



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 435 (as introduced 7-1-15)
Sponsor: Senator Dave Hildenbrand
Committee: Transportation

Date Completed: 10-7-15

CONTENT

The bill would amend the Highway Advertising Act to include in the definition of "business area" an adjacent area not zoned for industrial or commercial uses if the adjacent area is subject to a special use permit that allows industrial or commercial activities and the zoning authority has approved the erection or maintenance of a sign or sign structure.

The Act regulates and controls the size, lighting, and spacing of signs and sign structures in adjacent areas. The Act generally regulates any sign in an adjacent area where the facing of the sign is visible from an interstate highway, freeway, or primary highway.

("Adjacent area" means the area measured from the nearest edge of the right-of-way of an interstate highway, freeway, or primary highway and, in urbanized areas, extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way line or, outside of urbanized areas, extending perpendicularly to the limit where a sign is visible and then along a line parallel to the right-of-way line.)

Under the Act, a sign may not be erected or maintained in an adjacent area where the facing of the sign is visible from an interstate highway, freeway, or primary highway, with several exceptions:

- Directional and official signs, including signs pertaining to natural wonders, scenic and historic attractions, which are required or authorized by law, and which comply with rules promulgated by the Department of Transportation relative to the lighting, size, number, and spacing.
- Signs advertising the sale or lease of real property where they are located.
- On-premises signs.
- Signs that are located in a business area or an unzoned commercial and industrial area and comply with regulations in the Act concerning the position of the permit number, size limits and requirements, lighting restrictions, and distance requirements.

The Act defines "business area" as an adjacent area that is zoned by a State, county, township, or municipal zoning authority for industrial or commercial purposes, customarily referred to as "b" or business, "c" or commercial, "i" or industrial, "m" or manufacturing, and "s" or service, and all other similar classifications and that is within a city, village, or charter township or is beyond one mile of the corporate limits of a city, village, or charter township and contains one or more permanent structures devoted to the industrial or commercial purposes described in the definition and that extends along the highway a distance of 800 feet beyond each edge of the activity.

The bill would amend the definition of "business area" to include an adjacent area that is not zoned by a State, county, township, or municipal zoning authority for industrial or commercial purposes if the adjacent area is subject to a special use permit issued by a State, county, township, or municipal zoning authority that allows commercial or industrial activities to be conducted within the adjacent area, if the State, county, township, or municipal zoning authority has approved the erection or maintenance of a sign or sign structure in that adjacent area.

The current provision allowing signs that are located in a business area or an unzoned commercial and industrial area and comply with specified requirements also would apply to a sign located in an area that was not a business area before the bill's effective date but became a business area on or after that date.

MCL 252.302 & 252.313

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Glenn Steffens

S1516\435sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.