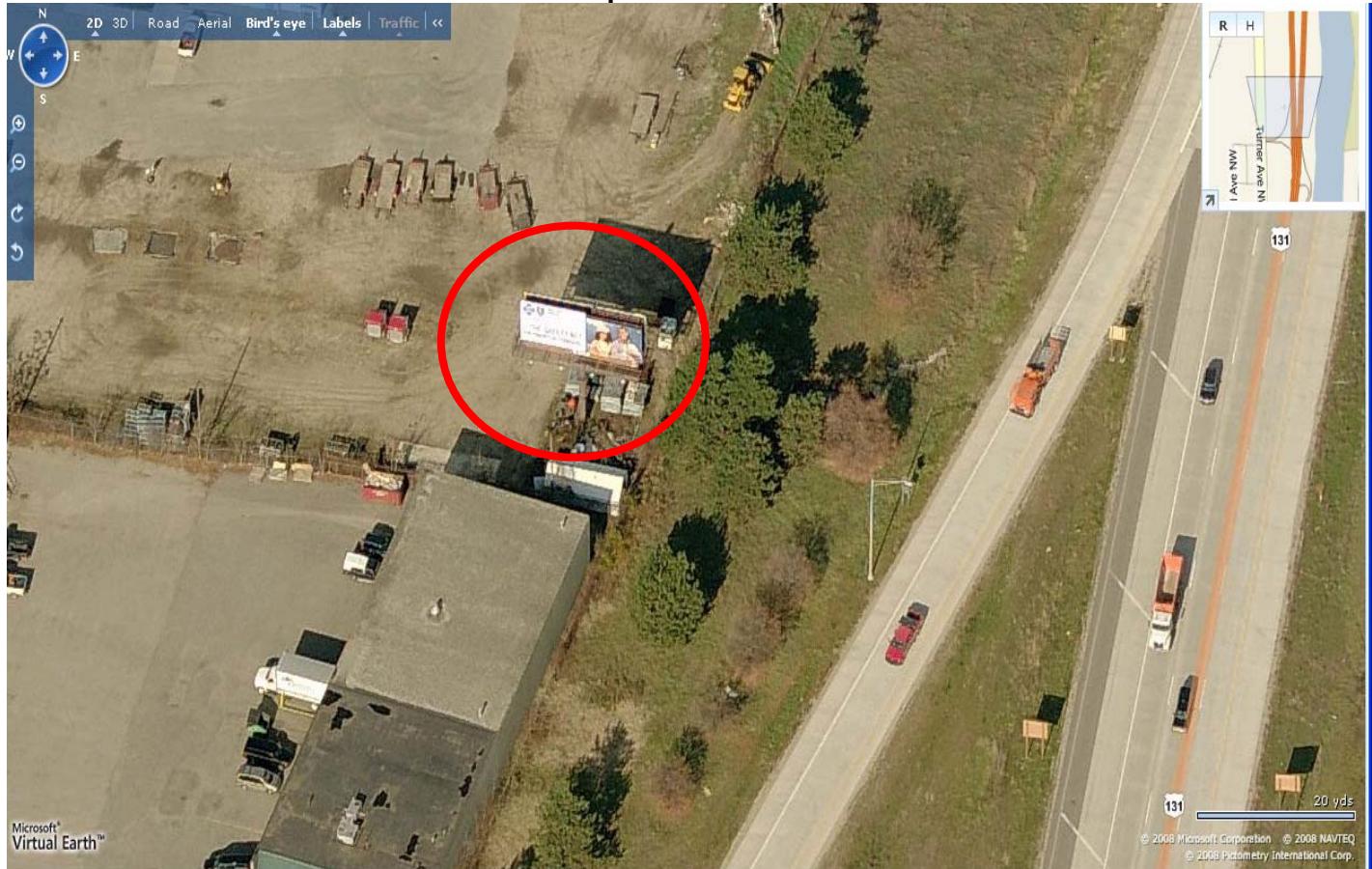
Billboard #22: US 131 SB – West Side



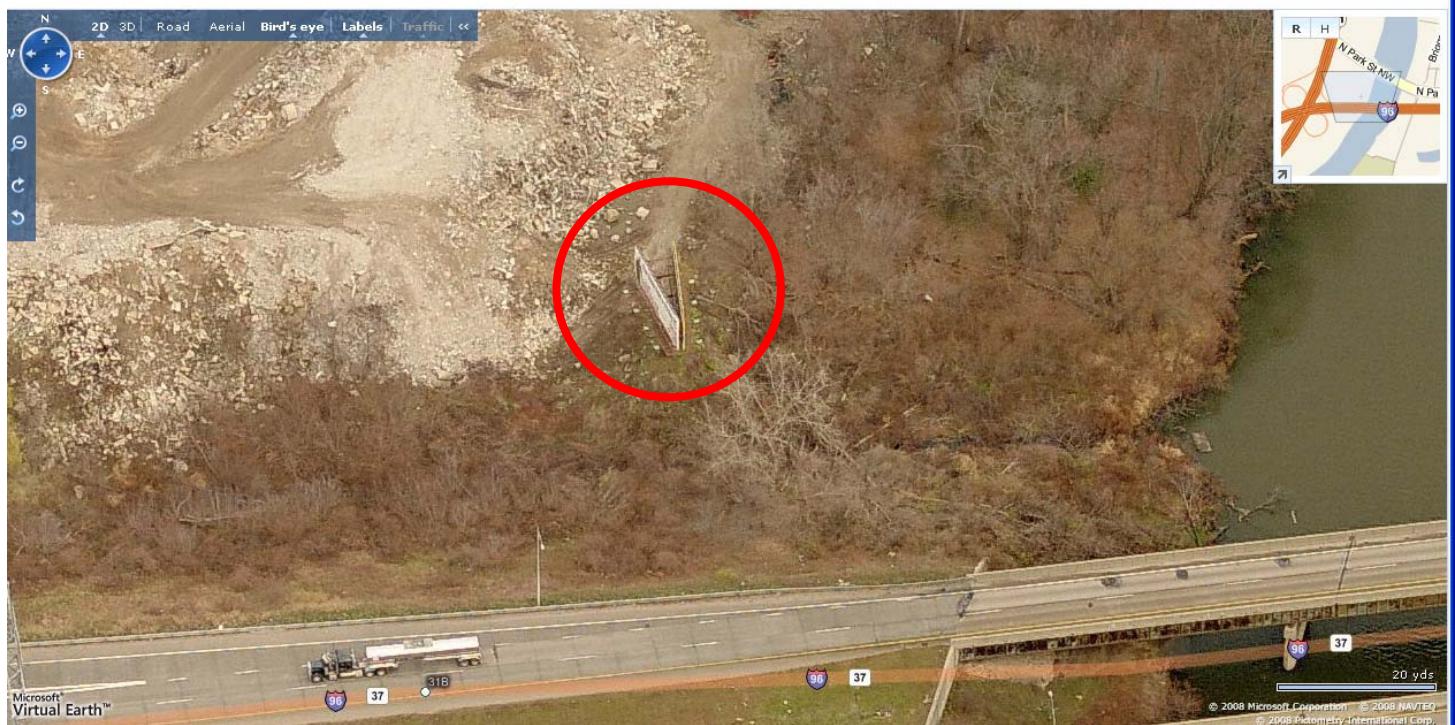
Billboard #23: SB US-131 Leading to Ann Street Exit – West Side



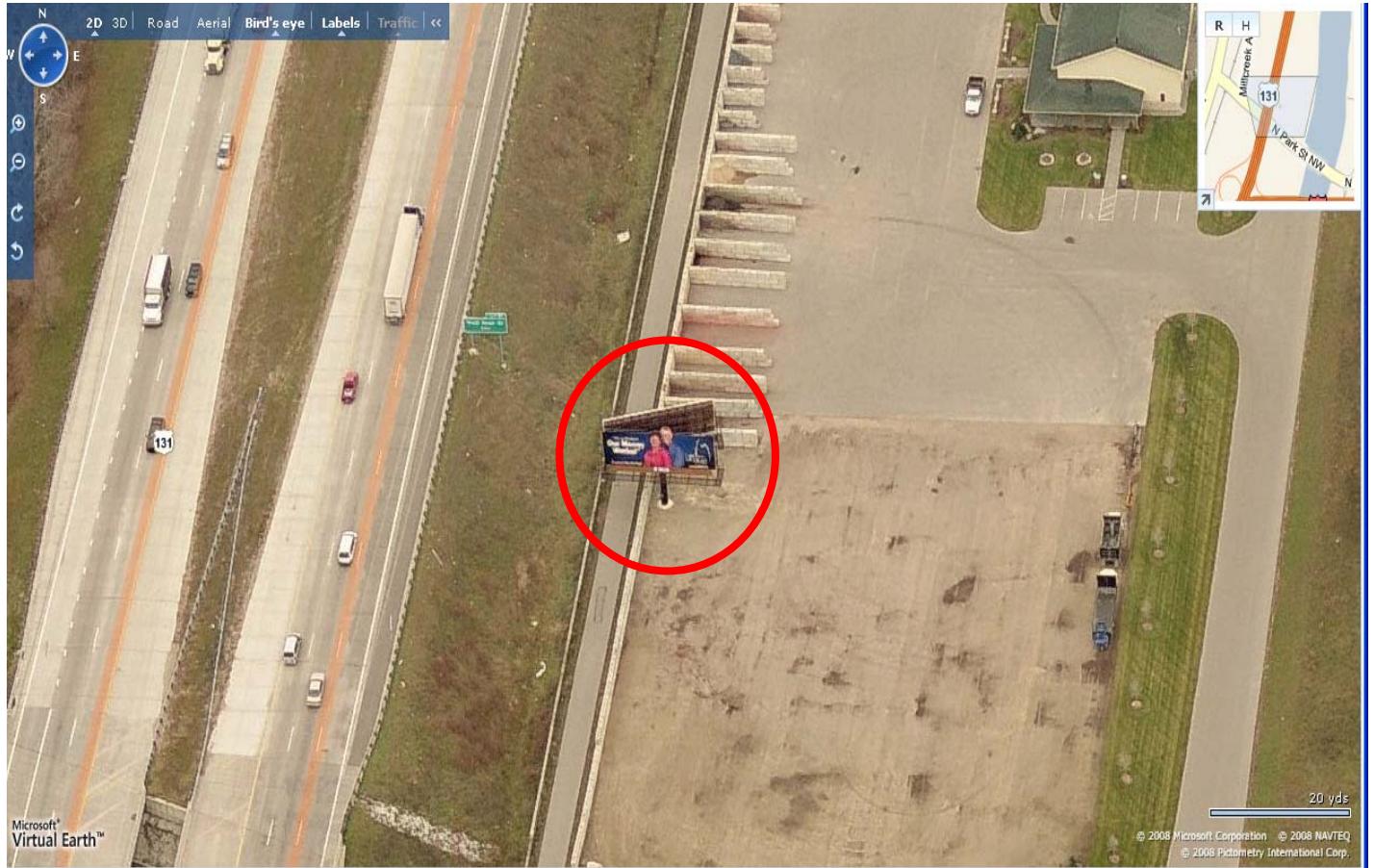
Billboard #24: SB US-131 at Ann Street Ramp – West Side



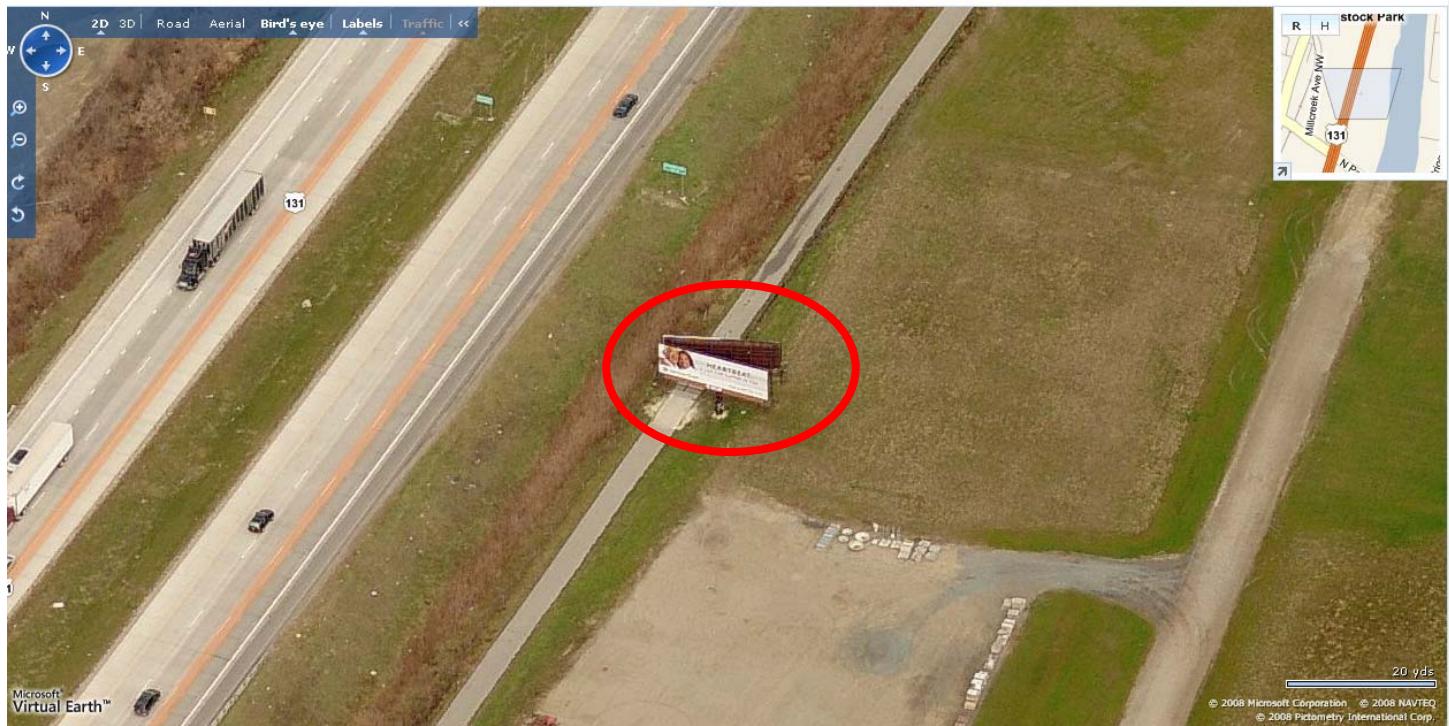
Billboard #25: WB I-96 at Pitsch Concrete Pile Site – North Side



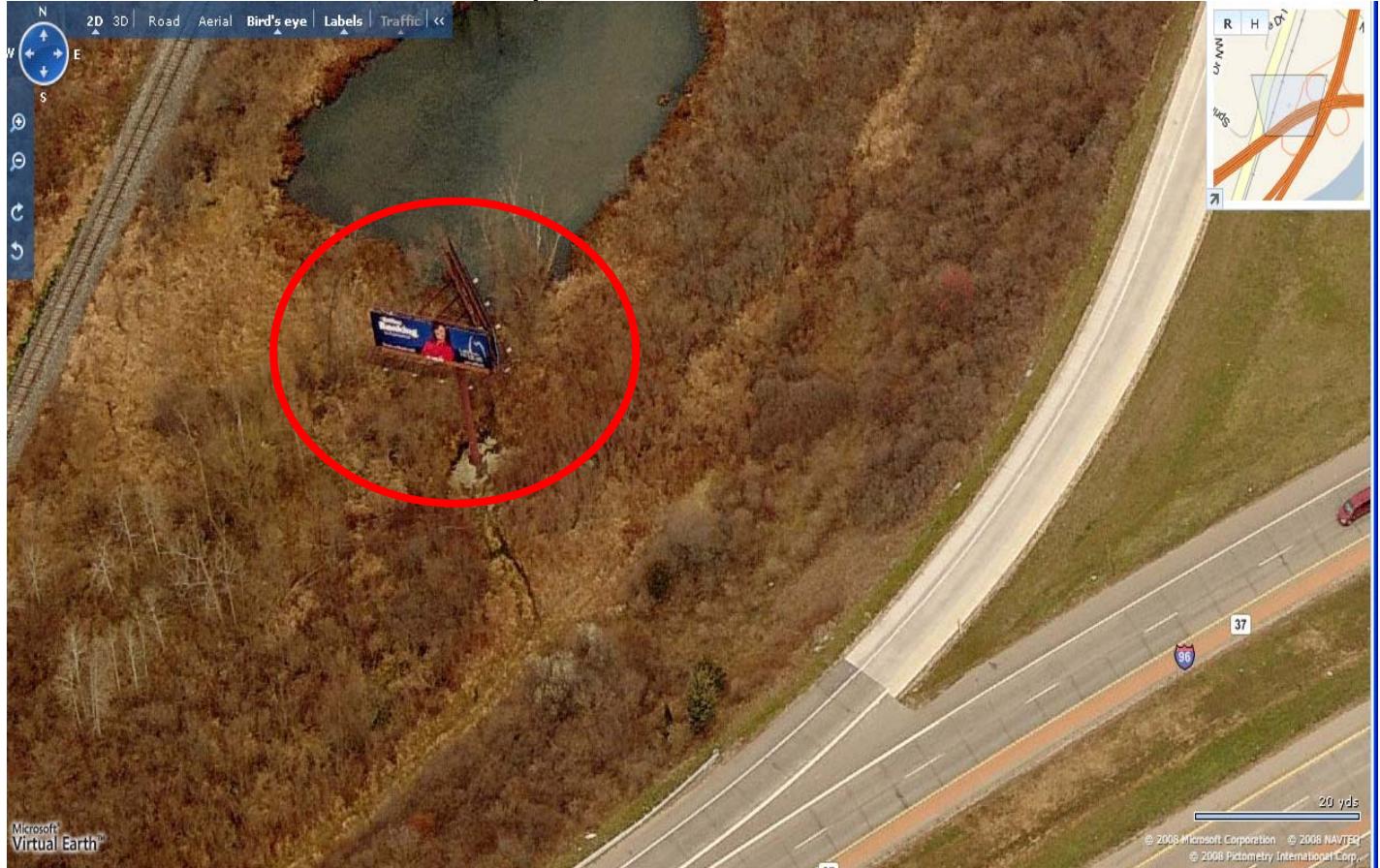
Billboard #26: US-131 NB @ North Park Street – East Side



Billboard #27: US-131 NB Near City Limits – East Side



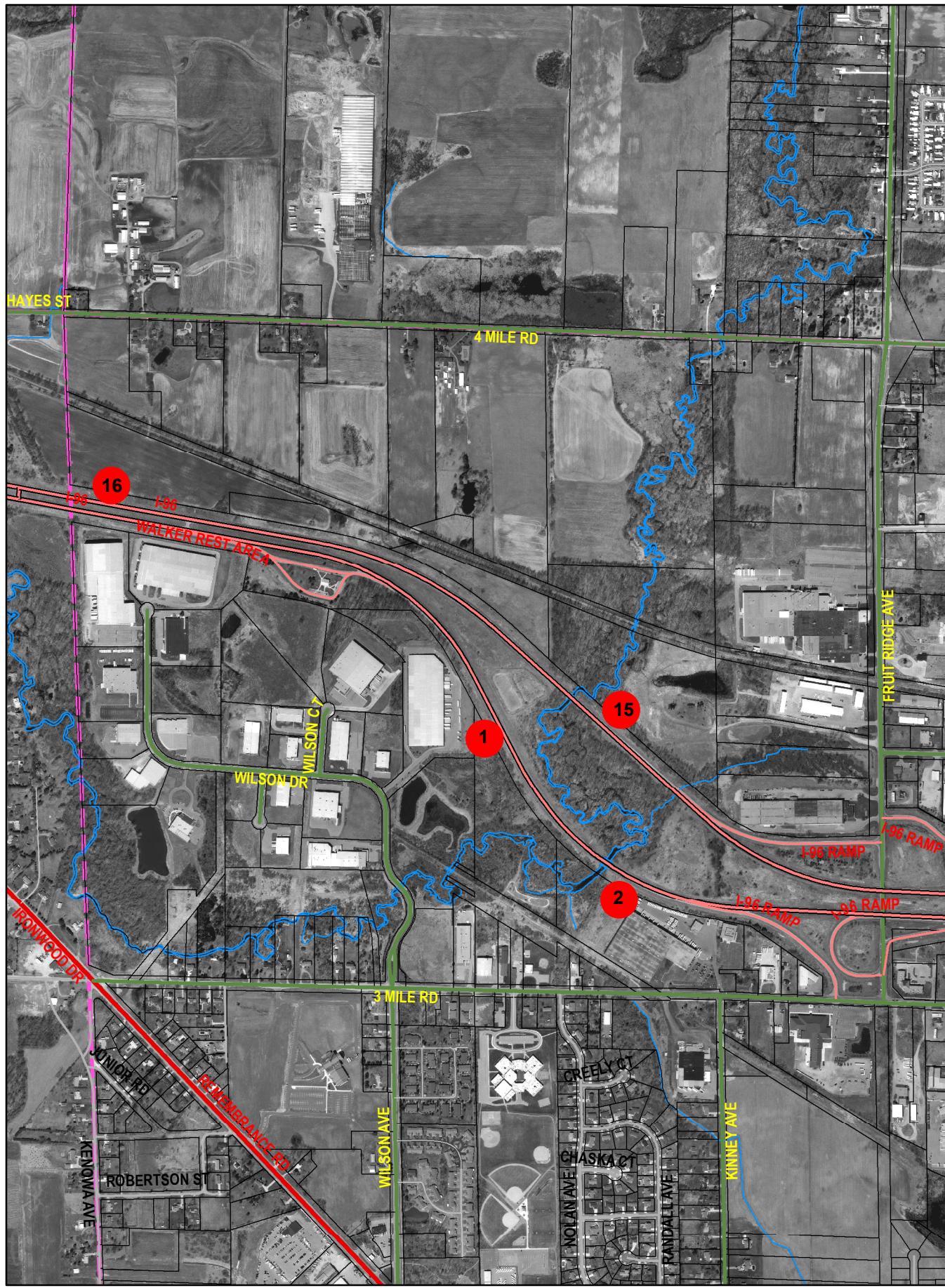
Billboard #28: US-131 on WB I-96 Ramp



Billboard #29: I-96 At West River Drive Overpass



Map 1: Billboards 1, 2, 15, 16



0 500 1,000 2,000 Feet

Map produced by City Of Walker Planning Department -
August 2008 using REGIS.



Map 2: Billboards 3,4,5,6,13,14

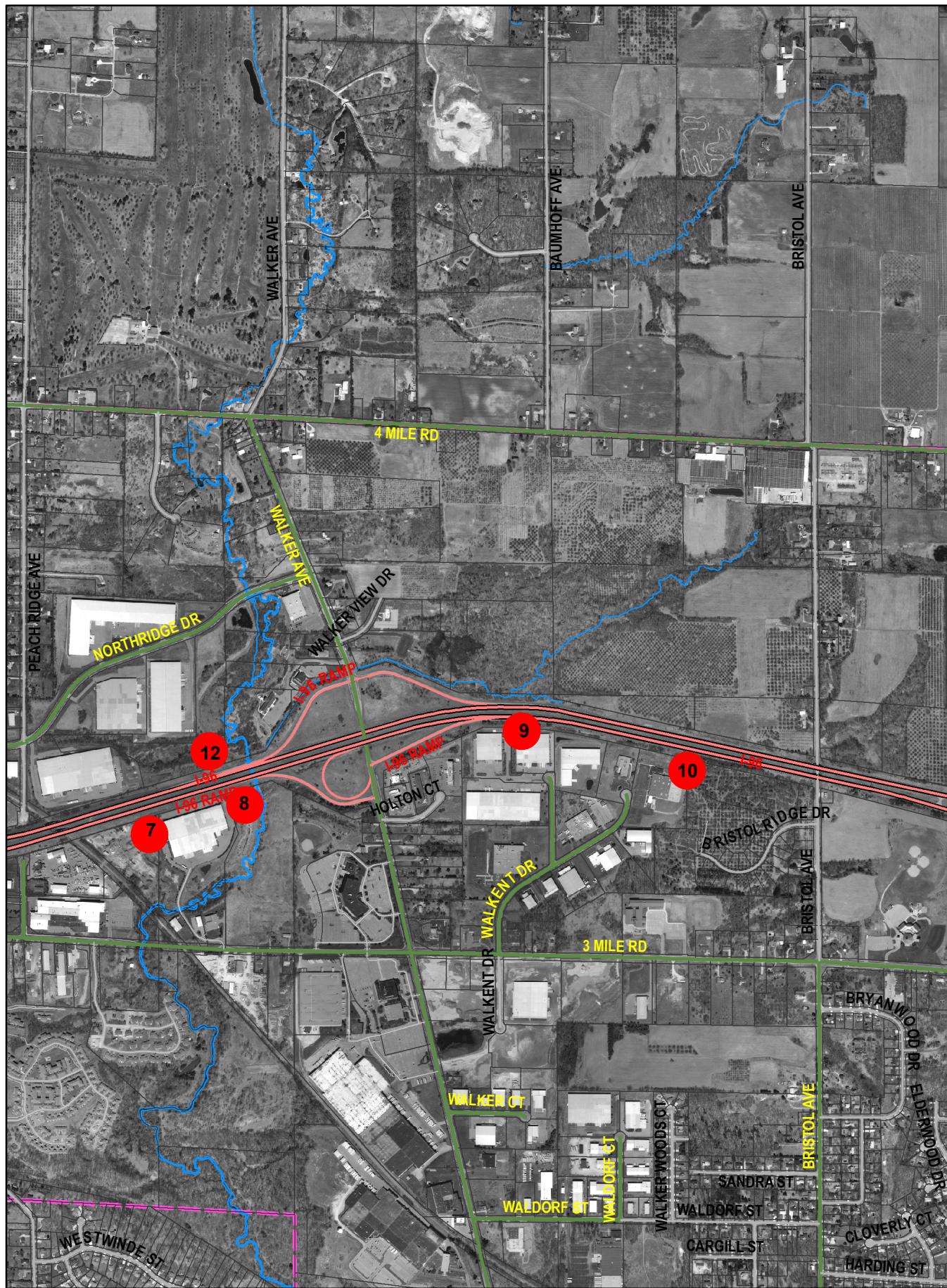


0 500 1,000 2,000 Feet

Map produced by City Of Walker Planning Department -
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Map 3: Billboards 7,8,9,10,12

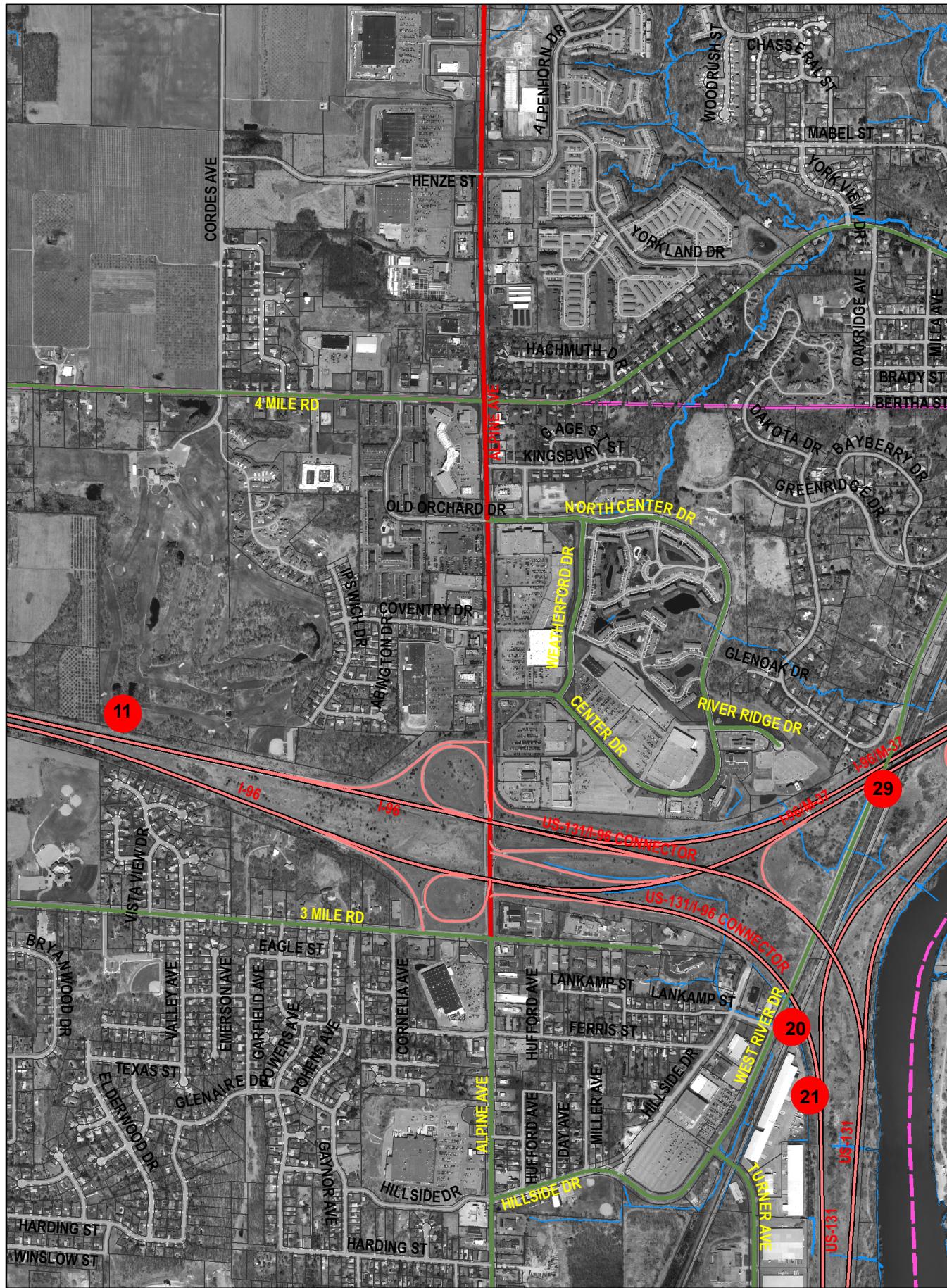


0 500 1,000 2,000 Feet

Map produced by City Of Walker Planning Department -
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Map 4: Billboards 11,20,21,29

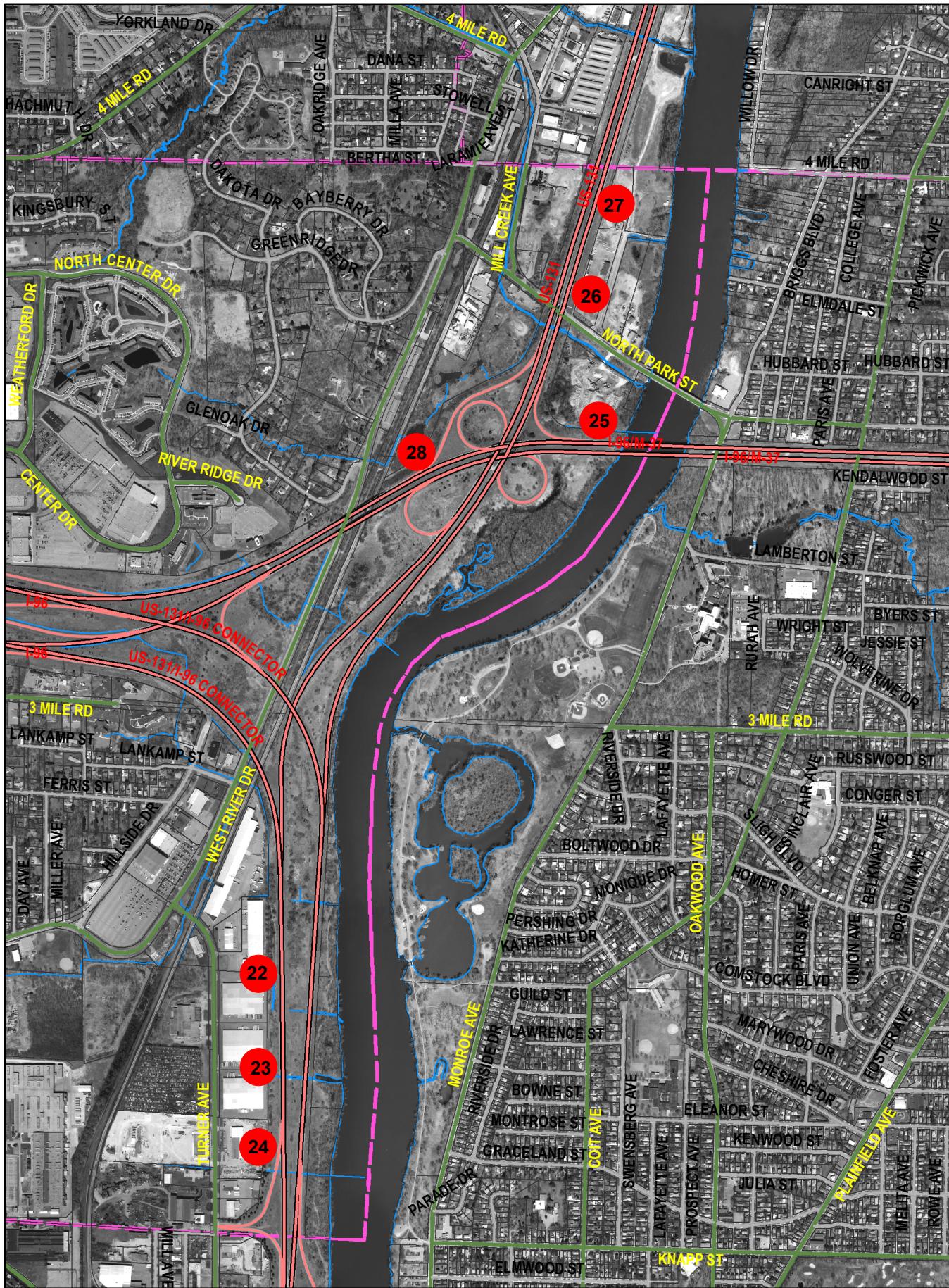


0 500 1,000 2,000 Feet

Map produced by City Of Walker Planning Department -
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Map 5: Billboards 22,23,24,25,26,27,28



0 500 1,000 2,000 Feet
A horizontal scale bar with tick marks and labels. The labels are 0, 500, 1,000, and 2,000 Feet. There are 8 tick marks between the 0 and 500 labels, 4 tick marks between 500 and 1,000, and 4 tick marks between 1,000 and 2,000.

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Map 6: Billboards 17, 18, 19



0 250 500
1,000 Feet

Map produced by City Of Walker Planning Department -
August 2008 using REGIS.

