New Business Agesda 1-28-20

PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE



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January 24, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, Michigan 48226

Re: Proposed Ordinance to amend Chapter 4 of the 2018 Detroit City Code

Honorable City Council:

Pursuant to the request of Councilmember Benson, the above-referenced ordinance is being submitted to Your Honorable Body for consideration. The attached ordinance is being submitted as a replacement to the version filed with the City Clerk on September 30, 2019.

The proposed ordinance regarding business and advertising signs will amend Chapter 4 of the 2019 Detroit City Code, Advertising by renaming the chapter to Advertising and Signs and amending the chapter to consist of Article I, Generally, Article II, Distribution of Handbills, Circulars, and Advertising Cards, Article III, Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor and Tobacco Products, Article IV, Regulation of Business and Advertising Signs, to consist of Division 1, Generally, Division 2, General Sign Standards, Division 3, Regulation of Business Signs, consisting of Subdivision A, Generally, and Subdivision B, Entertainment District, Division 4, Regulation of Advertising Signs Located Outside of the Central Business District, Division 5, Regulation of Advertising Signs Located In the Central Business District, Division 6, Regulation of Signs in Right-of-Way, and Division 7, Temporary Signs, to provide for regulation of business and advertising signs throughout the City of Detroit.

A copy ordinance which has been approved as to form is attached for your consideration.

Respectfully Submitted,

Tonja R. Long

Supervising Assistant Corporation Counsel

Enclosure

cc: Stephanie Washington, Mayor's Liaison

SUMMARY

This proposed ordinance amends Chapter 4 of the 2019 Detroit City Code, Advertising, by renaming the chapter to Advertising and Signs and amending the chapter to consist of Article I, Generally, consisting of Section 4-4-1, Definitions, Section 4-1-2, Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof. Section 4-1-3, Enforcement, Section 4-1-4, Posting of advertising materials on public or private property, Section 4-1-5, Carrying or placing advertising materials on freeway overpass where visible from freeway prohibited, Section 4-1-6, Publication of false, misleading advertising prohibited, Section 4-1-7, Presumptions concerning identity of violator; Article II, Distribution of Handbills, Circulars, and Advertising Cards, consisting of Section 4-2-1, Misdemeanor violation; continuing violation; penalties for convictions thereof, Section 4-2-2 Enforcement, Section 4-2-3, Interfering with or impeding pedestrian or vehicular traffic; prohibited, Section 4-2-4, Solicitation at posted residential premises prohibited; Article III, Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor and Tobacco Products, consisting of Section 4-3-1, Purpose, Section 4-3-2, Misdemeanor violation; continuing violation; penalties for conviction thereof, Section 4-3-3, Enforcement, Section 4-3-4, Advertisement of alcoholic liquor and any tobacco product prohibited within a 1,000-foot radius of certain locations, Section 4-3-5, Exceptions to prohibitions, Section 4-3-6, Method for measurement, Section 4-3-7, Phase-out period; Article IV, Regulation of Business and Advertising Signs, consisting of Division 1, Generally, consisting of Section 4-4-1, Purpose, Section 4-4-2, Blight violation, Section 4-4-3, Enforcement, Section 4-4-4, Noncommercial messages, Section 4-4-5, Computing sign area, height, and clearance, Section 4-4-6, Computing the measurement of spacing, Section 4-4-7, Prohibited signs, Section 4-4-8, Exemptions from chapter requirements, Section 4-4-9, Maintenance required, Section 4-4-10, Obsolete signs to be removed, Section 4-4-11, Signs on vacant buildings to be removed, Section 4-4-12, Unused sign supports to be removed, Section 4-4-13, Right of entry by City to abate nuisance; obstruction of City officers and agents prohibited, Section 4-4-14, Costs of abatement; collection of costs for City abatement of public nuisances, Section 4-4-15, Signs subject to additional governmental jurisdiction; submission of approvals as part of sign application, Section 4-4-16, Signs located near freeways; Department of Public Works approval required, Section 4-4-17, Sign erection or alteration to require new permit, sign operation or maintenance to require license, Section 4-4-18, Establishment, approval, publication, and payment of fees, Section 4-4-19, Sign erection or alteration application requirements, Section 4-4-20, Relation to other regulations, Section 4-4-21, Amortization, Section 4-4-22, Waivers and adjustments to sign standards, Section 4-4-23, Appeals of administrative decisions under this chapter, Section 4-4-24, Sign guidebook; Division 2, General Sign Standards, consisting of Section 4-4-31, In General, Section 4-4-32, Arcade signs, Section 4-4-33, Awning signs, Section 4-4-34, Double-face signs, Section 4-4-35, Dynamic signs, Section 4-4-36, Illuminated signs, Section 4-4-37, Marquee signs, Section 4-4-38, Mechanical signs, Section 4-4-39, Monument signs, Section 4-4-40, Pole signs, Section 4-4-41, Portable signs, Section 4-4-42, Projecting signs, Section 4-4-43, Raceway signs, Section 4-4-44, Roof signs, Section 4-4-45, Wall signs, Section 4-4-46, Window signs; Division 3, Regulation of Business Signs, consisting of Subdivision A, Generally, consisting of Section 4-4-61, Applicability, Section 4-4-62, Limitation on maximum aggregate business sign area, Section 4-4-63, Additional aggregate business sign area allowances, Section 4-4-64, Business signs on multi-tenant buildings and multi-building campuses, Section 4-4-65, Restrictions on location of business signs on specified premises, Section 4-4-66, Dynamic business signs; Subdivision B, Entertainment District, consisting of Section 4-4-81, Purpose, Section 4-4-82, Entertainment

District; boundaries and zones, Section 4-4-83, Entertainment core; purpose and sign regulations, Section 4-4-84, Theater district; purpose and sign regulations, Section 4-4-85, Woodward north corridor; purpose and sign regulations, Section 4-4-86, Entertainment buffer; purpose and sign regulations; Division 4, Regulation of Advertising Signs Located Outside the Central Business District, consisting of Section 4-4-101, In general, Section 4-4-102, Permit for new or altered advertising signs, Section 4-4-103, Spacing requirements, Section 4-4-104, Setbacks, Section 4-4-105, Height and clearance, Section 4-4-106, Area, Section 4-4-107, Landscaping, Section 4-4-108, Department of Public Works adjustment, Section 4-4-109, Adjustment or Waiver prohibited; limited; Division 5, Regulation of Advertising Signs Located in the Central Business District, consisting of Section 4-4-121, Purpose, Section 4-4-122, Advertising permit required, Section 4-4-123. Term and reapplication; renewal prohibited, Section 4-4-124, Findings as prerequisite for issuance of advertising permits, Section 4-4-125, Buildings, Safety Engineering, and Environmental Department issuance of advertising permits, Section 4-4-126, Transfer of advertising permit, Section 4-4-127, Alteration prohibited, Section 4-4-128, Sign standards, Section 4-4-129, Mitigation of harmful visual aesthetics created by super advertising signs through promotion of public art, Section 4-4-130, Adjustment or waiver prohibited; Division 6, Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section 4-4-162, Department of Public Works approval required, Section 4-4-163, Business signs located in the right-of-way, Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-165, Advertising signs located in the right-of-way; Division 7, Temporary Signs, consisting of Section 4-4-181, In general, Section 4-4-182, Limitations on number, area, and term, Section 4-4-183, Additional temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-4-185, General temporary sign standards, Section 4-4-186, Removal of temporary signs; Article V, Development Notification Signs, consisting of Section 4-5-1, Definitions, Section 4-5-2, Misdemeanor violation; continuing violation; penalty for conviction thereof, Section 4-5-3, Posting of development notification sign required, Section 4-5-4, Development notification sign specifications; content; maintenance, Section 4-5-5, Placement of development notification sign, Section 4-5-6, Duration of posting, and Section 4-5-7, Complaints, to provide for regulation of business and advertising signs throughout the City of Detroit.

A18-08091 ii

BY COUNCIL MEMBER

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2 AN ORDINANCE to amend Chapter 4 of the 2019 Detroit City Code, Advertising, by 3 renaming the chapter to Advertising and Signs and amending the chapter to consist of Article I, 4 Generally, consisting of Section 4-4-1, Definitions, Section 4-1-2, Misdemeanor violation; aiding 5 and abetting violation; continuing violation; penalties for conviction thereof, Section 4-1-3, 6 Enforcement, Section 4-1-4, Posting of advertising materials on public or private property, 7 Section 4-1-5, Carrying or placing advertising materials on freeway overpass where visible from 8 freeway prohibited, Section 4-1-6, Publication of false, misleading advertising prohibited, Section 9 4-1-7, Presumptions concerning identity of violator; Article II, Distribution of Handbills, Circulars, and Advertising Cards, consisting of Section 4-2-1, Misdemeanor violation; continuing 10 11 violation; penalties for convictions thereof, Section 4-2-2 Enforcement, Section 4-2-3, Interfering 12 with or impeding pedestrian or vehicular traffic; prohibited, Section 4-2-4, Solicitation at posted 13 residential premises prohibited; Article III, Protection of Minors Against Advertisement and 14 Promotion of Alcoholic Liquor and Tobacco Products, consisting of Section 4-3-1, Purpose, Section 4-3-2, Misdemeanor violation; continuing violation; penalties for conviction thereof, 15 16 Section 4-3-3, Enforcement, Section 4-3-4, Advertisement of alcoholic liquor and any tobacco 17 product prohibited within a 1,000-foot radius of certain locations, Section 4-3-5, Exceptions to prohibitions, Section 4-3-6, Method for measurement, Section 4-3-7, Phase-out period: Article IV. 18 Regulation of Business and Advertising Signs consisting of Division 1, Generally, consisting of 19 20 Section 4-4-1, Purpose, Section 4-4-2, Blight violation, Section 4-4-3, Enforcement, Section 4-4-4, Noncommercial messages, Section 4-4-5, Computing sign area, height, and clearance, Section 21 22 4-4-6, Computing the measurement of spacing, Section 4-4-7, Prohibited signs, Section 4-4-8. Exemptions from chapter requirements, Section 4-4-9, Maintenance required, Section 4-4-10. 23

1 Obsolete signs to be removed, Section 4-4-11, Signs on vacant buildings to be removed, Section 4-4-12, Unused sign supports to be removed, Section 4-4-13, Right of entry by City to abate 2 nuisance; obstruction of City officers and agents prohibited, Section 4-4-14, Costs of abatement; 3 collection of costs for City abatement of public nuisances, Section 4-4-15, Signs subject to 4 additional governmental jurisdiction; submission of approvals as part of sign application, Section 5 4-4-16, Signs located near freeways; Department of Public Works approval required, Section 4-6 4-17, Sign erection or alteration to require new permit, sign operation or maintenance to require 7 license, Section 4-4-18, Establishment, approval, publication, and payment of fees, Section 4-4-8 19, Sign erection or alteration application requirements, Section 4-4-20, Relation to other 9 10 regulations, Section 4-4-21, Amortization, Section 4-4-22, Waivers and adjustments to sign standards, Section 4-4-23, Appeals of administrative decisions under this chapter, Section 4-4-24, 11 Sign guidebook; Division 2, General Sign Standards, consisting of Section 4-4-31, In General, 12 Section 4-4-32, Arcade signs, Section 4-4-33, Awning signs, Section 4-4-34, Double-face signs, 13 Section 4-4-35, Dynamic signs, Section 4-4-36, Illuminated signs, Section 4-4-37, Marquee signs, 14 Section 4-4-38, Mechanical signs, Section 4-4-39, Monument signs, Section 4-4-40, Pole signs, 15 Section 4-4-41, Portable signs, Section 4-4-42, Projecting signs, Section 4-4-43, Raceway signs, 16 Section 4-4-44, Roof signs, Section 4-4-45, Wall signs, Section 4-4-46, Window signs; Division 3, 17 Regulation of Business Signs, consisting of Subdivision A, Generally, consisting of Section 4-4-18 61, Applicability, Section 4-4-62, Limitation on maximum aggregate business sign area, Section 19 4-4-63, Additional aggregate business sign area allowances, Section 4-4-64, Business signs on 20 21 multi-tenant buildings and multi-building campuses, Section 4-4-65, Restrictions on location of business signs on specified premises, Section 4-4-66, Dynamic business signs; Subdivision B, 22 Entertainment District, consisting of Section 4-4-81, Purpose, Section 4-4-82, Entertainment 23

District: boundaries and zones, Section 4-4-83, Entertainment core; purpose and sign regulations, 1 Section 4-4-84, Theater district; purpose and sign regulations, Section 4-4-85, Woodward north 2 corridor; purpose and sign regulations, Section 4-4-86, Entertainment buffer; purpose and sign 3 regulations: Division 4. Regulation of Advertising Signs Located Outside the Central Business 4 District, consisting of Section 4-4-101, In general, Section 4-4-102, Permit for new or altered 5 advertising signs, Section 4-4-103, Spacing requirements, Section 4-4-104, Setbacks, Section 4-6 4-105, Height and clearance, Section 4-4-106, Area, Section 4-4-107, Landscaping, Section 4-4-7 108. Department of Public Works adjustment, Section 4-4-109, Adjustment or Waiver prohibited; 8 limited; Division 5, Regulation of Advertising Signs Located in the Central Business District, 9 consisting of Section 4-4-121, Purpose, Section 4-4-122, Advertising permit required, Section 4-10 4-123, Term and reapplication; renewal prohibited, Section 4-4-124, Findings as prerequisite for 11 issuance of advertising permits, Section 4-4-125, Buildings, Safety Engineering, and 12 Environmental Department issuance of advertising permits, Section 4-4-126, Transfer of 13 advertising permit, Section 4-4-127, Alteration prohibited, Section 4-4-128, Sign standards, 14 Section 4-4-129, Mitigation of harmful visual aesthetics created by super advertising signs 15 through promotion of public art, Section 4-4-130, Adjustment or waiver prohibited; Division 6, 16 Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section 4-4-162, Department of 17 Public Works approval required, Section 4-4-163, Business signs located in the right-of-way, 18 Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-165, Advertising signs 19 located in the right-of-way; Division 7, Temporary Signs, consisting of Section 4-4-181, In 20 general, Section 4-4-182, Limitations on number, area, and term, Section 4-4-183, Additional 21 temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-4-185, General 22 temporary sign standards, Section 4-4-186, Removal of temporary signs; Article V, Development 23

1	Notification Signs, consisting of Section 4-5-1, Definitions, Section 4-5-2, Misdemeanor violation;
2	continuing violation; penalty for conviction thereof, Section 4-5-3, Posting of development
3	notification sign required, Section 4-5-4, Development notification sign specifications; content;
4	maintenance, Section 4-5-5, Placement of development notification sign, Section 4-5-6, Duration
5	of posting, and Section 4-5-7, Complaints, to provide for regulation of business and advertising
6	signs throughout the City of Detroit.IT IS HEREBY ORDAINED BY THE PEOPLE OF THE
7	CITY OF DETROIT THAT:
8	Section 1. Chapter 4 of the 2019 Detroit City Code, Advertising, be renamed to Advertising and Signs,
9	and be amended to read as follows:
10	CHAPTER 4. ADVERTISING AND SIGNS
11	ARTICLE I. GENERALLY
12	Sec. 4-1-1. Definitions.
13	For the purposes of this chapter, the following words and phrases shall have the meanings
14	respectively ascribed to them by this section:
15	Advertising sign means a sign containing a commercial message that is intended to direct
16	attention to a business, profession, commodity, service, or entertainment, that is conducted, sold,
17	or offered elsewhere than on the premises where the sign is located or that is only incidentally
18	conducted, sold, or offered on the premises where the sign is located.
19	Advertisement-sensitive property means a premises that is occupied by or used as any of
20	the following:
21	(1) A child-care home and center, which has the meaning as likewise defined in Section
22	50-16-152 of this Code;
23	(2) A child-caring institution, which has the meaning as likewise defined in Section
24	50-16-152 of this Code;

1	(3)	A juvenile detention or correctional facility, which means a county facility or
2		institution operated as an agency of the county or the juvenile division of the
3		probate court, or a state institution or agency described in the Michigan Youth
4		Rehabilitation Services Act, being MCL 803.301 et seq., to which a minor has been
5		committed or in which a minor is detained;
6	<u>(4)</u>	A library, which means any designated public depository of books, periodicals,
7		public and/or historical records, or other reference materials within the City that is
8		created pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution, and
9		is operated pursuant to Section 12 of the Michigan District Library establishment
10		Act, being MCL 397.182;
11	<u>(5)</u>	A park, which means land that is improved or intended to be improved for active
12		or passive recreational uses, or is preserved as open space, and is under the
13		jurisdiction and control of the City, Wayne County, or the State of Michigan;
14	<u>(6)</u>	A parklot, which means landscaped triangles, street entrances, or remnant parcels
15		that have been landscaped for ornamental purposes, are generally dedicated for
16		these purposes in subdivision plats, are so designated, and are under the jurisdiction
17		and control of the City, Wayne County, or the State of Michigan;
18	<u>(7)</u>	A parkway, which means a broad roadway bordered and often divided with
19		landscaped areas consisting of trees, plants, bushes, or grass, is so designated, and
20		is under the jurisdiction and control of the City, Wayne County, or the State of
21		Michigan;
22	<u>(8)</u>	A playfield, which means land that is designed for major field sports, such as
23		baseball, football, soccer, tennis, or softball, and which requires more area than is

1		available on a playground, is so designated, and is under the jurisdiction and control
2		of the City, Wayne County, or the State of Michigan;
3	(9)	A playground, which means land that is designed and maintained primarily for the
4		recreational use of children aged up to 14 years, and is under the jurisdiction and
5		control of the City, Wayne County, or the State of Michigan;
6	(10)	A playlot, which means land that is designed and maintained primarily for the
7		recreational use of small children aged up to eight years and is under the jurisdiction
8		and control of the City, Wayne County, or the State of Michigan;
9	<u>(11)</u>	A recreation center, which means a facility that is created primarily to benefit
10		minors through the use of organized educational, social, or recreational activities
11		and is under the jurisdiction and control of the City, Wayne County, or the State of
12		Michigan;
13	(12)	A school, which means the buildings, grounds, and other facilities of any public,
14		charter, parochial, or private educational institution that has as its primary purpose
15		the education and instruction of children at the elementary, middle, junior, and
16		senior high school levels; and
17	(13)	A youth activity center, which has the meaning as likewise defined in Section 50-
18		16-462 of this Code.
L9	Alcoho	olic liquor means any spirituous, vinous, malt, or fermented liquor, liquids, or
20	compounds, w	whether or not medicated, proprietary, patented, or any other designation, that contain
21	one-half of on	e percent or more of alcohol by volume, are fit for use as a beverage, and are defined
22	and classified	by the Michigan Liquor Control Commission according to alcoholic content as being
23	beer, wine, sp	irits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed spirit drink.

1	Animated sign means a type of dynamic sign in which the copy of the sign depicts motion
2	or automatically changes copy more frequently than once every eight seconds.
3	Arcade sign means a sign that is suspended underneath an awning, canopy, marquee,
4	overhang, or other element of a building or structure that forms a covered passageway for vehicles
5	or pedestrians.
6	Architectural feature means a part, portion, or projection, other than a sign, of a building
7	or structure that contributes to its beauty, elegance, or architectural style, including, but not limited
8	to; arches, architectural grillwork, balconies, brackets, columns, corbels, cornices, dentils, doors,
9	jambs, lintels, masonry relief, medallions, moldings, pediments, pilasters, quoins, sills, window
10	rails, and windows, including glazings and surrounds.
11	Art mural means any image that is painted, projected, drawn, tiled, or similarly applied to
12	a building exterior, or to a material that will be mounted to the building exterior, for artistic
13	purposes, and does not contain any other type of commercial message. An art mural does not
14	constitute either an advertising sign or a business sign.
15	Awning sign means a sign that is affixed to an awning or canopy. For purposes of this
16	definition, an awning or canopy is a structure consisting of cloth, plastic, sheet metal or similar
17	lightweight covering over a structural framework that is affixed to a building and projects
18	therefrom, whether cantilevered from such building or supported by columns at additional points,
19	but is not a marquee.
20	Building frontage means the portion of the building's façade that is visible as
21	perpendicularly projected along any public street or private street that is publicly accessible.
22	Business sign means a sign containing a commercial message that is intended to direct
23	attention to a principal business or principal commodity, service, or entertainment that is

conducted, sold, or offered on the premises on which the sign is located, or if the sign is located in 1 the right-of-way then on the premises adjacent to the location of the sign, at a scale and intensity 2 that is reasonably proportional to the degree of physical presence or economic activity of the 3 business, commodity, service, or entertainment at such premises. Identification signs and 4 sponsorship signs are types of business signs. 5 Central Business District means the portion of the City within the area bounded by the 6 7 Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher 8 9 Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte Street, Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue, 10 Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River. 11 12 Copy means the graphic or textual content or message displayed by a sign. Commercial message means speech that, wholly or in part, is intended to propose a 13 commercial transaction regarding a business, profession, commodity, service, or entertainment 14 that is conducted, sold, or offered in any location, whether on the same premises as where the 15 message is offered or elsewhere. 16 Department means the Buildings, Safety Engineering, and Environmental Department of 17 the City of Detroit, unless otherwise expressly stated in this chapter. 18 Directional sign means a sign that is intended to identify points of ingress or egress on the 19 premises, orient pedestrians and vehicles within the premises, direct the flow of pedestrian or 20 vehicular traffic throughout and around the premises, or identify particular neighborhoods, 21 communities, or other identifiable areas of the City, and is not an advertising or a business sign. 22

1	Double-face sign means a sign with two sign faces, both of which are used as signs, for
2	which the least angle of intersection between the sign faces does not exceed 45 degrees.
3	Dynamic sign means any sign that features the ability, whether through digital or other
4	technological means, to automatically change the sign copy, at any frequency, without the need to
5	manually remove and replace the sign face or its copy. An animated sign is a type of dynamic
6	sign.
7	Established grade of a sign means the elevation of the grade of the premises, measured
8	underneath, at the base of, or in the immediate vicinity of, the sign, as established by the City.
9	Externally illuminated sign means a type of illuminated sign that is illuminated by
10	reflection from a source of artificial light that is not contained within the sign itself.
11	Freeway means as defined in Section 2 of the Michigan Highway Advertising Act of 1972,
12	being MCL 252.302(n).
13	Freeway-adjacent area means the area measured from the edge of the right-of-way of a
14	freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way
15	line.
16	Freeway advertising sign means an advertising sign located in a freeway-adjacent area, the
17	sign face of which is oriented toward and visible from the freeway.
18	Graffiti means unauthorized drawings, lettering, illustrations, or other graphic markings on
19	the exterior of a building, premises, or structure that are intended to deface or mark the appearance
20	of the building, premises, or structure.
21	Ground sign means a sign that is freestanding and is supported by one or more structural
22	uprights, poles, braces, frames, or solid foundations that rest in or upon the ground. Monument
23	signs and pole signs are types of ground signs.

1	Heritage sign means an unilluminated painted sign that is either an advertising sign or
2	business sign, has been obsolete for a period of at least 50 years, and is registered with the
3	Department as such.
4	High-density commercial/industrial sign district means the portions of the City that are
5	designated in the Master Plan of Policies as major commercial (CM), special commercial (CS),
6	light industrial (IL), general industrial (IG), distribution/port industrial (IDP), or airport (AP); as
7	well as the entire portion of the City located within the Central Business District regardless of
8	Master Plan of Policies designation therein.
9	High-density residential/mixed use sign district means the portions of the City that are
10	located outside of the Central Business District, and are designated in the Master Plan of Policies
11	as medium-density residential (RM), high-density residential (RH), neighborhood commercial
12	(CN), or mixed residential-commercial (MRC).
13	Identification sign means a type of business sign that is intended solely to identify either a
14	principal business or profession that is conducted on and physically occupies the premises where
15	the sign is located, or the name and street number of a building or structure on the premises.
16	Illuminated sign means a sign for which an artificial source of light is used in order to make
17	readable the sign's copy. Illuminated signs are either internally illuminated or externally
18	illuminated.
19	Internally illuminated sign means a type of illuminated sign that is illuminated by direct
20	emission from a source of artificial light that is contained within the sign itself, including signs
21	that emit light though a transparent or translucent material component of the sign or any sign for
22	which the sign face is substantially composed of luminescent material.

1	Low-density commercial/institutional sign district means the portions of the City that are
2	located outside the Central Business District and are designated in the Master Plan of Policies as
3	mixed-town centers (MTC), institutional (INST), thoroughfare commercial (CT), retail centers
4	(CRC), or mixed residential-industrial (MRI).
5	Low-density residential sign district means the portions of the City that are located outside
6	of the Central Business District and are designated in the Master Plan of Policies as low-density
7	residential (RL) or low/medium-density residential (RLM).
8	Marquee sign means a sign that is affixed to and supported by a marquee. For the purposes
9	of this definition, a marquee is a permanent roof-like shelter that is constructed of wood, steel,
10	glass, or other durable materials, is supported by and extends from a building façade, and is
11	cantilevered without support at additional points over a point of ingress and egress to the building.
12	Marquee signs are distinct from awning signs, projecting signs, and wall signs.
13	Master Plan of Policies means the current version of the Master Plan of Policies for the
14	City as adopted under authority of the Michigan Planning Enabling Act, MCL 125.3801 et seq.,
15	and Section 8-101 of the Charter.
16	Mechanical sign means a sign that features automated mechanical rotation, revolution,
17	waving, flapping, or other physical movement of the sign or any of its components without causing
18	a change to the sign's copy.
19	Minor means an individual under 18 years of age.
20	Monument sign means a type of ground sign that is supported primarily by an internal
21	structural framework concealed in an opaque covering or solid structural foundation, with no air
22	space between the ground and the sign face.

1	Motion means the depiction of movement or change of position of copy and includes, but
2	is not limited to, dissolving or fading text or images; travelling or running text or images;
3	sequential text; graphic bursts; lighting that resembles zooming, twinkling or sparkling; changes
4	in light or color; transitory bursts of light intensity; moving patterns or bands of light; expanding
5	or contracting shapes; or any similar visual effects.
6	Multi-building campus means a premises that contains multiple buildings, structures, or
7	other facilities that are interconnected by a series of private roads, pathways, open spaces, or other
8	internal networks, all of which are utilized for a single common purpose, such as multi-building
9	universities, hospitals, or cultural institutions.
10	Multiple-face sign means a sign with three or more sign faces.
11	Obsolete sign means a sign that is intended to direct attention to a business, profession.
12	commodity, service, or entertainment that is no longer conducted, sold, offered, or otherwise
13	available for purchase or patronage.
14	Orientation means, for any sign face, wall, façade, or other two-dimensional vertical
15	surface, the direction of a horizontal projection of the line that is perpendicular to such surface.
L6	Owner of the premises means with respect to a premises, building, or structure, any
L7	individual or entity that has legal or equitable title or other interest, whether in whole or in part, to
L8	the premises, building, or structure, respectively, but does not include such individual's or entities'
L9	affiliates, subsidiaries, members, partners, or shareholders. Any premises, building, or structure
20	can have one or multiple owners.
21	Painted sign means a sign that is painted upon a wall or other exterior surface of a building
22	or structure and is not an art mural.

1	Permit means a permit issued by the Department for the construction or erection of a new
2	sign, or the alteration of an existing sign, under the authority provided in Chapter 8 of this Code.
3	Building Construction and Property Maintenance, unless otherwise expressly stated in this
4	chapter.
5	Pole sign means a type of ground sign that is supported by one or more exposed uprights,
6	poles, or braces that rest in or upon the ground, with air space between the ground and the sign
7	face.
8	Portable sign means a sign that is designed to be moved easily and that rests upon, but is
9	not permanently affixed to, the ground.
10	Premises means a parcel, or collection of parcels, and adjoining property that are generally
11	under common ownership, whether publicly or privately owned, constituting a single building,
12	structure, or development, including private streets, pathways, and other open spaces, but
13	excluding public rights-of-way.
14	Premises frontage means the sum of the length of all lot lines of the premises abutting any
15	public street or private street that is publicly accessible.
16	Projecting sign means a sign that is affixed to and supported by any exterior wall or parapet
17	of a building or structure and projects outward from such wall or parapet with the orientation of
18	the sign face or faces being in a direction that is approximately perpendicular to the orientation of
19	the façade of the wall or parapet. Projecting signs are distinct from marquee signs.
20	Public art means an outdoor art mural, sculpture, or other permanent or semi-permanent
21	installation that is constructed and maintained for artistic purposes and intended to be visible to or
22	accessible by the general public, and does not contain any type of commercial message.

1	Raceway sign means a type of wall sign in which individual letters, graphics, and other
2	copy elements are separate structural components that are connected by a common component,
3	referred to as a raceway, that provides structural support for, and electrical or mechanical operation
4	of, the sign.
5	Recreation/open space sign district means the portions of the City that are located outside
6	of the Central Business District and are designated in the Master Plan of Policies as regional parks
7	(PR), recreation (PRC), private marinas (PMR), or cemetery (CEM).
8	Roof line means the uppermost line of the roof of a building or, in the case of an extended
9	façade or parapet, the uppermost point of said façade or parapet.
10	Roof sign means a sign that is affixed to and supported by the roof of a building or structure,
11	the height of which extends above the highest point of the roofline of the building or structure.
12	Sign means any structure containing a visual display, or painted or projected image, that is
13	oriented toward and visible from any public or private right-of-way or public property and is
14	intended to announce, identify, inform, or direct attention. A sign can be located on the exterior
15	of a building or other structure, or in the interior of a building if within three feet of the building's
16	perimeter and visible from the building's exterior.
17	Sign alteration means a change of the size, shape, area, height, location, illumination,
18	dynamic operation, construction, fabrication, material, or any other operational, construction-
19	related, or dimensional parameter of an existing sign. Neither the maintenance of a sign within
20	its existing operational, construction-related, and dimensional parameters, nor a change or
21	replacement of the sign's copy, without any other change to the sign, constitutes a sign alteration.
22	Sign area means the area of the sign face of a sign, expressed in terms of square feet.

1	Sign clearance means the elevation of the lowest point of the sign above the established
2	grade of the sign.
3	Sign face means the surface of a sign upon which the copy of the sign is displayed.
4	Sign height means the elevation of the highest point of the sign, including its frame and
5	support structure, above the established grade of the sign.
6	Sponsor means an individual or entity that has pledged its long-term support, whether
7	financial or in-kind, in a written agreement for a term of not less than 24 consecutive months to:
8	(1) The premises on which the sign is located;
9	(2) A defined portion of the premises on which the sign is located; or
10	(3) A principal commodity, service, activity, or entertainment sold or offered at the
11	premises on which the sign is located.
12	Whether or not such individual or entity conducts, sells, or offers its business, profession,
13	commodity, service, or entertainment on the premises where the sign is located.
14	Sponsorship sign means a type of business sign that is intended to identify a sponsor of the
15	premises, defined portion of the premises, or principal commodity, activity, or entertainment sold
16	or offered at the premises, where the sign is located.
17	Temporary sign means a type of business sign that is intended to be displayed for a limited
18	period of time.
19	Tobacco product means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless
20	tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Acts, being MCL 205.422.
21	Wall sign means a sign that is affixed to and supported by, or painted or projected upon,
22	the exterior wall or parapet of a building or structure, with the orientation of the sign face oriented
23	in a direction that is approximately parallel to the orientation of the façade of the wall or parapet.

1	Painted signs and raceway signs are types of wall signs. Wall signs are distinct from it	narquee
2	signs.	
3	Window sign means a sign that is:	
4	(1) Affixed to, or painted on, the surface of an exterior window of a buil	ding or
5	structure, and that does not completely cover or conceal the window; or	
6	(2) Located in the interior of a building or structure within three feet of its pe	rimeter,
7	and is oriented toward, and is visible from, the exterior of the building or st	ructure.
8	Wrapped sign means a sign containing a single sign face that covers portions of	two or
9	more adjacent façades of a building or structure by way of wrapping around the corners of	or edges
10	along which such façades abut.	
11	Sec. 4-1-2. Misdemeanor violation; aiding and abetting violation; continuing vio	olation;
12	penalties for conviction thereof.	
13		
	(a) It shall be unlawful for any person to violate any provision of this article of	or to aid
14	(a) It shall be unlawful for any person to violate any provision of this article of and abet another to violate such provision.	or to aid
14 15		
	and abet another to violate such provision.	te such
15	and abet another to violate such provision. (b) Any person who violates this article, or aids and abets another to viola	te such
15 16	and abet another to violate such provision. (b) Any person who violates this article, or aids and abets another to viola provision, may be issued a misdemeanor violation for each day that the violation continue	te such s. or aids
15 16 17	and abet another to violate such provision. (b) Any person who violates this article, or aids and abets another to viola provision, may be issued a misdemeanor violation for each day that the violation continue (c) Any person who is found guilty of violating any provision of this chapter,	te such s. or aids
15 16 17 18	and abet another to violate such provision. (b) Any person who violates this article, or aids and abets another to violate provision, may be issued a misdemeanor violation for each day that the violation continue (c) Any person who is found guilty of violating any provision of this chapter, and abets another to violate such provision, shall be convicted of a misdemeanor for each violate such provision, shall be convicted of a misdemeanor for each violate such provision.	te such s. or aids

This article shall be enforced by the Police Department.

Sec 4-1-4. Posting of advertisements, notices, posters, or signs advertising materials on public or private property.

- (a) Except a public officer or employee in the performance of a public duty or a private person in giving a legal notice, It shall be unlawful for any person to paste affix, fasten, post, paint, print, nail, glue, attach, or otherwise fasten place any sign, poster, advertisement advertising sign, advertising material, or other commercial message or notice of any of any kind upon any public or private property, or cause or authorize the same to be done, without the eensent, authorization or ratification in writing of the owner holder, occupant, lessee, agent or trustee thereof, or its agent, provided that this section shall not apply to the distribution of handbills, advertisements or other printed matter that is not affixed to the premises a public officer or employee in the performance of a public duty or a private person giving a legal notice.
 - (b) It shall be unlawful for any political candidate running for any elected office within the City who has pasted, posted, painted, marked, glued, attached or otherwise fastened any political sign, poster, advertisement or notice upon any public property, or who has caused or authorized any agent so to do, to display such signs, posters, advertisements or notices for more than 15 days after written notice is given by the Department of Public Works to such candidate of the location of such displays. For purposes of this section, written notice shall be by first class mail that is sent through the United States Postal Service to the address listed by the candidate as the home address on the candidate's registration for candidacy.
 - (c) For purposes of this section, a candidate running for any elected office whose name appears on such signs, posters, advertisements or notices is presumed to have caused or given authority for the erection or placement of such displays, provided, that such presumption is rebuttable upon evidence brought forth by such candidate.

- 1 Sec. 4-1-5. Carrying or placing signs, placards, banners or posters advertising materials on
- 2 freeway overpass where visible from freeway prohibited.
- It shall be unlawful for any person to carry or place any sign, placard, banner or poster on
- 4 any freeway overpass any advertising sign, advertising material, or other commercial message that
- 5 would be oriented toward and visible to the occupants of vehicles on any on such freeway.
- 6 Sees. 4-1-6 4-1-30. Reserved. REPEALED.

Sec. 4-1-6. Publication of false, misleading advertising prohibited.

- 8 (a) It shall be unlawful for any person, with intent to solicit, promote, sell, lease, loan,
- 9 or otherwise dispose of any event, commodity, service, security, real or personal property, or any
- 10 other thing of value, to circulate, disseminate, publish, or broadcast, or otherwise place or
- distribute, or to cause the same, any advertising sign, advertising material, or other commercial
- message, whether printed or otherwise recorded, concerning such thing of value that contains any
- assertion, representation, claim, offer, or statement of fact that is knowingly false, deceptive,
- misleading, or otherwise calculated to cause injury or other disadvantage to its audience or any
- member thereof.

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- 16 (b) Subsection (a) of this section does not apply to any owner, publisher, printer, agent,
- or employee of a newspaper, periodical, circular, radio or television station, or website who, in
- 18 good faith and without knowledge of the false, deceptive, or misleading character thereof,
- 19 publishes, causes to be published, or takes part in the publication of, such advertising material.

20 Sec. 4-1-7. Presumptions concerning identity of violator.

- 21 With respect to the placement or distribution of any advertisement, sign, handbill, circular,
- 22 or advertising card advertising sign, advertising material, or other commercial message that
- 23 violates any provision of this article_chapter, a rebuttable presumption exists that the

- 1 advertisement, sign, circular, or advertising card was erected or displayed or distributed by, or with
- 2 the consent of, the promoter of the event, offer, or service that is the subject of the advertisement,
- 3 sign, circular, or advertising eard. placement or distribution of such material is made with the
- 4 consent of the promoter of the business, profession, commodity, service, or event that is the subject
- 5 of the promotion by the material, regardless of its form.
- 6 <u>Secs. 4-1-8 4-1-30</u>. Reserved.
- 7 ARTICLE II. DISTRIBUTION OF HANDBILLS, CIRCULARS,
- 8 AND ADVERTISING CARDS
- 9 Sec. 4-2-1. Misdemeanor violation; continuing violation; penalties for conviction thereof.
- 10 (a) It shall be unlawful for any person to violate any provision of this article or to aid 11 and abet another to violate such provision.
 - (b) Any person who violates this article, or aids and abets another to violate such provision, may be issued a misdemeanor violation for each day that the violation continues.
- 14 (c) Any person who is found guilty of violating any provision of this article shall be
 15 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,
 16 may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor
 17 violation that is issued.
- 18 Sec. 4-2-2. Enforcement.

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- This article shall be enforced by the Police Department.
- 20 Sec. 4-2-3. Interfering with or impeding pedestrian or vehicular traffic, prohibited.
 - No person shall It shall be unlawful for any person to place or distribute, eirculate, give away or to cause the same of, to be circulated, distributed or given away any paper handbill, card, book, pamphlet or printed matter advertising sign, advertising material or other commercial message soliciting trade, customers or patrons any event, commodity, service, or other thing of

- 1 value on any public highway, street, alley or sidewalk in any public right-of-way, so as to interfere
- with or impede any pedestrian, bicycle, or vehicular traffic upon such public highway, street, alley,
- 3 or sidewalk along or within such right-of-way.
- 4 Sec. 4-2-4. Prohibited Solicitation at posted residential premises prohibited.
- No person shall It shall be unlawful for any person to solicit, deliver, circulate, distribute,
- or disseminate, or to cause to be distributed, the same of, any advertising sign, advertising material,
- or other commercial message to any residential premises upon which is conspicuously posted at
- 8 or near the front entrance of the residence a notice that states "No Trespassing," "No Handbills,"
- 9 "Post No Bills," or any similar language. Such a notice shall be posted in a conspicuous place
- 10 near the front entrance of the residence.
- 11 Secs. 4-2-5-4-2-30. Reserved.
- 12 ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND
- PROMOTION OF ALCOHOLIC LIQUOR AND TOBACCO PRODUCTS
- 14 Sec. 4-3-1. Purpose.
- 15 (a) The primary purpose of this article is to promote the welfare and temperance of
- minors who are exposed to certain publically publicly visible advertisements of alcoholic liquor
- or tobacco products as defined in Section 4-3-2 4-1-1 of this Code, and tobacco products within
- the City, and to promote compliance with state laws law and this Code, which prohibit the use and
- 19 consumption of alcoholic liquor and tobacco products by minors within the City.
- 20 (b) The findings to support this article have been delineated in a resolution adopted by
- 21 the City Council on July 7, 1989, and placed in the Journal of the City Council on Pages 1959
- 22 through 1963.

Sec. 4-3-2. Definitions. 1 For the purposes of this article, the following words and phrases shall have the meanings 2 respectively ascribed to them by this section: 3 Advertising sign means, as likewise defined in Section 50-6-3 of this Code, a sign, whether 4 billboard or painted wall graphic, which directs attention to a business, commodity, service or 5 entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is 6 affixed, located or painted, or only incidentally sold or offered on said premises. Any sign, display, 7 or device allowed under this article may contain, in lieu of any other message, any otherwise lawful 8 non-commercial message that does not direct attention to a business operated for profit, or to a 9 commodity or service for sale, and that complies with the zoning district, height, lighting, setback, 10 and spacing requirements outlined in the Chapter 50 of this Code, Zoning. 11 Alcoholic liquor means any spirituous, vinous, malt, or fermented liquor, liquids and 12 compounds, whether or not medicated, proprietary, patented or any other designation, which 13 contain one half of one percent or more of alcohol by volume, are fit for use as a beverage, and 14 are defined and classified by the Michigan Liquor Control Commission according to alcoholic 15 content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed 16 spirit drink. 17 Billboard means, as likewise defined in Section 50-6-6 of this Code, a large outdoor board 18 for advertisements, which most commonly serve as advertising signs, as defined in this section, 19 except when identifying the business or profession conducted on the same zoning lot where the 20 billboard is located, in which case the billboard serves as a business sign, as defined in this section. 21 Business sign means, as likewise defined in Section 50-6-7 of this Code, a sign, not less 22

than 75 percent of the area of which is devoted to directing attention to the principal business or

profession conducted, or to the principal type of commodity, service, or entertainment sold or
offered on the premises where the sign is affixed, located, or painted.

Child care center means, as likewise defined in Section 50-16-152 of this Code, a facility licensed by the Michigan Department of Human Services, other than a private residence for home, receiving one or more preschool or school age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. The term "child care center" or "day care center" includes a facility that provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, "Head Start" program, day nursery, nursery school, parent cooperative, preschool, play group, or drop in center. The term "child care center" or "day care center" dos not include any of the following:

- (1) A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not longer than three hours per day for an indefinite period, or for not longer than eight hours per day for a period not to exceed four weeks during a twelve 12 month period;
- (2) A facility operated by a religious organization where children are cared for not longer than three hours while persons who are responsible for the children are attending religious services; and
- (3) Family day care home, group day care home, foster family home, foster family group home.

Child-caring institution means, as likewise defined in Section 50-16-152 of this Code, a child care facility licensed by the Michigan Department of Human Services, other than a juvenile

correctional facility, that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the institution for that purpose, and operates throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. The term "child caring institution" includes a maternity home for the care of unmarried mothers who are minors and an agency group home that is described as a small child caring institution owned, leased, or rented by a licensed agency providing care for more than four but less than 13 minor children. The term "child caring institution" also includes institutions for mentally retarded or emotionally disturbed minor children. The term "child caring institution" does not include a hospital, nursing home, home for the aged, boarding school, adult foster care family home, adult foster care small group home, family day care home, group day care home, foster family home, or foster family group home. Family day care home means, as likewise defined in Section 50-16-201 of this Code, a licensed day care center as an accessory use in a residential dwelling unit where at least one but fewer than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. The term "family day care home" includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year. For the purpose of this definition, the term "private home" means a private residence where the licensee or registrant permanently resides as a member of the household, which residency shall not be contingent upon caring for children. Notwithstanding its status as an accessory use, a family day care home requires a permit. A family day care home may not operate unless also licensed by the Michigan Department of Human Services.

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Foster family group home means a private home where more than four, but fewer than 1 seven, minor children, who are not related to an adult member of the household by blood or 2 marriage, or who are not placed in the household pursuant to the Michigan Adoption Code, being 3 MCL 710.21 et seg., are provided care for 24 hours a day, for four or more days a week, for two 4 or more consecutive weeks, unattended by a parent or legal guardian. 5 Foster family home means a private home where at least one but not more than four minor 6 children, who are not related to an adult member of the household by blood or marriage, or who 7 are not placed in the household pursuant to the Michigan Adoption Code, being MCL 710.21 et 8 seq., are given care and supervision for 24 hours a day, for four or more days a week, for two or 9 more consecutive weeks, unattended by a parent or legal guardian. 10 Freeway means a divided highway which is two or more lanes in each direction and which 11 owners or occupants of abutting property or the public do not have a right of ingress or egress to, 12 from or across, except at points determined or as otherwise provided by the authorities who are 13 14 responsible therefor. Group day care home means, as likewise defined in Section 50-16-222 of this Code, an 15 accessory use to a private home, licensed by the Michigan Department of Human Services, where 16 more than six but not more than 12 minor children are given care and supervision for periods of 17 less than 24 hours a day unattended by a parent or legal guardian, except children related to an 18 adult member of the family by blood, marriage, or adoption. Group day care home includes a 19 home that gives care to an unrelated minor child for more than four weeks during a calendar year. 20 Notwithstanding its status as an accessory use, a group day car home requires a permit. 21

1	Interstate highway means a highway that is officially designated as a part of the National
2	System of Interstate and Defense Highways by the Michigan Department of Transportation and
3	that is approved by the appropriate authority of the federal government.
4	Juvenile detention or correctional facility means a county facility or institution operated as
5	an agency of the county or the juvenile division of the probate court, or a state institution or agency
6	described in the Michigan Youth Rehabilitation Services Act, being MCL 803.301 et seq., to which
7	a minor has been committed or in which a minor is detained.
8	Library means any designated public depository of books, periodicals, public and/or
9	historical records, and other reference materials within the City that is created pursuant to Article
10	VIII, Section 9, of the 1963 Michigan Constitution, and is operated pursuant to Section 12 of the
11	Michigan District Library establishment Act, being MCL 397.182.
12	Major park means a large open area which preserves the natural scenic beauty of a
13	woodland, meadow, river valley or lake front, is so designated, and is under the control of the
14	Recreation Department.
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16	(a) A person or persons who have not passed their 18th birthday, are prohibited from
17	purchasing tobacco pursuant to Section 1 of the Michigan Youth Tobacco Act,
18	being MCL 722.641, and are prohibited from possessing or smoking eigarettes or
19	cigars, possessing, chewing, sucking or inhaling chewing tobacco or tobacco snuff,
20	or possessing or using tobacco in any other form on a public highway, street, alley,
21	park or other land used for public purposes, pursuant to Section 2 of the Michigan
22	Youth Tobacco Act, being MCL 722.642; and

1	(b) Persons who have not passed their twenty first (21st) birthday and are prohibited
2	from purchasing alcoholic liquor pursuant to Section 703 of the Michigan Liquor
3	Control Code of 1998, being MCL 436.1703.
4	Nonprofit neighborhood center means, as likewise defined in Section 50-16-321 of this
5	Code, a center that is recognized by the United States Internal Revenue Service as holding a non-
6	profit tax exempt status, and whose primary purpose is to provide recreation amenities, craft areas,
7	meeting space, community kitchen facilities, cultural, and/or leisure activities, other similar space,
8	and related administrative offices for the use of the residents of the immediate neighborhood and
9	their guests. Examples include facilities such as senior citizen centers, youth activity centers, and
10	community centers.
11	Painted wall graphic means, as likewise defined in Section 50-6-17 of this Code, a sign
12	that is painted on a wall and exceeds 10 square feet in area.
13	Park means land that is improved for, or intended to be improved for, passive or
14	recreational uses, or to be preserved as open spaces, including, but not limited to, major parks and
15	small (neighborhood) parks, is so designated, and under the jurisdiction and control of the
16	Recreation Department.
17	Parklot means landscaped triangles, street entrances or remnant parcels which have been
18	landscaped for ornamental purposes, are generally dedicated for these purposes in subdivision
19	plats, are so designated, and are under the jurisdiction and control of the Recreation Department.
20	Parkway means a broad roadway bordered and often divided with landscaped areas
21	consisting of tree plants, bushes, and/or grass, is so designated, and is under the jurisdiction and
22	control of the Recreation Department.

Playfield means land that is designed for major field sports (for example, baseball, football, 1 soccer, tennis, and softball) which requires more area than is available on a playground, is so 2 designated, and is under the jurisdiction and control of the Recreation Department. 3 Playground means land that is designed and maintained primarily for the recreational use 4 of children aged five to 14 years including, but not limited to, central and junior playgrounds, is 5 so designated, and is under the jurisdiction and control of the Recreation Department. 6 Playlot means land that is designed and maintained primarily for the recreational use of 7 small children aged one to eight years, is so designated, and is under the jurisdiction and control 8 9 of the Recreation Department. Recreation center means a facility under the jurisdiction and control of the Recreation 10 Department that is created primarily to benefit minors through the use of organized educational, 11 social, and/or recreational activities. 12 School means the buildings, grounds or facilities of any public or private educational 13 institution that has as its primary purpose the education and instruction of children, including 14 elementary, middle, junior, and senior high schools. 15 Small (or neighborhood) park means a heavily landscaped area intended for ornamental 16 rather than active recreation or pienic use. 17 Tobacco product means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless 18 tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Act, being MCL 205.422. 19 Youth activity center means a type of nonprofit neighborhood center whose primary 20 purpose is to provide education, recreational, cultural, or leisure activities for minors, but excludes: 21 (a) An areade, as defined in Section 50-16-113 of this Code; 22 (b) A health club, as defined in Section 50-16-241 of this Code; 23

1	(e) A medical facility;		
2	(d) A public dance hall, as defined in Section 50-16-171 of this Code	;	
3	(e) A rehabilitation facility;		
4	(f) A rental hall, as defined in section 50-16-362 of this Code;		
5	(g) A restaurant, as defined in section 50-16-362 of this Code; and		
6	(h) A school; and		
7	(i) A state licensed residential facility as defined in Section 50-16-3	85 of this Code.	
8	REPEALED.		
9	Sec. 4-3-2. Misdemeanor violation; continuing violation; penalties for convident	ction thereof.	
10	(a) It shall be unlawful for any person to violate any provision of this	article.	
11	(b) Any person who violates this article may be issued a misdemean	nor violation for	
12	each day that the violation continues.		
13	(c) Any person who is found guilty of violating any provision of this	s article shall be	
14	convicted of a misdemeanor for each violation that is issued, and, in the discret	ion of the court,	
15	may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each	ch misdemeanor	
16	violation that is issued.		
17	Sec. 4-3-3. Buildings, Safety Engineering, and Environmental Department to	be responsible	
18	for Enforcement.		
19	This article shall be enforced by the Buildings, Safety Engineering, and	l Environmental	
20	Department.		

1	Sec. 4-3-4. Advertisement of alcoholic liquor and or any tobacco products product
2	prohibited within a 1,000-foot radius of certain locations.

- 3 (a) No person shall It shall be unlawful to advertise any alcoholic liquor on an
 4 advertising sign within a 1,000-foot radius of any child-care center, child-caring institution,
 5 juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground,
 6 playlot, recreation center, school, or youth activity center advertisement-sensitive property.
 - (b) No person shall It shall be unlawful to advertise any tobacco product on an advertising sign within a 1,000-foot radius of any child-care center, child-caring institution, juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation center, school, or youth activity center advertisement-sensitive property.

Sec. 4-3-5. Exceptions to prohibitions.

The provisions of Section 4-6-5 4-3-4 of this Code shall not apply to:

(1) The placement of any advertising sign:

- a. Inside or outside of a licensed premises where alcoholic liquor is lawfully sold or distributed under the authority of a license conferred by the Michigan Liquor Control Commission under the Michigan Liquor Control Code of 1998, being MCL 436.1101 et seq.;
- b. Inside of a licensed premise where tobacco products are lawfully sold or distributed under the authority of a license conferred by the Michigan Tobacco Products Tax Act, being MCL 205.421 et seq.; or
 - On licensed commercial vehicles used to transport alcoholic liquor or tobacco products.

- 1 (2) Any billboard that serves as a business sign, is for the purpose of identifying the
 2 premises, and contains:
- a. The name or slogan of the premises where alcoholic liquor or tobacco
 products are lawfully sold or distributed; or
 - b. A generic description of alcoholic liquor or tobacco products.
- Any advertising sign that is adjacent to an interstate highway, freeway, or primary highway system within the City, and is regulated by the Michigan Highway Advertising Act of 1972, being MCL 252.301 et seq.
- 9 (2) Any advertising sign which that advertises alcoholic liquor inside of or outside and

 10 is located on the premises of a convention facility, sports arena, or stadium.

Sec. 4-3-6. Method for measurement.

The spacing between an advertising sign which that advertises alcoholic liquor or a tobacco product and the locations delineated within Section 4-3-5 of this Code an advertisement-sensitive property shall be measured radially as the shortest distance between the outermost point of the advertising sign that is nearest to the advertisement-sensitive property and the nearest lot line of the zoning lot where the child-care center, child-caring institution, juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation center, school, or youth activity center is located point on the perimeter of the premises containing the advertisement-sensitive property.

Sec. 4-3-7. Phase-out period.

In the event a new child-care center, child-caring institution, juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation center, school, or youth activity center advertisement-sensitive property is established, subsequent

- to the effective date of the ordinance from which this article is derived, and is located within a
- 2 1,000-foot radius of an advertising sign lawfully advertising alcoholic liquor or a tobacco
- 3 products product, said advertising shall not be ordered removed until 60 days after the
- 4 establishment of said land use date of such establishment.
- 5 Sec. 4-3-8-4-3-30. Reserved.

ARTICLE IV. REGULATION OF BUSINESS AND ADVERTISING SIGNS

DIVISION 1. GENERALLY

8 Sec. 4-4-1. Purpose.

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- 9 (a) The sign regulations of this article are set forth in lieu of those regulations contained 10 in Appendix H of the 2015 Michigan Building Code, under authority of Section H101.1.1.
 - (b) The sign regulations of this article are intended to balance public and private interests. The purpose of this article is to promote provide for a safe, well-maintained, vibrant, and attractive City, while accommodating the protected rights of individuals and entities need for signs to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information through signs, among multiple alternative channels for communication. The regulations contained in this article are narrowly tailored to serve multiple significant governmental interests, including those listed in this section. In furtherance of these significant governmental interests, this article regulates various structural and dimensional standards of signs, including their construction, material, area, height, projection, illumination, location, and spacing, as well as their use and operation in specified locations, but does not regulate the message, content, or communicative aspect of signs, or distinguish between commercial and noncommercial speech. While these regulations allow for a variety of sign types and sizes, they do not necessarily ensure every property owner or business owner's desired level of visibility. It is not the intent or purpose

of this chapter to regulate the message displayed on any sign or the content. The objectives of this
article are:

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- (1) General <u>protection of public welfare</u>: To ensure that signs are located, designed, constructed, installed, and maintained, in a way that and operated so as to protect protects life, and preserve the public peace, health, morals, safety, and property and the public welfare of the people of the City;
 - Public safety: To protect public health and safety by prohibiting signs that are (2) structurally unsafe or poorly maintained, or that cause unsafe traffic conditions through distraction of motorists confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or sites for nearby pedestrians, motorists, and properties. Signs that are poorly maintained or are otherwise structurally unsound pose physical dangers to the surrounding area and its occupants. Signs, through excessive number, size, illumination, or dynamic operation can create unsafe distractions. Signs can be confused with traffic signals, create unwarranted distractions, impede clear roadway sightlines, or otherwise create unsafe conditions for motorists, bicyclists, pedestrians, and others traveling along the public right-of-way. Signs that overly impact or encroach into public spaces through inappropriate sizing, projection, elevation, or illumination, among other aspects of their construction or operation, can impede the safe circulation of pedestrians, including their safe ingress and egress from buildings and other structures;
 - (3) Protect aesthetic quality of neighborhoods <u>Neighborhood aesthetics and</u>

 environment: To Prevent blight and protect aesthetic qualities by preventing visual

	clutter and protecting views and preventing intrusion of commercial messages into
	noncommercial areas protect aesthetic values of the City's neighborhoods and
	natural environments. The City's neighborhoods are characterized by their unique
	residential, commercial, and industrial uses, their architectural themes, and their
	historic legacies. Signs that do not comport with such unique characteristics can
	significantly impair the surrounding neighborhood's aesthetic value. Moreover,
	many of the City's neighborhoods contain outdoor public recreational spaces and
	natural environments. Signs that overly encroach upon such spaces through their
	construction or operation can significantly impede access to public outdoor
	recreation opportunities and undermine protection of the natural environment;
(4)	Free speech Facilitation of protected speech: To ensure that the constitutionally

- (4) Free speech <u>Facilitation of protected speech</u>: To ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication <u>facilitate</u> the conveyance of constitutionally protected speech through the use of signs as a means of communication;
- Reduce conflict Reduction of conflict: To reduce conflict among signs and light and between public and private information systems reduce the potential for conflict among signs, buildings, and other structures that seek to occupy, utilize, or access limited light, air, and open space resources. Signs that are excessive in size, scale, or intensity can interfere with other signs, thereby impairing their communicative value. Such signs can also interfere with neighboring buildings' access to air and natural light, and can interfere with their safe operation and the activities of their occupants; and

(6) Business identification and promotion of local commerce: To allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law facilitate the identification of businesses and to promote local commerce at such places of business. Signs that effectively identify the presence of local businesses and that generally promote the products and services provided by such businesses can facilitate commercial activity and stimulate economic development. Additionally, wayfinding and other directional signage can facilitate the efficient flow of vehicular, bicycle, and pedestrian traffic. Conversely, signs that are excessive in size, scale, or intensity, or that conflict with each other or their surroundings, can impede such business identification and hinder local economic activity.

Sec. 4-4-2. Definitions.

For purposes of this article, the following words and phrases shall have the meanings ascribed to them by this section:

Advertising sign means a sign, whether a billboard or a painted wall graphic sign, which directs attention to a business, commodity, service, or entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is affixed, located or painted, or only incidentally sold or offered on the premises.

Animated sign means any business sign, which uses movement or change of lighting to depict action or to create a special effect or scene, including signs displaying moving images or videos, and, for regulatory purposes, is a flashing sign as defined in this section.

1	Art mural means any mosaic, painting or graphic art, which is applied to a building, and
2	does not contain any brand name, product name, letters of the alphabet that spell or abbreviate the
3	name of any product, company, profession or business, or any logo, trademark, trade name, or any
4	other type of commercial message.
5	Awning sign means a business sign that is a section of, or attached to, an awning, canopy,
6	or other fabric, plastic, or structural protective cover over a door, entrance, window or outdoor
7	service area of a building, but does not mean a marquee.
8	Building frontage means the portion of a building's facade that is visible as projected along
9	the building's public or private street frontage.
10	Business sign means a sign, not less than 75 percent of the area of which is devoted to
11	directing attention to the principal business or profession conducted, or to the principal type of
12	commodity, service, or entertainment sold or offered on the premises where the sign is affixed,
13	located or painted.
14	——————————————————————————————————————
15	including a "v" type sign, provided, that the least angle of intersection does not exceed 90 degrees.
16	Electronic message board means any business sign that uses changing lights to form a sign
17	message or messages wherein the sequence of messages and the rate of change is electronically
18	programmed and can be modified by electronic processes, and, for regulatory purposes, is a
19	flashing sign as defined in this section.
20	- Flashing sign means an illuminated sign on which artificial light is not maintained
21	stationary, or constant in intensity or color, at all times when in use and, under this article, includes
22	an animated sign and an electronic message board sign.

Ground sign means a business sign, including a ground-mounted billboard that is supported 1 by one or more uprights, poles, or braces in or upon the ground. 2 Identification sign means a business sign, not less than 75 percent of the area of which 3 identifies the name of the individual, profession, occupation, organization, hotel, or motel 4 occupying the premises, or the name or street number of the building, which may include 5 information directly related to principal or accessory uses of the property, provided, that not more 6 than 25 percent of the area of the sign is devoted to such information, but does not mean an 7 advertising sign, as defined in this section. 8 Individual letter sign means a type of wall sign, as defined in this section, consisting of 9 individual letters, incised letters, script or symbols with no background material other than the 10 surface to which the letters, script or symbols are affixed. 11 Multiple-face sign means a business sign with more than two display areas, all of which 12 are visible and used as business signs. 13 Painted wall graphic sign means any business sign that is painted upon a wall and exceeds 14 15 ten square feet in area. 16 Roof sign means a business sign that is erected upon a roof or parapet of a building or 17 structure. 18 Sign means any letter, figure, character, mark, plane, point, marquee sign, design, poster, 19 pictorial, picture, stroke, stripe, line trademark, reading matter, or illuminated service that is constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, so that 20 21 the same is used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, that is displayed in any manner outdoors, or 22 23 a window sign as defined in this section, but does not mean any display of official court or public

1	agency notices, or the flag, emblem, or insignia of a nation, political unit, school or religious group
2	or any non-illuminated, non-commercial, painted art mural.
3	- Wall sign means any business sign attached to, or creeted against, the wall of a building or
4	structure with the exposed face of the sign in a plane parallel to the plane of said wall.
5	Window sign means any sign which is painted on, applied to or attached to a window or
6	door, or located within three feet of the interior of the window or door, and is visible from the
7	exterior of the building, including pictures, drawings, paintings, or other such representations of a
8	product once they are not the actual item to be sold or consumed. REPEALED.
9	Sec. 4-4-2. Blight violation.
10	(a) In accordance with Section 4l(4) of the Michigan Home Rule City Act, being MCL
11	117.41(4), and Sections 1-1-9(a)(3) and 3-2-1 of this Code, a violation of this article is deemed to
12	be a blight violation.
13	(b) Any person who violates any section of this article may be issued a blight violation
14	notice pursuant to Chapter 3 of this Code, Administrative Hearings and Enforcement, and
15	Administrative Appeals, for each day that the violation continues.
16	(c) In accordance with Chapter 3 of this Code, Administrative Hearings and
17	Enforcement, and Administrative Appeals, any person who admits responsibility or is found to be
18	responsible, through a blight violation determination, for a violation of this article shall be subject
19	to a civil fine.
20	(d) Civil fines for any violation of this article shall be as follows:
21	(1) Business signs:
22	a. For any first offense: \$400
23	b. For any second offense: \$800

1	c. For any offense subsequent to a second offense: \$2000
2	(2) Advertising signs:
3	a. For any first offense: \$600
4	b. For any second offense: \$1200
5	c. For any offense subsequent to a second offense: \$3000
6	Sec. 4-4-3. Misdemeanor violation; continuing violation; penalties for conviction thereof.
7	(a) It shall be unlawful for any person to violate any provision of this article.
8	(b) Any person who violates this article may be issued a misdemeanor violation for
9	each day that the violation continues.
10	(e) Any person who is found guilty of violating any provision of this article shall be
11	convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,
12	may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor
13	violation that is issued. REPEALED.
14	Sec. 4-4-3. Enforcement.
15	This article shall be enforced by the Buildings, Safety Engineering, and Environmental
16	Department.
17	Sec. 4-4-4. Noncommercial messages.
18	In order to prevent any inadvertent favoring of commercial speech over noncommercial
19	speech, or favoring of any particular noncommercial message over any other noncommercial
20	message, any sign that is allowed under this Article may contain, in lieu of any other message, any
21	otherwise lawful noncommercial message that does not contain a commercial message and that
22	does not direct attention to a business, profession, commodity, service, or entertainment.

1	Sec. 4-4-5. Requirements for business and identification signs.
2	(a) It shall be unlawful to erect or maintain a business sign, including identification
3	signs, except in accordance with the following requirements:
4	(1) Every sign shall be classified and conform to the requirements of such classification
5	as set forth in this Code.
6	(2) A business sign, including an identification sign, shall not cover or conceal
7	architectural features of a building including, but not limited to, windows, arches,
8	sills, moldings, cornices, and transoms;
9	(3) Except for signs within developments that require City Council approval of plans,
10	animated sign space or electronic message board sign space within any business or
11	identification sign shall not comprise more than 25 percent of the total sign area;
12	(4) In the case of an animated sign, as defined in Section 50-6-4 of this Code, located
13	on the premises of a City owned convention or exhibit building on land requiring
14	City Council approval of plans, not less than 75 percent of the display time in any
15	calendar month shall be devoted to events or activities on the premises.
16	(5) Inflatable advertising, balloons, and similar devices shall be allowed for the
17	promotion of a special event only after application for and issuance of a temporary
18	sign permit by the Buildings, Safety Engineering and Environmental Department
19	as provided for in Section 50-12-562 of this Code provided, that, they are shaped
20	or formed like a product, have commercial copy, and meet the following
21	restrictions:
22	a. Be limited in placement to 15 days;

1		b. Be placed on the premises as determined by the Buildings, Safety
2		Engineering, and Environmental Department; and
3		c. Be limited in placement to no more than two permits per year; and
4	(6)	Where the sections of an individual letter sign are connected by a common
5		structure, generally referred to as a "raceway", which provides for the electrical or
6		mechanical operation of a sign, the raceway shall be painted to match the color of
7		the building or other structure to which the sign is mounted and shall be limited to
8		a height of no more than one-half of the tallest letter.
9	(b)	The following illumination standards shall apply to all business sign types except
10	where other sp	pecific standards apply:
11	(1)	Signs may be illuminated, provided, that flashing signs are permitted only where
12		farther than 100 feet from existing developed residential property, and from
13		property which is designated as "residential" in the applicable future General Land
14		Use Map of the Detroit Master Plan of Policies;
15	(2)	No sign shall be illuminated in a manner that interferes with the effectiveness of an
16		official traffic sign, traffic signal or traffic control device;
17	(3)——	Illuminated signs shall be arranged to reflect light away from residential structures;
18		and
19	(4)	Messages on an electronic message board may be a continuous scroll or may be
20		intermittently changing static messages. Where messages are intermittently
21		changing and static, then each message must be displayed for a minimum of eight
22		seconds before changing.

1	—— (c) —	The tubing in neon signs may be encased for protection from weather and breakage,
2	and the enclo	osure, such as tinted glass or plastic, shall be designed to render the tubing invisible
3	when not illu	minated. REPEALED.
4	Sec. 4-4-5. (Computing sign area, height, and clearance.
5	(a)	The area of a sign is computed as follows:
6	<u>(1)</u>	In general, the area of a sign is the entire area of a square, rectangle, or other regular
7		geometric figure that reasonably contains the entire sign face and all of the sign's
8		copy. Blank spaces between individual figures, letters, words, graphics, and other
9		elements of a sign's copy are included in the computation of the sign's area. If a
10		sign is enclosed in a frame or case, the area of the sign includes the area of the
11		frame or case.
12	(2)	The area of a double-face sign is the area of the largest of the sign's two faces.
13	(3)	The area of a multiple-face sign is the sum of the areas of each sign face of the sign.
14	(4)	The area of a painted sign includes the area of any background colors that are
15		different from the color of the façade on which the sign is painted, if any.
16	(b)	The height of a sign is computed as the difference in vertical elevation between the
17	highest point	of the sign, including its frame and support structure, and the established grade of
18	the sign.	
19	(c)	The clearance of a sign is computed as follows:
20	(1)	In general, the clearance of a sign is computed as the difference in vertical elevation
21		between the lowest point of the sign, including its frame and support structure, if
22		any, and the established grade of the sign.

- The clearance of a ground sign is computed as the difference in vertical elevation
 between the lowest point of the sign face, including its frame, but excluding its
 pole, monument, or other support structure, and the established grade of the sign.
 - (3) The clearance of a sign under which vehicular or pedestrian passage is possible, such as arcade signs and projecting signs, is computed as the difference in vertical elevation between the lowest point of the sign face, including its frame and support structure, if any, under which clear passage is possible, and the established grade underneath the sign.
 - (4) The clearance of a sign that is affixed to and supported by a building or other structure, such as wall signs and projecting signs, is computed as the difference in vertical elevation between the lowest point of the sign face, including its frame and support structure, if any, but excluding the building or structure to which the sign is affixed and supported, and the established grade of the sign.

Sec. 4-4-6. Computing the area of business signs.

- (a) The area of a business sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes all of the display area, any window sign, as defined in section 4-4-2 of this Code, and any building number that is larger than ten inches in height. Because they are integral to understanding the message of display of a business sign, the blank areas between letters, words, illustrations, graphics, and the like shall be included in the computation of the area of a sign or the area of a message, letter, word, or graphic that is part of a business sign.
- (b) Where the sign faces of a double-face sign are parallel, or the interior angle formed by the faces is 45 degrees or less, only one display face shall be counted in computing sign area.

- Where the two faces of a double-face sign are of unequal area, the area of the sign shall be the area
- of the larger sign face. In all other cases, the areas of all faces of a multiple-face sign shall be added
- 3 together to compute the area of the sign.

(c) The height of a business sign shall be the distance between the highest part of the sign and the grade of the nearest sidewalk. REPEALED.

6 Sec. 4-4-6. Computing the measurement of spacing.

- Unless expressly specified otherwise, for the purposes of this article, spacing is computed either radially or linearly.
 - (1) Radial spacing between two points is computed as the length of the shortest straight

 line connecting the perimeters of the premises at which each point is respectively

 located, drawn without regard to any property lines, rights-of-way, or other

 features, whether natural or constructed, that such line may cross.
 - (2) Linear spacing between two points is computed as the length of the shortest line connecting the perimeters of each premises at which each point is respectively located, following the centerline of the right-of-way connecting each premises, without regard, unless expressly stated, to the side of the right-of-way on which each such premises may be located.

Sec. 4-4-7. General restrictions on maximum business sign area.

(a) Except for businesses regulated under sections 4-4-8(e) and (f) of this Code, each business is entitled to a minimum of 32 square feet of business sign area, regardless of the business' building frontage elevation or street frontage. Except for businesses within developments that require City Council approval of plans, the maximum total area of all business signs for each business shall be the greater of 20 percent of a business' building frontage elevation or one square foot per each linear foot of business street frontage, not to exceed a total of 500 square feet.

Buildings or businesses shall be allowed one professionally prepared window sign not exceeding 1 2 ten square feet in size and adhered to the inside of the window for every 30 feet of building or storefront width, provided that any such sign shall not require a permit and shall not count toward 3 the maximum allowed sign area. For the purposes of this article, the building frontage elevation is 4 5 calculated by multiplying the length of the front facade of the building of which the signage is to serve by 13 feet. There can be only one building frontage for each street faced by a building. 6 7 Portions of facades visible from more than one street, such as those containing curves cylindrical 8 shapes, or angles, shall only be measured once when determining building frontage. (b) Except as specified in section 4-4-10 of this Code, there is no restriction on the 9 10 number of signs allowed, and all types of business signs are allowed, including ground signs, wall signs, awning signs, painted wall graphic signs, and projecting signs as long as the aggregate total 11 12 area of the sign or signs does not exceed the maximum business sign area allowed. Roof signs that serve as business signs, and are not otherwise prohibited in section 50-6-52 of this Code, are 13 allowed, provided that the height of the uppermost element of the sign does not exceed the 14 15 applicable height limitation for the building. (c) On corner lots, the allowable sign area for each street frontage shall be calculated 16 separately. The total square footage allowed is obtained by adding the allowable sign area for each 17 18 street frontage. (d) For multiple-tenant, multiple-story buildings where tenants do not have clearly 19 separate building frontage of their own, the 20 percent of building frontage calculation shall be 20 21 based upon the portion of the building occupied by the respective business. (e) Where multiple buildings are occupied by the same institutional use, as on the 22 campus of a hospital or educational institution, the permitted business sign area for each building 23

1	shall be calc	ulated as if a separate business, provided that the permitted business sign area is not
2	transferable i	from one building to another. REPEALED.
3	Sec. 4-4-7. I	Prohibited signs.
4	The f	ollowing signs are prohibited City-wide, unless expressly allowed in this chapter:
5	<u>(1)</u>	Signs that substantially cover or conceal any architectural feature of a building;
6	(2)	Wrapped signs operated as advertising signs;
7	(3)	Signs that are illuminated by or otherwise equipped with a strobe or flashing light,
8		whether internal or external to the sign;
9	<u>(4)</u>	Signs that are affixed to, painted on, or otherwise supported by any rock, tree, or
10		other natural feature;
11	<u>(5)</u>	Signs that are affixed to, painted on, or otherwise supported by a fence or screening
12		wall;
13	(6)	Any dynamic sign that is located on or otherwise affixed to a currently registered
14		motor vehicle; or
15	(7)	Signs that produce sound; that cause interference with radio, telephone, television,
16		or other communication transmissions; that produce or reflect motion pictures,
17		except where authorized as animated signs; or that emit visible smoke, vapors,
18		particles, or odors.
19	Sec. 4-4-8. R	estrictions on business signs in specified locations.
20	——————————————————————————————————————	Buildings other than corner buildings, buildings that have double-frontage lots, or
21	buildings loca	tted on through lots.
22	(1)	Where the building has front and rear customer entrances, 100 percent of the front
23		street wall area is allowed, plus 25 percent of the rear, or secondary street wall area.

1	(2)	Where the building has front and rear customer entrances and rear display windows,
2		100 percent of the front street wall is allowed, plus 50 percent of the rear, or
3		secondary street wall area.
4	(3)	The additional allowable business sign area shall be used at the rear customer
5		entrance, but not to enlarge the primary sign.
6	———(b)——	Multiple-story buildings. Business signs placed on the wall of a multiple-story
7	building shall b	be permitted only in the following locations:
8	(1)	On the building frieze or on the roof of a building, provided, that the sign is not
9	9	otherwise prohibited by section 50-6-52 of this Code and that the height of the
10	}	uppermost element of the roof sign does not exceed the applicable height limitation
11		for the building;
12	(2)	On an awning;
13	(3)	On a first-story wall; and
14	(4)	In the area between the first floor and the windowsill of the second story window,
15	d	provided, that where a building does not have second story windows, a sign may
16	i.	be placed within the first four feet of the second story level.
17	(e)	Commercial parking lots.
17 18	, ,	Commercial parking lots. Only one business sign shall be permitted at each point of ingress and egress to a
	(1)——	
18	(1)	Only one business sign shall be permitted at each point of ingress and egress to a
18 19	(1)	Only one business sign shall be permitted at each point of ingress and egress to a parking lot to indicate the name of the operator, address of the location, hours of

_	(2)	Dustiness signs on commercial parking lots shall comply with Section 32-1-20 of
2		this Code.
3	———(d)——	Parking structures.
4	(1)	Except for parking structures within developments that require City Council
5		approval of plans, the maximum total business sign area permitted on parking
6		structures is 200 square feet.
7	(2)	Signs denoting hours and rates that are required by section 321-20 of this Code for
8) 00 P	parking structures licensed as open parking stations shall not be counted against the
9		total business sign area allowance.
10	(3)	Directional signs designating entrances and exits of a parking structure shall not be
11	i i	included in the total business sign area allowance.
12	——————————————————————————————————————	Multiple tenant shopping center having four or more separate businesses.
13	(1)——	One ground sign is allowed, not to exceed a maximum sign area of 150 square feet.
14	2 - 2	Where a development site has a minimum of 200 feet of frontage on each of two
15	1	major or secondary thoroughfares, as identified in the Detroit Master Plan of
16	4	Policies, a second freestanding sign shall be permitted with the same size
17	- 1	imitations as the first permitted sign, provided, that the distance between the two
18	s	signs is not less than 300 feet measured along the road frontage.
19	(2) I	Each separate business within a multiple tenant shopping center may display as
20	n	much as 24 square feet of business wall signage, provided that more than 24 square
21	£	eet of business wall signage is allowed where the total area of all business signage
22	f	or the business does not exceed one square foot of area for each one lineal foot of
23	S	torefront width occupied by each separate business. Where a shopping center has

exposure along two streets, the allowable sign area for the corner or end unit shall be calculated separately for each street frontage. The total area of all business wall signs for the corner or end business shall not exceed one square foot of area for each one lineal foot of street frontage. In no instance shall the total business signage for any one business in a multiple tenant shopping center exceed 500 square feet. Wall signs that are composed of either individual freestanding letters or boxed signs with frames shall be consistent in shape and height, such as rectangular, triangular, or circular, with every other such sign permitted on the premises of the shopping center.

(f) Multiple-tenant office, business, and industrial buildings.

- (1) Any ground sign shall be designed primarily for identification purposes and shall display only the development name and/or address. The ground sign may display the names of each tenant.
- (2) Where individual tenants have their own front wall surface, the individual business signs shall be wall signs.
- (3) Directory signs, located at common entrances to tenant spaces, shall be included in the calculation of total sign area unless they are six square feet or less and not visible from the front lot line.
- (4) There shall be only one ground sign for each street frontage of the property, not to exceed 100 square feet, or one square foot of sign area for each two linear feet of street frontage of the property, whichever is less. For corner buildings, a second sign containing up to one half of the allowable business sign area of the first is permitted.

1	(5)—	Each separate business in the complex is entitled at least 24 square feet of business
2		wall signage, provided, that:
3		a. More than 24 square feet of business wall signage is allowed where the total
4		area of all business signage for the business does not exceed one square foot
5		of area for each one lineal foot of building frontage, as defined in section 4-
6		4-2 of this Code, of the portion of the building occupied by each separate
7		business; and
8		b. In no instance shall the total business signage for any one business in a
9		multiple-tenant office, business, or industrial building exceed 500 square
10		feet.
11	(6)—	Business signs that are composed of either individual freestanding letters or boxed
12		signs with frames shall generally be consistent in shape, such as rectangular,
13		triangular, or circular, and height with other such signs permitted on the premises
14		of the complex.
15	————(g)	Buildings with two or three businesses and separate ground floor entrances for
16	each business	
17	(1)	Each separate business is entitled to display a minimum of 32 square feet of
18		business signage, provided, that more than 32 square feet of business signage may
19		be allowed where the total area of all business signage for the business does not
20		exceed one square foot of area for each one lineal foot of frontage of the portion of
21		the building occupied by each separate business.
22	(2)	In no instance shall the total business signage for any business in a building with
23		two or three businesses exceed 500 square feet.

1	——————————————————————————————————————	Buildings with two or three businesses sharing a common entrance, and not having
2	a clearly disc	vernible ground-floor frontage.
3	(1)	A building's maximum sign area shall be computed as if occupied by a single
4		business.
5	(2)	The maximum total area of all business signs for a building shall be one square foot
6		per each linear foot of the building street frontage, not to exceed a total of 500
7		square feet.
8	(3)	The total sign area allowed will be allocated among the two or three separate
9		businesses in proportion to the square footage occupied by the separate businesses.
10	-(4)	In all instances each business is entitled to at least 32 square feet of sign area.
11		REPEALED
12	Sec. 4-4-8. E	xemptions from chapter requirements.
13	Notwi	thstanding the permit for installation required pursuant to Section 8-2-5 of this Code,
14	the following	are not subject to the requirements of this article:
15	(1)	Any display that is painted on or otherwise affixed to a currently registered motor
16		vehicle that is used for transportation purposes in the normal course of operation of
17		a business or other establishment;
18	(2)	Window displays of actual merchandise for sale;
19	(3)	Displays that are carried on or by a person;
20	(4)	Any notice alerting the public of the presence of an alarm, security, or surveillance
21		system;
22	(5)	Any notice warning against trespassing, soliciting, or other interference with the
23		property owner's enjoyment of such owner's property;

1	(0)	Alerts, announcements, warning, or other notices as may be required by applicable
2		federal, state or local law for protection of the public peace, health, safety, and
3		welfare;
4	(7)	Building numbers that are not more than 12 inches in height and are displayed in
5		accordance with Section 43-2-12 of this Code;
6	(8)	Public service announcements promoting the protection of the public peace, health,
7		safety, and welfare;
8	<u>(9)</u>	Displays of official governmental, court, or public agency orders or notices;
9	(10)	Displays of the flags, emblems, or official insignia of a national, state, or local
10		political unit or any of its departments or agencies;
11	(11)	Art murals;
12	(12)	Heritage signs;
13	(13)	Architectural and other lighting that is operated in accordance with the lighting
14		standards set forth in this Code; and
15	(14)	Any sign erected by a federal, state, or local governmental agency or authority.
16	Sec. 4-4-9. El	imination of business signs not in compliance with this article required.
17	———(a)	Existing business signs that were erected without a permit and which, although
18	legally permis	sible at the time they were erected, become noncompliant due to the provisions of
19	this article, sha	all be brought into compliance with the provisions of this article within six months
20	of the effective	e date of the ordinance from which this article is derived, which is August 20, 2003.
21	(b)	Existing business signs for which a sign permit was issued pursuant to the previous
22	provisions of the	his Code, and which become noncompliant due to the provisions of this article, shall
23	be brought into	compliance within one year of the effective date of the ordinance from which this

1	article is derived, which is August 20, 2003, provided, that during the one year period
2	noncompliant signs shall be maintained in good condition and no such sign shall be:
3	(1) Structurally changed to another noncompliant sign, although its message may be
4	changed;
5	(2) Structurally altered in order to prolong the life of the sign, except to meet safety
6	requirements;
7	(3) Altered so as to increase the degree of noncompliance of the sign;
8	(4) Enlarged;
9	(5) Continued in use where a change of use occurs as defined in Chapter 50 of this
10	Code, Zoning;
11	(6) Re-established after the activity, business, or use to which it was related has been
12	discontinued for 90 days or longer;
13	(7) Re-established after damage or destruction where the estimated cost or
14	reconstruction exceeds 50 percent of the appraised replacement cost; or
15	(8) Changed to any extent, including changing the faces when the noncompliant sign
16	is of a type of construction that permits a complete change of face, or any changes
17	made in the colors, words, or symbols used, or in the message displayed on the sign
18	unless the sign is designed for periodic changes of message. REPEALED
19	Sec. 4-4-9. Maintenance required.
20	All signs must be maintained in good repair and clear of debris. Any sign that is not
21	maintained in good repair shall be adequately repaired, replaced, or removed, along with its frame
22	and supporting structure. A sign shall be considered to be not in good repair if the sign is:
23	(1) Weathered or faded;

1	(2) Ripped, torn, cut, cracked, tattered, or similarly damaged;
2	(3) Defaced or otherwise marked with graffiti;
3	(4) Insecurely or inadequately affixed or anchored to the wall, parapet, roof, marquee
4	awning, or ground to which it is attached or placed;
5	(5) Supported by one or more poles, pylons, bracings, rods, supporting frameworks
6	foundations, anchorages, or other supports, that are broken, damaged, or otherwise
7	unsound or of inadequate capacity;
8	(6) Cracked or peeled, if painted; or
9	(7) Inoperative, broken, or otherwise damaged, if illuminated, dynamic, mechanical.
10	or otherwise electrified.
11	Sec. 4-4-10. Painted wall graphics serving as business signs.
12	(a) Painted wall graphics serving as business signs that were in existence prior to the
13	effective date of the ordinance from which this article was derived, which is August 20, 2003, shall
14	not be permitted except as follows:
15	(1) The name and address of the owner of the property where the business sign is
16	located and the address of the property have been placed on record with the
17	Buildings, Safety Engineering, and Environmental Department within six months
18	of the effective date of the ordinance from which this article is derived, which is
19	August 20, 2003;
20	(2) A sign license is issued for the sign; and
21	(3) The total area of painted wall graphics serving as business signs is included in the
22	computation of existing business signs as compared to the maximum business sign
23	area for each business.

1	 (b) Businesses wishing to use painted wall graphics as business signs on or after the
2	effective date of the ordinance from which this article is derived, which is August 20, 2003, may
3	do so only where the area of the painted wall graphic, along with other business signs, does not
4	exceed the maximum business sign area allowable under section 4-4-7 or section 4-4-8 of this
5	Code, as applicable, and a sign license is obtained for the painted wall graphic. REPEALED.
6	Sec. 4-4-10. Obsolete signs to be removed.
7	(a) Any sign that constitutes an obsolete sign for at least 30 consecutive days, or any
8	temporary sign that constitutes an obsolete sign for at least seven consecutive days, may be
9	presumed by the City to have been abandoned, and shall, along with its framework and supporting
10	structure, be removed by the owner of the premises on which the sign is located, or its agent, upon
11	issuance by the Department of a correction notice to remove such sign. The presumption of
12	abandonment may be overcome upon showing that the sign does not in fact constitute an obsolete
13	sign and proof that the owner of the premises does not intend for the sign to constitute an obsolete
14	sign.
15	(b) An obsolete painted sign may be considered to be removed if it is removed so as to
16	expose the underlying unpainted surface or is completely painted over.
17	Sec. 4-4-11. Exemptions from business sign area restriction under this article.
18	The following are exempt from the regulation of this article:
19	(1) Signs indicating "welcome," "open," "closed," and "hours of operation", provided,
20	that they are not displayed as part of an advertising sign or a business sign;
21	(2) Building numbers as required by section 43-2-12 of this Code, provided, that they
22	are no more than ten inches in height;

T	(3) Actual size menus displayed to be visible to passers by that are posted at the
2	entrance of restaurants for passers by to read; and
3	(4) Anything that is not a sign, as defined in section 4.4.2 of this Code, including:
4	 a. Displays of official court or public agency notices;
5	b. The flag, emblem, or insignia of a nation, political unit, school, or religious
6	group;
7	e. Non-illuminated, non-commercial, art murals; and
8	d. Window displays of actual merchandise, such as pyramids of food cans in
9	a grocery store window or fashions on a mannequin which are located
10	within three feet of the interior of a window or door and are visible from the
11	exterior of the building. REPEALED.
12	Sec. 4-4-11. Signs on vacant buildings to be removed.
13	(a) Any sign, along with its frame and supporting structure, located on a premises that
14	contains a building or structure that constitutes a vacant building, as defined in Section 8-15-9 of
15	this Code, shall be removed by the owner of the premises on which the sign is located, or its agent,
16	within 30 days upon issuance by the Department of a correction notice to remove such sign.
17	Enforcement of this section shall be in accordance with the authority granted under Section 8-15-
18	45 of this Code.
19	(b) The Department shall issue a blight violation under any of the following
20	circumstances:
21	(1) If the owner fails to cure the violation within the applicable cure period after service
22	of a correction notice; or
23	(2) When the owner disputes a violation identified on a correction notice; and

1	(3) When, in the Department's exercise of judgment and discretion pursuant to rule
2	adopted by the Department, the violation is of such a nature as to be substantiall
3	serious, chronic, or willful.
4	(c) To the extent that a building, structure, or tenant space within a building or structure
5	that is unoccupied, secured, legally permitted, and actively being marketed for occupancy does no
6	constitute a vacant building and is not subject to Subsection (a) of this section.
7	Sees. 4-4-12 - 4-4-40. Reserved. REPEALED.
8	Sec. 4-4-12. Unused sign supports to be removed.
9	(a) All poles, pylons, bracing, rods, supporting frameworks, foundations, anchorages
10	or other supports, including all associated electrical wiring, that does not actually support a lega-
11	sign face, shall be removed by the owner of the premises, or its agent, within 30 days of issuance
12	by the Department of a correction notice to remove such supports.
13	(b) The Department shall issue a blight violation under the following circumstances:
14	(1) If the owner fails to cure the violation within the applicable cure period after service
15	of a correction notice; or
16	(2) When the owner disputes a violation identified on a correction notice; and
17	(3) When, in the Department's exercise of judgment and discretion pursuant to rule
18	adopted by the Department, the violation is of such a nature as to be substantiall
19	serious, chronic, or willful.
20	Sec. 4-4-13. Right of entry by City to abate nuisance; obstruction of City officers and agent
21	prohibited.
22	(a) If the owner has not cured the violations within the cure period stated in a correction
23	notice, then, in addition to powers granted elsewhere in this Code, including but not limited t

1	Sections 8-15	-40 and 8-15-42, the City may, through its authorized employees, agents, or
2	contracted par	ties, enter upon the premises and abate the nuisance by means determined by the
3	City, unless th	e owner or operator has disputed the correction notice.
4	(1)	A recipient of a correction notice may dispute such notice by contacting the
5		Department in the manner specified in the correction notice, which shall be
6		established by rule adopted by the Department. If notice of a dispute is allowed by
7		telephone, the department shall establish a method to verify and track receipt of
8		telephoned dispute notices.
9	(2)	If a correction notice is disputed, the City's right of entry under this section shall
10	J	be suspended until a blight violation proceeding has determined that a blight
11	3	violation exists or a court has determined that a violation exists.
12	(3)	If the recipient of the correction notice does not dispute it within the cure period,
13	1	the opportunity to object to the City's entry to cure the violation and abate the
14	1	nuisance is deemed waived.
15	(b) I	Upon a blight violation determination that the owner is responsible for a blight
16	violation, the Ci	ity, through its authorized employees, agents, or contracted parties, may enter upon
17	the premises and	d abate the nuisance by means determined by the City.
18	(c) 7	The authorized officers and agents of the City shall be granted free access to and
19	from the proper	rty for the work necessary to accomplish the abatement of any violation of this
20	article found to	exist. No person shall obstruct or prevent such work.
21	Sec. 4-4-14. Co.	sts of abatement; collection of costs for city abatement of public nuisances.
22	The full	cost of abatement actions taken or caused to be taken pursuant to this article shall
23	be paid by the	owner. The City's costs, including administrative fees, labor, and materials, to

- secure compliance with a blight violation order or to abate a public nuisance under this article may 1 be included in a blight violation determination. In accordance with Section 8-15-12 of this Code, 2 the City may use all available remedies to secure compliance and payment, except where limited 3 or prohibited by law. 4 Sec. 4-4-15. Signs subject to additional governmental jurisdiction; submission of approvals 5 as part of sign application 6 If, in addition to the jurisdiction of the Department, a sign is subject to the jurisdiction of 7 any other federal, state, or local governmental agency or authority, the applicant for erection of the 8 sign shall, as part of the application, provide copies of all other governmental approvals that may 9 be required. If such other approvals are subject to any conditions of approval, or other standards, 10 then such standards shall be incorporated by reference into the permit. Those standards that are 11 comparable and more restrictive than the standards set forth in this chapter shall supersede and 12 shall be considered controlling under the permit. No standards imposed by other governmental 13 agencies that are less restrictive than the standards set forth in this chapter may relieve any 14 obligation to adhere to the standards set forth herein. Other governmental agencies with 15 jurisdiction over signs include, without limitation: 16 Signs located within a historic district as identified in Chapter 21, of this Code, 17 (1) History, are subject to approval by the Historic District Commission and subject to 18 its existing procedures as set forth therein.
 - Signs located in any freeway-adjacent area adjacent to a freeway within the (2)jurisdiction of the State of Michigan are subject to approval by the Michigan Department of Transportation.

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1	(3) Signs located within a City-controlled public right-of-way are subject to approval
2	by the City's Department of Public Works.
3	Sec. 4-4-16. Signs located near freeways; Department of Public Works approval required.
4	(a) Approval by the Department of Public Works Traffic Engineering Division shall
5	be required for the following:
6	(1) Any sign that is located within 125 feet of the edge of the traveled roadway of any
7	freeway, or interchange ramps between freeways, used by traffic facing the display
8	side of such sign or structure; and
9	(2) Any that is located sign within 25 feet of the right-of-way line of any freeway and
10	is oriented toward and is visible from vehicles traveling on the freeway or
11	interchange ramp.
12	(b) For each such sign, the Department of Public Works Traffic Engineering Division
13	shall not approve the sign if it determines that the sign would create a visual distraction or other
14	hazard to vehicular traffic traveling on the freeway or interchange ramp.
15	Sec. 4-4-17. Sign erection or alteration to require new permit, sign operation or maintenance
16	to require license.
17	(a) It shall be unlawful to post, construct, erect, or otherwise display a sign without
18	having first been issued a permit for such sign.
19	(b) It shall be unlawful to perform any sign alteration without having first been issued
20	a permit for such sign. Any sign alteration of an existing permitted sign shall require a new permit.
21	(c) A permit may be applied for under this section by submission of a form acceptable
22	to the Department in accordance with Section 4-4-17 of this Code.

1	(d) It shall be unlawful to operate or maintain a sign without having first been issued a
2	license for such operation. The term of any such license shall not exceed two years. The
3	Department may require that a sign shall be subject to inspection as a precondition to issuance of
4	any such license. A license may be applied for under this section by submission of a form
5	acceptable to the Department.
6	(e) Notwithstanding Subsections (a) through (d) of this section, the following signs, if
7	in compliance with applicable dimensional and operations standards of this article, are not subject
8	to the requirements of this section:
9	(1) Portable temporary signs that are erected and displayed in accordance with Section
10	4-4-183(a)(3) of this Code; and
11	(2) Window signage on any premises that has cumulative window signage totaling less
12	than ten square feet.
13	Sec. 4-4-18. Establishment, approval, publication, and payment of fees.
14	In accordance with Section 6-503(13) of the Charter, the Department shall establish fees,
15	subject to approval by the City Council by adoption of a resolution, and collect such fees based
16	upon the cost of issuance and administration of considering applications for permits to erect or
17	alter an existing sign or for licenses to operate or maintain a sign. A fee shall be charged for each
18	sign for which an application for permit or license is requested. Such fee shall be non-refundable.
19	After adoption of a resolution by the City Council and approval of the resolution by the Mayor,
20	the fees that are provided for in this subsection shall be:
21	(1) Published in a daily newspaper of general circulation and in the Journal of the City
22	Council;
23	(2) Made available at the Department and at the Office of the City Clerk; and

1	(3) Reviewed by the Director of the Department at least once every two years.
2	Sec. 4-4-19. Sign erection or alteration permit application requirements.
3	(a) An application for the erection or alteration of any sign on a premises for which a
4	permit is required by Section 4-4-17 of this Code shall be made on a form that is provided by the
5	Department. Permit request for each sign shall require a separate application. The Department
6	may accept an application only if it is complete, unless otherwise specified in this Chapter. The
7	Department shall consider an application to be complete only upon the applicant's payment of the
8	required permit fee and submission of an application which provides all of the following
9	information:
10	(1) The name and contact information of the applicant;
11	(2) The name and contact information of the owner of the premises, if different from
12	the applicant;
13	(3) Written authorization by the owner for the applicant, if different from the owner, to
14	submit the application on the owner's behalf;
15	(4) The name and contact information of the sign erection contractor that will erect the
16	proposed sign for which the permit is sought;
17	(5) The number of the sign erection contractor's valid license, as issued by the
18	Buildings, Safety Engineering, and Environmental Department's Business License
19	Center;
20	(6) The address and parcel number(s) of the premises;
21	(7) The zoning district and sign district of premises;
22	(8) Proof of current ownership of the premises, as may be provided in the form of a
23	deed, land contract, or other valid and duly recorded instrument;

1	<u>(9)</u>	A site plan to scale showing the existing conditions of the premises, including:
2		a. North arrow, legend, if applicable, with graphic and written scale;
3		b. Location map, showing the location of the premises;
4		c. Locations and names of all public rights-of-way, private roads, and
5		railroads, as well as all existing pedestrian pathways and driveways,
6		whether adjacent or interior to the premises;
7		d. Locations and outer perimeter dimensions of all existing buildings and other
8		structures on the premises;
9		e. Locations of all existing signs; and
10		f. Location of proposed sign;
11	(10)	The elevations of all buildings and other structures, including signs, on the
12		premises, including:
13		a. Identification of the location and general orientation of the elevation;
14		b. A general depiction of the façade of each existing building and any other
15		structure;
16		c. A general depiction of all existing signs, including applicable dimensions
L 7		of height, clearance, and area;
18		d. A general design concept for the sign, including applicable dimensions of
19		height, clearance, and area; and
20		e. Total length in linear feet of the elevation(s) of each building or structure
21		fronting a street.
22	(11)	A summary of all existing and proposed signs, including for each such sign:

_	a. A description of the location of the sign, corresponding to the site plan
2	identified in Subsection (4) of this section, including the setback from the
3	closest right-of-way;
4	b. The purpose of the sign, such as for advertising or business signage
5	purposes;
6	c. An indication of whether the sign is a new sign or an alteration of an existing
7	sign;
8	d. The height, clearance, and area of the sign;
9	e. The type of construction of the sign;
10	f. The illumination of the sign, if any, including whether the illumination is
11	internal or external and the type of illumination technology utilized;
12	g. The dynamic and animated operation of the sign, if any; and
13	h. All applicable sign specifications and calculations as provided in an
14	engineer's report where applicable.
15	k. Description or identification of the current land use designation of the
16	premises.
17	(12) Copies of all permits and other approvals by any other federal, state, or local
18	governmental agency that may be necessary for construction, erection, or operation
19	of the sign, including, but not limited to, approvals by the Michigan Department of
20	Transportation, the Planning and Development Department, the Detroit City
21	Planning Commission, the Detroit Historic District Commission, or the Detroit
22	Department of Public Works.
23	(13) If the application is for a business sign subject to Division 3 of this Article:

1		a. Whether the sign constitutes any type of sign identified in Section 4-4-03 of
2		this Code, such as a high-rise identification sign, a painted side-wall sign, a
3		sponsorship sign associated with public art, or a directional sign; and
4		b. Whether the premises is located in the Entertainment District, and if so,
5		identification of the applicable zone thereof;
6	(14)	If the application is for an advertising sign located outside the Central Business
7		District subject to Division 4 of this Article:
8		a. The name and contact information of the advertising partner of the
9		applicant, if any; and
10		b. An affidavit, signed by a registered surveyor licensed in the State of
11		Michigan, declaring whether or not any of the features listed in Section 4-
12		4-103 of this Code are located within any of the associated distances set
13		forth therein, and if so, the exact distance of each such feature from the
14		premises.
15	<u>(15)</u>	If the application is for an advertising sign located in the Central Business District
16		subject to Division 5 of this Article:
17		a. The name and contact information of the advertising partner of the
18		applicant, if any;
19		b. Identification of the category of advertising sign, as described in Section
20		4-4-128 of this Code, for which the permit is being sought; and
21		c. Identification of the orientation of the façade of the building or structure to
22		which the advertising sign is proposed to be erected.

1	(16)	If the application is for a sign located in the right-of-way subject to Division 6 of
2		this Article:
3		a. The name of right-of-way in which the sign is to be located;
4		b. The address of the premises adjacent to the point where the sign is to be
5		located;
6		c. If the sign is to operate as a business sign, the name and address of the
7		business;
8		d. If the sign is to operate as an advertising sign, a description and rendering
9		of the freestanding structure of which the sign is to be a component; and
10		e. If the sign is to operate as an advertising sign, an affidavit, signed by a
11		registered surveyor licensed in the State of Michigan, declaring whether or
12		not an advertising sign is located within 250 feet in the same right-of-way
13		as the sign and oriented in the same direction as the sign, and if so, the exact
14		distance of such sign from the sign.
15	(17)	If the application is for a temporary sign subject to Division 7 of this Article:
16		a. The number, date of issuance, and date of expiration of every temporary
17		sign permit that has been issued in association with the premises, whether
18		or not also associated with the applicant;
19	:8	b. the date of the conclusion of the occasion to which the temporary sign is
20		intended to direct attention;
21	9	c. if the temporary sign is to be associated with a premises that is listed as
22		being for sale or lease, a copy of such listing; and

1		d. if the temporary sign is to be associated with a premises associated with an
2		open building or construction permit, the number, issuance date, and
3		expiration date of such permit.
4	(b)	Submission of the name, address, and contact information for any person as may
5	be required	under Subsection (a) of this section, shall be provided in accordance with the
6	following:	
7	<u>(1)</u>	Where the person is an individual:
8		a. The person's full legal name, and any other name used by the person during
9		the preceding five years;
10		b. The person's current mailing address, telephone number, and e-mail
11		address; and
12		c. Written proof of age in the form of a driver's license, a picture identification
13		document that is issued by a governmental agency and contains containing
14		the person's date of birth, or a copy of a birth certificate accompanied by a
15		picture identification document that is issued by a governmental agency.
16	(2)	Where the entity is a partnership:
17		a. The legal name, and any other name, used by the partners during the
18		preceding five year; and
19		b. The current mailing address, telephone number, and e-mail address for the
20		entity.
21	(3)	Where the entity conducts business under a trade or assumed name:
22		a. The complete and full trade or assumed name;
23		b. The county where, and date that, the trade or assumed name was filed;

1	c. The name of the person or persons doing business under such trade or
2	assumed name, the manager, and other person or persons who are in charge;
3	and
4	d. The current mailing address, telephone number, and e-mail address for the
5	entity.
6	(4) Where the entity is a corporation:
7	a. The full and accurate corporate name;
8	b. The state and date of incorporation;
9	c. The full names and addresses of officers, directors, managers, and other
10	persons with authority to bind the corporation; and
11	d. The current mailing address, telephone number, and e-mail address for the
12	entity.
13	(5) The name, business address, and telephone number of the business.
14	(6) The name and business address of the statutory agent, or other agent, who is
15	authorized to receive service of process.
16	(c) Any information provided by the applicant in accordance with this section shall be
17	supplemented in a form acceptable to the Department within ten business days of a change of
18	circumstances that would render false or incomplete the information that was previously
19	submitted. The requirement to provide supplemental information shall be ongoing during the
20	pendency of the application and the term of the permit, if issued.
21	Sec. 4-4-20. Relation to other regulations.
22	(a) In the event that the regulations set forth in this chapter are in conflict with, or
23	otherwise differ from, comparable regulations set forth in any other chapter of this Code, the

- 1 provisions of this chapter shall control, with the exception of regulations set forth in Chapter 50 of
- this Code, Zoning, pertaining to the dimensional standards and other substantive requirements for
- 3 signs located in a Planned Development (PD) District, Special Development District, Casinos
- 4 (SD5) or in a Traditional Main Street Overlay (TMSO) area, in which case the more restrictive
- 5 provision shall control.
- 6 (b) Nothing in this chapter shall exempt any sign from Special District Review, or any
- 7 other procedural review requirements and associated design standards, set forth in Chapter 50 of
- 8 this Code, Zoning, as may be applicable to signs located in a Planned Development (PD) Public
- 9 Center (PC) District, Public Center Adjacent (PCA) District, Parks and Recreation (PR) District,
- 10 Special Development District, Technology and Research (SD3), Special Development District,
- 11 Riverfront Mixed Use (SD4), or Special Development District, Casinos (SD5).
- 12 Sec. 4-4-21. Amortization.
- 13 (a) Any sign for which a permit, grant, or other approval has been issued prior to the
- 14 effective date of this ordinance, that is in compliance with all terms and conditions of such
- approval, but that does not conform to the provisions and standards of Chapter 4, Article 4,
- Divisions 2 through 7, shall not be subject to the dimensional standards and other substantive
- 17 requirements of this Article until January 1, 2030. Upon such date, each such sign shall be subject
- 18 to all applicable requirements set forth in this chapter, notwithstanding any permit, grant, or other
- 19 approval that has been issued under the authority of Chapter 50 of this Code, Zoning, or any
- 20 provision allowing the persistence of any nonconforming use set forth in this Code.
- 21 (b) Any sign for which a permit, grant, or other approval has been issued under the
- 22 authority of this chapter, that is in compliance with all terms and conditions of such approval, and
- 23 that is rendered in violation of this chapter solely as a result of an amendment hereof, shall not be

- subject to the dimensional standards and other substantive requirements of this Article for a period 1 of 10 years, commencing upon the effective date of such amendment. Upon the completion of such 2 period, each such sign shall be subject to all applicable requirements set forth in this chapter, 3 notwithstanding any permit, grant, or other approval that authorizes anything to the contrary. 4 Sec. 4-4-22. Waivers and adjustments to sign standards. 5 6 Any dimensional or operational standard or requirement set forth in this article may (a) be subject to waiver or adjustment in accordance with the provisions of this section, except as 7 expressly limited or prohibited. The Director of the Planning and Development Department, or 8 the Director's Designee, is authorized to serve as the administrator for waivers and adjustments. 9 In accordance with Section 2-111 of the Charter, the Director of the Planning and 10 Development Department, or the Director's Designee, is authorized to promulgate rules for the 11 administration of waivers and adjustments under this section. 12 The owner of any premises may, upon petition to the Director of the Planning and 13 Development Department, or the Director's Designee, request the waiver or adjustment of any 14 dimensional or operational standard or requirement set forth in this article, except as expressly 15 limited or prohibited, with which the proposed signage for such premises may not strictly comply. 16 Such petition shall consist of a completed application in a form acceptable to the Director of the 17 Planning and Development Department, or the Director's Designee, an application for the erection 18
- 21 procedures and standards of this section.

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or alteration of the proposed signage in accordance with Section 4-4-19 of this Code, and an

application fee. Every petition shall be subject to a public hearing in accordance with the

22 (d) The Director of the Planning and Development Department, or the Director's
23 Designee, shall charge a fee for the processing of any petition for waiver and adjustment under

1	this Section. In accordance with Section 9-507 of the Charter, the Director of the Planning and
2	Development Department, or the Director's Designee, shall establish a fee, subject to approval by
3	the City Council by adoption of a resolution, and collect such fee based upon the cost of issuance
4	and administration of considering petitions for waivers and adjustments. A non-refundable fee
5	shall be charged for each premises for which a petition for waiver or adjustment of certain
6	standards is requested, regardless of the number of specific standards or requirements for which a
7	waiver or adjustment may be requested. After adoption of a resolution by the City Council and
8	approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:
9	(1) Published in a daily newspaper of general circulation and in the Journal of the City
10	Council:
11	(2) Made available at the Planning and Development Department and at the Office of
12	the City Clerk; and
13	(3) Reviewed by the Director of the Planning and Development Department at least
14	once every two years.
15	(e) Not more than five business days following the date of the submission of a petition,
16	the Director of the Planning and Development Department, or the Director's Designee, shall
17	evaluate the petition, determine if it is complete or deficient, and inform the petitioner as to its
18	status. If the petition is incomplete or otherwise deficient in any way, the Director of the Planning
19	and Development Department, or the Director's Designee, shall inform the petitioner of such
20	deficiency and allow the petitioner to correct the deficiency within a specified period of time not
21	to exceed 30 days. The Director of the Planning and Development Department, or the Director's
22	Designee, shall dismiss any deficient petition that is not timely corrected. If the petition is
23	complete and not deficient in any way, the Director of the Planning and Development Department,

1	or the Director's Designee, shall assign a unique case number to the petition, and inform the
2	petitioner of such case number and the date of the public hearing regarding the petition. The
3	Director of the Planning and Development Department, or the Director's Designee, shall schedule
4	each petition for the next available public hearing date, unless a later date is requested in writing
5	by the petitioner, and shall schedule petitions for public hearing in the order in which they are
6	deemed to be complete.
7	(f) Not less than 15 calendar days prior to the date of the public hearing for a petition,
8	the Director of the Planning and Development Department, or the Director's Designee, shall issue
9	public advisement of such hearing containing the following:
10	(1) Name of the petitioner;
11	(2) Address of the subject premises;
12	(3) Summary of the proposed signage at the subject premises for which a waiver or
13	adjustment is sought, including a general description of the construction, area,
14	height, and illumination of each such proposed sign;
15	(4) Citation to the specific provisions of this article for which a waiver or adjustment
16	is petitioned and the strict standards and requirements set forth in such provisions
17	as applicable to the proposed signage;
18	(5) Summary of the extent to which each proposed sign does not comply with the strict
19	standards and requirements set forth in this article;
20	(6) The criteria by which a waiver or adjustment may be approved, as set forth in
21	Subsection (j) of this section;
22	(7) The date, time, and location of the public hearing for the petition; and

1	(8)	Advisement of the opportunity to attend the public hearing and to submit written
2		comment regarding the petition, the name and contact information to which such
3		comments can be submitted, and the date by which such comments must be
4		received, including the location, mailing address, and email address to which such
5		comments can be submitted.
6	(g)	The Director of the Planning and Development Department, or the Director's
7	Designee, sha	all distribute any advisement required pursuant to Subsection (f) of this section by
8	each of the fo	llowing means:
9	(1)	Publication in a newspaper of general circulation within the City;
10	(2)	Publication on a page of the City's website associated with the Planning and
11		Development Department for a period to conclude no sooner than the date of the
12		public hearing;
13	(3)	Mail or by personal service with proof of delivery to the owners and occupants of
14		all buildings or structures of which any portion is located within 300 feet, measured
15		radially, of the premises that is the subject of the petition. If a single building or
16		structure within that area contains four or more dwelling units or tenant spaces, then
17		notice may be sent to the owner of the building or structure with a request that such
18		notice be distributed to all occupants;
19	<u>(4)</u>	Mail, email, or personal service to the Buildings, Safety Engineering, and
20		Environmental Department, the Department of Public Works, the City Planning
21		Commission, and any other City department or agency that has made such request;
22		and

T	(3)	Causing the applicant to erect a posting at the premises that is the subject of the
2		petition, at a location along the frontage of such premises, in a manner that is clearly
3		visible from the adjacent street and in a form that is acceptable to the Director of
4		the Planning and Development Department, or the Director's Designee, for a period
5		to conclude no sooner than the date of the public hearing.
6	(h)	The Director of the Planning and Development Department, or the Director's
7	Designee, sha	all accept any written comment, document, report, and other written information that
8	pertains to the	e petition and is timely submitted to the Director of the Planning and Development
9	Department, o	or the Director's Designee, prior to the conclusion of the public hearing from the City
10	Planning Con	nmission, any other City department or agency, or any other source, and shall make
11	all timely sub	mitted writings a part of the record regarding the petition.
12	(i)	The Director of the Planning and Development Department, or the Director's
13	Designee, sha	all conduct each public hearing regarding a petition for a waiver or adjustment at a
14	public meetin	g in accordance with the Michigan Open Meetings Act, 1976 PA 267, being MCL
15	15.261, et seq	., as amended, as well as with its general rules and procedures.
16	(j)	The Director of the Planning and Development Department, or the Director's
17	Designee, ma	y approve a petition for a waiver or adjustment only upon finding that such waiver
18	or adjustment	satisfies all of the following:
19	<u>(1)</u>	That, without the requested waiver or adjustment, the sign would be subject to one
20		or more practical difficulties that would substantially hinder the communicative
21		potential of the sign;
22	(2)	That the requested waiver or adjustment is necessary to address all practical
23		difficulties referenced in Subsection (j)(1) of this section, as no form of alternative

1		signage in accordance with this chapter could effectively eliminate all such
2		practical difficulties;
3	(3)	That the requested waiver or adjustment would be sufficient to effectively eliminate
4		all practical difficulties referenced in Subsection (j)(1) of this section;
5	<u>(4)</u>	That the requested waiver or adjustment will not have a detrimental effect on the
6		privacy, light, or air of the premises or neighboring premises:
7	<u>(5)</u>	That the requested waiver or adjustment will not substantially affect the use or
8		development of the subject premises or neighboring premises;
9	(6)	That the requested waiver or adjustment will not substantially impair, detract from,
10		or otherwise affect the aesthetic value of the subject premises or neighboring
11		premises;
12	(7)	That the requested adjustment will not in any way increase the potential for
13		distraction to, obstruct the flow of, or otherwise harm pedestrians or motor vehicles
14		passing within view of the sign; and
15	(8)	The proposed signage for the subject premises, submitted as part of the application
16		for the waiver or adjustment, is in general accord with the spirit and intent of the
17		regulations set forth in this chapter.
18	The Director	of the Planning and Development Department, or the Director's Designee, may
19	approve a peti	tion with conditions if it determines that satisfaction of such conditions are necessary
20	to enable it to	make all of the above-listed findings. All such conditions must be reasonably related
21	to the scope	of the petition and in proportion to the magnitude of the requested waiver or
22	adjustment.	

1	(k)	Not more than 15 business days following the public hearing for a petition, the
2	Director of th	ne Planning and Development Department, or the Director's Designee, shall issue its
3	written decis	ion regarding such petition. Such written decision constitutes the final administrative
4	decision of th	ne Director of the Planning and Development Department, or the Director's Designee,
5	on behalf of t	the Planning and Development Department regarding the petition. Each such written
6	decision shall	l contain the following:
7	(1)	All required contents of the public notice for the petition, as set forth in Subsection
8		(f) of this section, except for the contents required under paragraph (f)(8).
9	(2)	Summary of the record of the public hearing, including summaries of the testimony,
10		written materials, and other information provided by the petitioner, summaries of
11		the public comments, whether submitted in writing or in person, and other
12		information pertinent to the administrative decision regarding the petition.
13	(3)	The decision of the Director of the Planning and Development Department, or the
14		Director's Designee, to approve, approve with conditions, or deny the petition.
15	<u>(4)</u>	For any petition that is approved with conditions, all such conditions.
16	(5)	Explanation of the basis for approval, approval with conditions, or denial, including
17 =		discussion of the petition's satisfaction or failure to satisfy each of the specific
18		findings listed in Subsection (j) of this section.
19	(6)	For any petition that is approved, approved with conditions, or denied, notice of the
20		opportunity to appeal the decision of the Director of the Planning and Development
21		Department, or the Director's Designee, as authorized by Section 4-4-23 of this
22		Code, and the deadline by which such appeal must be made, as well as a certificate

1		of the right to appeal in a form acceptable to the Department of Appeals and
2		Hearings.
3	(1)	Upon issuance of its decision regarding a petition, the Director of the Planning and
4	Development	Department, or the Director's Designee, shall distribute such decision to each of the
5	following:	
6	(1)	By mail, email, or personal service with proof of delivery to the petitioner, and any
7		other attendee at the public hearing that has so requested.
8	(2)	By publication on a page of the website of the City associated with the Planning
9		and Development Department.
10	(3)	By any other means that the Director of the Planning and Development Department,
11		or the Director's Designee, may determine to be feasible and effective.
12	(m)	The Director of the Planning and Development Department, or the Director's
l3	Designee, sha	Il cause a record of each petition to be kept in accordance with its general rules and
L4	procedures that	at shall include:
L 5	<u>(1)</u>	The petition;
16	(2)	Any public advisements issued regarding the public hearing for the petition;
L7	(3)	Any written comment, document, report, and other written information that is
L8		timely submitted prior to the public hearing regarding the petition;
9	(4)	A transcript or other written or audio recording of the public hearing;
20	(5)	The written decision of the Director of the Planning and Development Department,
21		or the Director's Designee, regarding the appeal; and

1	(6) Any documents, materials, and other information regarding the petition that may
2	have informed the decision of the Director of the Planning and Development
3	Department, or the Director's Designee, regarding the petition.
4	(n) The specific terms and conditions of any waiver or adjustment granted under this
5	section shall be incorporated into the terms and conditions of the permit for the sign. Such waiver
6	or adjustment shall be valid only as applied to the permitted sign, and shall be subject to
7	suspension, revocation, or denial of renewal under the same circumstances as the permit itself.
8	(o) Not later than January 31st of each year, the Director of the Planning and
9	Development Department, or the Director's Designee, shall prepare and present to the City Council
10	a report of the petitions submitted during the prior year. Each such report must identify the number
11	of petitions submitted, the number of petitions that were approved, approved with conditions, and
12	denied, and the locations of the premises for which petitions were submitted, summarize the
13	provisions of this article for which waivers or adjustments were requested, and make
14	recommendations for amendment of this Article, as well as provide any other information that may
15	reasonably be requested by the City Council.
16	(p) Nothing in this section shall grant any individual a right to receive advisement of a
17	petition for waiver or adjustment, to submit a comment regarding such petition, or to have any
18	such comment admitted in the record for such petition. The failure or refusal of the Planning and
19	Development Department to issue any advisement in any particular form, collect any comment,
20	admit any comment in the record of an appeal, or take other action in strict accordance with
21	Subsections (f) through (h) of this section shall not constitute deprivation of any right or duty
22	owed.

Sec. 4-4-23. Appeals of administrative decisions under this chapter.

In accordance with Chapter 3, of this Code, Administrative Hearings and 2 (a) Enforcement, and Administrative Appeals, Division IV, Administrative Appeals, as well as the 3 rules of procedure promulgated thereunder, any appeal of an administrative decision made 4 pursuant to Section 4-4-22 of this Code shall be made to the Department of Appeals and Hearings. 5 Only the individual or entity that is subject to an administrative decision made 6 pursuant to Section 4-4-22 of this Code, or any individual or entity with a property interest within 7 300 radial feet of the property subject to the administrative decision made pursuant to Section 4-8 9 4-22 of this Code has the right to appeal such administrative decision. Such individual or entity may, by a writing in a form satisfactory to the Department of Appeals and Hearings, appoint an 10 agent to serve as its authorized representative at its appeal. 11

12 Sec. 4-4-24. Sign guidebook.

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Not later than the effective date of this ordinance, the Department shall prepare a sign guidebook containing pictures, graphics, workflows, sample applications and forms, and other information that may be convenient for the understanding, implementation, and enforcement of this ordinance. The Department may revise the guidebook as necessary. The Department may consult with the Planning and Development Department, the City Planning Commission, the Law Department, and any other City department for the purpose of creating the sign guidebook or any revision thereto. The Department shall make the current version of the Sign Guidebook available for public inspection, both through the City's website and at its principal offices without charge.

Secs. 4-4-25-4-4-30. Reserved.

DIVISION 2. GENERAL SIGN STANDARDS

2	Sec. 4-4-31. In General.
3	(a) This division sets forth standards for individual signs, including permissible
4	location, number, area, height, projection, clearance, illumination, and dynamic operation, based
5	on the type of construction, material, placement, and technological capability of the sign.
6	(b) Any sign may be subject to additional regulations set forth elsewhere in this article
7	based on its intended use as a business sign, advertising sign, or temporary sign, its location on a
8	premises or in a right-of-way, or other applicable parameters.
9	(c) Adjustment or waiver made pursuant to Section 4-4-22 of this Code regarding the
10	permissibility of any type of construction, material, placement, and technological capability of a
11	sign, as set forth in Subsection (a) of any section of this Division, is prohibited.
12	Sec. 4-4-32. Arcade signs.
13	(a) Permissibility. Areade signs are permissible only in high-density residential/mixed
14	use sign districts, low-density commercial/institutional sign districts, and high-density
15	commercial/industrial sign districts.
16	(b) Number. Not more than one arcade sign is permissible at each point of ingress into
17	or egress from a building or structure.
18	(c) Area. In high-density residential/mixed use sign districts, the area of any arcade
19	sign must not exceed four square feet. In low-density commercial/institutional sign districts and
20	high-density commercial/industrial sign districts, the area of any arcade sign must not exceed six
21	square feet.
22	(d) Clearance. The clearance of any arcade sign must be not less than eight feet, six
23	inches and such clearance must be unobstructed so as to allow the safe and efficient flow of
24	pedestrian and vehicular traffic below the sign.

1	(e) <i>Illumination</i> . Any arcade sign may be illuminated, either internally or externally.
2	(e) Dynamic operation. No arcade sign may be dynamic.
3	Sec. 4-4-33. Awning signs.
4	(a) Permissibility. Awning signs are permissible only in high-density
5	residential/mixed use sign districts, low-density commercial/institutional sign districts, high-
6	density commercial/industrial sign districts, and recreation/open space sign districts.
7	(b) Number. Not more than one awning sign is permissible for any awning.
8	(c) Area. In high-density residential/mixed use sign districts and recreation/open space
9	sign districts, the area of an awning sign must not exceed 40% of the area of the awning to which
10	it is affixed. In low-density commercial/institutional sign districts and high-density
11	commercial/industrial sign districts, the area of any awning sign must not exceed 60% of the area
12	of the awning to which it is affixed.
13	(d) Height. The height of any awning sign must not exceed the height of the awning
14	to which it is affixed.
15	(e) Clearance. The clearance of any awning sign must be not less than the clearance
16	of the awning to which it is affixed.
17	(f) <i>Illumination</i> . Any awning sign may be illuminated, either internally or externally.
18	(g) Dynamic operation. No awning sign may be dynamic.
19	Sec. 4-4-34. Double-face signs.
20	(a) Permissibility. Double-face signs are permissible wherever a sign is permitted
21	under this chapter.
22	(b) Dimensional and operational parameters. For all dimensional and operational
23	parameters, including but not limited to number, area, height, clearance, illumination, and dynamic

1	operation, each face of any double-face sign is subject to the standards set forth in this article that
2	would apply as if the sign has only one face.
3	(c) Number. A double-face sign, including both sign faces, counts as one sign.
4	(d) Area. The area of a double-face sign is determined based on the area of the larger
5	of the two faces of the sign.
6	(e) Height. The height of a double-face sign is determined based on the height of the
7	higher of the two faces of the sign.
8	(f) Clearance. The clearance of a double-face sign is determined based on the
9	clearance of the lower of the two faces of the sign.
10	(g) Illumination. A double-face sign is considered illuminated if either face of the sign
11	is illuminated. A double-face sign is considered internally illuminated if either face of the sign is
12	internally illuminated.
13	(h) Dynamic operation. A double-face sign is considered dynamic if either face of the
14	sign is dynamic. A double-face sign is considered animated if either face of the sign is animated.
15	Sec. 4-4-35. Dynamic signs.
16	(a) Permissibility.
17	(1) Dynamic signs are permissible only in low-density commercial/institutional sign
18	districts and high-density commercial/industrial sign districts. Dynamic signs may
19	be animated only in the Central Business District.
20	(2) Dynamic business signs are subject to the additional regulations found in Section
21	<u>4-4-66 of this Code.</u>
22	(b) Number. Not more than one dynamic sign is permissible per premises, with the
23	following exceptions:

1	 On any premises containing a multi-tenant building or structure that does not
2	contain any residential dwelling units, not more than one dynamic sign is
3	permissible for each ground floor tenant space.
4	(2) On any multi-building campus, the total number of dynamic signs must be not more
5	than the total number of buildings on the campus.
6	(c) Illumination. Any dynamic sign may be illuminated, subject to the limits for
7	illuminated signs set forth in Section 4-4-36 of this Code. Dynamic signs shall be constructed and
8	otherwise equipped so as to effectively mitigate unreasonable nightglow, illumination spillover,
9	and other forms of excessive illumination.
10	(d) Computer Interface. If a dynamic sign is operated by means of digital computer
11	controls and associated software, the records of such controls, including records of the sign's
12	illumination intensity, change cycle, display of animation, and hours of operation, must be
13	available for inspection upon request by the Department. If such records are not made available
14	within two business days following such request, the sign shall cease operation until such records
15	are provided.
16	(e) Hours of Operation. Any dynamic sign that is located outside of the Central
17	Business District must discontinue all dynamic operations between the hours of 2:00 am and 6:00
18	am. During these hours, such signs may operate as static, internally illuminated signs.
19	(f) No Undue Distraction. Dynamic signs must not interfere with, obstruct, or
20	otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause
21	undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.
22	Sec. 4-4-36. Illuminated signs.

1	(a)	Permissibility. Illuminated signs are permissible in all sign districts. Illuminated
2	signs in low-	density residential sign districts may be externally illuminated only.
3	(b)	Luminance. The luminance of any illuminated sign is subject to the following
4	<u>limits:</u>	
5	(1)	For any illuminated sign located in a low-density residential sign district or a
6		recreation/open space sign district, luminance must not exceed 2,500 nits during
7		the hours between each sunrise and the subsequent sunset, and must not exceed 20
8		nits during the hours between each sunset and the subsequent sunrise.
9	(2)	For any illuminated sign located in a high-density residential/mixed use sign
10		district, luminance must not exceed 3,500 nits during the hours between each
11		sunrise and the subsequent sunset, and must not exceed 40 nits during the hours
12		between each sunset and the subsequent sunrise.
13	(3)	For any illuminated sign located in a low-density commercial/institutional sign
14		district or a high-density commercial/industrial sign district, luminance must not
15		exceed 3,500 nits during the hours between each sunrise and the subsequent sunset,
16		and must not exceed 80 nits if outside the Central Business District or 160 nits if
17		inside the Central Business District during the hours between each sunset and the
18		subsequent sunrise.
19	(c)	Orientation.
20	(1)	Any internally illuminated sign that is within 150 feet of and visible from one or
21		more residential dwelling units in a low-density residential sign district, a high-
22		density residential/mixed use sign district, or a recreation/open space sign district
23		must be oriented to direct light away from all such units.

1	(2) Any externally illuminated sign may be illuminated only by one or more steady
2	stationary, fully shielded light sources that are oriented solely toward the sign face.
3	(d) No Excessive Illumination. Illuminated signs shall be constructed and otherwise
4	equipped so as to effectively mitigate unreasonable nightglow, illumination spillover, and other
5	forms of excessive illumination.
6	(e) No Undue Distraction. Illuminated signs must not interfere with, obstruct, or
7	otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause
8	undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.
9	Sec. 4-4-37. Marquee signs.
10	(a) Permissibility. Marquee signs are permissible only in low-density
11	commercial/institutional sign districts and high-density commercial/industrial sign districts.
12	(b) Number. Not more than one marquee sign is permissible on any single façade of
13	a marquee.
14	(c) Area. The area of any marquee sign must not exceed the area of the façade of the
15	marquee to which the sign is affixed.
16	(d) Height. The height of any marquee sign must not exceed the sum of the height of
17	the marquee to which it is affixed plus one-half of the vertical dimension of the marquee façade.
18	(e) Clearance. The clearance of any marquee sign must be not less than the clearance
19	of the marquee to which it is affixed.
20	(f) Projection. No marquee sign may project out from any façade of a marquee.
21	(g) Illumination. Any marquee sign may be illuminated, either externally or internally.
22	(h) Dynamic operation. In any low-density commercial/institutional sign district or
23	high-density commercial/industrial sign district outside the Central Business District, any marquee

1	sign may be	dynamic, but not animated. In the Central Business District, any marquee sign may
2	be animated.	
3	Sec. 4-4-38.	Mechanical signs.
4	(a)	Permissibility. Mechanical signs are permissible only in low-density
5	commercial/in	nstitutional sign districts and high-density commercial/industrial sign districts, and
6	therein such d	listricts only as temporary signs subject to Division 7 of this Article.
7	(b)	Number. Not more than one mechanical sign is permissible on any premises at any
8	given time.	
9	(c)	Area. The area of any mechanical sign must not exceed 12 square feet.
10	(d)	Height. The height of any mechanical sign must not exceed 10 feet.
11	(e)	Clearance. Mechanical signs are not subject to any clearance requirement.
12	(f)	Illumination. No mechanical sign may be illuminated, either internally or
13	externally.	
14	(g)	Dynamic operation. No mechanical sign may be dynamic.
15	Sec. 4-4-39.	Monument signs.
16	(a)	Permissibility. Monument signs are permissible only in high-density
17	residential/mix	xed use sign districts, low density commercial/institutional sign districts, high
18	density comm	ercial/industrial sign districts, and recreation/open space sign districts.
19	(b)	Number. Not more than one monument sign is permissible on any premises, with
20	the exception	that in any low-density commercial/institutional sign district or high-density
21	commercial/in	dustrial sign district, where the premises frontage exceeds 200 linear feet, not more
22	than one monu	ment sign is permitted for each 200 feet of premises frontage, provided that no two
23	monument sig	ns on the same premises may be located within 200 feet of each other.

1	(c) Area. In any high-density residential/mixed use sign district or recreation/open
2	space sign district, the area of each face of a monument sign must not exceed 12 square feet. In
3	any low-density commercial/institutional sign district or high-density commercial/industrial sign
4	district, the area of each face of a monument must not exceed 20 square feet, except that for any
5	multi-tenant shopping center located in a portion of a low-density commercial/institutional sign
6	district designated in the Master Plan of Policies as retail centers (CRC), the area of each face of
7	one monument sign must not exceed 150 square feet.
8	(d) Height. In any high-density residential/mixed use sign district or recreation/open
9	space sign district, the height of any monument sign must not exceed six feet. In any low-density
10	commercial/institutional sign district or high-density commercial/industrial sign district, the height
11	of any monument sign must not exceed ten feet, except that for any multi-tenant shopping center
12	located in a portion of a low-density commercial institutional sign district designated by the Master
13	Plan of Policies as retail centers (CRC), the height of a monument sign must not exceed 15 feet.
14	(e) Clearance. In any high-density residential/mixed use sign district or
15	recreation/open space sign district, the clearance of any monument sign must be not more than two
16	feet. In any low-density commercial/institutional sign district or high-density
17	commercial/industrial sign district, the clearance of any monument sign must not be more than
18	four feet.
19	(f) Illumination. Any monument sign may be illuminated, either internally or
20	externally.
21	(g) Dynamic operation. In any high density residential/mixed use sign district or
22	recreation/open space sign district, no monument sign may be dynamic. In any low-density
23	commercial/institutional sign district or high-density commercial/industrial sign district outside

the Central Business District, any monument sign may be dynamic, but not animated. In the 1 Central Business District, any monument sign may be animated. 2 Sec. 4-4-40. Pole signs. 3 Pole signs are permissible only in low-density (a) Permissibility. 4 commercial/institutional sign districts and high-density commercial/industrial sign districts 5 outside of the Central Business District, except that pole signs are not permissible on any premises 6 located within a "traditional main street overlay," as designated in Chapter 50 of this Code, Zoning. 7 Number. Not more than one pole sign is permissible on any premises, with the 8 (b) exception that one pole sign is permitted for each 400 linear feet of premises frontage, provided 9 that no two pole signs on the same premises may be located within 400 feet of each other. 10 11 (c) Area. In any low-density commercial/institutional sign district, the area of any pole sign 12 (1)that is utilized as a business sign in accordance with Division 3 of this article must 13 not exceed 12 square feet. 14 In any high-density commercial/industrial sign district, the area of any pole sign 15 (2)that is utilized as a business sign in accordance with Division 3 of this article must 16 not exceed 20 square feet. 17 Any pole sign that is utilized as an advertising sign in accordance with Division 4 (3) 18 or Division 5 of this article is subject to applicable area limitations set forth therein. 19 (d) Height. 20 The height of any pole sign that is utilized as a business sign in accordance with (1) 21 Division 3 of this article and that is located along any frontage of a premises that 22 abuts a right-of-way that is 80 feet or less in width must not exceed 15 feet. 23

1	(2)	The height of any pole sign that is utilized as a business sign in accordance with
2		Division 3 of this article, and that is located along any frontage of a premises that
3		abuts a right-of-way that is more than 80 feet in width, must not exceed 25 feet.
4	(3)	Notwithstanding paragraphs (1) and (2) of this subsection, in no case may the height
5		of a pole sign that is utilized as a business sign in accordance with Division 3 of
6		this article exceed the height of the tallest building or structure located on the
7		premises on which the sign is located.
8	(4)	Any pole sign that is utilized as an advertising sign in accordance with Division 4
9		or Division 5 of this article is subject to applicable height limitations set forth
10		therein.
11	(d)	Setback. Any pole sign that is utilized as a business sign in accordance with
12	Division 3 of	this article must be set back from the front of the premises on which it is located a
13	distance equa	l to half of the height of the sign, measured from the outermost projection of any
14	component of	the sign.
15	(e)	Illumination. A pole sign may be illuminated, either internally or externally.
16	(f)	Dynamic operation. A pole sign may be dynamic, but not animated.
17	Sec. 4-4-41.	Portable signs.
18	(a)	Permissibility. Portable signs are permissible in all sign districts, except that
19	portable signs	in low-density residential sign districts are permissible only as temporary signs. The
20	permissibility	of portable signs located in a public right-of-way is further subject to approval by
21	the Departmen	nt of Public Works, or other public agency with jurisdiction over such right-of-way.

1	(b) Location. Any portable sign must be located so as to avoid	obstruction of or
2	interference with the safe and efficient flow of pedestrian or vehicular tra	ffic, or with the
3	accessibility into or out of any building or structure. Additionally:	
4	(1) No portable sign may be located less than ten feet, measured linear	ly along the same
5	side of the right-of-way, from a driveway, cross walk, or other cu	rb cut.
6	(2) No portable sign may be located less than 20 feet, measured linear	ly along the same
7	side of the right-of-way, from another portable sign.	
8	(3) No portable sign may be located less than six feet, measured ra	idially, from any
9	point of ingress or egress from a building or structure.	
10	(4) No portable sign may be located on a sidewalk or other pedestria	n pathway that is
11	less than six feet wide, or so as to restrict the width of any such	pathway to less
12	than six feet wide at any point.	
13	(c) Number. Not more than one portable sign is permissible for any p	remises, with the
14	following exceptions:	
15	(1) On any premises containing a multi-tenant building, not more t	nan one portable
16	sign is permissible for each ground floor tenant space.	
17	(2) On any multi-building campus, not more than one portable sign i	s permissible for
18	each building within the campus.	
19	(d) Area. In any low-density residential sign district, high-density residential	esidential/mixed
20	use sign district, or recreation/open space sign district, the area of any portab	e sign must not
21	exceed six square feet. In any low-density commercial/institutional sign distric	or high-density
22	commercial/industrial sign district, the area of a portable sign must not exceed ter	square feet.

1	(e) Height. In any low-density residential sign district, high-density residential/mixed
2	use sign district, or recreation/open space sign district, the height of a portable sign must not exceed
3	three feet. In any low-density commercial/institutional sign district or high-density
4	commercial/industrial sign district, the height of a portable sign must not exceed four feet.
5	(e) Material. Portable signs must be constructed of durable material and construction.
6	and must be reasonably able to withstand deterioration, damage, or destruction due to inclement
7	weather; the forces of wind, rain, and snow; pedestrian and vehicular traffic; and other impacts.
8	(f) Illumination. In any low-density residential sign district, high density
9	residential/mixed use sign district, or recreation/open space sign district, no portable sign may be
10	illuminated. In any low-density commercial/institutional sign district, or high-density
11	commercial/industrial sign district, any portable sign may be illuminated, either internally or
12	externally, but only if such illumination is powered by an internal battery power source that is self-
13	contained within the sign structure.
14	(g) Dynamic operation. No portable sign may be dynamic.
15	Sec. 4-4-42. Projecting signs.
16	(a) Permissibility. Projecting signs are permissible only in high-density
17	residential/mixed use sign districts, low-density commercial/institutional sign districts, high-
18	density commercial/industrial sign districts, and recreation/open space sign districts.
19	(b) Location. Projecting signs must be located so as to be not less than 15 feet,
20	measured linearly along the same side of the street, from any other projecting sign.
21	(c) Number. Not more than one projecting sign is permissible on any premises, with
22	the following exceptions:
23	(1) On any premises containing a multi-tenant building or structure, not more than one
24	projecting sign is permissible for each ground floor tenant space.

1	(2) On any multi-building campus, not more than one projecting sign is permissible for
2	each building.
3	(d) Area. In any high-density residential/mixed use sign district or recreation/oper
4	space sign district, the area of a projecting sign must not exceed six square feet. In any low-density
5	commercial/institutional sign district or high-density commercial/industrial sign district, the area
6	of a projecting sign must not exceed 12 square feet.
7	(e) Projection. In any high-density residential/mixed use sign district or
8	recreation/open space sign district, the projection of a projecting sign must not exceed three feet.
9	In any low-density commercial/institutional sign district or high density commercial/industrial
10	sign district, the projection of a projecting sign must not exceed four feet.
11	(f) Height. The height of any projecting sign must not exceed the height of the roof
12	line of the building or structure to which the sign is affixed.
13	(g) Clearance. The clearance of any projecting sign must be not less than eight feet
14	and six inches, and such clearance must be unobstructed so as to allow the safe and efficient flow
15	of pedestrian and vehicular traffic below the sign.
16	(h) Illumination. Any projecting sign may be illuminated, either internally or
17	externally.
18	(i) Dynamic. In any high-density residential/mixed use sign district or recreation/open
19	space sign district, no projecting sign may be dynamic. In any low-density
20	commercial/institutional sign district or high-density commercial/industrial sign district outside
21	the Central Business District, any projecting sign may be dynamic, but not animated. In the Central
22	Business District, any projecting sign may be animated.

1	Sec. 4-4-43. Raceway signs.
2	(a) Permissibility. Raceway signs are permissible only in high-density
3	residential/mixed use sign districts, low-density commercial/institutional sign districts, high-
4	density commercial/industrial sign districts, and recreation/open space sign districts.
5	(b) Number. Not more than one raceway sign is permissible for any façade of the
6	building or structure to which the sign is affixed, except for any multi-tenant building or structure,
7	not more than one raceway sign is permissible for each ground floor tenant space.
8	(c) Area. The area of any raceway sign must not exceed one square foot per linear foot
9	of building frontage along the façade of the building or structure to which the sign is affixed.
10	(d) Height. The height of a raceway sign must not exceed the height of the roof line or
11	parapet of the building or structure to which it is affixed.
12	(e) Clearance. The clearance of a raceway sign must not be less than eight feet and
13	six inches.
14	(f) Color. The raceway of any raceway sign must be painted or otherwise colored to
15	match the color of the façade of the building or structure to which it is mounted.
16	(g) Illumination. A raceway sign may be illuminated, either internally or externally
17	(h) Dynamic operation. No raceway sign may be dynamic.
18	Sec. 4-4-44. Roof signs.
19	(a) Permissibility. Roof signs are permissible only on buildings or structures of at least
20	ten stories located in low-density commercial/institutional sign districts and high-density
21	commercial/industrial sign districts where no high-rise identification signs are present.
22	(b) Number. Not more than one roof sign is permissible on any premises.
23	(c) Area. If the clearance of the roof sign is greater than 100 feet and less than 200
2/1	feet the area of the sign must not exceed two square feet per linear foot of building width. If the

ot exceed three square feet per linear foot of building width. If the clearance of the roof sign is
of exceed three square feet per linear foot of building width. If the clearance of the root signs
ot less than 300 feet, the area of the sign must not exceed four square feet per linear foot of
uilding width. For purposes of calculating the area of any roof sign in accordance with this
obsection, building width must be measured at the roofline of the building.
(d) Height. The height of any roof sign must not exceed the lesser of (1) the maximum
ermissible height of a building or structure for the premises on which the sign is located, or (2)
5 feet above the height of the roofline or parapet of the building or structure to which the sign is
ffixed.
(e) Clearance. The clearance of any roof sign must be not less than the height of the
posline or parapet of the building or structure to which the sign is affixed.
(f) Illumination. Any roof sign may be illuminated, either internally or externally.
(g) Dynamic operation. No roof sign may be dynamic.
ec. 4-4-45. Wall signs.
(a) Permissibility. Wall signs are permissible in all districts.
(b) Number. In any low-density residential sign district, not more than one wall sign
s permissible on any premises. In any high-density residential/mixed use sign district, low-density
ommercial/institutional sign district, high-density commercial/industrial sign district, or
ecreation/open space sign district, not more than one wall sign is permissible for any façade of a
uilding or structure with the exception that on any premises containing a multi-tenant building or
tructure, not more than one wall sign is permissible for each ground floor tenant space.
(c) Area.

1	(1) In any low-density residential sign district or recreation/open space sign district,
2	the area of any wall sign must not exceed 10% of the area of the façade to which it
3	is affixed.
4	(2) In any high-density residential/mixed use sign district, the area of any wall sign
5	must not exceed 40% of the area of the façade to which it is affixed.
6	(3) In any low-density commercial/institutional sign district or high-density
7	commercial/industrial sign district, the area of any wall sign must not exceed 60%
8	of the area of the façade to which it is affixed.
9	(d) Height. The height of any wall sign must not exceed 40 feet, or the height of the
LO	roof line or parapet of the building or structure to which the sign is affixed, whichever is less.
l1	(e) Illumination. In any low-density residential sign district or recreation/open space
L2	sign district, any wall sign may be illuminated externally only. In any high-density
L3	residential/mixed use sign district, low-density commercial/institutional sign district or high-
L4	density commercial/industrial sign district, any wall sign may be illuminated, either internally or
L 5	externally.
16	(f) Dynamic operation. Any wall sign located outside the Central Business District
L7	may be dynamic, but not animated. Any wall sign located inside the Central Business District for
.8	which internally illumination is permissible may be dynamic and up to 25% of the area of any such
.9	wall sign may be animated.
20	Sec. 4-4-46. Window signs.
1	(a) Permissibility. Window signs are permissible in all sign districts.
2	(b) Number.

1	(1)	In any low-density residential sign district or recreation/open space sign district,
2		not more than one window sign is permissible on any premises.

- (2) In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, not more than one window sign is permissible for any window of a building or structure, with the exception that, for any building or structure the of which first floor façade is constructed with glass panels, the permissible number of window signs must not exceed one sign per six feet in linear width of such glass paneling.
- 9 <u>(c)</u> *Area.*

- (1) In any low-density residential sign district or recreation/open space sign district, the area of any window sign must not exceed 25% of the area of the window in which the sign is affixed.
 - (2) In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, the area of any window sign must not exceed 25% of the area of the window, or 50% of the area of the window if the window sign is constructed of vinyl mesh or other semi-transparent material; and the cumulative area of all window signs located on the building or structure must not exceed 80 square feet.
- (d) Height. In any low-density residential sign district or recreation/open space sign district, the height of any window sign must not exceed the second story of the building or structure to which it is affixed. In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, the

1	height of any window sign must not exceed the fourth story of the building or structure to which
2	it is affixed.
3	(e) <i>Illumination</i> . In any low-density residential sign district or recreation/open space
4	sign district, no window sign may be illuminated. In any high density residential/mixed use sign
5	district, low-density commercial/institutional sign district, or high-density commercial/industrial
6	sign district, any window sign may be illuminated, either internally or externally.
7	(f) Dynamic operation. In any high-density residential/mixed use sign district, low-
8	density commercial/institutional sign district, or high density commercial/industrial sign district,
9	a window sign may be dynamic only if located in the second, third, or fourth story. In no case
10	may a window sign be animated.
11	Sec. 4-4-47—4-4-60. Reserved.
12	DIVISION 3. REGULATION OF BUSINESS SIGNS
13	SUBDIVISION A. GENERALLY
14	Sec. 4-4-61. Applicability.
15	The regulations set forth in this division shall apply to all business signs, regardless of
16	location, within the City.
17	Sec. 4-4-62. Limitation on maximum aggregate business sign area.
18	(a) In general, the maximum permissible aggregate area for all business signs,
19	
13	including sponsorship signs, identification signs, and directional signs located on a single premises
20	including sponsorship signs, identification signs, and directional signs located on a single premises is:
20	<u>is:</u>

1	(2)	For any premises in a low-density residential sign district that is not identified in
2		Subsection (a)(1) of this section, and in any high-density residential/mixed use sign
3		district, low-density commercial/institutional sign district, or recreation/open space
4		sign district, the greater of:
5		a. 2.6 square feet per linear foot of building frontage, not to exceed 500 square
6		feet; or
7		b. One square foot per linear foot of premises frontage, not to exceed 500
8		square feet.
9	(3)	In any high-density commercial/industrial sign district, three square feet per linear
10		foot of building frontage, provided that the maximum permissible aggregate area
11		in any such district located outside the Central Business District, shall not exceed
12		500 square feet.
13	<u>(4)</u>	Notwithstanding other applicable limitations set forth in this section, on any casino
14		premises, four square feet per linear foot of building frontage is permissible.
15	(b)	For any corner premises that fronts onto a freeway, major thoroughfare, or
16	secondary tho	roughfare, the maximum permissible aggregate area as determined in Subsection (a)
17	of this section	shall be calculated, and shall apply, separately for each frontage of the premises.
18	For any corne	er premises that does not front onto a freeway, major thoroughfare, or secondary
19	thoroughfare,	the maximum permissible aggregate area for the entire premises as determined in
20	Subsection (a)	of this section shall be calculated based only on the longest frontage of the premises.
21	(c)	Adjustment under Section 4-4-22 of this Code of the standards and requirements
22	set forth in thi	s section is limited to 25% of such standards.
23	Sec. 4-4-63. A	Additional aggregate business sign area allowances.

Т	(a) Notwithstanding the aggregate business sign area limits set forth in Section 4-4-02
2	of this Code, additional aggregate area for business signs is permissible in the following
3	circumstances and subject to the following limits:
4	(1) High-rise identification signs. On any building or structure located within the
5	Central Business District that does not contain a roof sign and for which the height
6	of the roofline or parapet exceeds 100 feet, not more than two high-rise
7	identification signs are permissible, subject to the following:
8	a. The minimum clearance of each sign must be 100 feet;
9	b. The maximum area of any sign is determined by its clearance and the linear
10	width of the building façade to which the sign is affixed, measured at the
11	height of the sign, as follows:
12	(i) For any sign with a clearance of at least 100 feet but less than 200
13	feet, the area of the sign must not exceed two square feet per linear
14	foot of building width;
15	(ii) For any sign with a clearance of at least 200 feet but less than 300
16	feet, the area of the sign must not exceed three square feet per linear
17	foot of building width; or
18	(iii) For any sign with a clearance of at least 300 feet, the area of the sign
19	must not exceed four square feet per linear foot of building width;
20	c. Not more than one high-rise identification sign may be located on any
21	façade of a building or structure;
22	d. Not more than two high-rise signs may be located on any premises; and

1		e. Any high-rise identification sign may be illuminated, either internally or
2		externally, but may not be dynamic.
3	(2)	Painted side-wall signs. On any building or structure that is not more than two
4		stories and that is adjacent to a surface parking lot or other property that does not
5		contain a permanent building or structure, such that the side façade of the building
6		is exposed, not more than one sign is permissible on such side wall, subject to the
7		following:
8		a. The sign must be a painted sign;
9		b. The sign may be either non-illuminated or illuminated externally;
10		c. The height of the sign must not exceed the height of the first story of the
11		building or structure; and
12		d. The area of the sign must not exceed 500 square feet, excluding the area of
13		any windows, doors, or other openings in the façade.
14	(3)	Sponsorship signs associated with public art. On any premises that contains a work
15		of public art that is located on the exterior of the property, such as an art mural or
16		sculpture, the cost of which is sponsored, not more than one sponsorship sign
17		recognizing such sponsorship is permissible, subject to the following:
18		a. The sign must be located proximate to the work of public art;
19		b. The sign must be constructed as a wall sign or monument sign:
20		c. The height of the sign must not exceed the lesser of: half the height of the
21		work of public art or 15 feet;
22		d. The sign may not be illuminated; and

1	<u>e.</u>	The area of the sign may not exceed 5% of the area of the associated work
2		of public art, but in no case more than 300 square feet. The area of the work
3		of public art consisting of a mural or other two-dimensional form should be
4		computed as if it is a sign, in accordance with Section 4-4-5 of this Code.
5		The area of the work of public art consisting of a sculpture or other three-
6		dimensional form should be computed as the product of its height and one-
7		quarter of its perimeter at its base.
8	(4) Direc	tional signs. On any premises not containing a single-family or two-family
9	dwell	ing, additional directional signage is permissible, subject to the following:
10	a	On any premises in a low-density residential sign district, not more than two
11		additional square feet, which may not be illuminated, is permissible.
12	<u>b.</u>	On any premises in a high-density residential/mixed use sign district or
13		recreation/open space sign district, not more than four square feet of
14		directional signage, which may be illuminated, but may not be dynamic in
15		operation, is permissible.
16	<u>c.</u>	On any premises in a low-density commercial/institutional sign district or
17	¢.	high-density commercial/industrial sign district, not more than ten square
18		feet of directional signage, which may be illuminated and may be dynamic,
19		but not animated, in operation, is permissible.
20	<u>d</u> .	On any premises containing a parking structure, no more than two
21		directional signs may be located at each point of ingress or egress, not more
22		than 12 square feet each, which may be either internally or externally
23		illuminated, and may be dynamic but not animated.

1	e. Nothing in this subsection shall limit any premises from utilizing any
2	portion of its permissible aggregate business sign area, as determined in
3	accordance with Section 4-4-62 of this Code, for purposes of directional
4	signage,
5	(b) Adjustment or waiver under Section 4-4-22 of this Code of the standards and
6	requirements set forth in this section is prohibited.
7	Sec. 4-4-64. Business signs on multi-tenant buildings and multi-building campuses.
8	(a) On any premises containing a multi-tenant building or structure, the maximum
9	aggregate business sign area for the premises as set forth in Section 4-4-62 of this Code, and any
10	additional aggregate business sign allowances as set forth in Section 4-4-63 of this Code, may be
11	allocated among the various tenants as may be determined by the building owner, or its agent, and
12	each tenant, provided that such allocation is reasonably proportional to the relative degree of each
13	tenant's physical occupation and economic activity at the premises.
14	(b) On any multi-building campus, the maximum aggregate business sign area for the
15	premises as set forth in Section 4-4-62 of this Code, and any additional aggregate business sign
16	allowances as set forth in Section 4-4-63 of this Code, may be allocated among the various
17	buildings and open spaces within the campus as may be determined by the owner of the campus
18	or its agent.
19	Sec. 4-4-65. Restrictions on location of business signs on specified premises.
20	(a) In general, a business sign may be affixed, or otherwise placed at any location on a
21	building, structure, or other portion of the premises, unless expressly restricted by this chapter.
22	(b) Notwithstanding Subsection (a) of this section, the location of any business sign is
23	restricted to certain locations based on the type of premises, as follows:

1	(1)	On any multiple-story building or structure located in a low-density residential sign
2		district, the height of any business sign must not exceed the height of the first story
3		of the building or structure. On any other multiple-story building or structure, the
4		height of any business sign, other than a high-rise sign allowed under Section 4-4-
5		63 of this Code or a roof sign, must not exceed 40 feet.
6	(2)	On any premises that operates as a commercial parking lot as defined in Section
7		32-1-1 of this Code, not less than one business sign must be located at each point
8		of ingress into the lot for purposes of compliance with Section 32-1-20 of this Code.
9		On any such premises located in the Central Business District, any ground sign
10		must be constructed as a monument sign.
11	(3)	Any ground sign located on a corner premises must be set back at least 15 feet from
12		the corner formed by the intersection of any two rights-of-way adjacent to the
13		premises.
14	Sec. 4-4-66. I	Dynamic business signs.
15	(a)	On any premises located outside of the Central Business District for which dynamic
16	signs are per	missible, not more than 25% of the maximum permissible aggregate area, as
17	calculated in a	accordance with Section 4-4-62 of this Code, for the premises, may be dynamic.
18	(b)	The maximum permissible aggregate area that may be dynamic is subject to
19	adjustment un	der Section 4-4-22 of this Code, not to exceed 40%.
20	(c)	Permitting for any dynamic business sign is subject to review by the Department of
21	Public Works	Traffic Engineering Division and its finding that that the placement of the proposed
22	sign on the pro	emises will not impair the safe and efficient flow of pedestrian or vehicular traffic,
23	in accordance	with Section 4-4-35(f) of this Code.

Secs. 4-4-67 – 4-4-80. Reserved.

SUBDIVISION B. ENTERTAINMENT DISTRICT

Sec. 4-4-81. Purpose.

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The purpose of the Entertainment District is to leverage the display of vivid and dynamic 4 signage to foster a vibrant and exciting entertainment-based area within the City. Signage 5 regulation in the Entertainment District is intended to be less restrictive than in surrounding areas 6 in order to allow for signs that are larger, higher, more brightly illuminated, and more dynamic 7 than what is permissible elsewhere. To achieve this purpose without negatively impacting the 8 surrounding area, the Entertainment District is structured in multiple zones, such that the most 9 intense signage is contained in the District's core areas, which are most effectively screened from 10 properties outside of the District. For zones in which signage is anticipated to be more visible 11 from outside the District, signage regulations are relatively more restrictive. 12

Sec. 4-4-82. Entertainment District; boundaries and zones.

The Entertainment District consists of the area within the boundary beginning at 14 (a) the intersection of the Southbound Fisher Freeway Service Drive and Woodward Avenue and 15 continuing to Sproat Street, then to Clifford Avenue, then to the Southbound Fisher Freeway 16 Service Drive, then to Woodward Avenue, then to the Northbound Fisher Freeway Service Drive, 17 then along the westerly line of the parcel known as 28 W. Montcalm Street, then along the westerly 18 line of the parcel known as 2211 Woodward Avenue, then along the westerly line of the parcel 19 known as 2125 Woodward Avenue, then along the westerly line of the parcel known as 54 W. 20 Elizabeth Street then along the westerly line of the parcel known as 25 W. Elizabeth Street, then 21 along the east-west alley parallel to and south of W. Elizabeth Street to the easterly line of 22 Witherell Street, then to Broadway Street, then to Randolph Street, then to E. Lafavette Street, 23 then to Southbound Chrysler Service Drive, then to Gratiot Avenue, then to Brush Street, then to 24

1	Beacon Stree	t, then to St. Antoine Street, then along the northern line of the parcel known as 1900
2	St. Antoine S	treet, then along the easterly line of the parcel known as 2000 St. Antoine Street, then
3	to Montcalm	Street to the easterly line of the parcel known as 2354 Brush Street, then to the
4	Northbound	Fisher Freeway Service Drive, then to Woodward Avenue, excluding the church
5	located at 50	E Fisher, and then to the point of beginning.
6	(b)	The Entertainment District comprises four unique zones, each described as follows:
7	<u>(1)</u>	Zone 1: Entertainment Core. The entertainment core consists of the premises, or
8		frontages thereof, that abut Witherell Street between Adams Avenue and Montcalm
9		Street, Montcalm Street between Witherell Street and Brush Street, Brush Street
10		between Montcalm Street and Beacon Street, and Adams Avenue between
11		Montcalm Street and Brush Street.
12	(2)	Zone 2: Theater District. The theater district consists of the premises, or frontages
13		thereof, that abut Montcalm Street, Columbia Street, and Elizabeth Street, each
14		between the western boundary of the Entertainment District and Witherell Street,
15		Broadway Street between Witherell Street and John R Street: Madison Street

(3) Zone 3: Woodward North Corridor. The Woodward north corridor consists of

Woodward Avenue between the North Fisher Freeway Service Drive and Sproat

Street.

between Witherell Street and Brush Street; Brush Street between Mechanic Street

and Beacon Street; and Henry Street between Park Avenue and Clifford Avenue.

(4) Zone 4: Entertainment Buffer. The entertainment buffer consists of the premises, or frontages thereof, within the Entertainment District that are not included in the entertainment core, the theater district, or the Woodward north corridor.

1	(c)	Adjustment or waiver under Section 4-4-22 of this Code of the boundaries set forth
2	in this section	n is prohibited.
3	Sec. 4-4-83.	Entertainment core; purpose and sign regulations.
4	(a)	The entertainment core is intended to provide a maximally vibrant and energetic
5	and well con	tained space through high-intensity signage. Oversized, intense, and dynamic signs,
6	including an	imated signs, are encouraged. All dynamic signage must be screened from the
7	surrounding a	area by intervening buildings or structures to minimize light spillover.
8	(b)	Notwithstanding regulations set forth in this chapter that may be more restrictive,
9	signs located	in the entertainment core are subject to the following:
10	(1)	The maximum permissible aggregate area for all signs on any premises is 15 square
11		feet per linear foot of building frontage.
12	(2)	Dynamic signs are permissible without limitation as to their number or individual
13		size. The minimum clearance of any dynamic sign must be not less than ten feet,
14		and the maximum height of any dynamic sign must be not more than 40 feet.
15		Dynamic signs are permissible at any location where the sign is oriented toward,
16		and reasonably screened by, a building or other opaque structure, the height of
17		which is not less than the height of the sign. Dynamic signs may operate as such
18		without time restrictions. The illuminance of any dynamic sign must not exceed
19		3,500 nits.
20	(3)	A sign may cover or conceal architectural features, provided that, if a sign covers a
21		window, it must be constructed of vinyl mesh or other semi-transparent material.
22		

Т	Sec. 4-4-54.	Theater district; purpose and sign regulations.
2	(a)	The theater district is intended to accommodate and encourage large marquees
3	projecting si	gns, and other vibrant signage typical of signature live theater venues. Context-
4	appropriate d	lynamic and illuminated signs are also encouraged.
5	(b)	Notwithstanding regulations set forth in this chapter that may be more restrictive.
6	signs located	in the theater district are subject to the following:
7	(1)	The maximum permissible aggregate area for all signs on any premises is six square
8		feet per linear foot of building frontage.
9	(2)	Dynamic signs, but not animated signs, are permissible without limitation as to their
10		number or individual size. The minimum clearance of any such sign must be not
11		less than ten feet, and the maximum height of any such sign must be not more than
12		40 feet. Dynamic signs, but not animated signs, are permissible at any location
13		where the sign is oriented toward, and reasonably screened by, a building or other
14		opaque structure, the height of which is not less than the height of the sign. Any
15		such sign may operate as such only during the hours between 6 am and the
16		subsequent 2 am. During all other hours, the sign may only operate as a static sign.
17	(3)	A sign may cover or conceal architectural features, provided that, if a sign covers a
18		window, it must be constructed of vinyl mesh or other semi-transparent material.
19	(4)	Roof signs are permissible in any number.
20	Sec. 4-4-85.	Woodward north corridor; purpose and sign regulations.
21	(a)	The Woodward north corridor is intended to allow large projecting and dynamic
22	signs, with se	ensitivity to the residential premises located adjacent to the Entertainment District.

1	Pedestrian-friendly signage and context-appropriate illumination are encouraged. Dynamic signs,		
2	but not animated signs, are permissible on a limited basis.		
3	(b) Notwithstanding regulations set forth in this chapter that may be more restrictive.		
4	signs located in the Woodward north corridor are subject to the following:		
5	(1) The maximum permissible aggregate area for all signs on any premises is three		
6	square feet per linear foot of building frontage.		
7	(2) Dynamic signs, but not animated signs, are permissible without limitation as to their		
8	number or individual size. The minimum clearance of such sign must be not less		
9	than ten feet, and the maximum height of such sign must be not more than 25 feet.		
10	Any dynamic sign may operate as such only during the hours between 6 am and the		
11	subsequent 2 am. During all other hours, the sign may only operate as a static sign.		
12	(3) A temporary sign may cover or conceal architectural features, provided that, if a		
13	sign covers a window, it must be constructed of vinyl mesh or other semi-		
14	transparent material.		
15	Sec. 4-4-86. Entertainment buffer; purpose and sign regulations.		
16	(a) The entertainment buffer is intended to be a vibrant, pedestrian-oriented retail,		
17	restaurant, and bar district that is sensitive to surrounding residential areas. Pedestrian-friendly		
18	signage and context-appropriate illumination are encouraged. Dynamic signs, but not animated		
19	signs, are permissible on a limited basis. The entertainment buffer is also designed to screen the		
20	intense signage of the Entertainment Zone from, and minimize light spillover into, adjacent areas.		
21	(b) Notwithstanding regulations set forth in this chapter that may be more restrictive.		
22	signs located in the entertainment buffer are subject to the following:		

1	(1)	The maximum permissible aggregate area for all signs on any premises is 4.5 square
2		feet per linear foot of building frontage.
3	(2)	Dynamic signs, but not animated signs, are permissible without limitation as to their
4		number or size. The minimum clearance of any such sign must be not less than ten
5		feet, and the maximum height of any such sign must be not more than 40 feet. Any
6		dynamic sign may operate as such only during the hours between 6 am and the
7		subsequent 2 am. During all other hours, the sign may operate only as a static sign.
8	Sec. 4-4-87 -	- 4-4-100. Reserved.
9	DIVISION	4. REGULATION OF ADVERTISING SIGNS LOCATED OUTSIDE THE
10		CENTRAL BUSINESS DISTRICT
11	Sec. 4-4-101.	In general.
12	The re	egulations set forth in this division pertain to all advertising signs located within the
13	boundaries of	f a premises outside of the Central Business District.
14	Sec. 4-4-102.	Permit for new or altered advertising signs.
15	No pe	ermit may be issued by the Department for the construction and erection of a new
16	advertising si	gn, or for the alteration of an existing advertising sign, except upon approval of a
17	waiver of suc	h prohibition in accordance with Section 4-4-22 of this Code, as well as satisfaction
18	of each of the	following:
19	(1)	Finding by the Department of Public Works Traffic Engineering Division that the
20		placement of the advertising sign on the premises will not impair the traffic safety
21		of motorists and pedestrians, and if the sign is proposed to be operated as a dynamic
22		sign, such finding must specifically address the impact of the proposed operation
23		of the sign;

(2)	Finding by the Planning and Development Department that the placement of the
	advertising sign on the premises will not be detrimental to environmental aesthetics
	by obstructing views of significant architectural or natural features;
(3)	Finding by the Chief Financial Officer, based on an investigation to be completed
	in accordance with Section 2-113 of the Charter, that neither the applicant nor the
	owner of the premises to which the sign is sought to be placed, if different from the
	applicant, is in arrears to the City for any unpaid, outstanding, or delinquent
	property tax, income tax, personal tax, or special assessments;
(4)	Finding by the Department that neither the applicant nor the owner of the premises
	to which the sign is sought to be placed, if different from the applicant, is the subject
	of any outstanding violations of this Code, including, but not limited to, violations
	<u>of:</u>
	(i) Any provision of Chapter 8, Building Construction and Property
	Maintenance, including verification of a valid final certificate of occupancy
	and current certificate of compliance, and is not the subject of any
	outstanding fines or violations.
	(ii) Any provision of Chapter 50, Zoning, of this Code, including verification
	that the specific land use for its intended location has been established by
	the City in the respective zoning district, and, where the premises is
	governed by a zoning grant, has obtained a valid annual certification of
	maintenance of zoning grant conditions;
	(3)

1	(5)	Finding by the Department that the sign, as proposed, will be in compliance with
2		all spacing, setback, height, clearance, size, and other dimensional and operational
3		standards set forth in this division; and
4	(6)	Submission of copies of all permits and other approvals by any other federal, state,
5		or local governmental agency that may be necessary for construction, erection, or
6		operation of the sign, including, but not limited to, approval by the Michigan
7		Department of Transportation or the Detroit Historic District Commission.
8	Sec. 4-4-103.	Spacing requirements.
9	No ad	vertising sign located outside of the Central Business District may be permitted if:
10	(1)	The proposed advertising sign is neither dynamic nor internally illuminated, and
11		1,000 feet or less, measured linearly, from another advertising sign that is also
12		neither dynamic nor internally illuminated and is oriented in the same direction as
13		the sign;
14	_(2)	The proposed advertising sign is neither dynamic nor internally illuminated, and
15		1,750 feet or less, measured linearly, from another advertising sign that is either
16		dynamic or internally illuminated and is oriented in the same direction as the sign;
17	(3)	The proposed advertising sign is dynamic or internally illuminated, and 1,750 feet
18		or less, measured linearly, from another advertising sign that is oriented in the same
19		direction as the sign;
20	<u>(4)</u>	The proposed advertising sign is 500 feet or less, measured linearly, from a
21		premises that contains a school, park, playground, or other outdoor recreation
22		facility as defined in Section 50-16-324 of this Code;

1	(3)	The proposed advertising sign is 500 feet or less, measured radially, from a historic
2		district identified in Chapter 21, History, of this Code;
3	(6)	The proposed advertising sign is 125 feet or less, measured radially, from the edge
4		of the traveled roadway of any freeway, or interchange ramp between freeways,
5		used by traffic traveling in the direction opposite the orientation of the sign;
6	<u>(7)</u>	The proposed advertising sign is 25 feet or less, measured radially, from the
7		boundary line of any freeway, or interchange ramp between freeways, used by
8		traffic traveling in the direction opposite the orientation of the sign;
9	(8)	The proposed advertising sign is 125 feet or less, measured radially, from any
10		premises that contains one or more residential dwelling units, whether or not such
11		dwelling units are occupied; or
12	(9)	The proposed advertising sign is within any low-density residential sign district or
13		recreation/open space sign district.
14	(10)	The proposed advertising sign is within 200 feet, measured radially, from any point
15		of the shoreline of the Detroit River.
16	Sec. 4-4-104.	Setbacks.
17	Adver	tising signs must be set back at least five feet, measured from the outermost
18	projection of a	any component of the sign, from any boundary of the premises on which the sign is
19	located.	
20	Sec. 4-4-105.	Height and clearance.
21	(a)	The height of any advertising sign shall not exceed 35 feet, with the exception of
22	any freeway a	dvertising sign, the height of which shall not exceed 45 feet.
23	(b)	The clearance of any advertising sign shall be at least 15 feet.

1	(c)	The height and clearance requirements set forth in Subsections (a) and (b) of this
2	section are su	abject to any general standards based on the type of construction of the sign, as set
3	forth in Divis	ion 2 of this article, that are more restrictive.
4	Sec. 4-4-106.	Area.
5	(a)	The area of any advertising sign is subject to the following:
6	(1)	If the sign is a freeway advertising sign and is oriented toward a freeway, the area
7		of the sign must not exceed 672 square feet.
8	<u>(2)</u>	If the sign is located on a premises that abuts one or more rights-of-way other than
9		a freeway, each of which is not less than 80 feet in width, the area of the sign must
10		not exceed 378 square feet.
11	(3)	If the sign is located on a premises that abuts a right-of-way other than a freeway,
12		any one of which is less than 80 feet in width, the area of the sign must not exceed
13		250 square feet.
14	(b)	The area requirements set forth in Subsection (a) of this section are subject to any
15	general standa	ards based on the type of construction of the sign, as set forth in Division 2 of this
16	article, that ar	e more restrictive.
17	Sec. 4-4-107.	Landscaping.
18	On an	y premises on which an advertising sign is the only structure, the perimeter of the
19	premises abut	ting a right-of-way, with the exception of points of ingress and egress to and from
20	the premises, 1	must be landscaped with shrubs, bushes, and other vegetation to provide a continuous
21	screening of s	uch premises, to a depth of five feet in from such perimeter, and to a height of not
22	less than 30 is	nches. Such landscaping must be maintained in good health and quality, and any
23	vegetation tha	t cannot be so maintained must be replaced.

1	Sec. 4-4-108. Department of Public Works adjustment.
2	All spacing, setback, height, clearance, area, and other dimensional and operational
3	standards set forth in this division are subject to additional restrictions, beyond the standards set
4	forth in this chapter, by the Department of Public Works Traffic Engineering Division if it finds
5	that more restrictive standards are necessary to mitigate any potential impairment to the traffic
6	safety of motorists and pedestrians.
7	Sec. 4-4-109. Adjustment or Waiver prohibited; limited.
8	(a) Adjustment or waiver under Section 4-4-22 of this Code of the standards and
9	requirements set forth in Section 4-4-102 of this Code is prohibited.
10	(b) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional
11	standards set forth in Sections 4-4-103 through 4-4-107 of this Code is limited to 10% of each such
12	standard.
13	Secs. 4-4-110 -4-4-120. Reserved.
14	DIVISION 5. REGULATION OF ADVERTISING SIGNS LOCATED IN THE
15	CENTRAL BUSINESS DISTRICT
16	Sec. 4-4-121. Purpose.
17	The Central Business District is characterized by a degree of density, height, scale, and
18	diversity in the built environment, a concentration of historic and otherwise architecturally
19	significant buildings and structures, and an intensity of vehicular and pedestrian traffic and activity
20	that is unique within the City. The Central Business District also features continuous and extensive
21	evolution in its built environment, through the development and redevelopment of new and
22	existing buildings, structures, open spaces, and rights-of-way, such that the potential suitability of
23	particular spaces for advertising signage over time is necessarily limited. As a result, in

1 furtherance of the significant governmental interests set forth in Section 4-4-1 of this Code, the regulation of advertising signs in the Central Business District merits heightened standards and 2 3 stricter requirements, as well as the ability to revise the implementation of such standards and 4 requirements on a periodic basis, than might be necessary in other areas of the City. The purpose of this division is to set forth such standards and requirements for advertising in the Central 5 6 Business District. 7 Sec. 4-4-122. Advertising permit required. 8 (a) It shall be unlawful for any person to construct, erect, attach, affix, post, place, display, maintain, or alter any advertising sign located on a premises within the Central Business 9 10 District without having first obtained an advertising permit from the Department, and maintaining 11 such permit in good standing. During the amortization period set forth in Section 4-4-21 of this Code, Subsection 12 (b) (a) of this section shall not apply to any advertising sign located on a premises within the Central 13 Business District that has, prior to the effective date of this ordinance, been issued a permit for 14 such sign under Chapter 50, Zoning, of this Code, has not been abandoned or otherwise lost its 15 16 nonconforming status, and is in full compliance with such permit. 17 Sec. 4-4-123. Term and reapplication; renewal prohibited. An advertising permit issued under this division is valid for a term not to exceed 18 (a) 19 ten years, commencing on the date of issuance of the first advertising permit issued under Subsection 4-4-122(a) of this Code. Upon the conclusion of its term, an advertising permit shall 20 automatically expire and become invalid, and the permittee or its agent shall immediately remove 21 the advertising sign that is permissible under such permit, unless the permittee secures a new 22

permit for the same sign for an immediately subsequent term.

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1	(b)	No advertising permit issued under this division may be renewed. However, any
2	advertising p	ermittee may apply for a new advertising permit under the procedures set forth in this
3	Code.	
4	Sec. 4-4-124.	Findings as prerequisite for issuance of advertising permits.
5	(a)	No permit may be issued by the Department for the construction and erection of a
6	new advertisi	ing sign, or for the alteration of an existing advertising sign without satisfaction of
7	each of the fo	ollowing findings:
8	(1)	Finding by the Department of Public Works Traffic Engineering Division that the
9		placement of the advertising sign on the premises will not impair the traffic safety
10		of motorists and pedestrians;
11	(2)	Finding by the Chief Financial Officer, based on an investigation to be completed
12		in accordance with Section 2-113 of the Charter, that neither the applicant nor the
13		owner of the premises to which the sign is sought to be placed, if different from the
14		applicant, is in arrears to the City for any unpaid, outstanding, or delinquent
15		property tax, income tax, personal tax, or special assessments;
16	(3)	Finding by the Department that neither the applicant nor the owner of the premises
17		to which the sign is sought to be placed, if different from the applicant, is the subject
18		of any outstanding violations of this Code, including, but not limited to, violations
19		of:
20		(i) Any provision of Chapter 8, Building Construction and Property
21		Maintenance, including verification of a valid final certificate of occupancy
22		and current certificate of compliance, and is not the subject of any
23		outstanding fines or violations;

Т		(11) Any provision of Chapter 50, Zoning, of this Code, including verification
2		that the specific land use for its intended location has been established by
3		the City in the respective zoning district, and, where the premises is
4		governed by a zoning grant, has obtained a valid annual certification of
5		maintenance of zoning grant conditions;
6	<u>(4)</u>	Finding by the Department that the sign, as proposed, will be in compliance with
7		all spacing, setback, height, clearance, size, and other dimensional and operational
8		standards set forth in this division;
9	(5)	Finding by the Fire Marshall that the premises, including all buildings and
10		structures thereon, are not in violation of any applicable provision of Article I of
11		Chapter 18, Detroit Fire Prevention and Protection Code, and that the placement
12		of the advertising sign on the premises will not cause any such violation; and
13	(5)	Submission of copies of all permits and other approvals by any other federal, state,
14		or local governmental agency that may be necessary for construction, erection, or
15		operation of the sign, including, but not limited to, approval by the Michigan
16		Department of Transportation or the Detroit Historic District Commission.
17	(b)	If any department identified in Subsection (a) of this Section determines that an
18	inspection of t	he premises is reasonably necessary in order to make the requisite findings, it shall
19	cause an inspe	ection to be made of the premises and shall document such inspection as part of its
20	findings.	
21	(c)	Each department identified in Subsection (a) of this Section shall submit its findings
22	in writing to th	ne Department without undue delay.

Sec. 4-4-125. Buildings, Safety Engineering, and Environmental Department issuance of
advertising permits.
(a) Not more than 60 days after the effective date of this ordinance, the Director of the
Department shall establish a transition period, the duration of which must not exceed two weeks,
to enable and facilitate the efficient and effective transition to the regulations contained in this
chapter. During this transition period, the owner of any premises located in the Central Business
District to which a permit has been validly issued under Chapter 50, Zoning, of this Code to display
advertising on the premises may, in its sole discretion, voluntarily and intentionally abandon such
permit, and, upon submission of a complete application as set forth in Section 4-4-19 of this Code,
shall be issued an advertising permit for such premises.
(b) Not more than 60 days after the effective date of this ordinance, the Director of the
Department shall establish a date, to occur not less than two weeks following the conclusion of the
transition period established under Subsection (a) of this section, on which the Department will
commence accepting applications for advertising permits.
(1) The Department shall review and decide upon such applications in the order that
they are received, until the applicable advertising permit cap identified in
Subsection (d) of this section is satisfied.
(2) If an application is incomplete or otherwise deficient in any way, other than for a
failure to provide copies of all permits and other approvals in accordance with
Section 4-4-19(a)(12) of this Code, the Department shall notify the applicant of
such deficiency and allow the applicant to correct such deficiency within a specified
period of time, not to exceed 15 days. The Department shall deny any deficient
petition that is not timely corrected.

If an application is incomplete solely due to its failure to provide copies of all (3) permits and other approvals in accordance with Section 4-4-19(a)(12) of this Code, the Department may conditionally approve the application, subject to the requirement that copies of all such approvals be submitted to the Department within 30 days following the date of such conditional approval. Upon the applicant's satisfaction of such requirement, the Department may approve the application and issue an advertising permit. Upon the applicant's failure of such requirement, the Department shall consider its conditional approval to have lapsed and shall deny such application. Nothing in this subsection shall be construed as obligating the Department to conditionally approve an application that it determines should otherwise be denied.

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- 12 (4) The Department shall not approve any application that is submitted subsequent to 13 the final application that, upon its approval, is permissible under the applicable advertising permit cap identified in Subsection (d) of this section. The Director of 14 the Department may maintain a waitlist of such applications, and may consider such 15 applications, in the order submitted, as additional advertising permits become 16 available under the applicable cap for the remainder of the current term, as set forth in Section 4-4-123 of this Code. All applications placed on the waiting list shall be denied upon expiration of the current advertising permit term.
 - Not more than nine years following the date established by the Director of the (c) Department under Subsection (b) of this section, the Director shall establish a new application date for any subsequent advertising permit terms, and shall accept and review applications and issue permits for such term in the same manner as set forth in Subsection (b) of this section.

1	(d) The Department shall not allow more than 25 advertising permits for local
2	advertising signs in compliance with Section 4-4-128(b) of this Code, and not more than 35
3	advertising permits for super advertising signs in compliance with Section 4-4-128(c) of this Code,
4	as each category of advertising signs is described in Section 4-4-128 of this Code, to have been
5	issued and remain valid at any one time.
6	Sec. 4-4-126. Transfer of advertising permit.
7	Any advertising permit issued under this division may be transferrable to a new owner of
8	the premises or advertising partner, but shall not be transferable to another premises, or to another
9	location on the same premises.
10	Sec. 4-4-127. Alteration prohibited.
11	(a) No sign that is permitted under this division may be altered in any way. Any
12	advertising permit for an advertising sign that has been altered is subject to immediate revocation
13	by the Department.
14	(b) Subsection (a) of this section does not prohibit the periodic changing of the copy
15	of a permitted sign from time to time.
16	Sec. 4-4-128. Sign standards.
17	(a) Any advertising sign located on a premises in the Central Business District must
18	comply with all applicable standards for either local advertising signs or super advertising signs,
19	as set forth in this section, and shall be categorized as such.
20	(b) The standards applicable to any local advertising sign are as follows:
21	(1) Construction: Any local advertising sign must be constructed as either a wall sign
22	or a painted sign.

1	(2)	Number: Any premises may display not more than one local advertising sign,
2		except for premises that display a super advertising sign, which may not display
3		any local advertising sign.
4	(3)	Area: The area of any local advertising sign must not exceed 80% of the area of
5		the façade to which it is affixed, but in no case greater than 700 square feet if the
6		sign is constructed as a wall sign, or 875 square feet if the sign is constructed as a
7		painted sign.
8	(4)	Height: Notwithstanding the limitations found in Section 4-4-45(d) of this Code,
9		the height of any local advertising sign must not exceed 60 feet.
10	(5)	Clearance: No local advertising sign is subject to any minimum clearance standard.
11	(6)	Illumination: Any local advertising sign may be externally illuminated, but must
12		not be internally illuminated, with the exception of advertising signs located in the
13		Entertainment District, which may be illuminated in accordance with the standards
14		set forth in Division 3, Subdivision B of this article.
15	(7)	Dynamic operation: No local advertising sign may be dynamic, with the exception
16		of advertising signs located in the Entertainment District, which may by dynamic
17		in accordance with the standards set forth in Division 3, Subdivision B of this
18		article.
19	(8)	Location: No local advertising sign may be located within 200 feet, measured
20		radially from any point of the sign, of any point of the shoreline of the Detroit River.
21	(c)	The standards applicable to any super advertising sign are as follows:
22	(1)	Construction: Any super advertising sign must be constructed as either a wall sign
23		or a painted sign.

Т	(2)	Number: Any premises may display not more than one super advertising sign,
2		except for premises that display a local advertising sign, which may not display any
3		super advertising sign.
4	(3)	Area: The area of any super advertising sign must be greater than 700 square feet
5		and must not exceed 80% of the area of the façade to which it is affixed, but in no
6		case more than 5,000 square feet if the sign is constructed as a wall sign or 6,250
7		square feet if the sign is constructed as a painted sign.
8	<u>(4)</u>	Height: The height of any super advertising sign must not exceed the height of the
9		roof line or parapet of the façade to which it is affixed.
10	(5)	Clearance: The clearance of any super advertising sign must be no less than ten
11		feet.
12	(6)	Illumination: Any super advertising sign may be externally illuminated, but must
13		not be internally illuminated, with the exception of advertising signs located in the
14		Entertainment District, which may be illuminated in accordance with the standards
15		set forth in Division 3, Subdivision B of this article.
16	(7)	Dynamic operation: No super advertising sign may be dynamic, with the exception
17		of advertising signs located in the Entertainment District, which may be dynamic
18		in accordance with the standards set forth in Division 3, Subdivision B of this
19		article.
20	(8)	Location: No super advertising sign may be located within 200 feet, measured
21		radially from any point of the sign, of any point of the shoreline of the Detroit River.
22	(d)	Any sign that is in compliance with all applicable standards set forth in Subsection
23	(b) of this sect	ion for either local advertising signs or super advertising signs shall be categorized

1	as such. Any sign that is not in compliance with all applicable standards for either local or super		
2	advertising signs is impermissible.		
3	Sec. 4-4-129. Mitigation of harmful visual aesthetics created by Super Advertising Signs		
4	through pro	motion of public art.	
5	(a)	In acknowledgment that:	
6	(1)	The City has a significant governmental interest in protecting its aesthetic values	
7		and in mitigating instances of visual blight;	
8	(2)	Signs, by their very nature, wherever located and however constructed, can be	
9		perceived as an aesthetic harm through their imposition of negative visual	
10		aesthetics;	
11	(3)	Because of the Central Business District's role as the City's primary hub of activity,	
12		the aesthetic harm created by signs in the Central Business District is imposed on	
13		all businesses and individuals who may live, work, do business, recreate, or visit	
14		therein, or travel through the Central Business District, and compromises their	
15		overall aesthetic experience of the City on a citywide basis;	
16	(4)	The magnitude of any given sign's negative visual aesthetics can depend on various	
17		dimensional and operational parameters, such as its area, construction,	
18		illumination, and dynamic operation, that serve to increase its visibility;	
19	(5)	The negative visual aesthetics of a sign can, based on such dimensional and	
20		operational parameters, become so great as to outweigh any positive consequences	
21		that the sign might provide, including the facilitation of protected speech and the	
22		promotion of local commerce; and	

1	(6)	The City may, through the exercise of its legitimate police powers in furtherance of
2		its significant governmental interests, mitigate the particularly negative visual
3		aesthetics of the most visually impactful signs without compromising the positive
4		consequences of such signs by promotion, construction, and maintenance of
5		elements that serve to improve visual aesthetics to a proportionate degree, including
6		the public display of art murals and other forms of public art;
7	the Departmen	nt is authorized to evaluate each application for a permit for a super advertising sign
8	and determine	whether such proposed sign will, by its nature, impose negative visual aesthetics of
9	such magnitud	le that mitigation through the display of one or more art murals and other public art
10	may reasonabl	y be necessary.
11	(b)	Upon its determination that mitigation of the negative visual aesthetics imposed by
12	a proposed sur	per advertising sign for which a permit is applied will be necessary, the Department
13	may request pa	ayment of a monetary contribution by the applicant, in an amount to be determined
14	by the Departm	nent in accordance with the limitations set forth in this section, as a prerequisite to
15	issuance of a	permit for such sign. Such contribution need not be submitted prior to the
16	Department's	evaluation of the application for a super advertising sign permit, but must be
17	submitted prior	to the Department's issuance of such permit.
18	(c)	The Department may make any determination pursuant to its authority established
19	in Subsections	(a) and (b) of this section in consultation with the City's Director of Arts and
20	Culture, and th	e director of any department or agency that it may desire, or any such director's
21	designee.	
22	(d)	Γο ensure a reasonable nexus between the proposed super advertising sign's
23	negative visual	aesthetics and the City's mitigation thereof, the Office of the Chief Financial

1	Officer shall	l establish a special purpose account for contributions made pursuant to Subsection (b)
2	of this section	on. The Department shall deposit all such funds directly into such account promptly
3	upon receip	t. All funds must be disbursed from such account solely for purposes of the
4	commission.	, construction, siting, display, and maintenance of art murals and other public art that
5	is fairly anti-	cipated to improve overall visual aesthetics in the City, and no funds in any amount
6	may be disbu	ursed from such account for any other purpose, except if reimbursement of such funds
7	shall be mad	e in accordance with Subsection (g) of this section.
8	(e)	To ensure rough proportionality between the proposed super advertising sign's
9	negative visu	nal aesthetics and the City's mitigation thereof, the contribution associated with any
10	sign shall not	t exceed an amount equal to the greater of:
11	(1)	An amount, equal to two dollars if the super advertising sign is proposed to be
12		internally illuminated, one dollar if the super advertising sign is proposed to be a
13		wall sign, and 80 cents if the super advertising sign is proposed to be a painted sign,
14		for each square foot of the proposed super advertising sign, for each year of the
15		term of the permit for which application is made; or
16	(2)	An amount equal to the expected cost, as the Department may reasonably
17	ë	determine, for the commission and installation of an art mural of an area equal to
18		(i) 200% of the area of the proposed super advertising sign if such sign is proposed
19		to be internally illuminated, (ii) the area of the proposed super advertising sign if

term of the super advertising permit for which application is made.

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such sign is proposed to be constructed as a wall sign, or (iii) 80% of the area of

the proposed super advertising sign if such sign is proposed to be constructed as a

painted sign, as well as the cost of the maintenance thereof for a period equal to the

1	(f) The Department shall cause all contributions made pursuant to this section for the
2	purpose of mitigating the aesthetic harm of any super advertising sign to be disbursed for a purpose
3	allowed by this section no later than the termination date of the permit for such sign.
4	(g) If the Department denies an application for a super advertising sign permit for
5	which a contribution has been made, the Department shall refund such contribution to the
6	applicant. If a permit for a super advertising sign has been issued and a contribution for such sign
7	has been made, and such permit has been revoked in accordance with Section 4-4-127 of this Code
8	prior to the completion of its term, no refund of such contribution may be made.
9	Sec. 4-4-130. Adjustment or waiver prohibited.
10	Waiver or adjustment under Section 4-4-22 of this Code of the dimensional standards set
11	forth in this division is prohibited.
12	<u>Secs. 4-4-131 – 4-4-160. Reserved.</u>
13	DIVISION 6. REGULATION OF SIGNS IN THE RIGHT-OF-WAY
14	Sec. 4-4-161. In general.
15	The regulations of this division shall apply to any sign that is constructed, erected, posted,
16	or otherwise placed in any location within the right-of-way that is subject to the jurisdiction and
17	control of the City.
18	Sec. 4-4-162. Department of Public Works approval required.
19	No sign that is subject to the regulations of this division may be permitted unless authorized
20	by the Department of Public Works as a legal encroachment in the right-of-way. A copy of the
21	valid encroachment permit for the sign must be submitted as part of the application for construction
22	or erection of the sign. All conditions of approval, dimensional or operational standards, and other
23	standards set forth in the encroachment permit shall be incorporated by reference into the permit,

1	and compliance with all such standards shall be a condition of approval for such permit. Any		
2	standards set forth in the encroachment permit that are more restrictive than comparable standards		
3	set forth in this chapter shall control.		
4	Sec. 4-4-163. Business signs located in the right-of-way.		
5	Any sign located in the right-of-way that is intended to direct attention to a principal		
6	business or principal commodity, service, or entertainment that is conducted, sold, or offered on		
7	the premises adjacent to which the sign is located shall be considered to be a business sign		
8	associated with such premises and shall be subject to all applicable regulations of this article.		
9	Sec. 4-4-164. Directional signs located in the right-of-way.		
10	Any directional sign located in the right-of-way for the purpose of identifying particular		
11	neighborhoods, communities, or other identifiable areas of the City shall be subject to the		
12	following:		
13	(1) Construction. Any directional sign located in the right-of-way must be constructed		
14	as a monument sign.		
15	(2) Number. Not more than one directional sign, or one pair of identical directional		
16	signs, may be located at any point in a right-of-way or within any intersection of		
17	two or more rights-of-way.		
18	(3) Area. The area of a directional sign, or aggregate area of a pair of identical		
19	directional signs, located in the right-of-way must not exceed 12 square feet.		
20	(4) Height. The height of a directional sign located in the right-of-way must not exceed		
21	eight feet six inches.		
22	(5) Clearance. The clearance of any directional sign located in a right-of-way must		
23	be not less than two feet.		

1	(0) Illum	indion. Any directional sign located in the right-of-way may be either non-
2	illum	inated or externally illuminated.
3	Sec. 4-4-165. Adve	tising signs located in the right-of-way.
4	Any advertis	ing sign located in a right-of-way is subject to the following:
5	(1) Perm	issibility. Advertising signs located in the right-of-way are not permissible in
6	low-c	lensity residential sign districts or any portion of a right-of-way that is
7	imme	diately adjacent to, and is on the same side of the street as, a low-density
8	reside	ential sign district.
9	(2) Cons	ruction. Any advertising sign located in the right-of-way must be constructed
10	as a c	omponent of a larger freestanding structure, such as a newsstand, bus or transit
11	shelte	r, bench, or bicycle docking station, that provides a non-advertising purpose
12	for the	e benefit of pedestrian or vehicular traffic utilizing the right-of-way, provided
13	that th	e sign is constructed as an integral component of such structure and does not
14	rest u	oon such structure's roof or project out from the façade of any such structure.
15	(3) <i>Area</i> .	The area of an advertising sign located in the right-of-way shall not exceed
16	<u>18 squ</u>	are feet if illuminated, or 24 square feet if not illuminated.
17	(4) Heigh	t. The height of an advertising sign located in the right-of-way shall not
18	exceed	l eight feet, six inches.
19	(5) Illumi	nation. An advertising sign located in the right-of-way may be illuminated,
20	either	internally or externally. All sources of illumination for an externally
21	illumi	nated sign must be fully contained in the frame or case that holds the sign.
22	(6) Dynan	nic operation. An advertising sign located in the right-of-way may be
23	dynam	ic, but shall not be animated.

1	(7) Spacing. No advertising sign located in the right-of-way may be permitted to be
2	placed 250 feet or less, measured linearly in the direction of the orientation of the
3	sign, from any other advertising sign that is located in the same right-of-way and
4	oriented in the same direction. Such spacing standards shall apply to signs on both
5	sides of any right-of-way that allows for vehicular traffic to travel in one direction,
6	and shall apply to signs only on the same side of a right-of-way that allows for
7	vehicular traffic to travel in two directions.
8	Sec. 4-4-166 4-4-180. Reserved.
9	DIVISION 7. TEMPORARY SIGNS
10	Sec. 4-4-181. In general.
11	The regulations set forth in this division are applicable to any temporary sign that may be
12	constructed, erected, posted, or otherwise placed in any location.
13	Sec. 4-4-182. Limitations on number, area, and term.
14	(a) Not more than one temporary sign may be permitted on any one premises at any
15	one time, except that, for a multi-tenant building or structure, one, but not more than one,
16	temporary sign may be permitted for any one ground floor tenant at any one time.
17	(b) No premises, or ground floor tenant space in a multi-tenant building or structure,
18	may be issued more than two permits for a temporary sign within any calendar year.
19	(c) On properties in a low-density residential sign district, the area of any temporary
20	sign shall not exceed six square feet. On properties in a high-density residential/mixed use sign
21	district or a recreation/open space sign district, the area of a temporary sign shall not exceed one
22	square foot per linear foot of building frontage, but in no case less than 6 square feet and no greater
23	than 12 square feet. On properties in a low-density commercial/industrial sign district or a high-

1 density commercial/industrial sign district, the area of any temporary sign shall not exceed one square feet per linear foot of building frontage, but in no case less than 12 square feet and no 2 3 greater than 32 square feet. Any temporary sign may be permitted only until the conclusion of the occasion to 4 which it is intended to direct attention, upon which date the permit shall expire. No temporary sign 5 6 may be permitted for a period of time exceeding 90 days. (e) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional 7 standards set forth in sections 4-4-103 through 4-4-107 of this Code is limited to 25% of such 8 9 standards. Sec. 4-4-183. Additional temporary sign allowances. 10 11 (a) Notwithstanding the limitations set forth in Section 4-4-182 of this Code, additional temporary signage may be permitted for any premises, or ground floor tenant space of a multi-12 13 tenant building, under each of the following circumstances: Premises listed as being for sale or lease. For any premises, or ground floor tenant 14 space within a multi-tenant building, that is unoccupied and being actively 15 marketed for sale or lease, one additional temporary sign for each building frontage 16 is permissible. Any such sign may be permitted only for the period during which 17 the premises is unoccupied and being actively marketed for sale or lease. On 18 properties located in a low-density residential sign district or recreation/open space 19 20 sign district, the area of any such sign must not exceed six square feet. On properties located in a high-density residential/mixed use sign district, low-density 21 commercial/institutional sign district, or high-density commercial/industrial sign 22 23 district, the area of any such sign must not exceed 32 square feet.

Premises with Open Building or Construction Permit. For any premises, or ground floor tenant space within a multi-tenant building, that is unoccupied and is validly permitted under Chapter 8 of this Code, Building Construction and Property Maintenance, for construction of a new building or structure, or complete renovation or redevelopment of an existing building, structure, or ground floor tenant space, one additional temporary sign for each building frontage is permissible. Any such sign may be permitted only for the period during which the permit for the construction, renovation, or redevelopment remains valid, and shall automatically expire upon issuance of a certificate of occupancy, whether temporary or final, for the premises or tenant space. The aggregate area of all such temporary signs on any premises must not exceed the maximum aggregate sign area for the premises, as determined under Section 4-4-62 of this Code. Any such signage may be placed on a screening fence that is erected to cordon off the construction, renovation, or redevelopment site, notwithstanding the prohibition set forth in Section 4-4-7(5) of this Code. Any such sign that is located on a ground floor tenant space may be placed in a window, notwithstanding the standard for window signs set forth in Section 4-4-46(c) of this Code. Portable temporary signs. For any premises located in a low-density residential

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sign district or high-density residential/mixed use sign district that is currently occupied, whether wholly or partially, for residential purposes, portable temporary signs, in any number but not exceeding six square feet in area for any single sign or 18 square feet in aggregate area for all signs, are permissible. Such signage is permissible only during the period commencing 30 days prior to the date of any

1	federal, state, or local primary election and concluding seven days after the date of
2	the subsequent general election. Any such sign must be set back from the front of
3	the premises not less than five feet.
4	(b) Adjustments and waiver under Section 4-4-22 of this Code of the dimensional
5	standards set forth in the section is prohibited.
6	Sec. 4-4-184. Temporary sign copy.
7	(a) No temporary sign may be permitted for changeable copy. The copy of any
8	permitted temporary sign shall remain constant and shall not change at any time during the term
9	of the permit.
10	(b) Nothing in Subsection (a) of this section may be construed as regulating the copy
11	of a temporary sign in any way or as any other form of content-based regulation, but may be
12	construed solely regulating the ability to change such copy during the term of the temporary sign
13	permit.
14	(c) Nothing in Subsection (a) of this section may be construed as prohibiting any
15	maintenance, repair, or replacement of a temporary sign, or any of its components, as may be
16	necessary to keep such sign in good repair in accordance with Section 4-4-9 of this Code, including
17	the replacement of a damaged sign face with a new sign face containing the same copy.
18	Sec. 4-4-185. General temporary sign standards.
19	Any temporary sign that is permissible under this division is subject to the following
20	standards:
21	(1) Placement. Any temporary sign shall be located so as to avoid obstruction of or
22	interference with the safe and efficient flow of pedestrian and vehicular traffic, or
23	impact the accessibility of ingress or egress of any building or structure. A

1		temporary sign located in the public right-of-way is further subject to approval by
2		the Department of Public Works, or other public agency with jurisdiction over the
3		right-of-way in which the sign is to be located.
4	(2)	Material. Temporary signs shall be constructed of durable material and
5		construction, and shall be adequately secured so as to be reasonably able to
6		withstand deterioration, damage, or destruction due to inclement weather, the
7		forces of wind, rain, and snow, and other impacts.
8	(3)	Good repair. Any temporary sign shall be maintained in good repair in accordance
9		with Section 4-4-9 of this Code.
10	<u>(4)</u>	Illumination. Any temporary sign may be externally illuminated, but shall not be
11		internally illuminated.
12	(5)	Dynamic. A temporary sign may be dynamic only where an identical permanent
13		sign of the same construction, location, and other physical parameters may be
14		dynamic, but under no circumstances may a temporary sign be animated.
15	(6)	Additional standards. Any temporary sign is further subject to all general sign
16		standards set forth in Division 2 of this article, based on the type of construction or
17		operation of the temporary sign, unless comparable standards set forth in this
18		division are more restrictive.
19	Sec. 4-4-186.	Removal of temporary signs.
20	(a)	Any temporary sign, along with its frame and supporting structure, shall be
21	removed by th	e owner of the premises on which such sign is located, or its agent, within 24 hours
22	after expiration	n of its permit.

1	(b) Any temporary sign, along with its frame and supporting structure, that is not		
2	maintained in good repair shall be removed by the owner of the premises on which such sign is		
3	located, or its agent, within 24 hours after receiving a correction notice to remove such sign, ir		
4	accordance with Section 4-4-9 of this Code.		
5	(c) Any temporary sign, along with its frame and supporting structure that becomes		
6	obsolete shall be removed by the owner of the premises on which such sign is located, or its agen-		
7	within 24 hours after becoming obsolete, in accordance with Section 4-4-10 of this Code. A		
8	temporary sign becomes obsolete immediately upon the conclusion of the occasion to which such		
9	sign is intended to draw attention.		
10	(d) The Department shall issue a blight violation under the following circumstances:		
11	(1) If the owner fails to cure the violation within the applicable cure period after service		
L2	of a correction notice.		
L3	(2) When the owner disputes a violation identified on a correction notice; and		
L4	(3) When, in the Department's exercise of judgment and discretion pursuant to rules		
L5	adopted by the Department, the violation is of such a nature as to be substantially		
16	serious, chronic, and/or willful.		
L7	Sec. 4-4-187 - 4-4-200. Reserved.		
.8	ARTICLE V. DEVELOPMENT NOTIFICATION SIGNS		
.9	Sec. 4-5-1. Definitions.		
20	For the purpose of this article, the following words and phrases shall have the meanings		
21	respectively ascribed to them by this section:		
22	Construction site means any area where construction or renovation is set to take place, with		
!3	the exception of residential construction or renovation involving four or fewer dwelling units.		

- 1 Development notification sign means a posted temporary notice that informs the public of
- 2 the type of development taking place on the premises, the expected completion date for
- 3 construction, and the contact information of the developer.
- 4 Sec. 4-5-2. Misdemeanor violation; continuing violation; penalty for conviction thereof.
- 5 (a) It shall be unlawful for any person to violate any provision of this article.
- 6 (b) Any person who violates this article may be issued a misdemeanor violation for 7 each day that the violation continues.
- 8 (c) Any person who is found guilty of violating any provision of this article shall be
- 9 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,
- may be fined up to \$500.00 for each misdemeanor violation that is issued.
- 11 Sec. 4-5-3. Enforcement.
- This article shall be enforced by the Buildings, Safety Engineering, and Environmental
- 13 Department.
- 14 Sec. 4-5-4. Posting of development notification sign required.
- A properly posted development notification sign is required for any construction site that is at
- least 10,000 square feet in area and that otherwise requires a building permit.
- 17 Sec. 4-5-5. Development notification sign specifications; content; maintenance.
- 18 (a) The dimensions for a development notification sign must be at least four feet in
- height and six feet in width, with letters of text that are a minimum of one inch in height in and of
- 20 a legible font and color contrast.
- 21 (b) All development notification signs shall be made of durable, weatherproof, and
- 22 flame retardant materials.
- 23 (c) A development notification sign shall display, at minimum, the following content:

- 1 (1) A rendering or site plan of the proposed development;
- 2 (2) A title stating "Work in Progress" and specifying the type of structure being built, 3 for example, commercial, manufacturing, retail, office, hospital, or school;
- 4 (3) The expected project completion date;
- 5 (4) The name, address, and telephone number of the owner of the property, corporation, 6 or registered agent; and
- 7 (5) The building permit number or a copy of the building permit.
- 8 (d) Development notification signs shall be maintained so that the sign remains legible, 9 securely attached, and free of sharp edges, protruding nails, or similar hazards.

10 Sec. 4-5-6. Placement of development notification sign.

A development notification sign shall be placed on the fence on each perimeter facing a public street or highway. If the development site is not fenced, then a development notification sign shall be fixed into the ground at each perimeter facing a public street or highway. All development notification signs shall be placed at a height of four feet from the ground, measured from the bottom edge of the development sign.

16 Sec. 4-5-7. Duration of posting.

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- 17 (a) Development notification signs must be posted within 30 days of receipt of a
 18 building permit for the site, and must remain posted until a certificate of occupancy is issued.
- 19 (b) Development notification signs must be removed within 30 days of issuance of a 20 certificate of occupancy.

21 Sec. 4-5-<u>8</u>. Complaints.

Complaints regarding a development property without a development notification sign posted may be made to the Buildings, Safety Engineering, and Environmental Department. The

- 1 Department shall investigate complaints to determine compliance with this article.
- 2 Secs. 4-5-<u>9</u>- 4-5-20. Reserved.
- 3 Section 2. This ordinance is hereby declared necessary to preserve the public peace, health,
- 4 safety, and welfare of the People of the City of Detroit.
- Section 3. All ordinances or parts of ordinances that conflict with this ordinance are
- 6 repealed.
- 7 Section 4. In accordance with Section 4-118(3) of the 2012 Detroit City Charter, this
- 8 ordinance shall be published forthwith and become effective on July 1, 2020.

Approved as to form:

Jameure J. Servin
Lawrence T. García

Corporation Counsel

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

Marcell R. Todd, Jr. Director

City of **Betroit**

CITY PLANNING COMMISSION

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Brenda Goss Andrews Damion W. Ellis David Esparza, AIA, LEED Gregory Pawlowski Frederick E. Russell, Jr. Angy Webb Henry Williams

January 24, 2020

HONORABLE CITY COUNCIL

RE: Off-Premises Sign Ordinance Draft

On Thursday, January 20, 2020, the staff of the City Planning Commission (CPC) presented the attached report and recommendation to the Commission concerning the proposed sign ordinance, amending Chapters 4 and 50 of the Detroit City Code. Following the presentations given by the the Law Department and the CPC staff, the Commission deliberated and adopted staff's recommendation. Per the recommendation the 29 remaing items listed in the report have been addressed with the Law Department.

We respectfully submit the attached staff report and a copy of the draft ordinance amending Chapter 50, Zoning, for your consiseration and the setting of the required statuatory public hearing. The full report and recommendation of the CPC will follow on Thursday, January 30, 2020.

Please let us know if you have any questions.

Sinerely,

Marcell R. Todd, Jr., Director

- Clause Rylatin

Attacment

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

Marcell R. Todd, Jr. Director

City of Detroit

CITY PLANNING COMMISSION

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TO:

City Planning Commission

FROM:

M. Rory Bolger, Staff

RE:

Sign Ordinances—Chapter 50, Zoning, and Chapter 4, Advertising and

Signs (STATUS REPORT AND CONDITIONAL RECOMMENDATION)

DATE:

January 23, 2020

Chapter 50 of the 2019 Detroit City Code, *Zoning*, is proposed to be amended by repealing Article VI, *Signs*, and by deleting sign-related definitions, procedures, and regulations elsewhere throughout the Zoning Ordinance. Sign provisions are being moved into six other chapters of the City Code, primarily Chapter 4, *Advertising and Signs*.

Both of these ordinances must be taken up by City Council in order to effect the proposed new procedures and regulations relative to signs. CPC staff will be present at the City Planning Commission (CPC) meeting of January 23, 2020 to review the proposed amendments to the Zoning Ordinance; the Law Department and Mayor's office will be present to review the proposed amendments to Chapter 4. As has been the case with other multi-chapter amendments to the City Code, it is allowable for the Commission to combine the public hearing and public discussion in order to consider public comment germane to both ordinances coincidentally.

Review

On January 9, 2020 CPC staff provided the Commission with a status report bearing the same date and gave a presentation highlighting the refinements and modifications mad to the proposed ordinances. The focus of that presentation was on staff staff's chief concern, the regulation of advertising signs outside of the Central Business District. Maps and a table were presented depicting the various options considered and including the agreed upon and effective solution provided by Council Member Benson of increasing the spacing requirement between an advertising sign outside of the Central Business District (CBD) and the lot on which a dwelling unit is located from 80 feet to 125 feet. Again, this change yields a projected 7.622 acres (11.91 square miles) of the City (not including the CBD) that would be subject to advertising signage. This number is lower than current regulations in the Zoning Ordinance or the amount that could be achieved by an

		eligible for a waiver or adjustment. For example, an advertising sign is not permitted in a recreational/open space sign district; could an applicant request a waiver or adjustment to that prohibition? Similarly, pole signs are prohibited in high density residential/mixed use sign districts; could an applicant request a waiver or adjustment to that prohibition? Clear language relative to "permissibility" matters would be valuable.
8	Page 75, Line 19	Shouldn't the "notice of the opportunity to appeal" also apply to "petitions that are approved" not just "approved with conditions or denied?
9	Page 75, Line 21	Cross-reference is inaccurate.
10	Page 76, Line 6.	The "decision" regarding a waiver/adjustment should be provided not just to the "petitioner" but also to any public hearing attendee having requested said decision.
11	Page 78, Line 5	For consistency with notification requirements, change "300 linear feet" to "300 radial feet."
12	Page 83, Line 11	The specification, "3,500 nits" is not consistent with Sec. 4-4-83(b)(2) on Page 106, Line 2, which specifies "2,500 nits."
13	Page 84, Line 16	"any awning sign" should read, "any marquee sign"
14	Page 94, Lines 9-10	Intent of the wall sign height limit is not clear. Shouldn't it specify, "40 feet or the height of the roof line or parapet of the building or structure to which the sign is affixed—whichever is less."?
15	Page 97, line 7	For consistency with other standards, specify "One square foot of premises frontage per linear square foot"
16	Page 97, Line 8-11	Re-work the wording so that it's clear high-density commercial/industrial sign districts get 3 sq feet per linear foot of building frontage citywide but that the 500 square foot maximum applies only outside the CBD.
17	Page 99, Line 9	Re-word provision to either "non-illuminated" painted side wall signs or externally illuminated.
18	Page 99, Line 14 ff	Incorporate wording to clarify applicable standards to sponsorship signs not associated with public art.
19	Page 102, Lines 11-16	Proposed setbacks seem to be impracticable. Need to be revisited.
20	Page 106, Line 2	2,500 nit standard is inconsistent with 3,500 nit standard in Page 83, Line 11.
21	Page 108, Line 5	Change dynamic sign to "dynamic signs."
22	Page 111, Line 9	Change 125feet to "125 feet."
23	Page 113, Lie 11	Change "10% of such standard" to "10% of each or any standard."

SUMMARY

This proposed ordinance amends Chapter 50 of the 2019 Detroit City Code, Zoning, by amending Article III, Review and Approval of Procedures (Part 1), Division 5, Site Plan Review, Subdivision A, In General, Section 50-3-113, Applicability; Division 6, Special District Review, Section 50-3-227, Report and recommendation; Division 10, Condominium Subdivisions, Section 50-3-482, Compliance with subdivision regulations required; Article IV, Review and Approval Procedures (part 2), Division 2, Temporary Use Permits, Section 50-4-22, Application filing and submittal information, Division 6, Variances and Administrative Adjustments, Section 50-4-131, Permitted dimensional variances; Article V, Violations and Enforcement, Division 2, Violations and Penalties; Blight Violations, Section 50-5-24, Specific violations, Section 50-5-31, Failure to comply with other land use or procedural requirements, Division 3, Other Remedies and Enforcement Powers, Section 50-5-58, Other remedies; Article VIII, Residential Zoning Districts, Division 2, R1 Single-Family Residential District, Section 50-8-18, By-right other uses, Section 50-8-24, Conditional other uses, Division 3, R2 Two-Family Residential District, Section 50-8-48, By-right other uses, Section 50-8-54, Conditional other uses, Division 4, R3 Low Density Residential District, Section 50-8-78, By-right other uses, Section 50-8-84, Conditional other uses, Division 5, R4 Thoroughfare Residential District, Section 50-8-108, By-right other uses, Section 50-8-114, Conditional other uses, Division 6, R5 Medium Density Residential District, Section 50-8-138, By-right other uses, Section 50-8-144, Conditional other uses, Division 7, R6 High Density Residential District, Section 50-8-168, By-right other uses, Section 50-8-174, Conditional other use; Article IX, Business Zoning Districts, Division 2, B1 Restricted Business District, Section 50-9-18, By-right other uses, Section 50-9-24, Conditional other uses; Division 3, B2 Local Business and Residential District, Section 50-9-48, By-right other uses, Section 50-9-54, Conditional other uses; Division 4, B3 Shopping District, Section 50-9-78, By-right other uses, Section 50-9-84, Conditional other uses, Division 5, B4 General Business District, Section 50-9-108, By-right other uses, Section 50-9-114, Conditional other uses, Division 6, B5 Major Business District, Section 50-9-138, By-right other uses, Section 50-9-144, Conditional other uses, Division 7, B6 General Services District, Section 50-9-168, By-right other uses, Section 50-9-174, Conditional other uses; Article X, Industrial Zoning Districts, Division 2, MI Limited Industrial District, Section 50-10-18, By-right other uses, Section 50-10-24, Conditional other uses, Division 3, M2 Restricted Industrial District, Section 50-10-48, By-right other uses, Section 50-10-54, Conditional other uses, Division 4, M3 General Industrial District, Section 50-10-78, By-right other uses, Section 50-10-84, Conditional other uses, Division 5, M4 Intensive Industrial District, Section 50-10-108, By-right other uses, Section 50-10-114, Conditional other uses, Division 6, M5 Special Industrial District, Section 50-10-138, By-right other uses, Section 50-10-144, Conditional other uses; Article XI, Special Purpose Zoning Districts and Overlay Areas, Division 3, P1 Open Parking District, Section 50-11-37, Use limitations, Division 4, PC Public Center District, Section 50-11-58, By-right other uses, Section 50-11-64, Conditional other uses, Section 50-11-66, Review process, Division 5, PCA Public Center Adjacent District (Restricted Central Business District), Section 50-11-88, By-right other uses, Section 50-11-94, Conditional other uses, Section 50-11-96, Review process, Division 6, TM Transitional-Industrial District, Section 50-11-118, By-right other uses, Division 7, PR Parks and Recreation, Section 50-11-148, By-right other uses, Section 50-11-154, Conditional other uses, Division 8, WI Waterfront-Industrial District, Section 50-11-178, By-right other uses, Section 50-11-184, Conditional other uses, Division 9, SD1 – Special Development District, Small-Scale, Mixed-use, Section 50-11-208, By-right other uses, Section

50-11-214, Conditional other uses, Division 10, SD2 – Special Development District, Mixed-use, Section 50-11-238, By-right other uses, Section 50-11-244, Conditional other uses, Division 12, SD4- Special Development District, Riverfront Mixed Use, Section 50-11-249, By-right other uses, Section 50-11-300, Conditional other uses, Section 50-11-310, Site plan approval standards, Division 14, Overlay Areas, Subdivision A. Gateway Radial Thoroughfare Overlay Areas, Section 50-11-364, Prohibitions and limitations, Subdivision C, Major Corridor Overlay Areas, Section 50-11-422, Prohibitions and limitations, Subdivision F, Development Improvement Area, Section 50-11-461, Description; Article XII, Use Regulations, Division 1, Use Table, Subdivision 2, General Use Standards, Section 50-12-132, Other uses-spacing, Division 3, Specific Use Standards, Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-192, Utilities, basic, utilities, major, Section 50-12-216, Bed and breakfast inn, Subdivision D, Retail, Service, and Commercial Uses; Motor Vehicle Filling Stations, Section 50-12-272, Motor vehicle filling stations; signs, Subdivision, E, Retail, Service and Commercial Uses, Generally, Section 50-12-293, Motor vehicles, used, salesroom or sales lot, Section 50-12-379, General regulations; sign antennas, Subdivision I, Other Uses - Miscellaneous, Section 50-12-412, Adult uses/ sexuallyoriented businesses, Section 50-12-413, Medical Marihuana caregiver centers, Division 5, Accessory Uses and Structures, Subdivision C, Specific Use Standards, Section 50-12-522, Urban garden, Division 6, Temporary Uses and Structures, Subdivision B, Specific Temporary Uses Allowed, Section 50-12-558, Yard or garage sales accessory to a dwelling; Article XIII, Intensity and Dimensional Standards, Division 1, Tables of Intensity and Dimensional Standards, Subdivision B, General Dimensional Standards for Residential Districts, Section 50-13-22, Traffic safety sight area, Subdivision D, General Dimensional Standards for Business Districts, Section 50-13-63, B3 and B4 District height limitations, Subdivision F, General Dimensional Standards for Industrial Districts, Section 50-13-101, MI District height, Division 2, Measurements, Requirements, and Exceptions, Section 50-13-226, Features allowed within required setbacks; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading and Access, Division 3, Architectural and Site Design Standards, Subdivision C, Traditional Main Street Overlay Areas, Section 50-14-442, Building design standards - - Awning, canopies and marquees, Section 50-14-450, Signage and communication elements design standards; Article XV, Nonconformities, Division 2, Nonconforming Uses, Section 50-15-26, Expansion or intensification of nonconforming uses, Section 50-15-30, Change of nonconforming use to other nonconforming use; Article XVI, Rules of Construction and Definitions, Division 2, Words and Terms Defined, Subdivision C. Letter "B", Section 50-16-132, Words and terms (Bh - Bz), Subdivision P. Letter "S", Section 50-16-383, Words and terms (Si - Sl), Subdivision Q. Letter "T", Section 50-16-402, Words and terms (Tn - Tz); and to repeal Article VI, Signs, in its entirety and to further repeal Section 50-11-186, Other requirements, Section 50-11-338, General sign regulations, Section 50-12-104, Signs, Section 50-12-402, Signage, Section 50-12-488, Signs, Section 50-12-534, Accessory signage, Section 50-12-562, Temporary signs, Section 50-14-227, Signage, to remove the regulation related to signage from Chapter 50 of this Code, Zoning.

BY COUNCIL MEMBER

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AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, Zoning, by 2 3 amending Article III, Review and Approval of Procedures (Part 1), Division 5, Site Plan Review, 4 Subdivision A, In General, Section 50-3-113, Applicability; Division 6, Special District Review, 5 Section 50-3-227, Report and recommendation; Division 10, Condominium Subdivisions, Section 6 50-3-482, Compliance with subdivision regulations required; Article IV, Review and Approval 7 Procedures (part 2), Division 2, Temporary Use Permits, Section 50-4-22, Application filing and submittal information, Division 6, Variances and Administrative Adjustments, Section 50-4-131, 8 Permitted dimensional variances; Article V, Violations and Enforcement, Division 2, Violations 9 and Penalties; Blight Violations, Section 50-5-24, Specific violations, Section 50-5-31, Failure to 10 11 comply with other land use or procedural requirements, Division 3, Other Remedies and Enforcement Powers, Section 50-5-58, Other remedies; Article VIII, Residential Zoning Districts, 12 Division 2, R1 Single-Family Residential District, Section 50-8-18, By-right other uses, Section 13 50-8-24, Conditional other uses, Division 3, R2 Two-Family Residential District, Section 50-8-14 15 48, By-right other uses, Section 50-8-54, Conditional other uses, Division 4, R3 Low Density Residential District, Section 50-8-78, By-right other uses, Section 50-8-84, Conditional other uses, 16 17 Division 5, R4 Thoroughfare Residential District, Section 50-8-108, By-right other uses, Section 18 50-8-114, Conditional other uses, Division 6, R5 Medium Density Residential District, Section 50-19 8-138, By-right other uses, Section 50-8-144, Conditional other uses, Division 7, R6 High Density 20 Residential District, Section 50-8-168, By-right other uses, Section 50-8-174, Conditional other 21 use; Article IX, Business Zoning Districts, Division 2, B1 Restricted Business District, Section 50-9-18, By-right other uses, Section 50-9-24, Conditional other uses; Division 3, B2 Local Business 22 and Residential District, Section 50-9-48, By-right other uses, Section 50-9-54, Conditional other 23

uses; Division 4, B3 Shopping District, Section 50-9-78, By-right other uses, Section 50-9-84, 1 Conditional other uses, Division 5, B4 General Business District, Section 50-9-108, By-right other 2 uses, Section 50-9-114, Conditional other uses, Division 6, B5 Major Business District, Section 3 4 50-9-138, By-right other uses, Section 50-9-144, Conditional other uses, Division 7, B6 General Services District, Section 50-9-168, By-right other uses, Section 50-9-174, Conditional other uses; 5 6 Article X, Industrial Zoning Districts, Division 2, M1 Limited Industrial District, Section 50-10-7 18, By-right other uses, Section 50-10-24, Conditional other uses, Division 3, M2 Restricted 8 Industrial District, Section 50-10-48, By-right other uses, Section 50-10-54, Conditional other 9 uses, Division 4, M3 General Industrial District, Section 50-10-78, By-right other uses, Section 50-10-84, Conditional other uses, Division 5, M4 Intensive Industrial District, Section 50-10-108, 10 By-right other uses, Section 50-10-114, Conditional other uses, Division 6, M5 Special Industrial 11 District, Section 50-10-138, By-right other uses, Section 50-10-144, Conditional other uses; 12 Article XI, Special Purpose Zoning Districts and Overlay Areas, Division 3, P1 Open Parking 13 District, Section 50-11-37, Use limitations, Division 4, PC Public Center District, Section 50-11-14 58, By-right other uses, Section 50-11-64, Conditional other uses, Section 50-11-66, Review 15 process, Division 5, PCA Public Center Adjacent District (Restricted Central Business District), 16 Section 50-11-88, By-right other uses, Section 50-11-94, Conditional other uses, Section 50-11-17 96, Review process, Division 6, TM Transitional-Industrial District, Section 50-11-118, By-right 18 19 other uses, Division 7, PR Parks and Recreation, Section 50-11-148, By-right other uses, Section 20 50-11-154, Conditional other uses, Division 8, W1 Waterfront-Industrial District, Section 50-11-178, By-right other uses, Section 50-11-184, Conditional other uses, Division 9, SD1 – Special 21 Development District, Small-Scale, Mixed-use, Section 50-11-208, By-right other uses, Section 22 50-11-214, Conditional other uses, Division 10, SD2 – Special Development District, Mixed-use, 23

Section 50-11-238, By-right other uses, Section 50-11-244, Conditional other uses, Division 12, 1 SD4- Special Development District, Riverfront Mixed Use, Section 50-11-249, By-right other uses, 2 Section 50-11-300, Conditional other uses, Section 50-11-310, Site plan approval standards, 3 Division 14, Overlay Areas, Subdivision A. Gateway Radial Thoroughfare Overlay Areas, Section 4 50-11-364, Prohibitions and limitations, Subdivision C, Major Corridor Overlay Areas, Section 5 50-11-422, Prohibitions and limitations, Subdivision F, Development Improvement Area, Section 6 7 50-11-461, Description; Article XII, Use Regulations, Division 1, Use Table, Subdivision 2, 8 General Use Standards, Section 50-12-132, Other uses-spacing, Division 3, Specific Use Standards, Subdivision B, Public, Civic, and Institutional Uses, Section 50-12-192, Utilities, 9 basic, utilities, major, Section 50-12-216, Bed and breakfast inn, Subdivision D, Retail, Service, 10 and Commercial Uses; Motor Vehicle Filling Stations, Section 50-12-272, Motor vehicle filling 11 stations; signs, Subdivision, E, Retail, Service and Commercial Uses, Generally, Section 50-12-12 293, Motor vehicles, used, salesroom or sales lot, Section 50-12-379, General regulations; sign 13 antennas, Subdivision I, Other Uses - Miscellaneous, Section 50-12-412, Adult uses/ sexually-14 oriented businesses, Section 50-12-413, Medical Marihuana caregiver centers, Division 5, 15 Accessory Uses and Structures, Subdivision C, Specific Use Standards, Section 50-12-522, Urban 16 garden, Division 6, Temporary Uses and Structures, Subdivision B, Specific Temporary Uses 17 Allowed, Section 50-12-558, Yard or garage sales accessory to a dwelling; Article XIII, Intensity 18 and Dimensional Standards, Division 1, Tables of Intensity and Dimensional Standards, 19 20 Subdivision B, General Dimensional Standards for Residential Districts, Section 50-13-22, 21 Traffic safety sight area, Subdivision D, General Dimensional Standards for Business Districts, 22 Section 50-13-63, B3 and B4 District height limitations, Subdivision F, General Dimensional 23 Standards for Industrial Districts, Section 50-13-101, MI District height, Division 2,

Measurements, Requirements, and Exceptions, Section 50-13-226, Features allowed within 1 required setbacks; Article XIV, Development Standards, Division 1, Off-Street Parking, Loading 2 and Access, Division 3, Architectural and Site Design Standards, Subdivision C, Traditional Main 3 Street Overlay Areas, Section 50-14-442, Building design standards - - Awning, canopies and 4 marquees, Section 50-14-450, Signage and communication elements design standards; Article 5 XV. Nonconformities, Division 2, Nonconforming Uses, Section 50-15-26, Expansion or 6 intensification of nonconforming uses, Section 50-15-30, Change of nonconforming use to other 7 nonconforming use; Article XVI, Rules of Construction and Definitions, Division 2, Words and 8 Terms Defined, Subdivision C. Letter "B", Section 50-16-132, Words and terms (Bh - Bz), 9 Subdivision P. Letter "S", Section 50-16-383, Words and terms (Si - Sl), Subdivision Q. Letter 10 "T", Section 50-16-402, Words and terms (Tn - Tz); and to repeal Article VI, Signs, in its entirety 11 and to further repeal Section 50-11-186, Other requirements, Section 50-11-338, General sign 12 regulations, Section 50-12-104, Signs, Section 50-12-402, Signage, Section 50-12-488, Signs, 13 Section 50-12-534, Accessory signage, Section 50-12-562, Temporary signs, Section 50-14-227, 14 Signage, to remove the regulation related to signage from Chapter 50 of this Code, Zoning. 15

16 IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT 17 THAT:

Section 1. Chapter 50 of the 2019 Detroit City Code by amended by amending Section 50-3-113, Section 50-3-227, Section 50-3-482, Section 50-4-22, Section 50-4-131, Section 50-5-24, Section 50-5-31, Section 50-5-58, Section 50-8-18, Section 50-8-24, Section 50-8-48, Section 50-8-48, Section 50-8-54, Section 50-8-78, Section 50-8-84, Section 50-8-108, Section 50-8-114, Section 50-8-138, Section 50-8-144, Section 50-8-168, Section 50-8-174, Section 50-9-18, Section 50-9-24, Section 50-9-48, Section 50-9-54, Section 50-9-78, Section 50-9-84, Section 50-9-108, Section 50-9-114,

1	Section 50-9-138, Section 50-9-144, Section 50-9-168, Section 50-9-174, Section 50-10-18
2	Section 50-10-24, Section 50-10-48, Section 50-10-54, Section 50-10-78, Section 50-10-84
3	Section 50-10-108, Section 50-10-114, Section 50-10-138, Section 50-10-144, Section 50-11-37
4	Section 50-11-58, Section 50-11-64, Section 50-11-66, Section 50-11-88, Section 50-11-94
5	Section 50-11-96, Section 50-11-118, Section 50-11-148, Section 50-11-154, Section 50-11-178
6	Section 50-11-184, Section 50-11-208, Section 50-11-214, Section 50-11-238, Section 50-11-244
7	Section 50-11-249, Section 50-11-300, Section 50-11-310, Section 50-11-364, Section 50-11-422
8	Section 50-11-461, Section 50-12-13, Section 50-12-192, Section 50-12-216, Section 50-12-272
9	Section 50-12-293, Section 50-12-379, Section 50-12-412, Section 50-12-413, Section 50-12-558
10	Section 50-13-22, Section 50-13-63, Section 50-13-101, Section 50-13-226, Section, 50-14-7
11	Section 50-14-450, Section 50-15-26, Section 50-15-30, Section 50-16-132, Section 50-16-383
12	Section 50-16-402; and to repeal Article VI, Signs, in its entirety and to further repeal Section 50-
13	11-186, Section 50-11-338, Section 50-12-104, Section 50-12-402, Section 50-12-488, Section
14	50-12-534, Section 50-12-562, Section 50-14-227, to read as follows:
15	CHAPTER 50. ZONING
16	ARTICLE III. REVIEW AND APPROVAL PROCEDURES (PART 1)
17	DIVISION 5. SITE PLAN REVIEW
18	Subdivision A. In General

Sec. 50-3-113. Applicability

2	Appli	cation	s for proposed developments that meet any one or more of the applicability
3	criteria in this	s secti	on shall be reviewed through the site plan review process. Developments that
4	do not meet	any of	the applicability criteria in this section shall be reviewed by the Buildings,
5	Safety Engine	eering,	, and Environmental Department through its permitting process, provided, that
6	a site plan rev	view is	not required for the construction or alteration of an individual single- or two-
7	family dwelli	ng.	
8	(1)	New	construction that involves any one of the following:
9		a.	Any new development that has more than 20,000 square feet of gross floor
10			area, except that, on land zoned Ml, M2, M3, M4 or M5, the threshold for
11			industrial uses shall be 50,000jsquare feet of gross floor area;
12		b.	Projects with multiple principal structures on one zoning lot;
13		c.	Any multiple-family residential or loft development with more 12 dwelling
14			units;
15		d.	Site condominium developments;
16		e.	Projects in a 100-year floodplain; or
17		f.	Any parking structure as defined in Section 50-16-341 of this Code.
18	(2)	Add	itions and/or major structural alterations that involve any of the following:
19		a.	Any development that has not more than 20,000 square feet of gross floor
20			area where the addition or alteration results in a cumulative total of more
21			than 20,000 square feet of gross floor area, considering existing floor area
22			and proposed additions, except that, on land zoned Ml, M2, M3, M4 or M5,

1		the threshold for industrial uses shall be 50,000 square feet of gross floor
2		area;
3		b. An increase of 25 percent or more in gross square footage to an existing
4		building that contains more than 20,000 square feet of gross floor area,
5		except that, on land zoned Ml, M2, M3, M4 or M5, the threshold for
6		industrial uses shall be 50,000 square feet of gross floor area; or
7		c. Projects in a 100-year floodplain.
8	(3)	Any development with a lot area of more than one acre in cumulative total
9		considering existing lot area and any proposed additional lot area, except that, on
10		land zoned Ml, M2, M3, M4 or M5, the threshold for industrial uses shall be three
11		acres.
12	(4)	Substantial changes in use within any building that has more than 20,000 square
13		feet of gross floor area or of any use with a lot area of more than one acre, except
14		that, on land zoned Ml, M2, M3, M4 or M5, the threshold for industrial uses shall
15		be 50,000 square feet of gross floor area and three acres. For purposes of site plan
16		review, a substantial change in use is one that involves the establishment of a use
17		from one of the major land use classifications that are set out in Article XII of this
18		chapter, which are residential, public/civic/institutional, retail/service/commercial,
19		manufacturing/industrial, and other, where the use immediately preceding the new
20		use was from a different major land use classification.
21	(5)	Any conditional, regulated, or controlled land use and any case before the Board of

(6) Any use that has drive-up or drive-through facilities or a walk-up component.

Zoning Appeals as the body of first jurisdiction.

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1	(7)	Animated	cione ac	provided	for in	Section	50 6 0	1 of this	Code
1	(1)	Triffilated	aigna da	provided	101 111	Section	20-0-7	1 Of tills	Code

- (7) Projects within any PD, SDI, SD2, SD3 or SD5 District, provided, that, in the SDI, SD2, SD3 and SD5 Districts, alterations to an existing structure, that do not involve additions or major structural alterations, qualify for "expedited review" as provided for in Section 50-3-131(b) of this Code.
- (8) Projects within the SD4 District that involve the following four utility uses: electric transformer station; gas regulator station; telephone exchange building; water works, reservoir, pumping station, or filtration plant.
- (9) Projects seeking approval under the Alternative Residential Development Options provisions of Article XIII, Division 3, of this chapter.
- (10) Urban farms and all other agricultural uses specified as a conditional use in Section 50-12-109 of this Code.
- (11) Any new or newly established motor vehicle salesroom or sales lot for the sale of used vehicles.

DIVISION 6. SPECIAL DISTRICT REVIEW

Sec. 50-3-227. Report and recommendation.

A written report shall be forwarded by the City Planning Commission and Planning and Development Department to the City Council recommending approval or disapproval of the permit application and recommending any changes that are deemed necessary to ensure conformity with the spirit, intent, and purpose of the PC or PCA District. In each case, the City Council shall approve, disapprove, or adjust said recommendation through adoption of a resolution. Advertising signs shall not be permitted in any PC or PCA District.

DIVISION 10. CONDOMINIUM SUBDIVISIONS

Sec. 50-3-482.	Compliance	with	subdivision	regulations	required.
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All condominium subdivisions shall be developed in accordance with all substantive
provisions of Chapter 24 of this Code, Land Division and Subdivision, even where the resulting
condominium subdivision will not involve the creation of new recorded parcels of land. In
addition, all condominium projects and condominium subdivisions shall comply with the
following requirements:

- (1) All condominium units, including site condominiums, and related accessory structures shall comply with all the use, size, sign, height, setback, parking and area requirements of this chapter, unless such standards are modified through the applicable approval process;
- (2) The condominium subdivision shall provide for dedication of easements to the appropriate public agencies for the purposes of construction, operation, maintenance, inspection, repair, alteration, replacement and/or removal of pipelines, conduits, mains and other installations of a similar character for the purpose of providing public utility services, including conveyance of sewage, potable water and stormwater runoff across, through and under the property subject to said easement, and excavation and refilling of ditches and trenches necessary for the location of such installations;
- (3) All condominium projects and condominium subdivisions which consist, in whole or in part, of condominium units that are building sites shall be marked with monuments the same as is required for subdivisions under the Michigan Land Division Act, being MCL 560.101 et seq.;

(3) All provisions of the condominium project or condominium subdivision plan which 1 are approved by the City shall be incorporated, as approved, in the master deed for 2 the condominium subdivision. Any proposed changes, including expansion or 3 conversion of a condominium project to include additional land, to the approved 4 condominium subdivision plan shall be subject to review and approval by the City. 5 ARTICLE IV. REVIEW AND APPROVAL PROCEDURES (PART 2) 6 **DIVISION 2. TEMPORARY USE PERMITS** 7 Sec. 50-4-22. Application filing and submittal information. 8 Applications for a temporary use permit shall be submitted to the Director of the Buildings, 9 Safety Engineering, and Environmental Department. 10 The application shall include the following information: 11 (1) Name, address, and telephone number of the applicant; 12 a. A written description of the temporary use activity, including location, dates b. 13 of activity, hours of operation, traffic and parking management plan, waste 14 disposal plan, and measures to minimize any negative impacts; 15 Proof of property ownership or, where the applicant is not the owner of the 16 c. land, an affidavit of the property owner which approves the temporary use 17 specifying the activity, dates of activity, and hours of operation; 18 A site plan, to scale, that illustrates property lines, existing structures, drives d. 19 and parking areas, location of the temporary use, parking for the temporary 20 use, signage for the temporary use, and any other information deemed to be 21 necessary by the Buildings, Safety Engineering, and Environmental 22

Department;

1		e. Where applicable, the type of food and beverages to be served for which
2		approval may be required by the Health Department.
3	(2)	In addition, the City may require a performance bond to ensure proper cleanup and
4		may require liability insurance coverage be carried; and
5	(3)	See Figure 50-4-22.
6	DIV	VISION 6. VARIANCES AND ADMINISTRATIVE ADJUSTMENTS
7	Sec. 50-4-131	1. Permitted dimensional variances.
8	The E	Board of Zoning Appeals shall be authorized to hear dimensional variance requests
9	for matters t	hat are beyond the scope of Buildings, Safety Engineering, and Environmental
LO	Department's	ten percent administrative adjustments (see Section 50-2-21(9) of this Code). Said
L1	dimensional	variances may be granted in the following seven instances based on the approval
12	criteria of Sec	ction 50-4-121 of this Code, except as may be limited or restricted by other provisions
13	of this chapte	r:
14	(1)	Location or amount of off-street parking. For a variance from the required location
15		of off-street parking facilities or the amount of off-street parking facilities required
16		or both, where, after investigation by the Board, it is found that such modification
17		is necessary to secure an appropriate development of a specific parcel of land
18		provided, that any such modification will not be inconsistent with other
19		requirements and general purpose of this chapter; or
20	(2)	Loading spaces. For a variance of the loading space provisions of Article XIV
21		Division 1, Subdivision D, of this chapter where, after investigation by the Board
22		it is ascertained that the volume of vehicular service will not require complete

compliance with said provisions, or that variance will not cause undue interference

with the public use of the streets or alleys or imperil public safety, and where the requested variance will not be inconsistent with the spirit and purpose of this chapter; or

- (3) Height requirements in airport overlay zones. For a variance of the height requirements, as specified in the airport overlay zones "A," "B," or "AA," after obtaining and giving due consideration to a report and favorable recommendation from the Airport Department regarding its interests in the matter under consideration, provided, that said modification variance will not be injurious to contiguous or neighboring properties, or contrary to the spirit and intent of this chapter; or
- (4) Height limitations for signs. For a variance of the height limitation of signs as provided for in Section 50-6-48 of this Code; or
- (5) Setbacks for freeway advertising signs. The Board may grant a variance of the setback for advertising signs oriented to freeways in accordance with the provisions of Section 50-6-92 of this Code; or
- (4) General dimensional standards. For a variance of the minimum lot area, minimum lot width, minimum setbacks, maximum height (except as provided in Section 50-13-157 of this Code for the SD4 District), maximum lot coverage, recreational space ratio (RSR), maximum floor area ratio (FAR) (except as provided in Section 50-13-157 of this Code for the SD4 District), bulk, or cubical content as specified in Article XIII of this chapter, except for signs, antennas, and other similar structures, the dimensional variances or adjustments of which are provided for in this chapter, provided:

1		a. That the open space needs of the potential occupants are adequately served;
2		and
3		b. That said facility complies with all appropriate federal and state statutes,
4		Wayne County Code of Ordinances, this Code and their accompanying
5		regulations that control or regulate such use, including all applicable
6		standards of this Zoning Ordinance chapter; or
7	(<u>5</u>)	Antenna limitations. For a variance of the dimensional limitations of antennas as
8		provided for in Article XII, Division 3, Subdivision G, of this chapter.
9		ARTICLE V. VIOLATIONS AND ENFORCEMENT
10	DIVIS	SION 2. VIOLATIONS AND PENALTIES; BLIGHT VIOLATIONS
11	Sec. 50-5-24. S	Specific violations.
12	Any of	the following shall be a violation of this chapter and shall be subject to the remedies
13	and penalties t	hat are provided for in this chapter:
14	(1)	Development or subdivision without permit or approval. To engage in any
15		subdividing, development, construction, remodeling, alteration, placement of signs,
16		or other activity of any nature upon land that is subject to this chapter without all
17		of the approvals which are required by this chapter;
18	(2)	Development, subdivision, or use or sign inconsistent with permit or license. To
19		engage in any development, use, construction, remodeling, or other activity of any
20		nature in any way inconsistent with the terms and conditions of any permit
21		approval, certificate, license, or other form of authorization which is required in
22		order to engage in such activity;

1	(3)	Development, subdivision, or use or sign inconsistent with conditions. To violate,
2		by act or omission, any term, condition, or qualification that is placed by a decision-
3		making body upon any permit or other form of authorization;
4	(4)	Violating dimensional requirements. To reduce or diminish any lot area so that the

- (4) Violating dimensional requirements. To reduce or diminish any lot area so that the lot size, setbacks, or open spaces shall be smaller than prescribed by this chapter, or to increase the height or bulk of any building or structure in violation of the requirements of this chapter;
- (5) Increasing intensity or density of use. To increase the intensity or density of use of any land or structure, except in accordance with the procedural requirements and substantive standards of this chapter;
- (6) Removing or defacing required notice. To remove, deface, obscure, or otherwise interfere with any notice that is required by this chapter;
- (7) Failure to remove signs. To fail to remove any sign installed, created, erected or maintained in violation of this chapter, or where the sign permit has lapsed;
- (7) Obtaining permit or approval in a fraudulent manner. To obtain any permit, approval, certificate, license, or other form of authorization required by this chapter in a fraudulent manner; and
- (8) All other violations. To establish or operate other activities, structures, or land uses that are in violation of any specific provisions, or the general purpose and intent, of this chapter.

Sec. 50-5-31. Failure to comply with other land use or procedural requirements.

Penalties for failure to comply with other land use or procedural requirements are as follows:

Violation	First Offense	Second Repeat Offense	Third and Subsequent Repeat Offenses
Unlawful banner, signage or antenna	\$200.00	\$400.00	\$1,500.00
Unlawful storage upon land developed as non-residential			
Inoperable vehicle	\$100.00	\$200.00	\$500.00
Refuse or debris	\$100.00	\$200.00	\$500.00
Other unlawful storage	\$100.00	\$200.00	\$500.00
Unlawful storage upon land developed as residential			
Inoperable private passenger vehicle	\$100.00	\$200.00	\$500.00
Inoperable recreational equipment	\$100.00	\$200.00	\$500.00
Refuse or debris	\$100.00	\$200.00	\$500.00
Vehicle other than operable recreation equipment or operable private passenger vehicle	\$100.00	\$200.00	\$500.00
Other unlawful storage	\$100.00	\$200.00	\$500.00
Other noncompliance with land use requirements	\$125.00	\$250.00	\$1000.00
Failure to comply with procedural or other requirements	\$125.00	\$250.00	\$1000.00

2 DIVISION 3. OTHER REMEDIES AND ENFORCEMENT POWERS

Sec. 50-5-58. Other remedies.

The Buildings, and Safety Engineering, and Environmental Department shall have such other remedies as are provided for by Michigan state law for the violation of zoning, subdivision, sign or related provisions of this Zoning Ordinance chapter.

ARTICLE VI. SIGNS RESERVED

DIVISION 1. GENERAL; DEFINITIONS

Sec. 50-6-1. Purpose; overview.

(a) The sign regulations of this article are intended to balance public and private interests. The purpose of this article is to promote a safe, well-maintained, vibrant and attractive City while accommodating the need for signs to inform, direct, identify, advertise, advocate,

1	promote, endorse and otherwise communicate information. While these regulations allow for a
2	variety of sign types and sizes, they do not necessarily ensure every property owner or business
3	owner's desired level of visibility. It is not the intent or purpose of this chapter to regulate the
4	message displayed on any sign or the content. The objectives of this article are to:
5	(1) General. Ensure that signs are located, designed, constructed, installed and
6	maintained in a way that protects life, health, morals, property and the public
7	welfare;
8	(2) Public safety. Protect public safety by prohibiting signs that are structurally unsafe
9	or poorly maintained; that cause unsafe traffic conditions through distraction of
10	motorists, confusion with traffic signs, or hindrance of vision; and that impede safe
11	movement of pedestrians or safe ingress and egress from buildings or sites;
12	(3) Protect aesthetic quality of neighborhoods. Prevent blight and protect aesthetic
13	qualities by preventing visual clutter and protecting views and preventing intrusion
14	of commercial messages into non-commercial areas;
15	(4) Free speech. Ensure that the constitutionally guaranteed right of free speech is
16	protected and to allow signs as a means of communication;
17	(5) Reduce conflict. Reduce conflict among signs and light, and between public and
18	private information systems;
19	(6) Business identification. Allow for adequate and effective signage for business
20	identification and other commercial speech, non-commercial speech, and
21	dissemination of public information, including, but not limited to, public safety

information and notification as may be required by law.

(b)—Sign controls have been written for each district and placed in this article for ease of use and administration. All signs have been divided into four major categories; advertising; business, including identification and institutional bulletin; directional; and real estate. These are further divided according to structure type, *viz.*, double-face, flashing, illuminated, roof, ground, and wall. As an aid to the user of this chapter, definitions that pertain to signs have been restated in this division. In addition, all relevant sign terms are defined in Section 50-16-383 of this Code.

(c) Non-zoning provisions for signs are contained in Chapter 4 of this Code,

Advertising. Such provisions are enacted under the police powers of the City. REPEALED.

Sec. 50-6-2. Sign.

Sign means any letter, figure, character, mark, plane, point, marquee sign, design, poster, pietorial, pieture, stroke, stripe, line, trademark, reading matter, or illuminated service that shall be constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, so that the same is used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise that is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of such classification as set forth in Chapter 8, Article II, of this Code, Building Code, including Section 8-2-21 of this Code, Additions to Appendix II, Signs, and as set forth in this article but not mean any display of official court or public agency notices, or the flag, emblem, or insignia of a nation, political unit, school, or religious group, or any non-illuminated, non-commercial, painted art mural. REPEALED.

Sec. 50-6-3. Sign, advertising.

An advertising sign is a sign, whether billboard or painted wall graphic, which directs attention to a business, commodity, service, or entertainment, that is conducted, sold, or offered

1	elsewhere than on the premises where the sign is affixed, located or painted, or only incidentally
2	sold or offered on the premises. (See Figure 61-6-3-50-6-3.) REPEALED.
3	FIGURE 50-6-3
4	(For Informational Purposes Only)
5	ADVERTISING SIGN
6	[GRAPHIC]
7	Sec. 50-6-4. Sign, animated.
8	An animated sign is any sign which uses movement or change of lighting to depict action
9	or to create a special effect or scene, including signs displaying moving images or videos. For
10	regulatory purposes, animated signs are flashing signs. REPEALED.
11	Sec. 50-6-5. Sign, area of.
12	The area of a sign shall be computed as the entire area circumscribed by a parallelogram,
13	triangle, circle, or semicircle, or any combination of these figures, which includes all of the display
14	area of the sign, including frames surrounding display areas. The blank areas between letters,
15	words, illustrations, graphics, and the like are integral to understanding the message or display of
16	a sign and shall be included in the computation of the area of a sign or the area of a message or
17	word or letter or graphic that is part of a sign. REPEALED.
18	Sec. 50-6-6. Sign, billboard.
19	A billboard is a large outdoor board for advertisements, which most commonly serve as
20	"advertising signs," as defined in Section 50-6-3 of this Code, except when identifying the business
21	or profession conducted on the same zoning lot where the billboard is located, in which case the
22	billboard serves as a "business sign," as defined in Section 50-6-7 of this Code. REPEALED.
23	Sec. 50-6-7. Sign, business.

1	A business sign is a sign, at least 75 percent of whose area is devoted to directing attention
2	to the principal business or profession conducted, or to the principal type of commodity, service,
3	or entertainment sold or offered on the premises where the sign is affixed, located, or painted. (See
4	Figure 50-6-7.) REPEALED.
5	FIGURE 50-6-7
6	(For Informational Purposes Only)
7	BUSINESS SIGN
8	[GRAPHIC]
9	Sec. 50-6-8. Sign, directional.
LO	A directional sign is a sign directing and guiding traffic or parking but bearing no
l1	advertising matter. (See Figure 50-6-8.) REPEALED.
L2	FIGURE 50-6-8
L3	(For Informational Purposes Only)
L4	DIRECTIONAL SIGN
L5	[GRAPHIC]
L6	Sec. 50-6-9. Sign, double-face.
L 7	A double-face sign is a sign, both sides of which are visible and used as signs. A "V" type
18	sign shall be considered a double-face sign, provided, that the least angle of intersection does not
19	exceed 90 degrees. A multiface sign has more than two display areas, all of which are visible and
20	used as signs. REPEALED.
21	Sec. 50-6-10. Sign, electronic message board.
22	An electronic message board is a sign that uses changing lights to form a sign message
23	wherein the sequence of messages and the rate of change is electronically programmed and can be

- 1 modified by electronic processes. For regulatory purposes, electronic message board signs are
- 2 flashing signs. REPEALED.
- 3 Sec. 50-6-11. Sign face.
- The sign face is the area or display surface used for the message. REPEALED.
- 5 Sec. 50-6-12. Sign, flashing.
- A flashing sign is an illuminated sign on which the artificial light is not maintained
- 7 stationary or constant in intensity or color at all times when in use. (See Figure 50-6-12.)
- 8 Electronic message boards and animated signs shall be considered flashing signs. REPEALED.
- 9 Figure 61-6-12-50-6-12
- 10 (For Informational Purposes Only)
- 11 FLASHING SIGNS
- 12 [GRAPHIC]

Sec. 50-6-13. Sign, freeway advertising.

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A freeway advertising sign is any advertising sign located in an adjacent area where the facing of the sign is visible from a freeway. For purposes of this chapter: the term "freeway" means a divided highway of not less than two lanes in each direction to which owners or occupants of abutting property or the public do not have a right of ingress or egress to, from or across the highway, except at points determined by or as otherwise provided by the authorities responsible therefor; and the term "adjacent area" means the area measured from the nearest edge of the right of way of a freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way line. Freeway advertising signs, as well as advertising signs along other state trunk lines, are additionally regulated by the Michigan Department of Transportation (MDOT) and

1	require a permit from MDOT prior to issuance of a permit by the City, as provided for in Section
2	50-6-81 of this Code. REPEALED.
3	Sec. 50-6-14. Sign, identification.
4	An identification sign is a business sign, not less than 75 percent of the area of which
5	identifies the name of the individual, profession, occupation, organization, hotel, or motel
6	occupying the premises, or the name or street number of the building. Information directly related
7	to principal or accessory uses of the property may also be included, provided, that not more than
8	25 percent of the area of the sign is devoted to such information. (See Figure 50-6-14.)
9	REPEALED.
10	FIGURE 50-6-14
11	(For Informational Purposes Only)
12	IDENTIFICATION SIGN
13	[GRAPHIC]
14	Sec. 50-6-15. Sign, illuminated.
15	An illuminated sign is a sign designed to give forth any artificial light, or designed to reflect
16	such light deriving from any source which is intended to cause such light or reflection. (See Figure
17	50-6-15.) REPEALED.
18	FIGURE 50-6-15
19	(For Informational Purposes Only)
20	ILLUMINATED SIGNS
21	[GRAPHIC]
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1	Sec. 50-6-16. Sign, institutional bulletin.
2	A business sign of any public, civic, or institutional land use specified in Article XII,
3	Division 1, Subdivision C, of this chapter, other than family day care homes and group day care
4	homes, and a business sign of any fraternal or philanthropic organization, provided, that said sign
5	is located on the premises and limited to bearing only information related to activities conducted
6	on the premises, persons involved, or other identification information. (See Figure 50-6-16.)
7	REPEALED.
8	FIGURE 50-6-16
9	(For Informational Purposes Only)
10	INSTITUTIONAL BULLETIN SIGN
11	[GRAPHIC]
12	Sec. 50-6-17. Sign, painted wall graphic.
13	A painted wall graphic is a sign that is painted on a wall and exceeds ten square feet in
14	area. (See Figure 50-6-17.) REPEALED.
15	FIGURE 50-6-17
16	(For Informational Purposes Only)
17	PAINTED WALL GRAPHIC SIGN
18	[GRAPHIC]
19	Sec. 50-6-18. Sign, political.
20	A political sign is an advertising sign announcing or supporting political candidates or
21	issues in connection with any state, or local, election or referendum. REPEALED.
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1	Sec. 50-6-19. Sign, portable.
2	A portable sign is any sign of durable material, that is designed to be moved easily and is
3	not permanently affixed to the ground or to a structure or building. Portable signs include, but are
4	not limited to: A frame signs; sandwich board signs; and portable message boards typically
5	measuring five feet by eight feet with manually changeable letters. REPEALED.
6	See. 50-6-20. Sign, projecting.
7	(a) A projecting sign is a sign constructed or erected so as to be attached at one end to
8	a building, or other structure, and projecting out therefrom.
9	(b) In addition, any sign projecting into the right of way shall be considered a
10	projecting sign.
11	(c) See also Figure 50-6-20. REPEALED.
12	FIGURE 50-6-20
13	(For Informational Purposes Only)
14	PROJECTING SIGN
15	[GRAPHIC]
16	Sec. 50-6-21. Sign, real estate.
17	A real estate sign is a sign advertising that the premises where it is located are for sale
18	lease, or rent. (See Figure 50-6-21.) REPEALED.
19	FIGURE 50-6-21
20	(For Informational Purposes Only)
21	REAL ESTATE SIGN
22	[GRAPHIC]
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1	Sec. 50-6-22. Sign, temporary.
2	The term "temporary sign" means a sign, including any banner constructed of cloth,
3	fabric, poster board, corrugated plastic or corrugated cardboard, or other lightweight temporary
4	material, with or without a structural frame, that is intended for a limited period of display on a
5	building, including decoration displays for holidays or public demonstrations. REPEALED.
6	Sec. 50-6-23. Signs, wall, roof, or ground.
7	(a) The term "wall sign" means any sign attached to, or erected against, the wall of a
8	building or structure with the exposed face of the sign in a plane that is parallel to the plane of the
9	wall.
10	(b) Roof signs are signs that are erected upon, or above, a roof or parapet of a building
11	or structure.
12	(c) The term "ground sign" means a sign, including a ground-mounted billboard, that
13	is supported by one or more uprights, poles, or braces in or upon the ground. Monument signs and
14	pylon signs shall be considered as ground signs.
15	(d) See also Figure 50-6-23. REPEALED.
16	FIGURE 50-6-23
17	(For Informational Purposes Only)
18	WALL, ROOF, OR GROUND SIGN
19	[GRAPHIC]
20	Sec. 50-6-24. Sign, monument.
21	A freestanding sign attached to a permanent foundation or decorative base and not attached
22	or dependent for support from any building, pole, posts, or similar uprights. REPEALED.
23	Sec. 50-6-25, Sign, pylon.

1	A permanent freestanding sign that is mounted on a pole or other support that is placed on
2	or anchored in, the ground and that is independent from any building or other structure
3	REPEALED.
4	Sees. 50-6-26-50-6-40. REPEALED.
5	DIVISION 2. REGULATIONS OF GENERAL APPLICABILITY
6	Sec. 50-6-41. Permit required.
7	Except as otherwise provided for in this Code, no sign shall be erected, affixed, or displayed
8	without a permit. REPEALED.
9	Sec. 50-6-42. Noncommercial messages.
10	Any sign, display, or device which is allowed under this chapter may contain, in lieu o
11	any other message, any otherwise lawful noncommercial message which does not direct attention
12	to a business operated for profit, or to a commodity or service for sale, and which complies with
13	zoning district, height, lighting, and setback requirements of this chapter. REPEALED.
14	Sec. 50-6-43. Height limits.
15	The height limitations, that are contained in Section 50-6-44 through Section 50-6-51 or
16	this Code, shall apply, except where more restrictive regulations are applicable. The height of
17	sign shall be the distance between the highest part of the sign, including support structure, and the
18	established grade as defined in Section 50-16-222 of this Code. REPEALED.
19	Sec. 50-6-44. Height; ground or freestanding signs.

district regulations permit a greater height, and ground or freestanding signs may be permitted up

to the height regulations that are specified in the district but, in any instance, no more than 70 feet

(a) Ground or freestanding signs shall not exceed 35 feet in height, except where the

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1	in height. New ground signs in Traditional Main Street Overlay areas shall be limited to a
2	maximum height of 12 feet, as specified in Section 50-14-450 of this Code.
3	(b) Ground or freestanding advertising signs:
4	(1) Shall not exceed 35 feet in height, except as provided for in Section 50-6-48 and
5	Section 50-6-94 of this Code;
6	(2) In addition, the bottom edge of a ground or freestanding advertising sign shall not
7	be less than 15 feet above established grade, whenever located within the "clear
8	vision triangle," as defined in Section 50-16-152 of this Code. In Traditional Main
9	Street Overlay areas, new ground signs shall not be located in the "clear vision
10	triangle." REPEALED.
11	Sec. 50-6-45. Height; business or identification signs.
12	Business or identification signs shall be permitted to a height not in excess of the height
13	limitation for roof, wall, ground, or projecting signs as applicable for the district. Business signs
14	are also subject to the provisions of Chapter 4, Article IV, of this Code. REPEALED.
15	Sec. 50-6-46. Height; roof signs.
16	Roof signs shall not exceed the maximum building height that is permitted in the district
17	where the sign is located. REPEALED.
18	Sec. 50-6-47. Height; projecting signs.
19	Projecting signs, which are attached to a building wall, shall not exceed the maximum
20	building height that is permitted in the district where the sign is located. REPEALED.
21	See. 50-6-48. Sign height variances.
22	(a) On petition, the Board of Zoning Appeals may waive the height limitation in
23	specific cases upon making all of the following findings:

1	(1) I hat the increase in height at the proposed location which is reviewed in
2	conjunction with the design and appearance of the sign indicates that the increase
3	will not have a detrimental effect on the privacy, light, or air of neighboring
4	properties;
5	(2) That the increase in height will not substantially affect the use or development of
6	adjacent or surrounding property by impairing or detracting from the aesthetic value
7	of said property; and
8	(3) That, in the case of advertising signs which are constructed within the permittee
9	height limitation, the sign would not be visible to passing traffic at any point within
LO	the 1,000-linearfoot spacing area.
L1	(b) The Buildings, Safety Engineering, and Environmental Department may adjust the
L2	standard height and sign face area limitations of advertising signs in accordance with the
L3	provisions of Section 50-6-94 of this Code. REPEALED.
L4	Sec. 50-6-49. Directional signs.
L5	(a) Directional sign requirements within residential zoning districts.
L6	(1) Area and number. One directional sign at each point of ingress and egress shall be
17	permitted. No sign shall exceed two square feet in area.
18	(2) Height. No directional ground sign shall extend more than five feet above the leve
19	of the nearest sidewalk.
20	(3) Exception to height requirement. Where deemed appropriate in site plan review
21	additional directional signage may be authorized at the height specified in the site
22	plan review.

1	(4) Other permitted uses. Directional signage may also be permitted on lots in
2	residential zoning districts for uses on zoning lots within 100 feet of the zoning lot
3	on which the directional sign is to be located.
4	(b) Directional sign requirements within non-residential zoning districts.
5	(1) Area and number. One directional sign at each point of ingress and egress shall be
6	permitted. No sign shall exceed six square feet in area.
7	(2) Height. No directional ground sign shall extend more than five feet above the level
8	of the nearest-sidewalk.
9	(3) Exception to height requirement. Where deemed appropriate in the site plan review
LO	and at the height specified in the site plan review, additional directional signage
l1	may be authorized.
L2	(4) Other permitted uses. Directional signage may also be permitted on lots in non-
L3	residential zoning districts for uses on zoning lots within 100 feet of the zoning lot
L4	on which the directional sign is to be located. REPEALED.
L5	Sec. 50-6-50. Institutional bulletins.
16	(a) Area and number. One institutional bulletin, that does not exceed 32 square feet in
17	area, shall be permitted. On a corner lot, the maximum size sign shall be permitted on each street
18	frontage.
19	(b) Height. Except as may be authorized in the site plan review, no institutional bulletin
20	shall extend higher than 15 feet above established grade. REPEALED.
21	Sec. 50-6-51. Real estate signs, construction site signs, and political signs.
22	(a) Area and setback.

- 1 (1) In residential zoning district classifications, a real estate sign or construction site
 2 sign or political sign that does not exceed six square feet in area and is not located
 3 closer than eight feet to any other zoning lot, shall be permitted. On a corner lot,
 4 the maximum size sign for real estate signs shall be permitted on each street
 5 frontage.
 - (2) In non-residential zoning district classifications, the area of real estate or construction site signage shall not exceed 32 square feet for each street frontage.
- 8 (b) Height. No real estate sign or construction site sign or political sign shall extend
 9 higher than 15 feet above the level of the nearest sidewalk.
 - (c) Construction site signs. Signs at construction sites shall be limited to information concerning the premises and/or identifying those involved with the construction. Permits for construction signs are valid only during the construction period. However, windbreaks or fugitive dust mitigation coverings on temporary fencing at construction sites may be imprinted with information or depictions pertaining to the construction site or of a civic nature and are exempt from sign permit requirements. REPEALED.

Sec. 50-6-52. Roof signs.

Roof signs shall be prohibited in all areas zoned in a residential district classification, and in all B1, B2, SD1, SD2 Districts, and Traditional Main Street Overlay areas. Roof signs shall be prohibited in PCA Districts on buildings that are less than 500 feet in height. REPEALED.

Sec. 50-6-53. Double-face signs.

Where a sign is permitted by any provision of this chapter, it shall be construed to permit a double-face sign. Each face of a double-face sign may equal the maximum size for the particular type of sign permitted. (See Figure 50-6-53.) REPEALED.

1	FIGURE 61-6-43 30-6-33
2	(For Informational Purposes Only)
3	DOUBLE FACE SIGNS
4	[GRAPHIC]
5	Sec. 50-6-54. Temporary signs.
6	The regulations for temporary signs are specified in Section 50-12-562 of this Code
7	REPEALED.
8	Sec. 50-6-55. Electronic message boards.
9	Electronic message boards that exclusively display messages or images which are related
10	to activities and events occurring on the premises where the electronic message board is located
11	shall be considered business signs. Electronic message boards that display messages or images no
12	relating to activities or events which occur on the premises shall be considered as advertising signs
13	(See also Section 50-6-91 of this Code.) REPEALED.
14	Sec. 50-6-56. Portable signs.
15	To eliminate obstructions of traffic visibility, reduce impediments to pedestrian circulation
16	to minimize wind-blown hazards, and to reduce the burden of enforcement on the City, portable
17	signs are prohibited in the City. REPEALED.
18	Sec. 50-6-57. Nonzoning sign regulations.
19	Nonzoning provisions for signs are found in Chapter 4 of this Code, Advertising
20	REPEALED.
21	Sec. 50-6-58. Pylon-signs, limitation.
22	Pylon signs are not permitted in Traditional Main Street Overlay areas. REPEALED.
23	Sees. 50-6-59-50-6-70. Reserved. REPEALED.

DIVISION 3. ADVERTISING SIGN REGULATIONS

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2	Advertising signs shall be set b	1000
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- 4 (1) Not less than 40 feet from all residential zoning districts and residential PD districts;

 5 and
- Not less than five feet from any lot line that divides the lot from a street and, where
 applicable, not less than any required setback as provided for in Section 50-6-103

 of this Code. REPEALED.

Sec. 50-6-72. Spacing between advertising signs.

An advertising sign shall not be erected, affixed, applied, painted, or represented directly or indirectly upon a building, structure, or zoning lot closer than 1,000 feet, measured linearly, to another advertising sign. Linear measurement shall be based on the distance, measured along the centerline of the roadway abutting the zoning lots on which the advertising signs are located, at points perpendicular to the outermost portions of the advertising signs, including support structure, closest to one another. In measuring the distance between two freeway advertising signs, all measurements shall be made as if the zoning lot actually abutted the freeway right of way. This spacing requirement applies regardless of the side of the roadway where the advertising sign is located. REPEALED.

Sec. 50-6-73. Spacing; exception.

The provisions of Section 50-6-72 of this Code shall not apply to advertising signs which are separated by a building or other visual obstruction in such a manner that only one sign located within the spacing distance is visible from the roadway at any time. Likewise, the provisions of

1	Section 50-6-72 of this Code shall not apply to advertising signs which are oriented to opposing
2	traffic. REPEALED.
3	Sec. 50-6-74. Spacing; V-shaped signs.
4	In the case of double-face signs and V-shaped signs, two advertising signs shall be
5	considered as oriented to opposing directions of traffic where the least angle of intersection of the
6	two sign faces does not exceed 45 degrees. (See Figure 50-6-74.) REPEALED.
7	FIGURE 50-6-74
8	(For Informational Purposes Only)
9	V-SHAPED SIGN
10	[GRAPHIC]
11	Sec. 50-6-75. Spacing; modification.
12	No modification of this spacing provision shall be considered except in accordance with
13	the approval criteria for administrative adjustments and variances, as provided for in Section 50-
14	4-121 of this Code and in accordance with the conditions specified in Section 50-12-135 of this
15	Code for the waiver of general spacing requirements:
16	(1) During the six-month period specified in Section 50-6-76 of this Code, the
17	Buildings, Safety Engineering, and Environmental Department shall not permit any
18	additional advertising sign within 1,000 feet measured linearly from the approved
19	site, except where such additional advertising sign is oriented to opposing traffic;
20	(2) The Buildings, Safety Engineering, and Environmental Department shall develop a
21	written policy regarding the procedures for the tracking of advertising sign permit
22	applications to ensure that the spacing provisions of Section 50-6-72 of this Code
23	are properly implemented. REPEALED.

Sec. 50-6-76. Term of permit.

Once the Buildings, Safety Engineering, and Environmental Department has issued a permit for an advertising sign, the permit holder shall have six months from the date of issuance of the permit to make the site ready for display of the advertising copy. In the case of billboards serving as advertising signs, this shall mean that work on all supporting structures and the sign face, with or without advertising copy, is complete within six months of the date of issuance of the permit, except as provided for in Section 50-3-24 through Section 50-3-26 of this Code. REPEALED.

- Sec. 50-6-77. Spacing from schools, playgrounds, parks, and historic districts.
- 10 Advertising signs shall not be permitted:
- 11 (1) Within 500 feet, measured linearly, of any school site, public playground, or public

 12 park;
- Within 500 feet, measured radially, from any City historic district; or
- 14 (3) Within the boundaries of any City historic district. REPEALED.

Sec. 50-6-78. Corner lot advertising signs.

For purposes of spacing, advertising signs on corner zoning lots shall be deemed as being oriented to all intersecting roadways, except in such instances where only the nondisplay area on the back of the sign is visible to a roadway. Where placement of a proposed advertising sign on a corner zoning lot would result in more than one sign being visible from intersecting roadways, one of the signs must be at least 300 feet from the point where the center lines of said roadways intersect. REPEALED.

Sec. 50 6 70	. Information to	be submitted	with poem	it application
Dec. 30-0-17	. Information to	De Submitted	WICH PETER	it application.

- 2 By appending to the advertising sign permit application, the applicant shall furnish the
- 3 Buildings, Safety Engineering, and Environmental Department with the four items as specified in
- 4 Section 50-6-80 through Section 50-6-83 of this Code. REPEALED.

5 See. 50-6-80. Submittal requirements; range of addresses.

- The applicant shall provide a listing of the range of addresses for each street falling within
- 7 the following specified distances of the outermost points of the proposed advertising sign:
- 8 (1) 500 radial-feet; and
- 9 (2) 1,000 linear feet along only those streets abutting the zoning lot. REPEALED.

Sec. 50-6-81. Submittal requirements; MDOT permit.

- 11 For locations where a Michigan Department of Transportation (MDOT) permit is required,
- 12 the applicant shall submit a copy of said MDOT permit prior to issuance of a permit by the City.
- 13 REPEALED.

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14 Sec. 50-6-82. Submittal-requirements; survey.

- The applicant shall submit a certified survey of the land within 150 radial feet of the
- 16 outermost points of the proposed advertising sign, that is prepared by a registered surveyor licensed
- in this state, indicating the exact distance between the outermost points of the advertising sign and
- 18 the following four features:
- 19 (1) Any land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned Development);
- 20 (2) All lot lines on the zoning lot;
- 21 (3) All right-of-way lines; and
- 22 (4) Where applicable, the nearest edge of the traveled roadway of any freeway or
- 23 <u>freeway interchange ramp.</u> REPEALED.

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The applicant shall submit an affidavit that is signed by a registered surveyor who is							
licensed in this state, declaring the exact distance between the outermost points of the advertising							
sign and the following four features:							
(1) The nearest point of all other advertising signs within 1,000 feet measured linearly							
along all streets abutting the zoning lot and the street addresses of any such signs;							
(2) The nearest lot line of a school, park, or playground within 500 feet measured							
linearly;							
(3) The nearest lot line of a City of Detroit historic district within a 500-foot radius							
and							
(4) In the event that the advertising sign is proposed to exceed the standard 35-foot							
height limitation or the standard sign face area limitations as specified in Section							
50-6-86 of this Code, the nearest lot line of land zoned R1, R2, R3, R4, R5, R6 or							
residential PD (Planned Development) within a one-quarter-mile radius.							
In addition, the surveyor shall confirm, by affidavit, that the information contained in and							
appended to the sign permit application is accurate to the best of such surveyor's knowledge							
Provision of false, inaccurate, or misleading information may result in removal of the advertising							
sign at the owner's expense subject to the provisions of Section 50-5-74 of this Code. The							
Buildings, Safety Engineering, and Environmental Department shall verify the findings of the							

surveyor that are contained in the affidavit. REPEALED.

Sec. 50-6-84. Painted wall graphies as advertising signs.

- 2 Alteration, restoration, repair, or repainting of painted wall graphics, that serve as
- 3 advertising signs, and were in existence prior to August 6, 1993, shall be permitted as a matter of
- 4 right, provided, that:

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- 5 (1) The name of the owner of the property and the address of the sign have been placed on record with the Buildings, Safety Engineering, and Environmental Department
- 7 within two years of August 6, 1993; and
- 8 (2) A sign license is issued for the advertising sign; and
- 9 (3) Where the advertising sign is not placed on record with the Buildings, Safety
- 10 Engineering, and Environmental Department within two years of August 6, 1993,
- 11 any alteration or repainting of the sign shall be done only in conformance with the
- 12 provisions of this chapter. REPEALED.

Sec. 50-6-85. Advertising signs within the area bounded by Grand Boulevard.

It shall be unlawful to construct, erect, paint, fasten, or affix any new advertising sign, whether billboard or painted wall graphic, on any zoning lot abutting or within the area bounded by East Grand Boulevard, the Detroit River, and West Grand Boulevard. This prohibition in no way limits the right to periodically alter the advertising display on billboards approved for "changeable copy" or to repaint the display on duly licensed painted wall graphics. No lawfully existing advertising sign within said area shall be enlarged or expanded, except upon approval of the Board of Zoning Appeals as provided for in Section 50-15-26 of this Code. REPEALED.

Sec. 50-6-86. Sign face area.

- 22 (a) The sign face of advertising signs oriented to freeways shall not exceed 672 square
- 23 feet in area. Where on a zoning lot abutting rights-of-way other than freeways measuring at least

- 80 feet in width, the sign face of advertising signs shall not exceed 378 square feet in area. Where, 1 on a zoning lot abutting rights of way other than freeways measuring less than 80 feet in width, 2 the sign face of advertising signs shall not exceed 250 square feet in area. 3 (b) Where the outermost point of an advertising sign is proposed not less than 150 feet 4 5 from land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned Development), the Buildings, Safety Engineering, and Environmental Department may allow an increase in sign face area in 6 accordance with Section 50-6-94 of this Code. Where the outermost point of an advertising sign 7 is less than one 150 feet from land zoned R1, R2, R3, R4, R5, R6, or residential PD (Planned 8 Development), the sign face area may not be increased, except in accordance with the approval 9 eriteria for administrative adjustments and variances as provided for in Section 50-4-121 of this 10 11 Code. REPEALED. Sec. 50-6-87. Advertising signs as a conditional land use in certain districts. 12 (a) In order to promote greater traffic safety, to enhance environmental aesthetics, and 13 to ensure greater public participation in decisions over the placement of advertising signs in the 14 City, advertising signs are hereby designated as a conditional land use in the B2, B3, B4, M1, M2, 15 and W1 Districts. No advertising sign shall be approved by the Buildings, Safety Engineering, and 16 Environmental Department or the Board of Zoning Appeals on appeal, unless all of the findings 17 are made pursuant to the standards in Article III, Division 7, Subdivision C, of this chapter in 18 addition to the following two advertising sign standards: 19
 - (1) That, based on the recommendation of the Department of Public Works Traffic Engineering Division, the placement of the advertising sign on the zoning lot will not impair the traffic safety of motorists and pedestrians; and

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1	(2)	That, based on the recommendation of the Planning and Development Department,
2		the placement of the advertising sign on the zoning lot will not be detrimental to
3		environmental aesthetics by obstructing views of significant architectural or natural
4		features.

(b) Except as prohibited in Section 50-6-85 of this Code, advertising signs are permitted on a by right basis in the B5, B6, M3, M4, and M5 Districts. REPEALED.

Sec. 50-6-88. Landscaping.

A landscaped area at the base of any ground or freestanding advertising sign may be required, on a case by case basis, upon the recommendation of the Planning and Development Department. REPEALED.

Sec. 50-6-89. Signs and billboards near freeways.

No display sign or display structure requiring a permit under Chapter 8, Article II, of this Code, *Building Code*, shall be erected in the following situations or with the following features:

(1) Within 125 feet of the edge of the traveled roadway of any freeway, or interchange ramps between freeways used by traffic facing the display side of such sign or structure, or within 25 feet of the right-of-way line of any freeway which, for the purpose of this section, shall be the property line separating abutting privately owned property from the freeway or service drive, street or alley immediately adjacent thereto, whichever distance is greater, when the display matter can be seen by traffic traveling on the freeway or interchange ramp, except that these distances shall not apply to signs which pertain to the business of the occupants of the building upon which the sign is mounted, where, in the opinion of the Department

1	of Public Works Traffic Engineering Division, such sign would not be in conflict
2	with the intent and purposes of this section; or
3	(2) In an area bordering a freeway which is zoned residential; or
4	(3) With a changeable message of more than two lines, with more than 18 characters
5	per line, exclusive of a combined time and temperature indication. REPEALED.
6	Sec. 50-6-90. Changeable message signs.
7	The message change cycle of a changeable message sign shall not be less than one minute
8	per message, except in a combined time and temperature sign, where the change cycle shall be no
9	less than 30 seconds. REPEALED.
10	Sec. 50-6-91. Animated signs.
11	(a) No sign containing an animated or moving feature, either mechanical, electrical or
12	by changing illumination, electronic moving images or videos, shall be erected or operated and no
13	existing sign shall be altered or changed so as to contain such animation where visible to freeway
14	traffic, except with specific approval by the Department of Public Works Traffic Engineering
15	Division as to the form and plan of operation so as not to create a hazard to vehicular traffic.
16	(b) Animated signs are subject to the provisions for electronic message boards as
17	provided for in Section 50-6-55 of this Code.
18	(c) When an animated sign or electronic message board is part of a development
19	subject to site plan review, the reviewing body shall consider the scale, placement, and design of
20	the sign relative both to the site and to surrounding architecture and property.
21	(d) Animated signs shall only be permitted:
22	(1) On a conditional basis within the Central Business District; and
23	(2) On land zoned SD5 subject to approval by City Council. REPEALED.

Sec. 50-6-92. Appeals and variances.

Where a permit application is not approved by the Department of Public Works Traffic Engineering Division and, upon request of the applicant, a public hearing shall be granted before the Board of Zoning Appeals. At such hearing, the testimony of the Department of Public Works Traffic Engineering Division shall be presented and consideration shall be given to the potential hazard which would be created to vehicular traffic by virtue of the location, method of animation, degree of distraction to drivers, or other features which might create such hazard as are peculiar to the specific display sign or display structure covered by the requested permit, and:

- (1) Where a public hearing is held and, upon the recommendation of the Department of Public Works Traffic Engineering Division, a finding of "no hazard to vehicular traffic" is made, the Board of Zoning Appeals may grant a variance of the standard that is provided for in Subsection (2) of this section, and the Buildings, Safety Engineering, and Environmental Department shall approve the permit application for the proposed sign; and
- (2) Any variance of the freeway setback provisions shall be limited to a reduction of not more than 15 feet of the 125-foot setback from the edge of the traveled roadway of any freeway or interchange ramps between freeways and a reduction of not more than three feet of the 25-foot setback from the right-of-way line of any freeway. REPEALED.

Sec. 50-6-93. Height of bottom edge.

The bottom edge of the sign face of a ground-mounted or freestanding advertising sign shall not be less than 15 feet above established grade whenever located within the "clear vision triangle" as defined in Section 50-16-152 of this Code, except that the Department of Public Works

- 1 Traffic Engineering Division may require a greater height for reasons of traffic safety on a case-
- 2 by case basis. REPEALED.
- 3 Sec. 50-6-94. Adjustments by the Buildings, Safety Engineering, and Environmental
- 4 Department.
- 5 The Buildings, Safety Engineering, and Environmental Department may adjust the
- 6 standard height and sign face area limitations of an advertising sign after a special land use hearing.
- 7 Such adjustments shall be limited in accordance with the following table:

Right-of-way	Maximum Height (feet)	Maximum Sign Face Area (square feet)
Freeway	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 60 feet in height.	672 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 1,200 square feet.
Other rights-of-way having 80 or more feet in width	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 50 feet in height.	378 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 672 square feet.
Other rights of way having less than 80 feet in width	35 feet plus one foot in height for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 45 feet in height	250 square feet plus one square foot in area for each two feet in setback in excess of 150 feet from land zoned R1, R2, R3, R4, R5, R6 and residential PD up to a maximum of 378 square feet

- 8 REPEALED.
- 9 Sees. 50-6-95-50-6-110. Reserved. REPEALED.
- 10 DIVISION 4. SIGNS; ZONING DISTRICT REGULATIONS
- 11 Subdivision A. Signs in R1, R2, R3, R4, R5, R6 and SD4 Districts

1	Sec. 50-6-111. Permitted signs.
2	Unless otherwise specified, only the following signs, subject to the stated conditions, shall
3	be permitted in the R1, R2, R3, R4, R5, R6 and SD4 Districts:
4	(1) Identification signs as defined in Section 50-6-14 of this Code;
5	(2) Directional signs in accordance with the provisions of Section 50-6-49 of this Code;
6	(3) Institutional bulletin boards in accordance with the provisions of Section 50-6-50
7	of this Code;
8	(4) Real estate and political signs in accordance with Section 50-6-51 of this Code,
9	excepting that no rooms for rent signs shall be permitted in the R1 or R2 Districts;
10	and
11	(5) Business signs as defined in Section 50-6-7 of this Code, subject to Chapter 4,
12	Article IV, of this Code. REPEALED.
13	Sec. 50-6-112. Area of identification signs.
14	Identification signs on land zoned R1, R2, R3, R4, R5, R6, and residential PD shall be
15	subject to the following area restrictions:
16	(1) The gross area of any identification sign for a residential building, other than a sign
17	identifying a permitted home occupation, shall not exceed in square feet the number
18	of dwelling units within the building or 32 square feet, whichever is less.
19	(2) In the R4, R5, and R6 Districts signs for hotels or motels may have a gross area of
20	up to 32 square feet. On a corner lot, the maximum size sign shall be permitted on
21	each street frontage.
22	(3) Identification signs pertaining to a permitted home occupation are permitted only
23	in the R3, R4, R5, and R6 Districts and shall not exceed 144 square inches.

1	(4) The gross area of any identification sign for a non-residential building in the K1,
2	R2, R3, R4, and R5 Districts shall not exceed 32 square feet in area. On a corner
3	lot, the maximum size sign shall be permitted on each street frontage.
4	(5) The gross area of any identification sign for a bed and breakfast inn or youth
5	hostel/hostel in the R3, R4, R5, R6 and residential PD Districts shall not exceed six
6	square feet in area. On a corner lot, the maximum size sign shall be permitted on
7	each street frontage. REPEALED.
8	Sec. 50-6-113. Height of signs.
9	Signs on land zoned R1, R2, R3, R4, R5, R6, residential PD, and SD4 shall be subject to
LO	the following height limitations:
.1	(1) In the R1, R2, R3, R4, R5, R6, and SD4 Districts, ground signs, accessory to
L2	residential uses, shall not extend more than five feet above the level of the nearest
L3	sidewalk;
L4	(2) In the R1, R2, R3, R4, R5, and R6 Districts, ground signs, accessory to non-
L5	residential uses, shall not extend more than nine feet above the level of the nearest
L6	sidewalk;
L7	(3) In the R1, R2, R3, R4, R5, and SD4 Districts, no wall sign shall extend higher than
L8	15 feet above the level of the nearest sidewalk, provided, that this provision shall
L9	not apply to hotels or motels;
20	(4) In no zoning district shall the height of a directional sign extend more than five feet
21	above the level of the nearest sidewalk, except as otherwise specified in the site
22	plan review for wall mounted directional signs; and

1	(5) In no zoning district shall the height of any ground mounted sign, wall sign, root
2	sign, or projecting sign exceed the maximum building height for that district. (See
3	Figure 50-6-113.) REPEALED.
4	FIGURE 61-6-83 50-6-113
5	(For Informational Purposes Only)
6	HEIGHT OF SIGNS
7	[GRAPHIC]
8	Sec. 50-6-114. Projection of signs.
9	No sign shall project beyond the property line into a public right of way, except that
LO	directional signs may project not more than 18 inches into a public way. Permitted identification
11	signs and institutional bulletins that project into any required setback shall be permitted where
L2	such sign is 16 square feet or less in area and six feet or less in height. Signs exceeding these
13	dimensions may be permitted up to the maximum dimensions that are allowed in these districts
14	subject to the approval of the Board of Zoning Appeals. REPEALED.
15	Sec. 50-6-115. Illumination of signs.
16	Signs may be either nonilluminated or illuminated, but in no instance shall flashing or
17	blinking signs be permitted. Illuminated signs shall be so arranged to reflect light away from
18	residential structures. REPEALED.
19	Sees. 50-6-116-50-6-130. Reserved. REPEALED.
20	Subdivision B. Signs in B1, B2, SD1, and SD2 Districts
21	Sec. 50-6-131. Permitted signs.
22	Unless otherwise specified, only the following signs, subject to the stated conditions, shall
23	be permitted in the B1, B2, SD1 and SD2 Districts:

1	(1) Business signs in accordance with Section 50-6-43 through Section 50-6-48 and
2	Section 50-6-52 of this Code, subject to the provisions of Chapter 4, Article IV, of
3	this Code;
4	(2) Identification signs in accordance with Section 50-6-43 through Section 50-6-48
5	and Section 50-6-52 of this Code;
6	(3) Directional signs in accordance with Section 50-6-49 and Section 50-6-52 of this
7	Code;
8	(4) Institutional bulletins in accordance with Section 50-6-50 and Section 50-6-52 of
9	this Code;
LO	(5) Real estate and political signs in accordance with Section 50-6-51 of this Code;
l1	(6) Advertising signs in the B2 District only in accordance with Section 50-6-43
12	through Section 50-6-48 of this Code and Article VI, Division 3, of this chapter,
13	provided, that no advertising sign, whether billboard or painted wall graphic, shall
14	be permitted in any B2 District on any zoning lot abutting or within the area
15	bounded by East Grand Boulevard, the Detroit River, and West Grand Boulevard;
16	and
17	(7) Monument signs in Traditional Main Street Overlay Areas, in accordance with
18	Section 50-14-450 of this Code; however, new pylon signs are prohibited in such
19	overlay areas. REPEALED.
20	Sec. 50-6-132. Area of signs.
21	The gross area of any identification sign for a residential building, other than a sign
22	identifying a permitted home occupation, shall not exceed in square feet the number of dwelling
22	units within the building or 32 square feet, whichever is less, provided, that signs for hotels or

- 1 motels may have a gross area of up to 32 square feet. On a corner lot, the maximum size sign shall
- 2 be permitted on each street frontage. Identification signs pertaining to a permitted home occupation
- 3 shall not exceed 144 square inches. REPEALED.

4 Sec. 50-6-133. Projection of signs.

No sign shall project more than 36 inches into a public way. Permitted business and identification signs and institutional bulletins projecting into any required setback shall be permitted where such sign is 16 square feet or less in area and six feet or less in height. Signs exceeding these dimensions may be permitted in the B1, B2, SD1 and SD2 Districts subject to the

approval of the Board of Zoning Appeals. REPEALED.

Sec. 50-6-134. Illumination of signs.

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Signs may either be nonilluminated or illuminated, but in no instance shall flashing or blinking signs be permitted. Illuminated signs shall be so arranged to reflect light away from residential structures. REPEALED.

14 Sees. 50-6-135-50-6-150. Reserved. REPEALED.

Subdivision C. Signs in B3, B4, B5, B6, W1, M1, M2, M3, M4, and M5 Districts

Sec. 50-6-151. Permitted signs.

Unless otherwise specified, only the following signs, subject to the stated conditions, shall be permitted in the B3, B4, B5, B6, W1, M1, M2, M3, M4, and M5 Districts:

(1) Advertising signs in accordance with Section 50-6-43 through Section 50-6-48 of this Code and Division 3 of this article, provided, that no advertising sign, whether billboard or painted wall graphic, shall be permitted in any B3, B4, B5, B6, M1, M2, M3, M4, M5, or W1 District on any zoning lot abutting or within the area bounded by East Grand Boulevard, the Detroit River, and West Grand Boulevard.

1	In addition, such advertising signs shall not be permitted on a zoning for that abute
2	a designated gateway radial thoroughfare as defined in Article XVI, Division 2
3	Subdivision H, of this chapter;
4	(2) Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted
5	in the Central Business District, subject to site plan review, on a conditional basis
6	only;
7	(3) Business signs in accordance Section 50-6-43 through Section 50-6-48 of this
8	Code, subject to the provisions of Chapter 4, Article IV, of this Code;
9	(4) Directional signs in accordance with Section 50-6-49 of this Code;
10	(5) Identification signs in accordance with Section 50-6-43 through Section 50-6-48 or
11	this Code;
12	(6) Institutional bulletin boards in accordance with the Section 50-6-50 of this Code;
13	(7) Real estate and political signs in accordance with Section 50-6-51 of this Code; and
14	(8) Monument signs in Traditional Main Street Overlay Areas, in accordance with the
15	provisions of Section 50-14-450 of this Code; however, new pylon signs are
16	prohibited in such overlay areas. REPEALED.
17	Sec. 50-6-152. Projection of certain signs.
18	Other than advertising signs, signs may project into a right-of-way, but in no instance shall
19	such signs project beyond the curb. REPEALED.
20	Sec. 50-6-153. Illumination of signs.
21	(a) Signs may be either nonilluminated or illuminated, provided, that flashing o
22	blinking signs shall be no closer than 100 feet to property zoned in a residential distric
23	classification where the face of such sign is visible from said property.

1	(b) Illuminated signs shall be so arranged that all such lighting shall be focused away
2	from all residential zoning districts or residential PD districts. REPEALED.
3	Sees. 50-6-154-50-6-170. Reserved. REPEALED.
4	Subdivision D. Signs in Special Districts
5	Sec. 50-6-171. Permitted signs in the PCA District.
6	(a) Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted
7	in the Central Business District, subject to site plan review, on a conditional basis only.
8	(b) Business signs in accordance with Section 50-6-52 of this Code and subject to
9	special district review as provided for in Article III, Division 6, of this chapter as to size, location,
10	and general design, subject to the provisions of Chapter 4, Article IV, of this Code.
11	(c) Directional signs in accordance with Section 50-6-49 of this Code.
12	(d) Identification signs in accordance with Section 50-6-52 of this Code and subject to
13	the approval of the City Planning Commission as to size, location, and general design.
14	(e) Institutional bulletin boards in accordance with Section 50-6-50 of this Code.
15	(f) Real estate and political signs in accordance with Section 50-6-51 of this Code.
16	REPEALED.
17	Sec. 50-6-172. Projection of signs.
18	No sign shall project more than 12 inches into a public right of way. REPEALED.
19	Sec. 50-6-173. Permitted signs in TM District.
20	Unless otherwise specified, only the following signs, subject to the stated conditions, shall
21	be permitted within the TM District:
22	(1) Business signs in accordance Section 50-6-43 through Section 50-6-48 of this
23	Code, subject to the provisions of Chapter 4, Article IV, of this Code;

1	(2) Directional signs in accordance with Section 50-6-49 of this Code;
2	(3) Identification signs in accordance with Section 50-6-43 through Section 50-6-48 or
3	this Code;
4	(4) Institutional bulletin boards in accordance with Section 50-6-50 of this Code; and
5	(5) Real estate and political signs in accordance with Section 50-6-51 of this Code
6	REPEALED.
7	Sec. 50-6-174. Projection of signs in the TM District.
8	No sign within the TM District shall project more than 36 inches into a public right of
9	way. REPEALED.
10	Sec. 50-6-175. Illumination of signs in the TM District.
11	Signs within the TM District may be either nonilluminated or illuminated but in no instance
12	shall flashing or blinking signs be permitted. Illuminated signs shall be so arranged to reflect ligh
13	away from residential structures. REPEALED.
14	Sec. 50-6-176. Permitted signs in PC, PD, and P1 Districts.
15	Signs shall be permitted in PC, PD, or P1 Districts subject to the development control
16	established in the applicable district regulations. Advertising signs shall not be permitted in the PC
17	and P1 Districts. REPEALED.
18	Sec. 50-6-177. Animated signs in PC District.
19	Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted on land
20	zoned PC in the Central Business District, subject to site plan review, on a conditional basis only
21	and on land zoned PD as determined by the City Council. REPEALED.

1	Sec. 50-6-178. Permitted signs in the SD5 District.		
2	Signs shall be permitted in the SD5 district in accordance with the approved site plan and		
3	accompanying documents, and subject to the standards as delineated in Division 2 of this article		
4	and Article XI, Division 13, of this chapter. REPEALED.		
5	Sec. 50-6-179. Animated signs in the SD5 District.		
6	Animated signs, as provided for in Section 50-6-91 of this Code, may be permitted on land		
7	zoned SD5, subject to site plan review and approval by the City Council. REPEALED.		
8	Sees. 50-6-180-50-6-200. Reserved. REPEALED.		
9	ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS		
10	DIVISION 2. R1 SINGLE-FAMILY RESIDENTIAL DISTRICT		
11	Sec. 50-8-18. By-right other uses.		
12	Other by-right uses within the R1 Single-Family Residential District are as follows:		
13	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.		
14	(2) Signs as provided for in Article VI of this chapter.		
15	(2) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this		
16	chapter.		
17	Sec. 50-8-24. Conditional other uses.		
18	Other conditional uses within the R1 Single-Family Residential District are as follows:		
19	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.		
20	(2) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this		
21	chapter.		
22	(3) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this		
23	chapter.		

1	(4)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
2	(5)	Signs as provided for in Article VI of this chapter.
3	(<u>5</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
4		chapter.
5		DIVISION 3. R2 TWO-FAMILY RESIDENTIAL DISTRICT
6	Sec. 50-8-48.	By-right other uses.
7	Other	by-right residential uses within the R2 Two-Family Residential District are as
8	follows:	
9	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
10	(2)	Signs as provided for in Article VI of this chapter.
11	<u>(2</u>)	Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
12		chapter.
13	Sec. 50-8-54.	Conditional other uses.
14	Other	Conditional uses within the R2 Two-Family Residential District are as follows:
15	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter
16	(2)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
17		chapter.
18	(3)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
19		chapter.
20	(4)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
21	(5)	Signs as provided for in Article VI of this chapter.
22	(<u>5</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
23		chapter.

2	Sec. 50-8-78.	By-right other uses.
3	Other	by-right uses within the R3 Low Density Residential District are as follows:
4	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
5	(2)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
6	(3)	Signs as provided for in Article VI of this chapter.
7	<u>(3)</u>	Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
8		chapter.
9	Sec. 50-8-84.	Conditional other uses.
10	Other	conditional uses within the R3 Low Density Residential District are as follows:
11	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
12	(2)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
13		chapter.
14	(3)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
15		chapter.
16	(4)	Signs as provided for in Article VI of this chapter.
17	<u>(4)</u>	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
18		chapter.
19		DIVISION 5. R4 THOROUGHFARE RESIDENTIAL DISTRICT
20	Sec. 50-8-108	B. By-right other uses.
21	Other	by-right uses within the R4 Thoroughfare Residential District are as follows:
22	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

DIVISION 4. R3 LOW DENSITY RESIDENTIAL DISTRICT

1	(2)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
2		chapter.
3	(3)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
4		chapter.
5	(4)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
6	(5)	Signs as provided for in Article VI of this chapter.
7	(<u>5</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
8		chapter.
9	<u>(6)</u> U	rban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.
10	Sec. 50-8-114	4. Conditional other uses.
11	Other	conditional uses within the R4 Thoroughfare Residential District are as follows:
12	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
13	-(2)	Signs as provided for in Article VI of this chapter.
14	1	DIVISION 6. R5 MEDIUM DENSITY RESIDENTIAL DISTRICT
15	Sec. 50-8-13	8. By-right other uses.
16	Other	by-right uses in the R5 Medium Density Residential District are as follows:
17	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
18	(2)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
19		chapter.
20	(3)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
21		chapter.
22	(4)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
23	(5) S	igns as provided for in Article VI of this chapter.

(5) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter. 1 (6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter. 2 Sec. 50-8-144. Conditional other uses. 3 Other conditional uses in the R5 Medium Density Residential District are as follows: 4 Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter. 5 (1) (2) Signs as provided for in Article VI of this chapter. 6 7 (2) Marinas. 8 DIVISION 7. R6 HIGH DENSITY RESIDENTIAL DISTRICT 9 Sec. 50-8-168. By-right other uses. Other by-right uses within the R6 High Density Residential District are as follows: 10 11 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter. Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this 12 (2) chapter. 13 Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this 14 (3) 15 chapter. 16 (4) Railroad rights-of-way, not including storage tracks, yards, or buildings. (5)Signs as provided for in Article VI of this chapter. 17 (5)Urban farms as provided for in Article XII, Division 3, Subdivision H, of this 18 chapter. 19 (6) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter. 20 Sec. 50-8-174. Conditional other uses. 21 Other conditional uses within the R6 High Density Residential District are as follows: 22

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Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

1	(2)	Signs as provided for in Article VI of this chapter.
2	(<u>2</u>)	Marinas.
3		ARTICLE IX. BUSINESS ZONING DISTRICTS
4		DIVISION 2. B1 RESTRICTED BUSINESS DISTRICT
5	Sec. 50-9-18.	By-right other uses.
6	Other	by-right uses in the B1 Restricted Business District are as follows:
7	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
8	(2)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
9		chapter.
10	(3)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
11		chapter.
12	(4)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
13	(5)	Signs as provided for in Article VI of this chapter.
14	(<u>5</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
15		chapter.
16	(<u>6</u>) U	rban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.
17	Sec. 50-9-24.	Conditional other uses.
18	Other	conditional uses in the B1 Restricted Business District are as follows:
19	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
20	(2)	Signs as provided for in Article VI of this chapter.
21	DI	VISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT
22	Sec. 50-9-48.	By-right other uses.
23	Other	by-right uses in the B2 Local Business and Residential District are as follows:

1	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
2	(2)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
3		chapter.
4	(3)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
5		chapter.
6	(4)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
7		chapter.
8	(5)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
9	(6)	Signs as provided for in Article VI of this chapter.
10	(<u>6</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
11		chapter.
12	(<u>7</u>) Uı	ban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.
13	Sec. 50-9-54.	Conditional other uses.
14	Other	conditional uses in the B2 Local Business and Residential District are as follows:
15	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
16	(2)	Medical marihuana caregiver centers as provided for in Article III, Division 12, of
17		this chapter, except such use shall not be permitted in any Traditional Main Street
18		overlay area or on any zoning lot abutting a Gateway Radial Thoroughfare.
19	(3)	Signs as provided for in Article VI of this chapter.
20		DIVISION 4. B3 SHOPPING DISTRICT
21	Sec. 50-9-78.	By-right other uses.
22	Other by-	right uses in the B3 Shopping District are as follows:
23	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

1	(2)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
2		chapter.
3	(3)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
4		chapter.
5	(4)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
6		chapter.
7	(5)	Signs as provided for in Article VI of this chapter.
8	(<u>5</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
9		chapter.
10	(<u>6</u>) Uı	rban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.
11	Sec. 50-9-84.	Conditional other uses.
12	Other	conditional uses in the B3 Shopping District are as follows:
13	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
14	(2)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
15	(3) Si	gns as provided for in Article VI of this chapter.
16		DIVISION 5. B4 GENERAL BUSINESS DISTRICT
17	Sec. 50-9-108	3. By-right other uses.
18	Other	by-right uses in the B4 General Business District are as follows:
19	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
20	(2)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
21		chapter.
22	(3)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
23		chapter.

1	(4)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
2		chapter.
3	(5)	Marinas
4	(6)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
5	(7)	Signs as provided for in Article VI of this chapter.
6	<u>(7)</u>	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
7		chapter.
8	(<u>8</u>) Ur	ban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.
9	Sec. 50-9-114	. Conditional other uses.
10	Other	conditional uses in the B4 General Business District are as follows:
11	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
12	(2)	Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
13		chapter.
14	(3)	Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
15		chapter.
16	(4)	Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
17		chapter.
18	(5)	Medical marihuana caregiver center§., as provided for in Article III, Division 12,
19		of this chapter, except such use shall not be permitted in any Gateway Radial
20		Thoroughfare or Traditional Main Street overlay area.
21	(6)—	Signs as provided for in Article VI of this chapter.
22	(<u>6</u>) Te	lecommunications buildings, private.

2 Sec. 50-9-138. By-right other uses. Other by-right uses within the B5 Major Business District are as follows: 3 Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter. (1) 4 Passenger transportation terminal. 5 (2) Railroad rights-of-way, not including storage tracks, yards, or buildings. (3) 6 Signs as provided for in Article VI of this chapter. 7 (4)Telecommunications building, private. 8 Sec. 50-9-144. Conditional other uses. 9 Other conditional uses within the B5 Major Business District are as follows: 10 Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this 11 (1) chapter. 12 Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this 13 (2) 14 chapter. Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this (3) 15 chapter. 16 (4) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this 17 chapter. 18 19 (5) Heliports. Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this 20 (6) chapter. 21 Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this (7) 22

DIVISION 6. B5 MAJOR BUSINESS DISTRICT

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chapter.

2	(<u>8</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
3		chapter.
4	(<u>9</u>)	Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
5		chapter.
6		DIVISION 7. B6 GENERAL SERVICES DISTRICT
7	Sec. 50-9-168	. By-right other uses.
8	Other	by-right residential uses within the B6 General Services District are as follows:
9	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
10	(2)	Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
11		chapter.
12	(3)	Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
13		chapter.
14	(4)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
15		chapter.
16	(5)	Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this
17		chapter.
18	(6)	Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this
19		chapter.
20	(7)	Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
21		chapter.
22	(8)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
23	(9)	Signs as provided for in Article VI of this chapter.

(8) Signs as provided for in Article VI of this chapter.

1	(<u>9</u>)	Telecommunications buildings, private.
2	(10)	Tunnel or bridge plazas and terminals, vehicular.
3	<u>(11)</u>	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
4		chapter.
5	<u>(12</u>)	Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
6		chapter.
7	Sec. 50-9-174	. Conditional other uses.
8	Other	conditional uses within the B6 General Services District are as follows:
9	(1)	Ferry terminal.
10	(2)	Heliports.
11	(3)	Passenger transportation terminal.
12	-(4)	Signs as provided for in Article VI of this chapter.
13		ARTICLE X. INDUSTRIAL ZONING DISTRICTS
14		DIVISION 2. M1 LIMITED INDUSTRIAL DISTRICT
15	Sec. 50-10-18	3. By-right other uses.
16	By-rig	tht residential uses within the M1 Limited Industrial District are as follows:
17	(1)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
18	(2)	Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
19		chapter.
20	(3)	Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
21		chapter.
22	(4)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
23		chapter.

1 (5) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this 2 chapter. 3 (6) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this 4 chapter. 5 (7) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter. 6 Passenger transportation terminals. 7 (8) Railroad rights-of-way, not including storage tracks, yards, or buildings. (9) 8 9 Signs as provided for in Article VI of this chapter. 10 (10)Telecommunications buildings, private. Sec. 50-10-24. Conditional other uses. 11 12 Other conditional uses within the M1 Limited Industrial District are as follows: (1) Aircraft landing areas for winged aircraft. 13 Ferry terminal~. 14 (2) Medical marihuana caregiver centers as provided for in Article III, Division 12, of 15 (3) this chapter. 16 Signs as provided for in Article VI of this chapter. 17 (4) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this 18 19 chapter. Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this 20 $(\underline{5})$

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chapter.

DIVISION 3. M2 RESTRICTED INDUSTRIAL DISTRICT 1 2 Sec. 50-10-48. By-right other uses. By-right residential uses within the M2 Restricted Industrial District are as follows: 3 Aircraft landing areas for winged aircraft. (1) 4 Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter. 5 (2) (3) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this 6 7 chapter. Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this (4) 8 chapter. 9 Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this (5) 10 chapter. 11 Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this 12 (6) chapter. 13 Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this 14 (7) chapter. 15 Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this 16 (8) chapter. 17 (9) Passenger transportation terminals. 18 Railroad rights-of-way, not including storage tracks, yards, or buildings. 19 (10)(11) Signs as provided for in Article VI of this chapter. 20 (11) Telecommunications buildings, private. 21 Sec. 50-10-54. Conditional other uses. 22

Conditional other uses within the M2 Restricted Industrial District are as follows:

2 Heliports. (2) Medical marihuana caregiver centers as provided for in Article III, Division 12, of (3) 3 this chapter. 4 (4) Signs as provided for in Article VI of this chapter. 5 (4) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter. 6 (5) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter. 7 DIVISION 4. M3 GENERAL INDUSTRIAL DISTRICT 8 Sec. 50-10-78. By-right other uses. 9 Other by-right uses within the M3 General Industrial District are as follows: 10 Aircraft landing areas for winged aircraft. 11 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter. 12 (2) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this (3) 13 chapter. 14 Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this (4) 15 chapter. 16 Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this (5) 17 chapter. 18 Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this (6) 19 chapter. 20 Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this (7) 21 chapter. 22

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Ferry terminals.

1	(8)	Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
2		chapter.
3	(9)	Marinas.
4	(10)	Passenger transportation terminals.
5	(11)	Railroad rights-of-way, not including storage tracks, yards, or buildings.
6	(12)	Signs as provided for in Article VI of this chapter.
7	(<u>12</u>) T	elecommunications building§_, private.
8	Sec. 50-10-84	. Conditional other uses.
9	Other	conditional uses within the M3 General Industrial District are as follows:
10	(1)	Boat or ship yards: construction, repair, maintenance, dry dock.
11	(2)	Docks, waterway shipping/freighters.
12	(3)	Ferry terminals.
13	(4)	Heliports.
14	(5)	Medical marihuana caregiver centers as provided for in Article III, Division 12 of
15		this chapter.
16	(6)	Signs as provided for in Article VI of this chapter.
17	(<u>6</u>)	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
18		chapter.
19	<u>(7)</u>	Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this
20		chapter.
21		DIVISION 5. M4 INTENSIVE INDUSTRIAL DISTRICT
22	Sec. 50-10-1	08. By-right other uses.
23	Othe	by-right uses within the M4 Intensive Industrial District are as follows:

- 1 (1) Adult use/sexually-oriented businesses, as provided in Section 50-3-504 of this Code.
- 3 (2) Aircraft landing areas for winged aircraft.
- 4 (3) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- 5 (4) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 7 (5) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 9 (6) Boat or ship yards, construction, repair, maintenance, dry dock.
- 10 (7) Boat terminals, passenger.
- 11 (8) Docks, waterway shipping/freighters.
- 12 (9) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- 14 (10) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 16 (11) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 18 (12) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 20 (13) Marinas.
- 21 (14) Passenger transportation terminals.
- 22 (15) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- 23 (16) Signs as provided for in Article VI of this chapter.

1	(<u>16</u>)	Telecommunications buildings, private.
2	Sec. 50-10-11	4. Conditional other uses.
3	Other	conditional uses within the M4 Intensive Industrial District are as follows:
4	(1)	Ferry terminals.
5	(2)	Heliports.
6	(3)	Medical marihuana caregiver centers as provided for in Article III, Division 12, of
7		this chapter.
8	(4)	Signs as provided for in Article VI of this chapter.
9	<u>(4)</u>	Urban farms as provided for in Article XII, Division 3, Subdivision H, of this
10		chapter.
11	(<u>5</u>) Ur	ban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter
12		DIVISION 6. M5 SPECIAL INDUSTRIAL DISTRICT
13	Sec. 50-10-13	8. By-right other uses.
14	Other	by-right uses within the M5 Special Industrial District are as follows:
15	(1)	Adult uses/sexually-oriented businesses, as provided in Section 50-3-504 of this
16	Code.	
17	(2)	Aircraft landing areas for winged aircraft.
18	(3)	Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter
19	(4)	Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
20		chapter.
21	(5)	Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
22		chapter.
23	(6)	Boat or ship yards, construction, repair, maintenance, dry dock.

Boat terminal6, passenger. 1 (7) Docks, waterway shipping/freighters. 2 (8) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this (9) 3 chapter. 4 Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this 5 (10)chapter. 6 Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this 7 (11)chapter. 8 Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this (12)9 chapter. 10 Marinas. (13)11 Railroad rights-of-way, not including storage tracks, yards, or buildings. (14)12 Signs as provided for in Article VI of this chapter. 13 Telecommunications building~. private. 14 (15)Sec. 50-10-144. Conditional other uses. 15 Other conditional uses within the M5 Special Industrial District are as follows: 16 Ferry terminals. 17 (1) (2) Heliports. 18 Signs as provided for in Article VI of this chapter. 19 (3)Urban farms as provided for in Article XII, Division 3, Subdivision H, of this (<u>3</u>) 20 chapter. 21 Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this (4)22 chapter. 23

1	ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS	
2		DIVISION 3. P1 OPEN PARKING DISTRICT
3	Sec. 50-11-37	. Use limitations.
4	The fo	llowing specific use limitations shall apply in the P1 Open Parking District:
5	(1)	The parking area shall be used for parking or storage of operable private passenger
6		vehicles only;
7	(2)	No charge shall be made for parking or storage;
8	(3)	No business involving vehicle repair, service, sale or display for sale, or any other
9		type of business, shall be conducted from or upon such premises;
10	(4)	No structures other than those required by, or specifically permitted herein, in this
11		chapter shall be erected or placed on the premises;
12	(5)	No buildings other than those for shelter of attendants shall be erected or placed
13		upon said premises, and there shall be not more than two such buildings in any one
14		area and each building shall be not more than 50 square feet in area nor shall each
15		exceed 15 feet in height; and
16	(6)	No sign shall be erected or placed on the premises, except that not more than one
17		directional sign at each point of ingress or egress may be erected or placed. This
18		sign may also bear the name of the operator of the parking area and enterprise it is
19		intended to serve. Such signs shall not exceed 20 square feet in area or 15 feet in

R3, R4, R5, R6, or residential PD Districts.

height. Such signs shall not project beyond the property line when opposite R1, R2,

DIVISION 4. PC PUBLIC CENTER DISTRICT

2 Sec. 50-11-58. By-right other uses.

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- Other by-right uses within the PC Public Center District are as follows:
- 4 (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- 5 (2) Boat terminal, passenger.
- 6 (3) Public center open uses.
- 7 (4) Signs as provided for in Article VI of this chapter.
- 8 Section 50-11-64. Conditional other uses.
- 9 Other conditional uses within the PC Public Center District are as follows:
- 10 (1) Farmers markets as defined in Article XVI, Division 2, Subdivision G of this chapter.
- 12 (2) Heliports.
- 13 (3) Signs as provided for in Article VI of this chapter.
- 14 Sec. 50-11-66. Review process.

The exterior design, appearance, and location of any proposed building, or exterior alteration of any existing building, structure, or premises, or part thereof, including any exterior signs, and parking, loading or unloading areas within the PC Public Center District shall be reviewed by the Planning and Development Department and by the City Planning Commission to ensure harmony with the public center where it is located and consistency with the spirit, intent, and purpose of this Zoning Ordinance chapter. A written report shall be filed with the City Council recommending approval or disapproval of the proposed use, facility or alteration, and purpose of this district. In each case the City Council shall approve, disapprove, or adjust said

1	recommendation by resolution. Advertising signs shall not be permitted in the PC District. Sc	
2	Article III, Division 6, of this chapter.	
3	DIVISION 5. PCA PUBLIC CENTER ADJACENT DISTRICT (RESTRICTED	
4	CENTRAL BUSINESS DISTRICT)	
5	Sec. 50-11-88. By-right other uses.	
6	Other by-right uses within the PCA Public Center Adjacent District (Restricted Centra	
7	Business District) are as follows:	
8	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter	
9	(2) Heliports.	
10	(3) Marinas.	
11	(4) Signs as provided for in Article VI of this chapter.	
12	(4) Tunnel or bridge plaza and terminal, vehicular.	
13	Sec. 50-11-94. Conditional other uses.	
14	Other conditional uses within the PCA Public Center Adjacent District (Restricted Centra	
15	Business District) are as follows:	
16	(1) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of thi	
17	chapter.	
18	(2) Passenger transportation terminals.	
19	(3) Signs as provided for in Article VI of this chapter.	
20	Sec. 50-11-96. Review process.	
21	The exterior design, appearance, and location of any proposed building, or exterior	
22	alteration of any existing building, structure, or premises, or part thereof, and the location an	
23	design of any proposed sign, parking facilities or loading and unloading areas within the PCA	

- 1 Public Center Adjacent District (Restricted Central Business District) shall be reviewed by the
- 2 Planning and Development Department and by the City Planning Commission for consistency
- with the spirit, purpose, and intent of this district. In each case, the City Council shall approve,
- 4 disapprove, or adjust said recommendation by resolution. Advertising signs shall not be permitted
- 5 in the PCA District. See Article III, Division 6, of this chapter for design criteria applicable to the
- 6 PCA District.

DIVISION 6. TM TRANSITIONAL-INDUSTRIAL DISTRICT

- 8 Sec. 50-11-118. By-right other uses.
- 9 Other by-right uses within the TM Transitional-Industrial District are as follows:
- 10 (1) Aircraft landing areas for winged aircraft.
- 11 (2) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- 12 (3) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 14 (4) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 16 (5) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- 18 (6) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 20 (7) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- 22 (8) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.

1	(9) Passenger transportation terminals.
2	(10) Railroad rights-of-way, not including storage tracks, yards, or buildings.
3	(11) Signs as provided for in Article VI of this chapter.
4	(11) Telecommunications buildings, private.
5	DIVISION 7. PR PARKS AND RECREATION
6	Sec. 50-11-148. By-right other uses.
7	Other by-right uses within the PR Parks and Recreation District are as follows:
8	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
9	(2) Marina, public.
10	(3) Signs as provided for in Article VI of this chapter.
11	Sec. 50-11-154. Conditional other uses.
12	Other conditional uses within the PR Parks and Recreation District are as follows:
13	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
14	(2) Signs as provided for in Article VI of this chapter.
15	DIVISION 8. W1 WATERFRONT-INDUSTRIAL DISTRICT
16	Sec. 50-11-178. By-right other uses.
17	Other by-right uses within the W1 Waterfront-Industrial District are as follows:
18	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
19	(2) Boat or ship yards: construction, repair, maintenance, dry dock.
20	(3) Boat terminal, passenger.
21	(4) Docks or wharves, waterway shipping/freighters.
22	(5) Ferry terminal.
23	(6) Marinas.
24	(7) Signs as provided for in Article VI of this chapter.

2	Other conditional uses within the W1 Waterfront-Industrial District are as follows:
3	(1) Heliports.
4	(2) Signs as provided for in Article VI of this chapter.
5	Sec. 50-11-186. Other requirements.
6	One nonflashing identification sign, not exceeding 35 square feet in area, shall be permitted
7	in each setback area as required in Section 50-13-128 of this Code. Where required, directional
8	signs may be provided as specified in Article VI, Division 4, Subdivision C, of this chapter or as
9	may be approved by the Planning and Development Department. Repealed.
10	Secs. 50-11- <u>186</u> – 50-11-200. Reserved.
11	DIVISION 9. SD1SPECIAL DEVELOPMENT DISTRICT,
12	SMALL-SCALE, MIXED-USE
13	Sec. 50-11-208. By-right other uses.
14	Other by-right residential uses in the SD1 Special Development District are as follows:
15	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter
16	(2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
17	chapter.
18	(3) Signs as provided for in Article VI of this chapter.
19	(3) Urban gardens not exceeding 0.5 acres acre in size as provided for in Article XII.
20	Division 3, Subdivision H, of this chapter.
21	Sec. 50-11-214. Conditional other uses.
22	Other conditional uses in the SD1 Special Development District are as follows:
23	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.

Sec. 50-11-184. Conditional other uses.

1	(2) Marinas.
2	(3) Signs as provided for in Article VI of this chapter.
3	DIVISION 10. SD2SPECIAL DEVELOPMENT DISTRICT, MIXED-USE
4	Sec. 50-11-238. By-right other uses.
5	Other by-right uses within the SD2 Special Development District are as follows:
6	(1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter
7	(2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
8	chapter.
9	(3) Marinas.
10	(4) Signs as provided for in Article VI of this chapter.
11	Sec. 50-11-244. Conditional other uses.
12	Other conditional uses within the SD2 Special Development District are as follows:
13	(1) Passenger transportation terminal.
14	(2) Signs as provided for in Article VI of this chapter.
15	(2) Urban gardens not exceeding 0.5 acre in size as provided for in Article XII
16	Division 3, Subdivision H, of this chapter.
17	DIVISION 12. SD4SPECIAL DEVELOPMENT DISTRICT, RIVERFRONT
18	MIXED USE
19	Sec. 50-11-294. By-right other uses.
20	Other by-right uses in the SD4 Special Development District are as follows:
21	(1) Antennas as regulated in Article XII, Division 3, Subdivision G, of this chapter
22	provided, that no antenna shall exceed 35 feet in height, except those antenna
23	which are incidental and accessory to principal uses allowed in the SD4 District.

1	(2)	Marina.
2	(3)	Signs as provided for in Article VI of this chapter.
3	Sec. 50-11-30	0. Conditional other uses.
4	Other	conditional uses in the SD4 Special Development District are as follows:
5	(1)	Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this
6		chapter.
7	(2)	Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this
8		chapter.
9	(3)	Boat terminals, passenger.
10	(4)	Docks or wharves, waterway shipping/freighters.
11	(5)	Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this
12		chapter.
13	(6)	Heliports as regulated by Section 50-12-411 of this Code and Article XIV, Division
14		6, of this chapter.
15	(7)	Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this
16		chapter.
17	(8)	Signs as provided for in Article VI of this chapter.
18	Sec. 50-11-31	0. Site plan approval standards.
19	In add	lition to the site plan approval criteria specified in Section 50-3-96 of this Code, the
20	following pro	visions shall apply:
21	(1)	That the proposed development reflects the applicable policies stated in the Master
22		Plan, both text and maps, as applied to the geographic area in question;

Marina.

That the natural features of the landscape, particularly views of the Detroit River, are retained where they enhance the development of the site, or where they furnish a barrier or buffer between the project and adjoining properties, or where they assist in preserving the general safety, health, and appearance of the area or district. Removal of existing trees should be minimized;

- (3) That there are appropriately designed and visually appealing signage and graphics in keeping with the surrounding development, such as signage and graphics providing necessary information, direction, and orientation in a clear and concise manner;
- (3) That buildings are designed to create a pedestrian-friendly setting that relates a building's active uses to the street;
- (4) That new buildings are constructed to the lot line with no setback, except for a setback not to exceed ten feet from the lot line for a permitted outdoor seating area only;
- (5) That new buildings establish a uniform street wall by establishing a building base a minimum of two stories or 20 feet in height; that new buildings taller than three stories establish a uniform street wall or building base (a podium) not to exceed 40 feet; and that the taller section of the building should be on top of the podium and set back a minimum of ten feet horizontal distance from the parapet of the main facade facing a street;
- (7) That the maximum height for signs shall not exceed 35 feet or the height of existing structures on the same or nearby zoning lots, whichever is lower. For purposes of this section, the term "nearby zoning lots" means those lots on the same block face

1		as the subject property, or lots on a block face immediately separated by a public
2		street from the subject property;
3	(<u>6</u>)	That to the fullest extent possible, the hours of operation shall not create any
4		adverse effect upon owners or occupants of adjacent and surrounding properties.
5		This subsection shall not be construed or interpreted to define the operating hours
6		of businesses established prior to the property's reclassification to a SD4 District as
7		either nonconforming, or as creating an adverse effect upon the owners and
8		occupants of adjacent and surrounding properties; and
9	(7)	That the proposed landscaping and other site amenities are appropriate to the
10		development and to the adjoining and surrounding properties.
11	DIV	ISION 13. SD5SPECIAL DEVELOPMENT DISTRICT, CASINOS
12	Sec. 50-11-33	8. General sign regulations. Reserved.
13	All signs	within the SD5 Special Development District for casinos or casino complexes shall
14	be subject to	the general sign regulations as contained within Article VI of this chapter and the
15	applicable reg	gulations of this division. REPEALED.
16		DIVISION 14. OVERLAY AREAS
17		Subdivision A. Gateway Radial Thoroughfare Overlay Areas
18	Sec. 50-11-36	4. Prohibitions and limitations.
19	(a)	The following uses are prohibited on any zoning lot zoned B2 or B4 abutting any
20	Gateway Rad	ial Thoroughfare:
21	(1)	Confection manufacture;
22	(2)	Dental products, surgical, or optical goods manufacture;
23	(3)	Emergency shelter;

1	(4	4)	Go-cart track;
2	(:	5)	Ice manufacture;
3	((6)	Jewelry manufacture;
4	(′	7)	Lithographing;
5	(8)	Medical marihuana caregiver center, as provided for in Article III, Division 12, of
6			this chapter;
7	(!	9)	Motor vehicle washing and steam cleaning;
8	(10)	Motor vehicle services, major;
9	(11)	Motor vehicles, used, salesroom or sales lots;
10	(12)	Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used
11			motor vehicles;
12	(13)	Pawnshop;
13	([14]	Plasma donation center;
14	([15]	Precious metal and gem dealer:
15	((16)	Pre-release adjustment center;
16	((17)	Radio, television, or household appliance repair shop;
17	((18)	Rebound tumbling center;
18	((19)	Restaurant, carry-out or fast-food with drive-up or drive-through facilities or where
19			not located in a multi-story building having a mixed-use or multi-tenant
20			development; prohibition limited to Woodward Avenue only;
21	((20)	Signs, advertising;
22	(<u>(21</u>)	Substance abuse service facility;
23	((21)	Taxicab dispatch and/or storage facility;

- 1 (22) Toiletries or cosmetic manufacturing;
- 2 (23) Tool, die, and gauge manufacturing;
- 3 (24) Trade services, general;
- 4 (26) Trailer coaches or boats, sale or rental, open air display;
- 5 (26) Trailers, utility, or cement mixers, pneumatic-tired, sales, rental or service;
- 6 (27) Used goods dealer;
- 7 (28) Vending machine commissary;
- 8 (29) Wearing apparel manufacturing;
- 9 (30) Wholesaling, warehousing, storage buildings, or public storage facilities, except on Gratiot Avenue.
- 11 (b) Accessory parking lots or parking areas on zoning lots abutting a designated
- Gateway Radial Thoroughfare that are not farther than the maximum distance specified in Article
- 13 XIV, Division 1, Subdivision B, of this chapter shall be permitted by right subject to Article XIV,
- Division 1, Subdivision E, of this chapter, Article XIV, Division 1, Subdivision G, of this chapter,
- and Article XIV, Division 2, Subdivision C, of this chapter.
- 16 (c) Commercial parking lots or areas and accessory parking lots or areas on zoning lots
- abutting a designated Gateway Radial Thoroughfare that are farther than the maximum distance
- 18 specified in Article XIV, Division 1, Subdivision B, of this chapter, shall be reviewed as
- conditional uses subject to Article XIV, Division 1, Subdivision E, of this chapter, Article XIV,
- Division 1, Subdivision G, of this chapter, and Article XIV, Division 2, Subdivision C, of this
- 21 chapter.

Subdivision D. Grand Boulevard Overlay Area

Sec. 50-11-422. Prohibitions and limitations.

- 3 (a) Lofts, as defined in Section 50-16-284 of this Code, shall be subject to review by 4 the Loft Review Committee on land zoned B6, M1, M2, M3, and M4.
- (b) As provided for in Section 50-6-85 of this Code, advertising signs are prohibited in
 the Grand Boulevard Overlay Area.
 - (b) For the area of West Grand Boulevard between the John C. Lodge Freeway (M-10) and West Grand River Avenue, parking, driveways, or loading areas shall not be located between new primary buildings and West Grand Boulevard. Parking, driveways, or loading areas shall be located to the side or the rear of the building.

Subdivision F. Development Improvement Area

Sec. 50-11-461. Description.

The Development Improvement Area is a special area that is established to permit property owners in business or other areas to request City assistance in upgrading the external physical appearance of their area. The provisions allow for the employment of a design consultant to prepare a development-improvement plan, including such items as planting boxes or other "street furniture," lighting and lighting fixtures, building materials, finishes and colors, including building facade modernizations, improvements in parking and traffic facilities, all aspects of signs, an overall color scheme, an improved pedestrian circulation scheme, or any other visual or functional appurtenances for the district. Provision is also made for the establishment of a special assessment district to defray all or part of the costs of such improvement projects consistent with Article 8, Chapter 6, of the Charter.

ARTICLE XII. USE REGULATIONS

DIVISION 1. USE TABLE

Subdivision F. Other Uses

- 4 Sec. 50-12-104. Signs. Reserved.
- 5 Regulations regarding sign uses are as follows:

Use Category	Specifie Land Use	Residential (R1—R6)	Business (B1—B6)	Industrial (M1—M5)	Special and Overlay	Standards General and Specific
Signs	Signs	Article VI of t	his-chapter			

6 REPEALED.

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DIVISION 2. GENERAL USE STANDARDS

Sec. 50-12-132. Other uses-Spacing.

Regulations reg	arding spacing of other u	ises are as follows:	
Use Type	Minimum Distance from Same Use Type (Existing or Approved)	Minimum Distance from Other Use Types (Existing or Approved)	Comment
Adult uses/sexually oriented businesses	1,000 radial feet	-Zoning lot zoned R1, R2, R3, R4, R5, R6, residential PDP: 1,000 feet; -Residentially developed zoning lot in SD1, SD2, and	Section 50-3-504
		Sd4 Districts: 1,000 feet;	
		-Elementary, middle, or high school: 1,000 feet;	
		-Park, playlot, playfield, playground, recreation center, youth activity center: 1,000 feet;	
		-Religious institution identified as exempt by the City assessor: 1,000 feet;	
		-Regulated use: 1,000 feet	
Medical marihuana caregiver center	1,000 radial feet (except in M1, M2, M3 or M4 District	-Drug-free zone: 1,000 radial feet;	Sections 50-3- 534,50-12-135,50-

	where 150 feet from land zoning R1, R2, R3, R4, R5, R6 or residential PD	-religious institution identified as exempt by the City Assessor: 1,000 radial feet;	12-136,50-12- 413,50-12-563
		-Controlled uses (other than arcades): 1,000 radial feet	
Sign, advertising	1,000 feet, measured linearly	School site: 500 linear feet; public playground or public park: 500 linear feet; historic district: 500 linear feet	Sections 50-6-72, 50-6-77, 50-12-135, 50-12-136

DIVISION 3. SPECIFIC USE STANDARDS

Subdivision B. Public, Civic, and Institutional Uses

Sec. 50-12-192. Utilities, basic; utilities, major.

- Basic utility facilities and major utility facilities shall be subject to the following requirements:
 - (1) Service or storage yards for any electric transformer station, gas regulator station, telephone exchange building, water work, reservoir, pumping station, or filtration plant, shall not be permitted, except in the B5, B6, Ml, M2, M3, M4, M5 and TM Districts;
 - (2) In the Rl, R2, R3, R4, R5, R6, residential PD, PR and SDI Districts:
 - a. Basic utilities shall be permitted only when operating requirements mandate that they be located within the district in order to serve the immediate vicinity; and
 - b. Outdoor service or storage yards shall not be permitted;
 - (3) In the SD4 District, the following uses shall be subject to site plan review as provided for in Section 50-3-113(8) of this Code, and subject to review as to the appropriateness of exterior design:
 - a. Electric transformer stations;

1		b.	Gas regulator stations;
2		c.	Telephone exchange buildings; and
3		d.	Water works, reservoirs, pumping stations, and filtration plants.
4	(4)	In the	PR District, the only major utility that shall be permitted is a pumping station
5		withou	ut on-site employees.
6	(5)	Solar	generation stations are limited to the PD and PR zoning districts; reasonable
7		and ap	propriate conditions relative to the following factors may be attached to any
8		approv	val:
9		a.	Height of installation;
10		b.	Setback from rights-of-way and adjacent properties and uses;
11		c.	Screening from rights-of-way and adjacent properties and uses;
12		d.	Landscaping;
13		e.	Glare mitigation;
14		f.	Noise;
15		g.	Safety/access; site security;
16		h.	Location of on-site power lines;
17		i.	Lighting;
18		j.	Signage Notice for purpose of (identification and warning);
19		k.	Removal requirements upon abandonment/decommissioning;
20		1.	Stormwater management;
21		m.	Construction period impacts;
22		n.	General site maintenance;
23		0.	Off-street parking.

1		Subdivision C. Retail, Service, and Commercial Uses; Generally
2	Sec. 50-12-2	16. Bed and breakfast inn.
3	Bed a	nd breakfast inns shall be subject to the following requirements:
4	(1)	The primary use of a bed and breakfast must be as a residence for the owner or
5		manager who operates and occupies the structure. The bed and breakfast facility
6		may have up to ten bedrooms for the use of transient guests for compensation and
7		by pre-arrangement;
8	(2)	The exterior appearance of the structure shall not be altered from its residential
9		district character;
10	(3)	Parking shall be arranged so as not to create negative noise or light impacts on
11		properties adjacent or across an alley, or to necessitate on-street parking. (See off-
12		street accessory parking schedule in Section 50-14-54 of this Code);
13	(4)	Each sleeping room shall have a separate smoke alarm as required in Chapter 8,
14		Article II, of this Code, Building Code;
15	(5)	A fire escape plan shall be developed and graphically displayed in each guest room;
16	(6)	A minimum of one fire extinguisher, in proper working order, shall be located on
17		each floor;
18	(7)	The establishment shall contain at least two exits to the outdoors;
19	(8)	No guest room shall be located in a basement or cellar;
20	(9)	No transient occupant shall reside on the premises for more than 100 days in any
21		continuous period of 120 days;
22	(10)	Lavatories and bathing facilities shall be available to all persons using the premises;
23	(11)	No separate or additional kitchen facilities shall be provided for the guests;

1	(12)	Retail sales are not permitted beyond those activities serving the registered
2		overnight patrons;
3	(13)	Meals shall not be served to the public at large but only to registered guests. Meal
4		preparation and service shall conform with all applicable public health
5		requirements of the Michigan Public Health Code, being MCL 333.1101 et seq.,
6		and of this Code;
7	(14)	In the R3 and R4 Districts, no receptions, private parties, conferences, or activities
8	•	for which a fee is paid shall be permitted, except for those which involve only
9		registered guests;
LO	(15)	Outdoor rubbish or trash facilities beyond what might normally be expected for a
l1		residential structure shall be prohibited;
L2	(16)	One identification sign that does not exceed six square feet in area shall be
L3		permitted. On a corner lot, the maximum size shall be permitted on each street
L4		frontage. No such sign shall extend more than 15 feet above the level of the nearest
15		sidewalk; and
16	<u>(16</u>)	Bed and breakfast inns shall be licensed as such by the Buildings, Safety
17		Engineering, and Environmental Department Business License Center as provided
18		for in Chapter 36 of this Code, Public Lodging.
19	Subdivis	ion D. Retail, Service, and Commercial Uses; Motor Vehicle Filling Stations
20	Sec. 50-12-27	72. Motor vehicle filling stations; signs.
21	The f	following standards and requirements shall apply to signs for motor vehicle filling
22	stations. In th	e event of conflict between these provisions and the provisions for business signs as

provided for in Article VI of this chapter, the following provisions shall control:

Т	(1)	A sign shall not be erected of anowed to remain anywhere on the subject property
2		that exceeds a height of 35 feet above established grade;
3	(2)	A maximum of one such ground sign may be erected or allowed to remain on site
4		Said sign may be located in the corner landscaped area, as specified in Section 50-
5		12-270 of this Code, provided, that at least 150 landscaped square feet remain;
6	(<u>1</u>) Al	l building walls and fences, or walls that surround the property, shall be kept clean
7		and free from all banners, posters, advertising materials, temporary signage and
8		graffiti;
9	(4)	Temporary signs and banners shall be prohibited, except as provided for in Section
LO		50-12-562 of this Code;
L1	(5)	Signs on the premises shall be arranged so that they do not obstruct the visibility of
L2		drivers or pedestrians. The total signage on the zoning lot shall not exceed 300
L3		square feet in area, provided, that not more than 25 percent of any exterior building
4		wall-shall-be covered by signage.
.5		Subdivision E. Retail, Service and Commercial Uses; Generally
.6	Sec. 50-12-29	3. Motor vehicles, used, salesroom or sales lot.
.7	Salesr	ooms or sales lots for used motor vehicles shall be subject to the following
L8	requirements:	
L9	(1)	The facility shall be adequate in size for the display and sale of not fewer than 12
20		used motor vehicles; all display spaces shall measure not less than nine feet by 20
21		feet, exclusive of unusable space and drives or aisles which give access to the space;
22		aisle ways that adjoin display spaces shall comply with the dimensional standards
23		for width as specified in Section 50-14-232 of this Code.

1 (2) All used motor vehicles for sale shall be in operable condition.

- 2 (3) All outdoor areas shall be either landscaped, in accordance with Article XIV,
 3 Division 2, Subdivision B, of this chapter, or paved.
 - (4) All lighting shall be directed so as not to shine upon land zoned Rl, R2, R3, R4, R5, R6, or residential PD.
 - (5) The premises shall have proper curb cuts for entrances and exits.
 - (6) The premises shall be screened by six -foot-high opaque walls where adjacent to, or across an alley from, land zoned RI, R2, R3, R4, R5, R6, or residential PD, in accordance with the Section 50-14-367 of this Code.
 - A suitable building of a permanent nature shall be erected, that has at least 200 square feet of gross floor area, is constructed of wood, masonry, or other approved building material, and sits on a proper foundation, except that frame and all metal buildings less than 200 square feet of gross floor area may be erected as provided for in Chapter 8. Article II, of this Code, *Building Code*. In the event of cessation of used motor vehicle sales, said accessory uses may not continue, except upon issuance of a permit for said uses as the principal use of the land, which is subject to a conditional use public hearing where such is specified in the zoning districts use lists.
 - (8) Vehicle preparation shall be permitted as an accessory use at the time of establishment of the used motor vehicle salesroom or sales lot, provided, that major motor vehicle services or minor motor vehicle services on the premises of the used motor vehicle salesroom or sales lot shall only be permitted upon issuance of a permit for the service facilities as a principal land use in conjunction with the

1		salesroom or sales lot, which is subject to a conditional use public hearing where
2		such is specified in the zoning districts use lists for said service facilities.
3	(9)	All used motor vehicle salesrooms or sales lots shall be licensed in accordance with
4		Chapter 41 of this Code, Secondhand Goods.
5	(10)	In the SD4 District, used motor vehicle sales are prohibited, except where incidental
6		and accessory to a new car dealership.
7	(11)	Where used motor vehicles are sold on the same zoning lot upon which used tire
8		sales are conducted, a separate principal land use permit is required for used tire
9		sales; the outdoor storage of used tires is prohibited.
LO	(12)	All used motor vehicle salesrooms or sales lot shall be established and located along
L1		a major thoroughfare only, as identified in the Master Plan.
12	(13)	All used motor vehicle salesrooms or sales lots shall be subject to site plan review
L3		as specified in Section 50-3-113 of this Code.
L4	(14)	It is unlawful for any used motor vehicle salesroom or sales lot to display motor
15		vehicles on the berm, sidewalk, or elsewhere in the public right-of-way.
16	(15)	It is unlawful for any used motor vehicle salesroom or sales lot to display an A-
17		frame or other portable sign in the public right of-way.
18	(<u>15</u>)	As specified in Section 50-12-131 of this Code, no new and/or newly established
19		used motor vehicle salesroom or sales lot shall be located within 1,000 radial feet
20		of any existing used motor vehicle salesroom or sales lot located within or outside
21		of the City's boundaries.

Т	Subulvision G. Other Oses—Antennas	
2	Sec. 50-12-379. General regulations; sign antennas.	
3	Signs, Lettering, numbers, symbols, other illustrative markings, or artistic re-	enderings
4	attached to or painted on any antenna are prohibited.	
5	Subdivision H. Other UsesUrban Agriculture	
6	Sec. 50-12-402. Signage. Reserved.	
7	All signs are subject to Article VI of this chapter.	
8	Subdivision I. Other UsesMiscellaneous	
9	Sec. 50-12-412. Adult uses/sexually-oriented businesses.	
10	Adult uses/sexually-oriented businesses shall be subject to the following p	rovisions
11	requirements:	
12	(1) Adult uses/sexually-oriented businesses shall comply with the require	ments in
13	Chapter 5, Article XII, of this Code, Sexually Oriented Businesses;	
14	(2) Adult uses/sexually-oriented businesses shall comply with the general deve	elopmen
15	standards of Article XIV of this chapter, pursuant to Section 50-14-2 of the	nis Code
16	all required parking shall be provided on the same zoning lot as the propo	sed adul
17	use;	
18	(3) All proposed on premises business signage for the adult use shall comply	with the
19	provisions of Chapter 4, Article IV, of this Code, Regulation of Business S	igns ; and
20	(3) The establishment of the adult use will not violate any land use prohibition	on of any
21	adopted development plan as provided in Article IV, Division 1, of this cl	napter.
22	Sec. 50-12-413. Medical marihuana caregiver centers.	
23	Medical marihuana caregiver centers are subject to the following requirements:	

(1) Prior to the issuance of any permit to operate a medical marihuana caregiver center, and no later than December 31st of each subsequent year, the applicant or operator shall submit to the Buildings, Safety Engineering, and Environmental Department a photocopy of the operator's valid and current registered primary caregiver 's license issued by the state in accordance with the General Rules of the Michigan Department of Community Health and the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, being MCL 333.26421 et seq. Proof of such licensing shall be required prior to the opening, and as a condition for the continued operation, of any medical marihuana caregiver center.

- (2) Medical marihuana caregiver centers shall be licensed as such by the Buildings, Safety Engineering, and Environmental Department Business License Center in accordance with Chapter 20, Article VI, of this Code and shall be required prior to the opening for business, and as a condition for the continued operation of any medical marihuana caregiver center.
- (3) All signage identifying a building as a medical marihuana caregiver center must be removed within 30 days of ceasing to do business or physical abandonment of the premises of the medical marihuana caregiver center.
- (3) A medical marihuana caregiver center shall not allow loitering inside or outside its premises, consumption of medical marihuana in the premises, and shall take care to prevent the transmission of any odors from the medical marihuana caregiver center to the exterior of the licensed premises.
- (4) The provisions of Article III, Division 12, of this chapter shall apply to medical marihuana caregiver centers.

1	DIVISION 5. ACCESSORY USES AND STRUCTURES		
2	Subdivision B. Home Occupations		
3	Sec. 50-12-488. Signs. Reserved.		
4	In the R1 and R2 Districts, signage for a home occupation is prohibited. In districts other than R1		
5	and R2, not	more than one identification sign may be permitted, subject to the following	
6	requirements:		
7	(1) The	e identification sign is nonilluminated;	
8	(2) The	e identification sign is affixed, flush to the dwelling;	
9	(3) The	e identification sign does not exceed 144 square inches in area.	
10		Subdivision C. Specific Accessory Use Standards	
11	Sec. 50-12-522	. Urban garden.	
12	Only the following accessory uses and structures shall be permitted on an urban garden. All		
13	accessory structures shall be subject to the provisions of Article XII, Division 5, of this chapter and also		
14	require a buildi	ng permit where applicable:	
15	(1)	Greenhouse;	
16	(2)	Farm stands;	
17	(3)	Hoophouse or high tunnel, and similar structures used to extend the growing season;	
18	(4)	Signs; subject to the provisions in Article VI of this chapter;	
19	(<u>4</u>)	Benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, garden	
20		art, rainwater catchment systems;	
21	(<u>5</u>)	Tool sheds and shade pavilions;	
22	(<u>6</u>)	Garages.	
23		DIVISION 6. TEMPORARY USES AND STRUCTURES	
24		Subdivision A. In General	
25			

1	Sec. 50-12-534. Accessory signage. Reserved.
2	Signs accessory to temporary uses are subject to the following requirements:
3	(1) Permanent signs that are accessory to temporary uses are prohibited.
4	(2) Signs that are accessory to temporary uses shall be limited to the premises of the
5	temporary use.
6	(3) Not more than one double-faced, non-illuminated sign shall be permitted.
7	(4) One sign shall be allowed and the location shall be noted on the plan. The sign shall
8	be limited to a double-faced non-illuminated sign no greater than 32 square feet in
9	area. The height of the sign shall not exceed 15 feet. The sign shall have a minimum
10	setback of five feet from the front and/or side property line.
11	(5) Signs that are accessory to temporary uses require a permit.
12	(6) All signs that are accessory to temporary uses shall be removed when the activity
13	ends; signs that are accessory to temporary outdoor retail sales shall be removed
14	each day.
15	(7) The Buildings, Safety Engineering, and Environmental Department shall no
16	approve accessory signage for a temporary use within a Traditional Main Stree
17	Overlay Area, Major Corridor Overlay Area, or Downtown and Riverfront Overlay
18	Area unless the Planning and Development Department has verified that such work
19	is consistent with the design standards for such areas.
20	Subdivision B. Specific Temporary Uses Allowed
21	Sec. 50-12-558. Yard or garage sales accessory to a dwelling.
22	Yard or garage sales accessory to a dwelling shall be subject to the following provisions
23	requirements:

A maximum of one yard or garage sale accessory to a dwelling may be held within 1 (1) 2 any 90-day period without need for a permit. In no instance may another yard or 3 garage sale be permitted until 90 days shall have elapsed since the previous sale. 4 (2) All yard and garage sales shall be conducted so that no goods offered for sale are 5 located on any public street or sidewalk, and so that vehicle and pedestrian traffic 6 on public streets and sidewalks is not obstructed. 7 No sign advertising a yard or garage sale may be posted on any public property. 8 (3)Only goods of the property owner or tenant shall be sold. 9 (4) Yard or garage sales shall be limited to daylight hours and shall last for no longer than three consecutive days. 10 11 Sec. 50-12-562. Temporary signs. Reserved. (a) Temporary signs, other than political signs, windbreaks or fugitive dust mitigation 12 coverings on temporary fencing at construction sites (see Section 50-6-51(c)), and other lawful 13 14 noncommercial messages, are subject to the following provisions: Temporary signs shall be prohibited on the exterior of any building and on any 15 other structure. Notwithstanding this prohibition, any establishment may display 16 17 temporary signage pertaining to activities, uses, or events on the premises on any facade of a building not more than two times in any calendar year, provided, that: 18 19 Such temporary signage shall not be suspended from, or attached to, a 20 canopy, marquee, fence, freestanding wall, or other structure; 21 Such temporary signage shall not be displayed for more than 15 days during

each occurrence:

1	e. Such temporary signage shall be limited to an area which does not exceed
2	ten percent of the area of the ground floor facade which abuts any public
3	street; the area of the ground floor facade is calculated by multiplying the
4	length of the facade abutting the public street by 13 feet;
5	d. A permit for such temporary sign shall be obtained;
6	e. Temporary signs and banners which are attached to or suspended from a
7	building, and which are constructed of cloth or other combustible material,
8	shall be constructed in an approved manner and shall be securely supported;
9	and
10	f. Such signs and banners shall be removed as soon as torn or damaged, and
11	not later than 15 days after erection;
12	(2) Permits for temporary signs shall be limited to a period of 15 days;
13	(3) Temporary signs, that are incidental and accessory to convention or exhibit
14	buildings, shall not be subject to the time or area limitations specified in this section
15	and may be displayed more than two times in a calendar year. Such signage shall
16	be promptly removed upon completion of the event or activity that is occurring on
17	the premises.
18	(b) The outdoor use of searchlights or spotlights or balloons or other inflatable devices
19	to draw attention to an event, activity, or land use requires a "temporary sign" permit, subject to
20	the following:
21	(1) Time restrictions, as specified in Subsections (a)(1) and (2) of this section, except
22	for any such searchlights or spotlights in the Central Business District or on land
23	zoned SD5; and

1	(2)	Any such searchlights or spotlights shall be directed away from all residentia
2		buildings.
3	A	RTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS
4	DIVIS	ION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS
5	Sul	bdivision B. General Dimensional Standards for Residential Districts
6	Sec. 50-13-22	. Traffic safety sight area.
7	In ord	er to provide a clear line of sight for the drivers of approaching motor vehicles, the
8	following requ	uirements shall apply:
9	(1)	On a corner lot in the R1, R2, R3, R4, R5, R6, and residential PD Districts, no
10		opaque fence, wall, hedge, sign-or other structure, shrubbery, mounds of earth or
11		other visual obstruction over 36 inches in height above the nearest street curb
12		elevation shall be erected, placed, planted, or allowed to grow within the "clear
13		vision triangle," as described in Subsection (3) of this section;
14	(2)	Subsection (1) of this section shall not apply to public utility poles; trees trimmed
15		to the trunk to a line at least six feet above the level of the intersection; saplings or
16		plant species of open growth habits and not planted in the form of a hedge, which
17		are so planted and trimmed as to leave at all seasons a clear and unobstructed cross
18		view; supporting members of appurtenances to permanent structures existing on the
19		date the ordinance from which this amendment is derived becomes effective; and
20		official warning signs or signals;
21	(3)	The "clear vision triangle" is that area formed by extending the two curb lines a
22		distance of 45 feet from their point of intersection, and connecting these points with
23		an imaginary line, thereby making a triangle;

(4)	In cases where streets do not intersect at approximately right angles, the Department
	of Public Works Traffic Engineering Division shall have the authority to vary these
	requirements as it deems necessary to provide safety for both vehicular and
	pedestrian traffic, provided, that site distance in excess of 275 feet shall not be
	required.

(5) See Section 50-14-381 of this Code.

Subdivision D. General Dimensional Standards for Business Districts

Sec. 50-13-63. B3 and B4 District height limitations.

The following provisions shall apply to B3 and B4 Districts:

- (1) The maximum height for each principal use in the B3 and B4 Districts shall not exceed 35 feet;
- Where the zoning lot fronts on a street which is 80 feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and where the outermost point of the proposed building on said zoning lot is 40 feet or more from the nearest point of the lot line of all Rl, R2, and R3 Districts, the maximum height may be increased, as a matter of right, one foot for each one foot of street width greater than 80 feet, provided, that in no case shall the building exceed 80 feet in height;
- (3) Where the zoning lot fronts on a street which is 80 feet or more in width, and is designated by the Master Plan as a major or secondary thoroughfare, and where the zoning lot abuts, is adjacent to, or across an alley from any zoning district other than an Rl, R2, R3 or residential PD District, the maximum height may be increased, by right, one foot for each one foot of street width greater than 80 feet,

1		regardless of the location of the proposed structure, provided, that in no case shall
2		the building exceed 80 feet in height; and
3	-(4)	The provisions of this section shall also apply to signs; ground or freestanding
4		advertising signs shall not exceed 35 feet, except as provided for in 50-6-94 of this
5		Code.
6	Su	abdivision F. General Dimensional Standards for Industrial Districts
7	Sec. 50-13-10	01. M1 District height.
8	The m	naximum height for each principal use shall not exceed 35 feet; provided, that:
9	(1)	Where the zoning lot fronts on a street which is 80 feet or more in width, and is
10		designated by the Master Plan as a major or secondary thoroughfare, and where the
11		outermost point of the proposed building on said zoning lot is 40 feet or more from
12		the nearest point of the lot line of all R1, R2, and R3 Districts, the maximum height
13		may be increased by-right, one foot for each one foot of street width greater than
14		80 feet, provided, that in no case shall the building exceed 80 feet in height; and
15	(2)	Where the zoning lot fronts on a street which is 80 feet or more in width, and is
16		designated by the Master Plan as a major or secondary thoroughfare, and where the
17		zoning lot abuts or is adjacent to, or across an alley from, any zoning district other
18		than an RI, R2 or R3 District, the maximum height may be increased, by right, one
19		foot for each one foot of street width greater than 80 feet, regardless of the location

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in height; and

of the proposed structure, provided, that in no case shall the building exceed 80 feet

- 1 (3) The provisions of this section shall also apply to signs. Ground or freestanding
 2 advertising signs shall not exceed 35 feet, except as provided for in Section 50-63 94 of this Code.
 - DIVISION 2. MEASUREMENTS, REQUIREMENTS, AND EXCEPTIONS
 - Sec. 50-13-226. Features allowed within required setbacks.

5

Trees, shrubs, flowers, fences, walls, hedges, and other landscape features may be located within any required setback. In addition, the following table lists features that may be located within any required setbacks, subject to the specific limitations that are delineated:

Feature That May Encroach or Project Into Required Setback	Limitation
Driveways leading directly to accessory off- street parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-off areas	No limitations, unless otherwise specified.
Access roads leading to accessory parking and/or loading areas and/or structures and/or pedestrian pick-up/drop-off areas	Does not apply to access roads in R1, R2
Antennas, including satellite dishes in excess of 36 inches in diameter, amateur licensed radio antennas, and similar personal communication device reception towers and facilities Awnings, patio covers and pergolas (attached)	May project into or encroach upon a required front or side setback area only where prohibition of such devices or facilities would substantially interfere with reception to the extent they are rendered inoperable May not be located less than ten feet from the rear property line and 18 inches from a side property line, measured from the eave, provided, that the roof area does not exceed one-third of the area of the required rear setback. The required setback may be reduced to five feet from the rear property line and 18 inches from a side property line, measured from the eave, provided, that the setback is bounded by a solid masonry fence at least five feet in height. (Detached shade structures and carports are treated as "assessor structures).
Balconies	May project not more than six feet into a front or rear setback, and three feet into a side setback.

Bay windows	May project not more than 2.5 feet into a required setback.
Carports (attached)	May not be located less than three feet from a side property line, and may not be located in required front setback. In addition, carports shall be designed so as to prevent runoff onto adjacent properties. (See also Section 50-16-151.)
Chimneys, fireplaces, pilasters, smokestacks, and window air conditioners not exceeding six square feet in area	May project or encroach not more than 16 inches into a required setback.
Clothesline posts	No limitations in side or rear setbacks. May not be located in required front setback.
Cornices, eaves, mechanical equipment, and ornamental features	May project not more than 14 inches into any required side setback.
Curbs, and sidewalks	No limitations
Fences	See Section 50-14-381.
Fire escapes, stairways, and balconies which are open and unenclosed, and marquees	May project not more than five feet into a required setback.
Flagpoles	No limitations.
Garages and other accessory structures (attached or unattached)	May encroach into the rear setback up to the lot line where an alley provides vehicle access to the property. Where there is no alley, garages and other accessory structures may not be located less than three feet from the rear lot line except for the reconstruction of damaged accessory structures on an existing foundation. Unattached garages and other accessory structures may not be located less than three feet from a side property line except for the reconstruction of damaged accessory structures on an existing foundation, and may not be located in required front setback. Attached garages shall be subject to the setback provisions for the dwellings to which they are attached. In addition, garages and other accessory structures shall be designed so as to prevent runoff onto adjacent properties.
Parking and driveways	Operable private passenger vehicles may be parked on the driveway in only one side setback and the continuation of that side

	setback into the front setback to the property line. The area shall be maintained in a dust-free condition at all times. No mechanical maintenance or vehicular repairs shall be conducted in this area. (See additional regulations in Article XIV, Division 1, Subdivision K.)
Porches (enclosed)	May project not more than eight feet into required front and rear setbacks, subject to applicable sections of Chapter 8, Article II, of this Code, <i>Building Code</i> , that pertain to such existing porches. (See additional regulations in Section 50-13-226(2)).
Porches (unenclosed) and decks	May project not more than eight feet into a required front or rear setback. No enclosed porch shall be constructed within any required setback.
Ramps for persons with disabilities	Subject to applicable section of Chapter 8, Article II, of this Code, <i>Building Code</i> . (See also Section 50-13-226(3)).
Signs	Regulated in accordance with Article VI of this chapter Chapter 4 of this Code.
Yard and service lighting fixtures, poles	May not be located less than three feet from any lot line.

(1) Fences. See Section 50-14-381 of this Code.

- (2) Porches (enclosed). Front and rear porches may project not more than eight feet into required front and rear setbacks subject to applicable sections of Chapter 8, Article II, of this Code, *Building Code*, that pertain to such existing porches:
 - a. Such structures are subject to the approval of the Buildings, Safety Engineering, and Environmental Department after receipt of a report and recommendation from the Planning and Development Department. Such report and recommendation shall be submitted within 15 working days of the receipt of the requires from the Buildings, Safety Engineering, and Environmental Department, after which time the Buildings, Safety Engineering, and Environmental Department may proceed with or without

1		said	report and recommendation. The Planning and Development
2		Depar	tment may recommend changes and/or special conditions to the
3		propos	sed structures, and recommend approval of the proposed structure as
4		adjust	ed. The Planning and Development Department shall review and
5		detern	nine the following:
6		1.	That the proposed structure is compatible with the existing structure
7			and surrounding area; and
8		2.	That the proposed structure does not alter or damage significant
9			architectural elements of the existing residential structure.
10	b.	Such	structure shall be erected and maintained in accordance with the
11		follow	ring criteria (Note: Front and rear porches that to not project into a
12		requir	ed setback are not subject to the following criteria.):
13		1.	The structure shall be enclosed with screen panels or windows, or a
14			combination thereof. The structure may be enclosed with kickplates
15			not exceeding 42 inches in height above the floor of the porch.
16			Existing opaque materials, not exceeding 42 inches in height above
17			the floor of the existing porch, shall be permitted;
18		2.	The structure shall not be enclosed in any way by opaque materials,
19			with the exception of railings, kickplates, or existing opaque
20			material, none of which may exceed 42 inches in height above the
21			floor of the existing porch;

and Development

1		3.	The exterior of the entire structure shall be maintained in a color
2			consistent with the existing residential structure or with the
3			surrounding residential neighborhood; and
4		4.	The structure shall not be weather-insulated, nor have any heating
5			system installed which makes such structure habitable year round,
6			or usable as a general living area.
7	(3)	Ramps. Ram	ps for persons with disabilities subject to applicable provisions of the
8		Chapter 8, A	rticle IL of this Code, Building Code, are permitted in rear setbacks
9		and may proje	ect into required front and side setbacks by right. In no instance shall
10		any part of su	ach ramps be located nearer than two feet to any property line. Such
11		structures sha	Il be erected and maintained in accordance with the following criteria:
12		a. Ramp	s for persons with disabilities that project into the required front or
13		side se	etbacks and are constructed of material other than masonry or concrete
14		or pre	essure-treated wood or pre-treated synthetics, shall be painted or
15		treated	d to match the color of the exterior trim or siding of the principal
16		buildi	ng or painted to blend with the exterior landscaping of the lot;
17		b. Open	areas underneath ramps for the handicapped persons with disabilities
18		shall b	be screened from view by appropriate shrubbery or raised flower beds
19		or rais	sed berm areas, or their equivalent;
20		c. In add	lition to handrails or guardrails as required by Chapter 8, Article II, of
21		this C	Code. Building Code, ramps for persons with disabilities shall be
22		provid	ded with a top rail that covers the exposed tops of the support posts or

piers.

1		ARTICLE XIV. DEVELOPMENT STANDARDS					
2	DIVISION 1. OFF-STREET PARKING, LOADING, AND ACCESS						
3	Subdivision A. In General						
4		Subdivision I. Off-Street Parking Area Design					
5	Sec. 50-14-22	7. Signage. Reserved.					
6	Signag	ge for parking lots and parking areas shall be subject to the following:					
7	(1) Dir	rectional signage shall comply with Section 50-6-49 of this Code. Signage at					
8	eoi	mmercial parking lots shall comply with the provisions of Sections 4-4-8(c)(1) and					
9	32	1-20 of this Code; and					
10	(2) No	t more than one business sign may be erected or placed on any accessory parking					
11	lot	or area. Said sign shall not exceed 20 square feet in area nor 15 feet in height.					
12	RE	EPEALED.					
13	DI	VISION 3. ARCHITECTURAL AND SITE DESIGN STANDARDS					
14		Subdivision C. Traditional Main Street Overlay Areas					
15	Sec. 50-14-44	2. Building design standardsAwnings, canopies and marquees.					
16	(a)	The objective of this section is to enhance the scale and design of facades;					
17	complement th	he streetscape; and to contribute to district identity, integrity and visual continuity					
18	by achieving a	a comfortable and attractive pedestrian environment.					
19	(b)	To achieve the objectives of this section, the following standards shall apply:					
20	(1)	The bottom of any awning or canopy shall be at least eight feet, six inches above					
21		grade plane;					
22	(2)	Awnings and canopies shall not project more than one-half the width of the					
23		sidewalk, nor more than ten feet, six inches;					

- All marquees, awnings, and canopies shall be supported entirely on the building on (3) 1 which they are erected, and there shall be no posts, brackets or other obstacles 2 located on public property; 3 Vinyl and plastic materials for awnings and canopies are prohibited; however, (4) 4 woven man-made materials that are similar to canvas may be used with the approval 5 and review of the Design Review Advisory Committee; 6 Signage on awnings and canopies is limited to 40 percent of the surface area; 7 Signage on awnings and canopies may only include business name, address, logo, 8 or business slogan and shall not include any specific product advertising; 9 The area of signage on awnings and canopies shall not exceed the total allowed for 10 business signage in Chapter 3 4, Article VII IV, of this Code, Regulation of 11 Business Signs; 12 Internally illuminated canopies, marquees, or awnings are prohibited, including gas 13 <u>(5)</u> station canopies; and 14 Continuous awnings along blank walls are prohibited. $(\underline{6})$ 15 16
 - Sec. 50-14-450. Signage and communication elements design standards.

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- The objective of this section is to reach a visual balance between the objective of (a) businesses to draw pedestrian attention and the goal of creating an attractive district free of visual clutter by integrating signage into the overall design of the storefront.
- To achieve the objective of this section, the following signage standards shall apply (b) for all buildings with a commercial use on a lot abutting a Traditional Main Street, to the extent that such standards are more stringent than those set forth in Chapter 4 of this Code:

1	((1)	Signage shall comply with Article VI of this chapter and Chapter 4 of this
2			Code, Advertising;
3	((2)	Signage shall be designed to architecturally fit within the overall design of
4			the building and the site;
5	(<u>(1)</u>	Signage shall be located so that it does not conceal architectural details and features;
6	(<u>(2)</u>	Signage material shall consist of, but is not limited to, painted metal, glass, finished
7			wood or other architectural metal such as copper, bronze, stainless steel or cast
8			aluminum. Unpainted, non-architectural metals or unfinished wood are prohibited;
9	(<u>(3)</u>	Signage, including design, material, painting and construction, shall be
LO			professionally made;
11	(<u>(4)</u>	Signage material substrate shall consist of, but is not limited to, aluminum, painted
12			metal, weather resistant painted wood, or durable non-glare acrylic or composite
13			material; unpainted or unfinished metals or unpainted wood are prohibited as
14			signage material substrate;
15	((<u>5</u>)	Dimensional letters shall be made of metal such as copper, bronze, stainless steel,
16			cast aluminum, or durable non-glare acrylic;
17	((<u>6</u>)	New pylon signs are prohibited. New ground-mounted monument signs shall be
18			limited to a maximum height of 12 feet.
19	(<u>(7)</u>	New roof signs are prohibited.
20	((<u>8)</u>	The bottom of any projecting sign shall be a minimum of eight feet, six inches
21			above the sidewalk. The projecting sign shall not project more than one-half of the
22			width of the sidewalk, or more than four feet from the wall of the building on which
23			the sign is placed, whichever is less. Projecting signs shall be placed as close as

practicable to the center of the building facade, and in no case shall adjacent projecting signs be closer than 15 feet.

- (9) Each business shall be allowed one professionally-prepared window sign not exceeding ten square feet or 20 percent of the area of a window, whichever is less, for every 30 linear feet of transparent window or door area along the length of the building. Any such sign shall not require a permit and shall not count toward the maximum allowed sign area.
- (10) Illumination of signage shall be provided by external lighting. Internal illumination of signs is prohibited, with the following exceptions:
 - a. One neon window sign shall be allowed per business, but shall not exceed the overall size allowed for window signs. The neon window sign shall require a permit. Neon lights shall not flash on and off. Neon signs shall not be used for the advertisement of products purposes.
 - b. LED lighting shall only be allowed for gas station pricing signs.
 - c. Within the Grand River, Bagley/Vernor, and East Jefferson overlay areas, signs with internally illuminated channel letters are allowed.
 - d. Within the Woodward Avenue overlay area, neon wall signs may be allowed, subject to the review and approval of the Design Review Committee.
- (11) Animated signs and signs that incorporate flashing or moving lights are prohibited.
- (c) In achieving the objective of this section, satellite dishes and antennas shall be located in the rear roof space and away from public view, except where location is needed elsewhere to avoid obstruction of the satellite signal.

ARTICLE XV. NONCONFORMITIES

DIVISION 2. NONCONFORMING USES

3	Sec. 50-15-26.	Expansion	or inte	nsification	of	nonconforming us	es.
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- (a) A public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27 of this Code, provided, that nonconforming adult uses <u>and sign uses</u> shall not be considered for expansion or intensification. See Section 50-3-505 of this Code.
 - (1) Any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. Any increase in the area of a zoning lot where a nonconforming use is located shall be deemed an expansion of the nonconforming use;
 - (2) Any change to the site plan of a nonconforming use involving a structure;
 - (3) Any increase in the height or area, any replacement or addition of a sign face, and any addition of or increase in illumination, including the conversion between external illumination and internal illumination, of any nonconforming sign shall be deemed to be an intensification of the nonconforming use;
 - (5) The addition of any by-right or conditional land use to a nonconforming use upon the same zoning lot and within the same gross floor area shall be deemed an intensification of the nonconforming use; and
 - (6) The addition of off-street parking for a nonconforming use, solely for the purpose of complying with the off-street parking standards of Article XIV, Division 1, of this chapter, shall not be considered an expansion of the nonconforming use, but shall be governed by the zoning district regulations for "parking lots or parking

1		areas" and by the regulations and standards for "off-street parking" provided for in
2		Article XIV of this chapter.
3	(b)	The term "intensification of use" is defined in Section 50-16-262 of this Code.
4	Sec. 50-15-30	. Change of nonconforming use to other nonconforming use.
5	(a)	A nonconforming use may be changed to another nonconforming use only where
6	reviewed and	approved by the Board of Zoning Appeals in accordance with the procedures that
7	are specified	in Section 50-2- 67 of this Code, except, that a nonconforming use may not be
8	changed to an	y of the following:
9	(1)	Regulated uses as specified in Section 50-3-323 of this Code on land zoned R1, R2,
10		R3, R4, R5, or R6, except where an establishment for the sale of beer or alcoholic
11		liquor for consumption on the premises would reoccupy an existing non-residential
12		building, provided no dance or entertainment activity that would require a cabaret
13		permit and license shall be included;
14	(2)	Controlled uses as specified in Section 50-3-402 of this Code;
15	(3)	Restaurants, except where the use would reoccupy an existing non-residential
16		building;
17	(4)	Motor vehicle filling stations;
18	(5)	Mortuaries or funeral homes;
19	(6)	Motor vehicle services, major;
20	(7)	Motor vehicle services, minor;
21	(8)	Motor vehicle washing and steam cleaning;
22	(9)	Adult uses as specified in Section 50-3-502 of this Code; and
23		

1	(10) Tires, used: sales and/or service - ; and
2	(11) Signs.
3	(b) Except for the ten 11 items prohibited above, the Board of Zoning Appeals may
4	approve the change of one nonconforming use to another nonconforming use only where the Body
5	determines that the new proposed use will be less injurious to the surrounding area than the
6	previous nonconforming use. Where a change in use is approved, the Board of Zoning Appeals
7	shall be authorized to impose conditions that the Body deems necessary to reduce or minimize any
8	potentially adverse effect upon other property in the neighborhood, and to carry out the general
9	purpose and intent of this chapter. Any condition that is imposed must relate to a situation created
10	or aggravated by the proposed use and must be roughly proportional to its impact.
11	(c) Notwithstanding the foregoing requirements that the Board of Zoning Appeals
12	review and approve a change of use, a legally established nonconforming use that was a Group
13	"D" adult cabaret use, as that kind of use was defined on November 1, 2009, may be placed on
14	record by the Buildings, Safety Engineering, and Environmental Department, upon written request
15	of the owner, as a Group "A" cabaret use, a Group "B" cabaret use, or a Group "C" cabaret use
16	without applying for or obtaining approval from the Board of Zoning Appeals for the change of
17	use.
18	ARTICLE XVI. RULES OF CONSTRUCTION AND DEFINITIONS
19	DIVISION 2. WORDS AND TERMS DEFINED
20	Subdivision C. Letter "B"
21	Sec. 50-16-132. Words and terms (BhBz).
22	For the purposes of this chapter, the following words and phrases beginning with the letters

"Bh" through "Bz," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Blight violation	Any unlawful act, or any omission or failure to act, which is designated by this chapter as a blight violation pursuant to Section 4l(4) of the Michigan home Rule City Act, being MCL 117.4l(4)
Blight violation determination	A determination that: (1) An alleged violator is responsible for one or more blight violations as a result of the admission of responsibility for the allegation(s) in a blight violation notice; or (2) After an administrative hearing that a person is or is not responsible for one or more blight violations; or (3) As a result of a decision and order of default for failing to appear as directed by the blight violation notice, or other notice regarding one or more blight violations, at a scheduled appearance at the Blight Administrative Hearings Bureau under Chapter3, Article II, of this Code, Enforcement of Blight Violations, in accordance with Section 4q(8)(c) of the Michigan Home Rule City Act, being MCL 117.4q(8)(c).
Blight violation notice	A written violation notice prepared by an authorized local official which directs an alleged violator: (1) To pay the civil fines specified in the notice, including any required fees or costs, for one or more blight violations in accordance with the fines, fees, or costs specified in this Code; and (2) To appear at the Blight Administrative Hearings Bureau under Chapter 3, Article II, of this Code, Enforcement of Blight Violations, regarding the occurrence or existence of one or more blight violations pursuant to Section 4q*(8) of the Michigan Home Rule City Act, being MCL 117.4q(8).
Blight violation proceeding	An administrative process that results in a blight violation determination.
Block	A tract of land bounded by streets or by a combination of streets, public parks,

	cemeteries, railroad rights-of-way, harbor
	lines, centerlines of waterways, or corporate
	boundary lines of the City.
Block face	All lots abutting both sides of a street between
	two intersecting streets.
Board	The work "Board" means the Board of Zoning
	Appeals of the City.
Body art facility	A personal services establishment where in accordance with Chapter 20, Article III, of this Code, an individual performs one or more of
	the following for compensation: 1) tattooing; 2) branding; or 3) body piercing. For zoning
	purposes, precious metal and gem dealers that
	are licensed under chapter 41, Article III, of this Code, other retail stores, or clinics, which
	provide this service as an incidental and
	accessory use of the land, shall not be
	classified as a body art facility.
Brewery	A facility licensed by the Michigan Liquor
	Commission that annually manufactures more
	than 20,000 barrels of beer.
Brewpub	A facility licensed as such by the Michigan
	Liquor Control Commission in conjunction
	with a Class "C" tavern, Class "A" hotel, or
	Class "B" hotel, that annually manufactures
	and sells therein in total not more than 2,000
	barrels of beer only for consumption therein.
Bridge plaza and terminal, vehicular	That property immediately contiguous to a
	vehicular bridge where motor vehicles enter
	and exit the bridge. Certain uses and activities,
	if oriented and available exclusively to bridge
	traffic, shall be considered incidental and
	accessory to the vehicular bridge plaza and
	terminal: toll booths, inspection and weigh
	stations, customs and immigration facilities,
	duty-free retail stores, motor vehicle filling
	stations, and uses similar to the preceding.
	Advertising signs that are visible to traffic
	outside the plaza and terminal property shall
	not be considered as incidental and accessory.
Building	A structure, either temporary or permanent,
	having a roof and enclosing walls on all sides
	and used or built for the shelter or enclosure of
	persons, animals, or property of any kind.
Building, existing	Whenever this chapter refers to an "existing
J. J	
	building," it means a building that was

	constructed prior to April 9, 1998, which was the effective date of Ord. No. 9-98.
Building, height	(See Height of building.)
Building or construction contractor	A building or construction contractor is a person or firm engaged in the practice of assembling parts and materials to construct buildings or other structures but not including persons or firms (such as concrete producers_ who supply and/or deliver parts or materials to a construction site without direct involvement in construction, other than delivery and deposit of the construction parts and/or materials.
Bus	A motor vehicle other than a school bus that is designed for carrying more 16 or more passengers, including the driver.

1

2

Subdivision P. Letter "S"

- 3 Sec. 50-16-383. Words and terms (Si--Sl)
- For the purposes of this chapter, the following words and phrases beginning with the letters
- 5 "Si" through "Sl," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Sign	Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated service that shall be constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, that is displayed in any manner whatsoever outdoors. Every sign shall be classified and conform to the requirements of such classification as set forth in Chapter 8, Article II, of this Code, <i>Building Code</i> , including Section 8-2-21 of this Code, Additions to Appendix H, and this article. A "sign" shall not include any display of official court or public agency notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, or religious group. The term "sign" also does not include any non-illuminated, non-commercial, painted art mural.
Sign, advertising	A sign, whether billboard or painted wall graphic, which directs attention to a business, commodity, service, or entertainment, that is conducted, sold, or offered elsewhere than on the

	premises where the sign is affixed, located or painted, or only incidentally sold or offered on the premises.
Sign, animated	Any sign, which uses movement or change of lighting to depict action or to create a special effect or scene, including signs displaying moving images or videos. For regulatory purposes, animated signs are flashing signs.
Sign, area of	The area of a sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas. The blank areas between letters, words, illustrations, graphics, and the like are integral to understanding the message or display of a sign and shall be included in the computation of the area of a sign or the area of a message or word or letter or graphic that is part of a sign.
Sign, billboard	A large outdoor board for advertisements, which most commonly serve as "advertising signs," as defined in this section, except when identifying the business or profession conducted on the same zoning lot where the billboard is located, in which case the billboard serves as a "business sign," as defined in this section.
Sign, business	A sign, not less than 75 percent of the area of which is devoted to directing attention to the principal business or profession conducted, or to the principal type of commodity, service, or entertainment sold or offered on the premises where the sign is located or painted.
Sign, directional	A sign directing and guiding traffic or parking but bearing no advertising matter.
Sign, double-face	A sign, both sides of which are visible and used as signs. A "V" type sign shall be considered a double-face sign provided the least angle of intersection does not exceed 90 degrees. A multiface sign has more than two display areas, all of which are visible and used as signs.
Sign, electronic message board	A sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. For regulatory purposes, electronic message board signs are flashing signs. Electronic message boards and animated signs shall be considered flashing signs.
Sign-face	The area or display surface used for the message.
Sign, flashing	An illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when in use. Electronic message boards and animated signs shall be considered flashing signs.
Sign, freeway advertising	Any advertising sign located in an adjacent area where the facing of the sign is visible from a freeway. For zoning

	purposes, the term "freeway" means a divided highway of not less than two lanes in each direction to which owners or occupants of abutting property or the public do not have a right of ingress or egress to, from or across the highway, except at points determined by or as otherwise provided by the authorities responsible therefor; and the term "adjacent area" means the area measured from the nearest edge of the right-of-way of a freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way line. Freeway advertising signs, as well as advertising signs along other state trunk lines, are additionally regulated by the Michigan Department of Transportation (MDOT) and require a permit from MDOT prior to issuance of a permit by the City, as provided for in Section 50-6-81 of this Code.
Sign, ground	A sign, including a ground-mounted billboard, that is supported by one or more uprights, poles, or braces in or upon the ground.
Sign, identification	A business sign, not less than 75 percent of the area of which identifies the name of the individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name or street number of the building. Information directly related to principal or accessory uses of the property may also be included, provided, that not more than 25 percent of the area of the sign is devoted to such information.
Sign, illuminated	A sign designed to give forth any artificial light, or designed to reflect such light deriving from any source that is intended to cause such light or reflection.
Sign, monument	A freestanding sign attached to a permanent foundation or decorative base and not attached or dependent for support from any building, pole, posts, or similar uprights.
Sign, painted wall graphic	A sign, that is painted on a wall and exceeds ten square feet in area.
Sign, political	An advertising sign announcing or supporting any national, state, or local political candidates, or initiative or referendum, in connection with any election.
Sign, projecting	A sign constructed or erected so as to be attached at one end to a building or other structure and projecting out therefrom. In addition, any sign projecting into the right-of-way shall be considered a projecting sign.
Sign, pylon	A permanent freestanding sign that is mounted on a pole or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure.
Sign, real estate	A sign advertising that the premises on which it is located is for sale, lease, or rent.
Sign, roof	A sign that is erected upon or above a roof or parapet of a building or structure.

Sign, temporary	A sign, including any banner constructed of cloth, fabric, poster board, corrugated plastic or corrugated cardboard, or other lightweight temporary material, with or without a structural frame, that is intended for a limited period of display on a building, including decoration displays for holidays or public demonstrations.
Sign, wall	A sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of said wall.
Single-family detached dwelling	A detached dwelling unit, located on a single lot with no other dwelling units, designed for or occupied by one family only.
Single-room-occupancy housing, non-profit	Service-enhanced, single-room housing, provided by an entity recognized by the Internal Revenue Service as holding non-profit, tax-exempt status, which housing is primarily for individuals residing without children, such individuals being capable of independent living, whose dwelling units may or may not provide separate sanitary and food-preparation facilities, and sometimes operates as a hotel although permanent residency is an anticipated feature of the housing. For zoning purposes, non-profit SRO housing is not: adult foster care, a community mental health facility or "fairweather lodge" or other similar semi-independent living facility, a pre-release adjustment center, a residential substance abuse service facility, a rooming house, public lodging house, or emergency shelter for the homeless.
Site plan	One or more maps and drawing or reports containing all of the information required to be shown for such property as part of the site plan review process in Article III, Division 5, of this chapter.
Slope ratio	A numerical expression of a stated relationship of height to horizontal distance.

Subdivision Q. Letter "T"

2 Sec. 50-16-402. Words and terms (Tn--Tz).

1

For the purposes of this chapter, the following words and phrases beginning with the letters

4 "Tn" through "Tz," shall have the meaning respectively ascribed to them by this section:

Term	Definition
Towing service storage yard	Any private storage lot or yard of a towing enterprise where
	inoperable or distressed motor vehicles are temporarily held for
	retrieval or redemption by their owner, whether such enterprise
	is a contractor for a Police Department precinct or not. Such
	storage yards shall not function as a junkyard; no stripping or
	dismantling, or outdoor storage of parts is permitted; no sale of

Townhouse	used vehicle parts is permitted; no stacking of vehicles is permitted. Towing service storage yards shall be considered a principal use of the land except when same vehicles are awaiting repairs or service at a facility located on the same zoning lot, in which case they operate as an accessory use of the land. Any land use previously classified as a "Police Department authorized abandoned vehicle storage yard" shall now be considered a "towing service storage yard" without need for issuance of any additional permit or change of use. One of three or more attached single-family dwelling units, each
	having its own entrance, and each extending from the basement to the roof and having no side yards except end units which have one side yard.
Toxic substance disposal facility	A facility that disposes of, destroys, or incinerates "PCB," or "PBB" substances, in accordance with the Toxic Substances Control Act of 1976, being 15 USC 2601 <i>et seq.</i> , and Section 324.20120a of the Michigan Resources and Environmental Protection Act, being MCL 324.20120a.
Trade services, general	Offices or shops for plumbing, electrical, heating or air conditions, cabinet-making, carpenter, and furniture repair or upholstering shops, furniture and/or carpet and/or rug cleaning establishments, and similar uses.
Traditional Main Street Overlay Area	An area, designated by ordinance, as being or having the potential to be, a high quality, pedestrian-scale, walkable area with a traditional urban atmosphere.
Transfer station	An intermediate destination for nonhazardous solid waste materials where refuse awaiting transportation to a disposal site is transferred from one type of vehicle to another. May include the separation of different types of waste and aggregation of smaller shipments with larger ones, and compaction to reduce the bulk of the waste.
Trailer	Every vehicle, without motive power, other than a pole-trailer, which is designed for carrying property or persons and for being drawn by a motor vehicle, and is so constructed that no part of its weight rests upon the towing vehicle.
Transitional housing	Typically refers to rental housing for persons whose most recent address has been a homeless shelter and who anticipate finding a permanent residence after leaving the transitional housing facility and after accumulating funds for a rental security deposit. Unlike residents of emergency shelters who may move after 30 days, transitional housing residents may spend many months before relocating.
	Transitional housing may differ from typical apartment house living insofar as the residents may be expected or may be able

to avail themselves of counseling or life skills training or job training on the premises. When transitional housing offers space for three or more families and provides separate housekeeping and cooking facilities for each, it should be regulated as any other multiplefamily dwelling, provided, that when residents are not free to come and go because the program is part of a correction program, the facility should be regulated as a pre-release adjustment center. When residents require supervision, assistance, protection or personal care, the facility should be regulated as an adult foster care facility. When the facility offers congregate style temporary lodging primarily to the homeless, it should be regulated as an emergency shelter. When the facility offers sleeping quarters in the form of cots or beds in the same room, it should be regulated as a public lodging house. When the transitional housing facility includes a residential substance abuse treatment program, it shall be regulated s a residential substance abuse service facility. When the facility provides sleeping accommodations in ten or fewer rooms or dwelling units that lack separate housekeeping and cooking facilities in each unit, it should be regulated as a rooming house. Transitional surfaces Transitional surfaces exist adjacent to each runway as indicated on the Flight Obstruction Area Map on file at the Buildings, Safety Engineering, and Environmental Department. These surfaces begin at the centerline of the runways and extend outward, at the elevation of the runway, for 500 feet in the case of instrument runways, and 250 feet in the case of noninstrument runways, and then slope upward and outward one foot vertically for each seven feet horizontally to the point where they interest horizontal surface "A." Further, transitional surfaces exist adjacent to all approach surfaces and extend the entire length of the approach surfaces, beginning at the edges

and extending upward and outward at the same 1:7 slope ration

to the point where they intersect horizontal surface "A."

Tree	A large woody plant having one or several self-supporting stems or trunks and numerous branches. Trees may be classified as
	deciduous or evergreen.
Tree farm	Any parcel of land used to raise or harvest more than ten trees
	for wood products, Christmas trees, or for transplant, where
	forest products are sold on site or transported to market. A tree
	farm as a principal use is considered an urban farm.
Truck stop	Any premises where diesel fuel for motor vehicles is sold on a
•	retail basis, providing adequate maneuvering room and access
	for fueling facilities to be simultaneously used by at least three
	semi-trailer trucks, and which provides at least one of the
	following:
	(1) An off-street parking area proportioned for at least three
	semi-trailer trucks;
	(2) A motor vehicle washing and steam cleaning facility
	adequately sized to service tractor trucks;
	(3) A truck scale; or
	(4) Commercial shower facilities.
Tunnel plaza and terminal,	That property immediately contiguous to a vehicular tunnel
vehicular	where motor vehicles enter and exit the tunnel. Certain uses and
	activities, if oriented and available exclusively to tunnel traffic,
	shall be considered incidental and accessory to the vehicular
	bridge plaza and terminal: toll booths, inspection and weigh
	stations, customs and immigration facilities, duty-free retail
	stores, motor vehicle filling stations, and uses similar to the
	preceding. Advertising signs that are visible to traffic outside
	the plaza and terminal property shall not be considered as
	incidental and accessory.
Two-family dwelling	A structure, located on one lot, containing two dwelling units,
The laming arrening	each of which is designed for or occupied by one family only,
	with separate housekeeping and cooking facilities for each.

- Section 2. All ordinances or parts of ordinances in conflict with this ordinance are repealed.
- Section 3. This ordinance is declared necessary for the preservation of the public peace,
- 3 health, safety and welfare of the people of the City of Detroit.
- Section 4. This ordinance shall become effective on the eighth (8th) day after publication,
- but no earlier than July 1, 2020, in accordance with Section 401(6) of Public Act 110 of 2006, as
- amended, M.C.L. 125.3401(6), and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to form:

Saurence J. Darcía Lawrence T. García,

Corporation Counsel





COLEMAN A. YOUNG MUNICIPAL CENTER 2 Woodward Avenue, Suite 908 DETROIT, MICHIGAN 48226 (313) 224-6380 • TTY:711 (313) 224-1629 WWW.DETROITMI.GOV

January 23, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, MI. 48226

RE: Request for Public Hearing regarding the Approval for an Industrial Facilities Exemption Certificate on behalf of ML Properties II, LLC in the general area of 1300 Rosa Parks, Unit 2, Detroit, Michigan, in accordance with Public Act 198 of 1974. (Petition # 571)

Honorable City Council:

Representatives of the Planning and Development and Finance Departments have reviewed the above referenced petition of the following entity which requests City approval for an Industrial Facilities Exemption Certificate.

Based on discussions with company representatives and examination of the submitted application, we are convinced this company meets the criteria for tax relief as set forth by Public Act 198 of 1974 as amended.

COMPANY:

ML Properties II, LLC

ADDRESS:

1300 Rosa Parks

Unit 2

LOCATED IN:

Detroit, Michigan 48216 Industrial Development District

TYPE OF BUSINESS:

Manufacturing

INVESTMENT AMOUNT:

Real Property:

Personal Property:

\$ 10,394,874 \$ 5,028,228

Total:

\$ 15,423,102

EMPLOYMENT:

New hires:

322

We request that a Public Hearing be held for the purpose of considering City approval of an Industrial Facilities Exemption Certificate.

Respectfully submitted.

D. Scott Brinkmann

Director of Development & Special Projects Housing and Revitalization Department

DR/ml

cc:

S. Washington, Mayor's Office

K. Trudeau, PDD

D. Rencher, HRD

M. Langston



\mathbf{BY}	COUNCILMEMBER	

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended ("1974"), this City Council has the authority to establish "Industrial Development Districts" and "Plant Rehabilitation Districts" within the boundaries of the City of Detroit,

WHEREAS, ML Properties II, LLC has petitioned this City Council for the approval of an Industrial Facilities Exemption Certificate based upon said "districts" in the area of 1300 Rosa Parks, Unit 2, in the City of Detroit;

WHEREAS, Act 198 requires that prior to the approval of an Industrial Facilities Exemption Certificate, City Council shall provide an opportunity for a hearing on the approval of the Industrial Facilities Exemption Certificate at which, any representative of a taxing authority levying *ad valorem* taxes, or any resident or taxpayer of the City of Detroit may appear and be heard on the matter;

NOW THEREFORE BE IT

RESOLVED, that on the _____day of____, 2019, at ____a.m., in the City Council Committee Room, 13th floor, Coleman A. Young Municipal Center, a Public Hearing be held on the approval of an Industrial Facilities Exemption Certificate on the property referred to above and more fully described in the application attached hereto; and be it finally,

RESOLVED, that the City Clerk will provide notice of the Public Hearing to the general public by publication, and shall give written notice by certified mail to the taxing authorities and to the owners of all real property within the proposed Development District.

City of Detroit

Janice M. Winfrey City Clerk

OFFICE OF THE CITY CLERK

Andre P. Gilbert II Deputy City Clerk

October 18, 2019

To: Maurice Cox, Director

Planning and Development Department Coleman A. Young Municipal Center 2 Woodward Ave. Suite 908

Detroit, MI. 48226

Re: MyLocker Properties, LLC

Please find attached an application for Industrial Facilities Tax Exemption Certificate for Property located at 1641 Porter Street, Detroit, MI 48216. (RELATED TO PETITION #571)

Respectfully submitted,

Michael J. O'Connell, Jr. Asst. City Council Committee Clerk Office of the City Clerk

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. F4ing is mandatory.

INSTRUCTIONS: File the original and one copy of this form and the required attachments (two complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires one complete set (one original). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call 517-335-7460.

To be completed by Clerk	of Local Government Unit	
Signature of Clerk	Date Received by Local Unit	
STC U	se Only	
Application Number	Date Received by STC	10000
APPLICANT INFORMATION All boxes must be completed.		
▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) ML Properties II LLC	▶ 1b. Standard Industrial Classification (SIC) C NAICS Code 315990	ode - Sec. 2(10) (4 or 6 Digit Code)
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1300 Rosa Parks Boulevard - Unit 2, Detroit, MI 48216 2. Type of Approval Requested New (Sec. 2(5)) Speculative Building (Sec. 3(8)) Rehabilitation (Sec. 3(6))	1d. City/Township/Village (indicate which) City 3a. School District where facility is located Detroit A. Amount of years requested for exemption (1-1)	▶ 1e. County Wayne ▶ 3b. School Code 82010 2 Years)
Research and Development (Sec. 2(10)) Increase/Amendment 5. Per section 5 the application shall contain or be accompanied by a general description nature and extent of the restoration, replacement, or construction to be undertaken, a demore room is needed. Project will consist of a 103,000 sqft warehouse and product robotics inventory system engineered to simplify order fulfilling addition to the warehouse benefits, production facilities will not handle continued growth.	ion facility that will house a state-onent automation, reliability and cos	of-the-art \$2.5 million
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun. 6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of insta	Re \$5 allation, plus total Pe	0,394,874 al Property Costs ,028,228 rsonal Property Costs 5,423,102 al of Real & Personal Costs
Real Property Improvements > 07/15/2019 01/3	ind Date (M/D/Y) 31/2020 X Owned X Owned	period of the effective date of the Leased Leased
8. Are State Education Taxes reduced or abated by the Michigan Economic Development to receive this exemption. Yes No 9. No. of existing jobs at this facility that will be retained as a result of this project. 269	ment Corporation (MEDC)? If yes, applicant must 10. No, of new jobs at this facility expected to 322	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach obsolescence statement for property. The Taxable Value (TV) data below must be as of a. TV of Real Property (excluding land) b. TV of Personal Property (excluding Inventory) c. Total TV 12a. Check the type of District the facility is located in Industrial Development District Plant Rehability	the assessor's statement of SEV for the entire p December 31 of the year prior to the rehabilitation	n.,

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207,551 to 207,572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the Issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Paul Domke	13b. Telephone Number (313) 202-0029	13c. Fax Number	13d. E-mail Address domke@mylocker.net	
14a. Name of Contact Person 14b. Telephone Number Matt Novello (313) 788-7331		14c. Fax Number	14d. E-mail Address matt@mylocker.net	
▶ 15a. Name of Company Officer (N Robert Hake	o Authorized Agents)		-	
15b Signature of Company Office (o Authorized Agents)	15c, Fax Number	15d. Date 01/09/2020	
▶ 15e. Mailing Address (Street, City, 1300 Rosa Parks Blvd, [15f. Telephone Number (313) 202-5995	15g E-mail Address robert@mylocker.net	

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file

at the Local Unit and those included with the submit	al.		
▶ 16. Action taken by local government unit	shing a district. for a hearing. and application action.	he State Tax Commission Requires the following documents be filed istratively complete application: ack or Indicate N/A If Not Applicable 1. Original Application plus attachments, and one complete 2. Resolution establishing district 3. Resolution approving/denying application. 4. Letter of Agreement (Signed by local unit and applicant) 5. Affidavit of Fees (Signed by local unit and applicant) 6. Building Permit for real improvements if project has alrea 7. Equipment List with dates of beginning of installation 8. Form 3222 (if applicable) 9. Speculative building resolution and affidavits (if applicable)	copy dy begun
17. Name of Local Government Body	▶ 18. [Date of Resolution Approving/Denying this Application	
unit for inspection at any time, and that any lease		so certify that all documents listed in 16a are on file at the	ne local
19d. Clerk's Mailing Address (Street, City, State ZIP Code)			
19e. Telephone Number	19f. Fax	x Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original of the completed application and all required attachments to:

Michigan Department of Treasury State Tax Commission PO Box 30471 Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	➤ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, Industrial Facilities Tax Exemption (IFT) Application

The completed original application form 1012 and all required attachments, MUST be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government within six months of commencement of project.)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village). (Providing an accurate school district where the facility is located is vital.):

- 1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
- 2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs (see sample). Detail listing of machinery and equipment must match amount shown on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
- 3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.
- 4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad

valorem real and/or personal property tax liability. The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government. Tax liability for leased property should be determined before sending to the STC.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original is required by the STC. The remaining items are to be retained at the local unit of government for future reference. (The local unit must verify that the school district listed on all IFT applications is correct.)

- 1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
- 2. Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.
- 3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
- 4. Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement "the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit see sample).
- 5. Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample)).
- Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be

incorporated into the Letter of Agreement (see sample).

7. Treasury Form 3222 (if applicable - Fiscal Statement for Tax Abatement Request.)

The following information is required for rehabilitation applications in addition to the above requirements:

- A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/ year, and costs or expected costs.
- 2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

- 1. A certified copy of the resolution to establish a speculative building.
- 2. A statement of non-occupancy from the owner and the assessor.

Please refer to the following Web site for P.A. 198 of 1974: www.legislature.mi.gov/. For more information and Frequently Asked Questions, visit www.michigan.gov/propertytaxexemptions.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

6a. Itemization of Land and Building Improvements

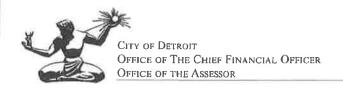
Project:	Mv Locker		Budget at 92
Proj. No.:	OLIVER / HATCHER CONSTRUCTION #18-0103		of Project
File Name:	BUDGET - MYLOCKER EXPANSION		Complete
COST Code	TRADE	SUBCONTRACTOR	11/30/201
01-131	SCAFFOLDING	SCAFFOLDING INC.	12,4
02 110-00	DEMOLITION	ADAMO	276,0
02-111	DEMOLITION	DETROIT DISMANTLING	20,0
02-500-00	SITE UTILITIES	RBV CONTRACTING	1,623,4
02-600-00	ASPHALT PAVING		140,0
02-650-00	SITE CONCRETE	GEMELLI CONCRETE	641,6
02-660-00	CONCRETE CURBING		19,5
02-700-00	FENCING	AMERICAN FENCE	6,0
02-800-00	LANDSCAPING	RELIABLE LANDSCAPING	34,5
	TOTAL SITE		2,773,7
03-100-00	FOUNDATIONS	POURED BRICK WALLS	226,6
03-400-00	PRECAST CONCRETE	KERKSTRA	826,2
04-100-00	MASONRY	JAMES ROSS CONSTRUCTION	149,9
05-100-00	STRUCTURAL STEEL	SERVICE IRON	1,326,3
05-100-01	SNOW LOAD ALLOWANCE (JOIST REINFORCE + UNISTRUT)	VERTEX STEEL INC	153,0
06-100-00	ROUGH CARPENTRY	EJ KANERIS	252,0
06-200	FINISH CARPENTRY	DOORS & DRAWERS	10,:
07-500-00	MEMBRANE ROOFING	ADVANCED ROOFING	248,
07-100-00	WATERPROOFING	RAM CONSTRUCTION	15,0
07-400	METAL PANEL SIDING	LIBERTY SHEET METAL	87,3
08-100-00	MAN DOORS, FRAMES, & HARDWARE	RAYHAVEN GROUP	34,
08-300-00	OVERHEAD DOORS	KVM DOOR SYSTEMS	51,0
08-400-00	GLASS AND ALUMINUM	CRYSTAL GLASS	129,4
09-800-00	FLOORING	SCI FLOOR COVERING	44,8
10-500-01	TOILET ACCESSORIES AND PARTITIONS	RAYHAVEN GROUP	4,2
13-100-00	FINAL CLEANUP	SERVICE MASTER	16,3
14-000-00	ELEVATOR	5 POINTS ELEVATOR	137,0
14 000 00	TOTAL BUILDING	3101113222471011	3,713,0
15-400-00	PLUMBING	HOLLYWOOD PLUMBING	194,6
15-500-00	FIRE PROTECTION	TSFP	230,
15-600-00	FIRE ALARM SYSM-15	1311	27,
15-700-00	HVAC	CONVENANT ENVIRONMENTAL	621,4
16-100-00	ELECTRICAL	G&B ELECTRIC	1,012,0
10-100-00	TOTAL MECHANICAL	G&B ELECTRIC	2,086,3
-	SUB-TOTAL		8,573,0
01-010-00	SUPERVISION	OHC	255,4
01-000-00	GENERAL CONDITIONS	Offic	112,9
17-300-00	SURVEYING AND LAYOUT	NOWAK & FRAUS	15,4
17-400-00	MATERIAL TESTING	SME	80,0
17-400-00	SUB•TOTAL	SIVIL	9,036,9
	FEE 5.00%		448,2
	TOTAL CONSTRUCTION COST		9,485,1
	CONTINGENCY (10%)		301,0
	TOTAL CONTRACTED PROJECT COST		9,786,1
	TOTAL CONTRACTED PROJECT COST		5,700,.
1	SURVEY & ENGINEERING		128,4
2	ARCHITECTURAL		88,3
3	PROJECT MANAGEMENT & LEGAL CONSULTING		120,1
4	PERMITS & COMPLIANCE		75,7
5	LOAN RELATED		187,5
6	OTHER		8,4

TOTAL PROJECT COST / REAL PROPERTY COST

10,394,874

APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE 6b. Itemization of Machinery, Equipment, Furniture & Fixtures

		Installation	Equipment
		Beginning	Cost
1.	Bastian Perfect Pick Robotic Inventory System	10/31/2019	\$ 2,514,846
2.	Aeoon Kyo 12 Digital Garment Printer (4)	10/31/2019	1,040,049
3.	EFI Reggiani Next 180 Printer (2)	10/31/2019	367,454
4.	Next Wave - Klieverick GTC Belt Calendars (4)	10/31/2019	339,796
5.	AS/R Carousel Binning System	10/31/2019	341,060
6.	Shanklin Flow Wrap Mailer	10/31/2019	271,181
7.	Zund Digital Cutter	8/31/2019	153,842
	TOTAL PERSONAL PROPERTY		\$ 5,028,228



COLEMAN A. YOUNG MUNICIPAL CENTER 2 WOODWARD AVENUE, SUITE 824
DETROIT, MICHIGAN 48226
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January 3, 2020

Katy Trudeau, Deputy Director Planning & Development Department Coleman A. Young Municipal Center 2 Woodward Ave, Suite 808 Detroit, MI 48226

RE: Industrial Facilities Exemption Certificate – My Locker Properties LLC Property Address: 1641 Porter (nka 1300 Rosa Parks Blvd Unit 2)

Parcel Number: 08007399.002

Dear Ms. Trudeau:

The Office of the Chief Financial Officer, Assessments Division, has reviewed the request for an Industrial Facilities Exemption certificate for the property located at 1641 Porter, now known as 1300 Rosa Parks Blvd Unit 2, located in the West Side Industrial area in the City of Detroit.

The rationale for creating Industrial Facilities Exemptions under PA 198 of 1974, as amended, is based upon the anticipation that granting the exemption is a benefit to the city and that expansion, retention, or location of an eligible business will not occur without this exemption. PA 198 of 1974, as amended, also provides a tax incentive to manufacturers in order to enable renovation and expansion of aging facilities, building of new facilities, and to promote establishment of high tech facilities.

The project as proposed by My Locker Properties LLC will consist of demolishing one of the three contiguous buildings on this industrial site and constructing a 3-story 100,000 square foot warehouse and production facility that will house a state of the art \$2.5 million robotics inventory system to simplify order fulfillment automation, reliability and cost effectiveness. There will also be added production and office space to the project. The estimated total cost of the project is \$14,372,011 (\$10,096,478 for real property and \$4,275,533 for personal property) and is expected to retain 269 existing jobs and create 222 new jobs.

A field investigation indicated that the proposed project located in the area as described above is eligible as outlined under PA 198 of 1974, as amended.

Sincerely

Charles Ericson, MMAO Assessor, Board of Assessors

mmp



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Industrial Facilities Exemption Certificate My Locker Properties LLC Page 2

Parcel Number: 08007399.002

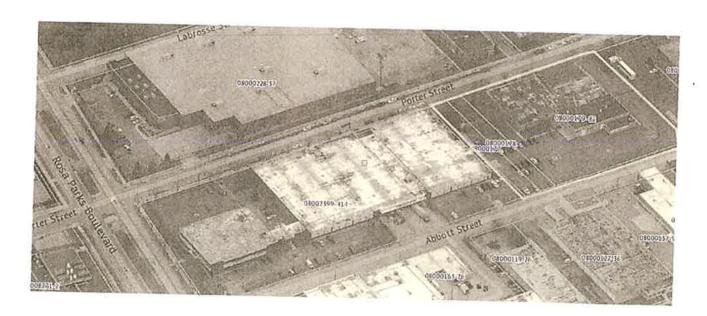
Property Address: 1300 ROSA PARKS BLVD UNIT 2 (Formerly 1641 Porter)

Property Owner: MYLOCKER PROPERTIES LLC

Legal Description: E ROSA PARKS UNIT 2 WAYNE COUNTY CONDO PLAN NO 1126 "MYLOCKER COMMONS"

RECORDED L55267 P393, W C R 94,238 SQFT 40%

SPLIT ON 11/01/2019 FROM 08007399-413;





COLMAN A. YOUNG MUNICIPAL CENTER 2 WOODWARD AVE SUITE 808 DETROIT, MICHIGAN 48226 (313) 224-1339 . TTY: 711 (313) 224-1310 WWW.DETROITMI.GOV

TO: Matthew Langston, Housing and Revitalization Department

FROM: Esther Yang, Planning & Development Department

RE: Master Plan Interpretation for proposed Industrial Development District Exemption

Certificate (IDD) for property located at 1641 Porter

DATE: January 16, 2020

CC: Katharine Trudeau, Deputy Director, Planning and Development

Kevin Schronce, PDD Central, Planning and Development
Karen Gage, PDD Zoning, Planning and Development

In order to ensure consistency with the City's Master Plan of Policies, pursuant to State of Michigan, Public Act 198 of 1974 (section 207.555), the Planning and Development Department's Planning Division submits the following interpretation for an **exemption certificate within an Industrial Development District (IDD). Petitioner:** My Locker Properties, LLC

Location and Project Proposal: 1641 Porter; Project will consist of a 100,000 square foot warehouse and production facility that will house a state of the art \$2.5M robotics inventory system which has been engineered to simplify order fulfillment automation, reliability and cost effectiveness. In addition to the 3-story warehouse and robotic delivery system, there will be added production and office space

Current Master Plan (MP) & Zoning: MP Classification – Light Industrial (IL); Zoning – M3 General Industrial District

Master Plan Interpretation

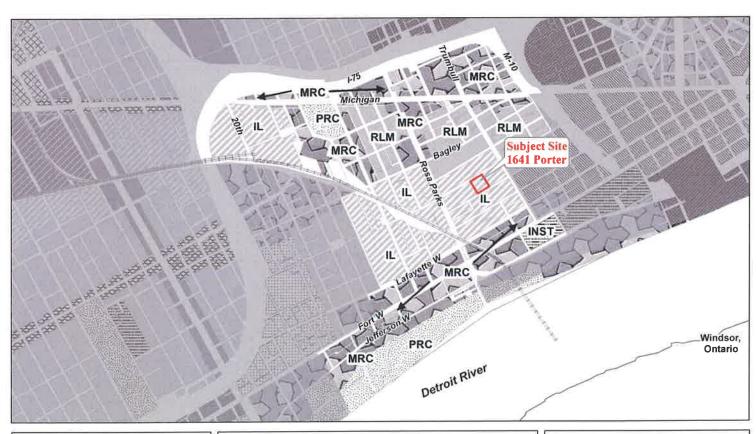
The Master Plan Future General Land Use Designation for the site is **Light Industrial (IL)**. Light Industrial areas should generally consist of industrial uses of low intensity that have minimum undesirable effects on adjacent residential or commercial land uses. Small-scale industrial uses may include machine shops, small scale assembly or packaging, warehousing or technology parks.

Additionally, the Master Plan of Policies outlines "Increasing the viability of industrial areas" as a goal in Cluster 4 Corktown Neighborhood, seeking to "redevelop under-utilized sites by attracting new and encouraging existing businesses to use the land for expansion or relocation"

The proposed development conforms to the Future General Land Use Designation of the area.

Attachments

Future General Land Use Map(s): Neighborhood Cluster 4; Corktown, Map 4-2B





City of Detroit Master Plan of **Policies**

Neighborhood Cluster 4 Corktown

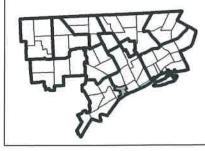


Future Land Use

- Low Density Residential (RL)
- Low / Medium Density Residential (RLM) Medium Density Residential (RM)
- High Density Residential (RH)
- Major Commercial (CM)
- Retail Center (CRC)
- Neighborhood Commercial (CN) Thoroughfare Commercial (CT)
- Special Commercial (CS)
- General Industrial (IG)

 Light Industrial (IL)

- :::: Distribution / Port Industrial (IDP)
- Mixed Residential / Commercial (MRC)
- Mixed Residential / Industrial (MRI)
- Mixed Town Center (MTC)
- Recreation (PRC)
- Regional Park (PR)
- Private Merina (PRM)
- Alrport (AP) Cemelery (CEM)
- institutional (INST)







Coleman A. Young Municipal Center 2 Woodward Avenue. Suite 908 Detroit, Michigan 48226 Phone: 313.224.6380 Fax: 313.224.1629 www.detroitml.gov

January 23, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, MI 48226

RE: Annual HOME, CDBG, NSP Awards New Award – Eastside Detroit Homes

Honorable City Council:

The City of Detroit ("City"), through the Housing and Revitalization Department ("HRD"), makes annual funding available for "ready-to-proceed projects" from HOME, CDBG and NSP federal funds allocated to the City through the U.S. Department of Housing and Urban Development ("HUD"). HRD has continued to work closely with HUD to meet required commitment and disbursement deadlines for new and ongoing projects approved by the City.

In support of affordable housing opportunities, HRD is hereby requesting approval to award funding to the following new project:

1. Eastside Detroit Homes (\$459,000 in CDBG) – New award of \$459,000 in CDBG funds will used as direct homeownership assistance to help current renters in the project's 54 single-family rental units to purchase the unit that they occupy.

We hereby request that your Honorable Body adopt the attached resolution that: (1) approves the aforementioned new project funding and (2) authorizes the HRD Director, or his authorized designee, to execute such documents as may be necessary or convenient to complete the transaction.

Respectfully submitted,

Donald Rencher

Director

Attachments

cc: S, Washington, Mayor's Office

K. Vickers, Associate Director of Housing Underwriting

517 FELERY 2020 JAN 24 PM 2145

RESOLUTION

BY COUNCIL MEMBER:

WHEREAS, the City of Detroit receives an annual allocation of HOME, CDBG and NSP (program income) Development funds from the U.S. Department of Housing and Urban Development ("HUD"), through the Housing and Revitalization Department ("HRD"), for the purpose of creating affordable housing opportunities in Detroit neighborhoods; and

WHEREAS, the City Council authorized HRD's Director to accept and utilize HOME, CDBG and NSP funds according to HUD regulations during the City's annual budgeting process; and now therefore be it

RESOLVED, that the City Council approves a new allocation for CDBG loans and/or grants for developers and/or borrowers as provided for herein and in the attached Exhibit 1: New and Amended 2019 HOME, CDBG and NSP Awards in the amount indicated and with authorization to vary such new allocation amount by not more or less than 10% at the discretion of the HRD Director; and be it further

RESOLVED, that HRD will use Appropriation No. 20541 to spend CDBG funds for the following existing project: "Eastside Detroit Homes" - \$459,000; and be it further

RESOLVED, that the HRD Director, or his authorized designee, is authorized to process, prepare and execute any and all loan and grant documents necessary or convenient to close, secure and use CDBG funds according to HUD regulations and as approved by this resolution; and be it finally

RESOLVED, that the Budget and Finance Directors are hereby authorized to increase the necessary accounts and honor expenditures, vouchers and payrolls when presented in accordance with the foregoing communication and standard City procedures.

(See attached Exhibit 1)

Exhibit 1: New and Amended HOME, CDBG and NSP Awards

New Awards, Loan Modifications and/or Increases (Various Developers)

COMMENTS	Apply new \$459,000 award to the Eastside Detroit Homes project		
New or Revised ALLOCATION	\$459,000 CDBG		
ORIGINAL	N/A		
TOTAL DEVELOPMENT COST	\$985,014		
PROJECT ACTION	Convert 54 single family rental units at the end of their LIHTC compliance period to homeownership units by providing direct homeownership assistance with \$459,000 in CDBG		
PROJECT DESCRIPTION	Eastside Detroit Homes Scattered Site/Connor Creek Neighborhood 54 Single Family Homes 100% affordable		
DEVELOPER OR BORROWER	Cinnaire Lending Corp. 2111 Woodward Ave, Suite 600 Detroit, MI 48201		

.





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January 7, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, MI 48226

RE: Property Sale

9501 & 9509 Cameron, Detroit MI 48211

Honorable City Council:

The City of Detroit, Planning and Development Department ("P&DD") has received an offer from Johnny Caslin (the "Purchaser), to purchase certain City-owned real property at 9501 Cameron and 9509 Cameron (the "Property") for the purchase price of Two Thousand Seven Hundred and 00/100 Dollars (\$2,700.00).

Johnny Caslin proposes to utilize the vacant lots as green space to his adjacent home at 9521 Cameron. Currently, the property is within a B4 zoning district (General Business District). Johnny Caslin proposed use of the Property shall be consistent with the allowable uses for which the Property is zoned.

We request that your Honorable Body adopt the attached resolution to authorize the Director of P&DD, or his or her authorized designee to execute a quit claim deed and such other documents as may be necessary or convenient to effect a transfer of the Property by the City to Johnny Caslin.

Respectfully submitted,

Katharine G. Trudeau

Deputy Director

cc: Stephanie Washington, Mayor's Office

RESOLUTION

|--|

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby approves of the sale of certain real property at 9501 Cameron and 9509 Cameron, Detroit, MI (the "Property"), as more particularly described in the attached Exhibit A incorporated herein, to Johnny Caslin (the "Purchaser") for the purchase price of Two Thousand Seven Hundred and 00/100 Dollars (\$2,700.00).

RESOLVED, that the Director of the Planning and Development Department, or his or her authorized designee, is authorized to execute a quit claim deed and other such documents necessary or convenient to effect transfer of the Property to the Purchaser consistent with this resolution; and be it further

RESOLVED, that the following Property Sales Services Fees be paid from the sale proceeds pursuant to the City's Property Management Agreement with the Detroit Building Authority ("DBA"): 1) One Hundred Sixty Two and 00/100 Dollars (\$162.00) shall be paid to the DBA from the sale proceeds, 2) One Hundred Thirty Five and 00/100 Dollars (\$135.00) shall be paid to the DBA's real estate brokerage firm from the sale proceeds and 3) customary closing costs up to Two Hundred and 00/100 Dollars (\$200.00) shall be paid from the sale proceeds; and be it further

RESOLVED, that the P&DD Director, or his or her authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Property, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

RESOLVED, that the quit claim deed will be considered confirmed when executed by the P&DD Director, or his or her authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibit A)

EXHIBIT A

LEGAL DESCRIPTION

Property situated in the City of Detroit, Wayne County, Michigan, described as follows:

Parcel 1

W CAMERON LOT 155 MOTT & MORSES SUB L15 P81 PLATS, W C R 5/135 30 X 100

a/k/a 9501 Cameron Tax Parcel ID 05004497.

Parcel 2

W CAMERON LOT 156 MOTT & MORSES SUB L15 P81 PLATS, W C R 5/135 30 X 100

a/k/a 9509 Cameron Tax Parcel ID 05004496.

> Description Correct Engineer of Surveys

> > Basil Sarim, P.S.
> > Professional Surveyor
> > City of Detroit/DPW, CED

Map 42 c





Coleman A. Young Municipal Center 2 Woodward Avenue Suite 808 Detroit, Michigan 48226 (313) 224-1339 • TTY:711 (313) 224-1310 WWW.Detroitmi.gov

January 7, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, MI 48226

RE: Property Sale

9503 Cardoni, Detroit, MI 48211

Honorable City Council:

The City of Detroit, Planning and Development Department ("P&DD") has received an offer from The Pentecostal Church of God (the "Purchaser), to purchase certain City-owned real property at 9503 Cardoni (the "Property") for the purchase price of Two Thousand Two Hundred Fifty and 00/100 Dollars (\$2,250.00).

The Pentecostal Church of God proposes to utilize the property as green space to their adjacent property at 1201 Westminster and church across the street. Currently, the property is within a B4 zoning district (General Business District). The Pentecostal Church of God proposed use of the Property shall be consistent with the allowable uses for which the Property is zoned.

We request that your Honorable Body adopt the attached resolution to authorize the Director of P&DD, or his or her authorized designee to execute a quit claim deed and such other documents as may be necessary or convenient to effect a transfer of the Property by the City to The Pentecostal Church of God.

Respectfully submitted,

Katharine G. Trudeau

Deputy Director

cc:

Stephanie Washington, Mayor's Office

RESOLUTION

\mathbf{RV}	COUN	CIL	MEN	/IRER
., .			TABLATA	

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby approves of the sale of certain real property at 9503 Cardoni, Detroit, MI (the "Property"), as more particularly described in the attached Exhibit A incorporated herein, to The Pentecostal Church of God (the "Purchaser") for the purchase price of Two Thousand Two Hundred Fifty and 00/100 Dollars (\$2,250.00).

RESOLVED, that the Director of the Planning and Development Department, or his or her authorized designee, is authorized to execute a quit claim deed and other such documents necessary or convenient to effect transfer of the Property to the Purchaser consistent with this resolution; and be it further

RESOLVED, that the following Property Sales Services Fees be paid from the sale proceeds pursuant to the City's Property Management Agreement with the Detroit Building Authority ("DBA"): 1) One Hundred Thirty Five and 00/100 Dollars (\$135.00) shall be paid to the DBA from the sale proceeds, 2) One Hundred Thirteen and 00/100 Dollars (\$113.00) shall be paid to the DBA's real estate brokerage firm from the sale proceeds and 3) customary closing costs up to Two Hundred and 00/100 Dollars (\$200.00) shall be paid from the sale proceeds; and be it further

RESOLVED, that the P&DD Director, or his or her authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Property, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

RESOLVED, that the quit claim deed will be considered confirmed when executed by the P&DD Director, or his or her authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibit A)

EXHIBIT A

LEGAL DESCRIPTION

Property situated in the City of Detroit, Wayne County, Michigan, described as follows:

W CARDONI AVE LOT 197 RANNEY & BUTTERFIELDS SUB L26 P43 PLATS, W C R $5/125\ 30\ X\ 100$

a/k/a 9503 Cardoni

Tax Parcel ID 05004013.

42 C

Description Correct Engineer of Surveys

Basil Sarim, P.S.

Professional Surveyor

City of Detroit/DPW, CED





COLEMAN A. YOUNG MUNICIPAL CENTER 2 Woodward Avenue Suite 808 DETROIT, MICHIGAN 48226 (313) 224-1339 • TTY:711 (313) 224-1310 WWW.DETROITMI.GOV

January 7, 2020

Detroit City Council 1340 Coleman A. Young Municipal Center Detroit, MI 48226

RE: **Property Sale**

15766 Wyoming Ave, Detroit MI 48238

Honorable City Council:

The City of Detroit, Planning and Development Department ("P&DD") has received an offer from SUPREME CUSTOM PLUMBING & HVAC LLC (the "Purchaser), to purchase certain Cityowned real property at 15766 Wyoming Ave (the "Property") for the purchase price of Twelve Thousand and 00/100 Dollars (\$12,000.00).

SUPREME CUSTOM PLUMBING & HVAC LLC proposes to rehabilitate and utilize the building as storage for plumbing and HVAC supplies. Currently, the property is within a B2 zoning district (Local Business and Residential District). SUPREME CUSTOM PLUMBING & HVAC LLC proposed use of the Property shall be consistent with the allowable uses for which the Property is zoned.

We request that your Honorable Body adopt the attached resolution to authorize the Director of P&DD, or his or her authorized designee to execute a quit claim deed and such other documents as may be necessary or convenient to effect a transfer of the Property by the City to SUPREME CUSTOM PLUMBING & HVAC LLC.

Respectfully submitted,

Katharine G. Trudeau

Deputy Director

cc:

Stephanie Washington, Mayor's Office

RESOLUTION

\mathbf{BY}	COUNCIL	MEMBER	

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby approves of the sale of certain real property at 15766 Wyoming, Detroit, MI (the "Property"), as more particularly described in the attached Exhibit A incorporated herein, to SUPREME CUSTOM PLUMBING & HVAC LLC (the "Purchaser") for the purchase price of Twelve Thousand and 00/100 Dollars (\$12,000.00).

RESOLVED, that the Director of the Planning and Development Department, or his or her authorized designee, is authorized to execute a quit claim deed and other such documents necessary or convenient to effect transfer of the Property to the Purchaser consistent with this resolution; and be it further

RESOLVED, that the following Property Sales Services Fees be paid from the sale proceeds pursuant to the City's Property Management Agreement with the Detroit Building Authority ("DBA"): 1) Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) shall be paid to the DBA from the sale proceeds, 2) Six Hundred and 00/100 Dollars (\$600.00) shall be paid to the DBA's real estate brokerage firm from the sale proceeds and 3) customary closing costs up to Two Hundred and 00/100 Dollars (\$200.00) shall be paid from the sale proceeds; and be it further

RESOLVED, that the P&DD Director, or his or her authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Property, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

RESOLVED, that the quit claim deed will be considered confirmed when executed by the P&DD Director, or his or her authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibit A)

EXHIBIT A

LEGAL DESCRIPTION

Property situated in the City of Detroit, Wayne County, Michigan, described as follows:

E WYOMING LOT 11 BENJAMIN F MORTENSONS UNIVERSITY PL SUB L46 P59 PLATS, W C R 16/342 20 X 100

a/k/a 15766 Wyoming

Tax Parcel ID 16037506.

Description Correct Engineer of Surveys

Basil Sarim, P.S.

Professional Surveyor

City of Detroit/DPW, CED