

City of Detroit

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May 4, 2023

HONORABLE CITY COUNCIL

RE: Proposed Amendment to Chapter 4 of the 2019 Detroit City Code relative to Temporary Signs and Special Events

On February 9th of this year the Planning and Economic Development Standing Committee received the annual report of the Planning and Development Department (P&DD) as required by the sign ordinance, Chapter 4 of the 2019 Detroit City Code. The report provides a review of sign waivers processed over the course of the preceding year and also makes recommendations for amendments to the sign ordinance, including amendments for signage related to special events such as the Grand Prix. The City Planning Commission (CPC), having received a presentation of P&DD's findings during its February 2, 2023 meeting, supported them and concurrently submitted a report in support of P&DD's recommendations. Both reports are attached for your reference. At that time the Standing Committee referred the matter to the Law Department for review and preparation of appropriate amendments to the City Code.

The Law Department has reviewed and prioritized the requested amendments. As an initial response the Department has drafted and approved as to form, an ordinance to effectuate the most immediately changes to City Code, addressing temporary signage around special events. The ordinance is being submitted under separate cover by the Law Department.

A selection of specific revisions contained in this amendment include:

- Exempts unilluminated/nonstructural/small temporary signs from permitting/licensing requirements (Sec 4-4-17).
- Reorganizes the sections within Division to put general standards first and then specific standards for special circumstances later within the Division.
- Allows relatively more temporary signs to be displayed at a given premises at any given time (Section 4-4-182(a)).
- Allows relatively greater aggregate areas of temporary signage in sign districts other than low-density residential (Section 4-4-182(c)).
- Allows temporary signage to be placed in otherwise prohibited locations, subject to transparency requirements for temporary signs covering windows/glazing (Section 4-4-183(1), (2)).
- Clarifies that temporary signs are subject to the general sign standards and business sign standards set forth in Divisions 2 and 3, except if alternate standards are set forth in Division 7, which controls.

- Creates new temporary signage allowance for premises subject to approved special event permitting.
- Removes the limits on PDD's authority to consider requests for adjustments/waivers related to temporary signs No change to the standards for PDD's discretion to approve/deny such requests. (Section 4-4-182(e), also 4-4-184(b)).
- Assigns responsibility for removal of temporary signs to both the owner of the premises and the permit applicant.

Council Member Benson continues his support of updates and improvements to the City's signage regulations and is the sponsor of the is Ordinance in conduction with PDD and CPC. The Law Department, PDD and CPC will be prepared to speak to the matter during the Committee session.

As indicated above, this is the first proposed amendment resulting from the recommendations in the Planning and Development Department's February 3, 2023 report. The Law Department has determined that a more exhaustive effort will be required to prepare a subsequent set of amendments to address the remaining recommendations of P&DD and CPC . We anticipate a second ordinance with proposed changes to the Sign Ordinance will come before you in the fall, when ready.

Respectfully submitted,

A handwritten signature in blue ink that reads "Marcell R. Todd, Jr." in a cursive script.

Marcell R. Todd, Jr., Director

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February 3, 2023

HONORABLE CITY COUNCIL

RE: The annual Sign Waiver Report and recommendations of the Planning and Development Department.

On Thursday, January 2, 2023 during the regular meeting of the City Planning Commission (CPC) the Planning and Development Department (PDD) presented its annual Sign Waiver Report and corresponding recommendations.

Many of the items presented were carryovers from last year's report including the impact to sign regulations in PD (Planned Development) zoning districts across the City, a chief concern to the Commission. As socialized during the preparation and adoption of the Sign Ordinance the intent was to retain legislative control over signage in the PC (Public Center), PCA (Public Center Adjacent), PD and SD5 (Special Development Casino and Casino Complexes). Unfortunately, an additional provision inserted during the finalizing of the Sign Ordinance was later found to have the effect of nullifying the signage provisions recommended by CPC and approved by City Council for every PD district including such signage regulation. This has resulted in confusion for these developments and the responsible City agencies and place an additional Burden on PDD having to process unintended sign waivers.

The document also identifies potential conflicts with signage for special events like the Grand Prix as it returns to Downtown Detroit. Similarly, we see potential conflicts for other special events that the City will host, such as the NFL Draft and the NCAA Final Four.

RECOMMENDATION

With respect to these two highlighted instances and the others addressed in the Sign Waiver report, PDD is recommending amendment of the Sign Ordinance to address these concerns. Upon receiving the presentation and report the Commission voted to support PDD recommendations giving particular note to the item spoken to above. The Commission also recommended the Council consider some limitation within regulatory allowance on marijuana related signage.

CPC staff respectfully recommends the Your Honorable Body refer the matter to the Law Department, Building Safety Engineering and Environment, PDD, LPD and CPC to prepare the necessary amendments to the City Code.

Respectfully Submitted,

LAUREN HOOD, CHAIRPERSON

A handwritten signature in blue ink that reads "Marcell R. Todd, Jr." with a stylized flourish at the end.

Marcell R. Todd, Jr., Director

cc: Antoine Bryant, Director PDD
David Bell, Director BSEED
Conrad Mallett, Corp Counsel



**PLANNING AND
DEVELOPMENT DEPARTMENT**

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January 31, 2023

Honorable Detroit City Council
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**Re: Planning and Development Annual Sign Waiver Hearing Report for the 2022
Calendar Year**

Per the amended Chapter 4 of the 2019 Detroit City Code establishing new signage regulations, Sec. 4-4-22 of the ordinance assigns the authority for waivers and adjustments of sign standards to the Planning and Development Department (PDD). PDD administers a public hearing process for sign permit applicants to seek a waiver or adjustment of specified regulations via a Sign Waiver and Adjustment (SWA) Hearing.

As required in Section 4-4-22(o), PDD respectfully submits this report summarizing the SWA hearings the department held during the 2022 calendar year. This report also summarizes the suggested changes to the sign ordinance and we respectfully request that you refer these changes to the Law Department for the creation of an ordinance amendment.

- The outcomes of the 20 Sign Waiver and Adjustment Public Hearings held:
 - Thirteen (13) petitions were approved,
 - Five (5) petitions were approved with conditions, and
 - Two (2) petitions were denied.

The locations of the premises for which petitions were submitted, and a summary of which waiver or adjustments were requested, is provided in the following table.

Hearing Date	Project Address	Council District	Waiver Article	Waiver Type	Waiver %/Count	Hearing Outcome
03/17/22	3439 Woodward Ave	D6	4-4-45	Height of wall sign	25' above max permitted	Approved
09/01/22	6143 W. Vernor	D6	4-4-63	corner lot	allow corner lot signage to be put on other facades	Approved
03/31/22	2715 Woodward		4-4-43	Number of wall signs	1 add'l sign on S and E walls	Denied
04/14/22	20110 Woodward	D2	4-4-39(b) and (c), 4-4-62(b)	size, number, corner lot	1 add'l monument sign, 1 add'l wall sign, 76 add'l sq ft of monument sign	Approved
05/20/22	1301 W 8 Mile	D2	4-4-45(b), 4-4-62(b)	Number of wall signs, corner lot	1 add'l wall sign, permit 635 sf of signage	Approved
05/20/22	21431 W Grand River	D1	4-4-45(b), 4-4-62(b)	Number of wall signs, maximum area	1 add'l wall sign, permit 592 sf of signage	Approved
05/26/22	20110 Woodward	D2	4-4-39(b), (c)	size, number, corner lot	1 add'l monument sign, 76 add'l sq ft of monument sign	Approved
07/07/22	600 W Lafayette	D6	4-4-45(d)	height of wall sign	29' above permitted max	Approved
07/21/22	11260 E Jefferson	D5	4-4-42(a)(2)b and 4-4-62(b)	size, corner lot		Approved
07/28/22	14820 Mack Ave	D4	4-4-45	Number	3 additional	Approved
09/08/22	1840 Holbrook	D5	4-4-45(d)	Height of wall sign		19' 5" Approved
09/15/22	1900 E 8 Mile	D3	4-4-40(c)(1), (D)(2), (d)(4)	size, height, setback	10' height, 213 sq ft area, 9' setback	Approved
10/13/22	7440 Dix St.	D6	4-4-40(c)(2)	Size	58 sq ft over	Approved
12/01/22	6531 Woodward	D5	4-4-42(d)	Size	12.5 sq ft (85%)	Approved with conditions
12/01/22	7824 W. Fort St	D5	4-4-102	erect advertsing sign		Denied
11/10/22	9000 Woodward Ave	D5	4-4-39(c) and (d)	Size	77 sq. ft (485%) and the height by 5 ft 7 in (56%).	Approved with conditions
11/10/22	1401 Michigan Ave.	D6	4-4-42(d) and (e)	Size and projection	144 sq ft, size, 4' projection with	Approved with conditions
11/10/22	1627 Fort St.	D6	4-4-43(d)	Size	height by 53'9"	Approved with conditions
12/01/22	2662 W Davison	D2	4-4-40(c)	Size	60 sq. ft (600%).	Approved with conditions
12/22/22	1501 Michigan Ave.	D6	4-4-39(c) and 4-4-65	setback, size	11 sq ft size, 1' setback	Approved

Recommended Ordinance Changes

The sign ordinance also requires that PDD submit recommendations to Your Honorable Body for any proposed amendment of the Chapter 4 provisions. A summary of recommendations has been developed by PDD, in conjunction with the Law Department, Buildings & Safety Engineering, and the City Planning Commission staffs.

1. Larger projection signs acting as an identification sign or where above the 2nd floor (Sec. 4-4-42)
2. Permit large temporary signs for special events, such as the June 2023 Grand Prix (Sec. 4-4-183) Permit them to up a maximum size (20-30% of the facade), and above that can be considered via waiver
3. Permit business owners, as opposed to licensed sign erectors, to install temporary small banner wall signs (such as for grand openings and special events) of a limited size (12 square feet?) (Sec. 4-4-185)
4. Don't permit advertising signs in the CBD on the portions of buildings that front on the street. (as opposed to the side or rear, such as when overlooking a parking lot or vacant lot, while still visible from the street). (Sec. 4-4-128(b)(8))

These changes are suggested in addition to the 22 changes filed with Council in the SWA Report from last year, listed here:

- Sec. 4-4-1: Clarify that "signs" must be intended for viewing by public
- Sec. 4-4-1: Existing standard for heritage signs is too restrictive: change the duration or some other standard
- Sec. 4-4-8: Permit incidental signs (hours of operation, "open", ...) be permitted up to a limited area
- Sec. 4-4-20: Specify that painted signs may be installed by those without a sign erector license
- Sec. 4-4-20: Allow sign regulations in this Article to be superseded by those specifically approved under zoning
- Sec. 4-4-22: Decrease notice period and loosen requirements for posting of decision letters
- Sec. 4-4-39(c): Increase the permissible area of monument signs in higher density sign districts
- Sec. 4-4-41(b): Clarify the minimum width of sidewalks on which portable signs can be located
- Sec. 4-4-43: Clarify difference between wall and raceway signs and review standards
- Sec. 4-4-43 and 45: For multi-tenant buildings, increase number of raceway and wall signs to 1/ground floor tenant plus high-rise sign where applicable
- Sec. 4-4-47: Allow for "innovative sign construction" types that are not otherwise addressed in Article 4, Division 2, subject to approval on a case-by-case basis
- Sec. 4-4-49: Add the spacing provisions of portable signs to the permitted location of monument signs
- Sec. 4-4-62(b): Clarify the usage of "front" and add provisions for through lots

- Sec. 4-4-62: Clarify allocation of sign area for signs that are not facing a street and for corner lots
- Sec. 4-4-63(a)(2): Permit painted wall signs on taller buildings
- Sec. 4-4-63(a)(4): Don't count directional signs within a premises toward business sign allowance
- Sec. 4-4-63: Restore previous provisions for businesses within shopping centers
- Sec. 4-4-63: Clarify that sign standards in this section apply only to those signs utilizing the additional aggregate area provided for in this section, and do not apply to base area allowed for per Section 4-4-62
- Sec. 4-4-64: Clarify that buildings within a campus that have street frontage receive their own sign area allocation
- Sec. 4-4-182: Increase size of temporary signs in higher density districts
- Sec. 4-4-182: Address signage for special events as part of special event application
- Add provisions specifically for gas station signs

Thank you for the opportunity to provide you with this informative update regarding our hearing process and recommended changes to the sign ordinance. Please do not hesitate to reach out to myself or the Sign Waiver and Adjustment Hearing Officer, Russell Baltimore (baltimorer@detroitmi.gov) should you have any questions or require any additional information to proceed.

Respectfully Submitted,



Antoine Bryant

Director, Planning & Development Department

CC:

Dave Bell, Director, BSEED

Eric Johnson, BSEED

Tonja Long, Law Department

Karen Gage, Director, Design & Development, PDD

Russell Baltimore, Assistant Director, Design Review, PDD