

ARTICLE XV SIGN REGULATIONS

Section 1500. Statement of purpose.

The city finds that signs and other visual outdoor advertising tends to promote commerce and are related to the health, safety, and/or general welfare of the residents of the city, and that the preservation of the existing character of the community requires regulation of signs and of other visual outdoor advertising. The city finds that failure to regulate the size, location, and construction of signs and other outdoor advertising may have an adverse effect upon the promotion of business and commerce in the city, may lead to poor identification of businesses, may have an adverse effect upon the existing aesthetic character of the city, and may cause deterioration of business and residential areas of the community. Therefore, the purpose of this section and the subsections there under is to permit such signs and visual outdoor advertising as will not, by reason of their size, location, or manner of display, endanger public health and/or safety; confuse or mislead traffic; or obstruct vision necessary for traffic and pedestrian safety; and further, to regulate signs and other visual outdoor advertising in such a way as to prevent the placement of signs, and such other visual outdoor advertising in a manner that will conceal or obscure other signs and other visual outdoor advertising on adjacent businesses; to keep the number of signs and sign messages at a minimum level reasonably necessary to identify a business and its products; to keep signs within a reasonable scale with respect to the buildings to which they relate; and further, to prevent off premise signs from conflicting with business, residential and public land uses, and to prohibit signs and other visual outdoor advertising which will have an adverse effect upon the existing aesthetic character of not only the zoning district in which they are located, but also upon the overall existing aesthetic character of the city. Further, the city recognizes that electronic changeable message signs are an increasingly important feature for many businesses. Electronic signs provide an effective mechanism for informing the public of goods and services as well as promoting sales or special events. The use of electronic signs will reduce the need for temporary signs which detract from the visual appearance of the community.

Section 1501. Exempt signs.

The following shall be deemed to be excluded from the definition of "sign" as it applies to this ordinance:

1. Any single sign with an area of one square foot or less limited to two per premises.
2. Historic signs designating sites recognized by the state historical commission or local governmental body or agency.
3. Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal devices, or warnings at railroad crossings.
4. Building markers, memorial tablets, or similar signs.
5. Signs required to be maintained by law or governmental order, rule or regulation; provided that they do not exceed 48 square feet.

6. Signs directing traffic on private property, but bearing no advertising matter.
7. Yard sale signs; provided that no person shall attach in any way posters, notices or advertisements to utility poles, meter posts, or trees in or along any street right-of-way within the city; and that no person shall put up any notice upon any building, wall or fence or other property of another person without having first obtained the consent of the owner of such property. The maximum time limit for all yard sale signs is three consecutive days within four calendar months.
8. Signs painted on, or affixed to, glass surfaces of windows or doors and pertaining to and identifying only the lawful business conducted therein.
9. Wall murals and similar graphics containing no direct advertisement, subject to the review and approval of the city.

Section 1502. Prohibited signs.

It shall be unlawful for any person to erect, maintain, relocate or keep any sign as defined in this section.

1. A sign which copies or imitates or in any way approximates an official highway sign or carries the words "stop" or "danger;" or any sign which obscures a sign displayed by public authority for the purpose of giving traffic instruction or direction or other public information.
2. A sign which displays flashing or intermittent lights or lights of changing degrees or intensity unless each interval in the cycle is 8 seconds or more and the sign does not constitute a traffic hazard.
3. A sign which obstructs any window or door opening used as a means of egress or prevents free passage from one part of a roof to any other part thereof. A sign which interferes with an opening required for legal ventilation.
4. A sign or illumination that causes any direct glare into or upon any building other than the building to which the sign may be accessory.
5. Swinging signs.
6. Except as may otherwise be provided in this section, no sign or any portion thereof shall be permitted which moves or assumes any motion constituting a nonstationary condition.
7. Abandoned signs.
8. Signs which are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal which obstruct the view in any direction at a street or road intersection.
9. Signs which contain statements, words, or pictures of an obscene pornographic or immoral character.

10. Signs which are painted on or attached to any fence or any wall which is not structurally a part of a building, except to identify a residence.
11. Signs which emit audible sound, odor, or visible matter.
12. Roof, projecting or marquee sign.
13. Exterior string lights used in connection with a commercial premise, other than holiday decoration.

Section 1503. General Provisions

Except as otherwise provided, the following conditions shall apply to all districts and sign types:

1. *Applicability and effect.* Signs shall be permitted which are in accordance with:
 - a. The general provisions of the sign ordinance.
 - b. Section 201. Definitions
 - c. Section 1504. Schedule of Regulations.
 - d. The sign regulations for the district in which the sign is to be located.
 - e. All applicable provisions of the building and electrical codes of Utica as adopted, and all amendments thereto.
2. *Interpretation.* In this interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, and welfare.
3. *Existing agreements.* This ordinance shall not abrogate any private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards than such private agreements, the provisions and requirements of this ordinance shall govern.
4. *Substitution Clause* Noncommercial signs are allowed in all districts and may be substituted for any sign expressly allowed under this ordinance.
5. *Separability.* In accordance with the following, it is hereby declared that the several provisions of this ordinance are separable:
 - a. If any court of competent jurisdiction determines any provisions of this ordinance to be invalid, such determination shall not affect any other provision of this ordinance, not specifically included in the court's judgment order.
 - b. If any court of competent jurisdiction determines any provision of this ordinance to be invalid as applied to any particular sign, such determination shall not affect the application of such provisions to any other sign not specifically included in the court's judgment order.
6. *Sign permits.*

- a. Prior to the erection or structural alteration of any sign, a building permit shall be secured from the city.
 - b. Application for initial sign permits shall be made upon forms provided by city and shall contain or have attached thereto the following information:
 - (1) Name, address, and telephone number of the applicant.
 - (2) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
 - (3) Position of the sign or other advertising structure in relation to nearby buildings or structures.
 - (4) Detailed sign plan in paper or electronic files (Adobe Acrobat PDF format) detailing the plans, specifications, building materials, method of construction and attachment to the building or to the ground.
 - (5) Name of person, firm, corporation or association erecting the structure.
 - (6) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
 - (7) Any building, electrical or structural permits required and issued for said sign. Application requesting the permits for the proposed sign must accompany the sign application.
 - (8) Such other information as the city shall require showing full compliance with the city ordinance.
 - c. Every applicant, before being granted a permit hereunder, shall pay to the city a permit fee for each sign or other advertising structure regulated by this chapter as may be established, by resolution, by the city council.
 - d. It shall be the duty of the city, upon the filing of an application for an erection permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all the requirements of this chapter and all other laws and ordinances of the city, the city shall then issue the erection permit. If the work authorized under an erection permit has not been completed within 12 months after date of issuance, the said permit shall become null and void.
 - e. All rights and privileges acquired under the provisions of this ordinance or any amendment thereto are mere licenses revocable at any time by the city council.
7. *Computations.* The following principles shall control the computation of sign area (sign face), height, bulk, and placement.
- a. *Computation of area of individual signs.* The area of any sign shall be calculated

as the area that includes any shape, writing representation, emblem, or colors used to display the sign's intended message. This does not include any supporting structure, framework, bracing, or wall that otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

- b. *Computation of area of multi-faced signs.* The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any one point at the same time, the sign area shall be computed by the measurement of one of the faces.
- c. *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of 1) existing grade prior to construction; or, 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.

8. *Placement, height and number restrictions.*

- a. Except as may otherwise be provided herein, pylon and monument signs shall be set back a minimum of three feet back of the property line, except that signs shall not be located closer than a distance equal to its height to an abutting residential district.
- b. No sign may extend above any parapet or be placed upon any roof surface. This subsection shall not apply to displays, including lighting, erected in connection with the observation of holidays on the roofs of residential structures.
- c. No sign attached to a building may project more than 14 inches from the building wall.
- d. Pylon signs may not exceed a height of 20 feet. Pylon signs located on property which abuts both a controlled access highway and state or federal numbered highway may be erected above the plane of the pavement of the highest road at the intersection, provided such sign does not exceed a maximum of 40 feet in height.
- e. Monument signs may not exceed a height of 8 feet.
- f. Except as may be otherwise provided herein, there shall not be more than two signs allowed for anyone business with frontage on a single public street or three signs allowed for anyone business or planned grouping of structures with frontage on more than and one public street. Any business with a rear customer

entrance is permitted an additional wall sign at said entrance not to exceed 8 square feet in area.

9. *Building identification.* All buildings shall have permanent conspicuous *addresses*. The city may require supplemental building identification or modify the size or location of such identification as deemed necessary to insure that each and every building is properly identified.
10. *Changeable Messaging Center (electronic and non-electronic).* The use of changeable messaging centers are permitted in the design of monument and pylon signs provided:
 - a. The changeable message component of the sign shall not exceed 50 percent of the total sign area.
 - b. The electronic message or image shall not change more frequently than once every eight seconds. Changes between messages shall be accomplished within one second or less.
 - c. The sign shall not contain full motion video or moving images.
 - d. The image or message shall not flash or scroll vertically or horizontally. Flashing, blinking or other visual effects are prohibited.
 - e. The LED or other light source of the electronic message board shall not be illuminated beyond the default settings of the manufacturer's brightness or dimming controls.
 - f. The sign shall have automatic dimming capabilities that adjust to the brightness of the sign to the ambient light levels at all times of the day and night.
 - g. No electronic sign shall create glare, or have characteristics that impair the vision of motorists, or create a nuisance for surrounding parcels.
 - h. Electronic message signs displayed at sites with multiple tenants shall be available to all of the tenants located at that particular site.
11. *Gasoline station signage.* Gasoline price signs may be permitted as part of the allowable sign area for any gasoline station. Signs on pump islands identifying self- or full-service options may be permitted provided that there are no more than 2 such signs for each island and that no individual sign shall exceed 4 square feet in area. A gasoline station may additionally display 2 wall signs of less than 10 square feet each for every canopy structure providing coverage to pump islands. Electronic "point of sale" screens not to exceed 14" in width located at the pump islands displaying fuel product price, fuel product sale, driver information and advertising of products may be permitted provided there are no more than two screens per island.

12. *Open and closed sign.* A single "open" or "closed" sign may be allowed for each business establishment, provided that such sign does not exceed more than three square feet in area. Such signs may be illuminated.

13. *Menu board signs.* Menu board signs may be allowed for fast food restaurants with a drive thru lane. The number and size of menu board signs shall be determined by the city based on review of the size of the site and the vehicle circulation pattern.

1504. Schedule of Regulations.

The following chart specifies those districts where the following signs are permitted.

Sign Types	Zoning Districts							
	Residential R1-A, R1-B, R-2, R-3	Office O-1	Central Business District C-1	General Business C-2	Downtown Mixed Use DMXD	Mixed Use MXD	Industrial I	Vehicular Parking P-1
Announcement	Y	Y	Y	Y	Y	Y	Y	Y
Billboards	N	N	N	Y	N	N	Y	N
Canopy	N	Y	Y	Y	Y	Y	Y	N
Changeable Copy	N	Y	Y	Y	Y	Y	Y	N
Development/Commercial Real Estate	Y	Y	Y	Y	Y	Y	Y	N
Directional	Y	Y	Y	Y	Y	Y	Y	Y
Monument	N	Y	Y	Y	Y	Y	Y	N
Political	Y	Y	Y	Y	Y	Y	Y	Y
Pylon	N	Y	N	Y	N	Y	N	N
Residential	Y	N	Y	N	Y	Y	N	N
Residential Real Estate	Y	N	Y	N	Y	Y	N	N
Wall	N	Y	Y	Y	Y	Y	Y	N
Window	N	Y	Y	Y	Y	Y	Y	N
Temporary Signs								
<i>Banners</i>	Y	Y	Y	Y	Y	Y	Y	Y
<i>Beacon, Sandwich Board & Inflatables</i>	N	Y	Y	Y	Y	Y	Y	N
<i>Human Directional</i>	N	N	Y	Y	Y	Y	Y	N
<i>Pennants</i>	N	N	Y	Y	Y	Y	N	N
<i>Special Decorative</i>	Y	Y	Y	Y	Y	Y	Y	Y
<i>Special Event</i>	Y	Y	Y	Y	Y	Y	Y	Y
<i>Vehicular</i>	Y	Y	Y	Y	Y	Y	Y	Y

1505. Permitted Signs. *(as defined under Section 201 Definitions)*

1. Announcement Signs

a. All District Requirements

- (1) Two wall or monument signs or combination thereof identifying a park, school, church, public building, other authorized use or lawful non-confirming use.
- (2) The maximum sign area of each announcement sign shall not exceed 40 square feet.
- (3) The maximum height of an announcement sign shall be 8 feet.

2. Billboards (non-accessory signs)

a. General Commercial (C-2) and Industrial (I) District Requirements

- (1) Shall not exceed 250 square feet in area.
- (2) Maximum height of a billboard shall not exceed 50 feet.
- (3) Shall not be less than 250 feet from any residential district.
- (4) Shall be at least 500 feet from another billboard.
- (5) Digital/Electronic billboards shall comply with Section 1503 10 a-h governing Changeable Messaging Centers (electronic and non-electronic).
- (6) Shall follow all Michigan Department of Transportation and Federal Highway Administration regulations where applicable.

3. Canopy signs.

a. Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.

- (1) Canopies shall not project more than eight feet into the right-of-way but in no case closer than six feet to the curb line, or 18 feet from the pavement edge in case the pavement is not curbed.
- (2) A minimum under clearance of the sidewalk of seven feet shall be maintained.
- (3) Canopies hereafter erected shall, whenever practicable, match the established under clearance, height and projection of canopies which

exist on abutting parcels.

4. Development/Commercial Real Estate Signs

a. Residential District Requirements

- (1) One temporary freestanding sign advertising a recorded subdivision or development not to exceed 20 square feet in area and 4 feet in height and placed no closer to any street right-of-way than one-third the minimum authorized front yard depth. The sign shall be removed upon the issuance of a temporary or final certificate of occupancy for 76 percent of the dwelling units for housing developments.

b. Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.

- (1) One temporary freestanding sign showing names of building contractors, professional firms, and lending institutions on nonresidential sites under construction not to exceed 20 square feet in area and 4 feet in height and not located nearer than ten feet to a public right-of-way. The sign shall be confined to the site of the construction, construction shed, or trailer and shall be removed within 14 days of completion of the project.
- (2) One temporary sign advertising the rent, sale, or lease of the lot or commercial building not exceeding 10 square feet in area on anyone lot. Such sign not to be placed in the public right-of-way, and shall be removed within 30 days from the date such land or building is rented, leased, and/or sold.

5. Directional Signs

a. All District Requirements

- (1) Total surface area not to exceed 6 square feet per sign on any lot or parcel.

6. Monument Signs

a. Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.

- (1) Shall not exceed a sign surface area of 75 square feet on lots with less than 200 feet of linear road frontage.

- (2) Lots exceeding 200 linear feet of road frontage shall not exceed a sign surface area of 100 square feet.
- (3) No use may have more than 1 monument sign unless the development is located on a corner lot that fronts more than one major thoroughfare. In such cases one monument sign may be permitted on each road frontage.

7. Political Signs

a. All District Requirements

- (1) Do not require a city permit.
- (2) Can be placed no more than 30 days prior to election.
- (3) Must be removed within 3 days of an election.
- (4) Signs shall not exceed 16 square feet in residential districts and 32 square feet in all non-residential districts.
- (5) Candidates for political office are limited to one sign per zoned parcel.
- (6) Political signs shall not be located in, project into or overhang any public right-of-way or be attached to any utility pole.
- (7) Political signs shall be placed as to avoid obstructing the view of vehicular and pedestrian traffic areas.

8. Pylon Signs

a. General Commercial (C-2) and Mixed Use Development (MXD) District Requirements, Office (O-1).

- (1) Shall not exceed a sign surface area of 50 square feet on lots with less than 200 feet of linear road frontage.
- (2) Lots exceeding 200 linear feet of road frontage shall not exceed a sign surface area of 75 square feet.
- (3) No use may have more than 1 pylon sign unless the development is located on a corner lot that fronts more than one major thoroughfare. In such cases one sign may be permitted on each frontage.

9. Residential Signs

a. Residential District Requirements

- (1) One unlighted nameplate, identifying the name of the occupant or permitted commercial message for goods and services legally offered on

the premise, not to exceed two square feet in area. The nameplate shall be attached flat against the front wall of the building.

- (2) Permanent residential development signs indicating only the name of the development and the management/developer thereof, subject to the following:
 - (a) The residential development signs shall be monument signs.
 - (b) There shall not be more than two residential development signs for each major point of vehicular access to development.
 - (c) Residential development signs at any location shall not exceed 50 square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of 100 square feet for the combined surface of all sign faces.
 - (d) Residential development signs shall not project higher than 6 feet, as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.
 - (e) Residential development signs may be located in any required yard but shall not extend over any lot line or within ten feet of any point of any public right-of-way. The location and arrangement of all residential development signs shall be subject to the review and approval of the city. A residential development sign(s), proposed to be located within a public right-of-way, is expressly prohibited.

10. Residential Real Estate Signs

a. Residential District Requirements

- (1) One temporary sign advertising the rent, sale, or lease of the lot or building not exceeding six square feet in area on anyone lot. Such sign not to be placed in the public right-of-way, and shall be removed within 30 days from the date such land or building is rented, leased, and/or sold.

11. Wall Signs

a. Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.

- (1) Flat wall signs may not project above the roof or parapet line and may not project more than 14 inches beyond the face of the wall of the building.
- (2) Wall signs shall be attached to, and be parallel to, the wall of the building.

- (3) Wall signs shall be limited in number to 1 wall sign per business for each wall having an individual means of access. The maximum size of any such sign shall not exceed 10 percent of the building facade where so provided, however, that no such sign shall exceed 100 square feet.
- (4) In the instance of several tenants utilizing a common public entranceway, a common wall sign shall be permitted provided any such sign shall not exceed 50 percent of the building facade where so provided, or 75 square feet in area for all tenants listed, whichever is more restrictive.
- (5) Painted wall signs shall follow the following additional design standards:
 - (a) The appearance, color, texture, and materials being used shall be compatible with the structure and other developments already existing in the immediate vicinity.

12. Window Signs

- a. Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.
 - (1) Window signs shall be allowed on the inside or outside of window glass of nonresidential properties provided that they cover no more than 25 percent of the gross glass area on any one side of the building and they are not separately illuminated.

13. Temporary Signs

- a. Permitting
 - (1) All temporary signs require a city issued permit.
- b. Special decorative Sign or Display
 - (1) All District Requirements
 - (a) Special decorative displays or signs used for holidays, public announcements or promotion of civic welfare or charitable purposes when not used for a commercial purpose when authorized by the city. In considering such authorization, the city shall consider the following standards:
 - 1. The size, character, and nature of the display or sign shall consider the proposed site of display for proper scale and relationship with the site and adjoining properties.

2. The duration or time period during which the display or sign will be utilized shall coincide with the purpose for which it was approved.
3. The purpose(s) for which the sign display is to be erected.
4. The arrangements made for the removal of the sign or display after the termination of its usefulness.
5. The effect of the proposed sign or display on light and air circulation for lots which are both adjoining and in the surrounding neighborhood of the proposed sign or display.
6. Whether or not the sign or display will constitute a traffic hazard.

c. Special Event Signs

(1) All District Requirements

- (a) A permit for a special event sign shall be issued not more than 4 times within any 12 month period.
- (b) A permit for a special event sign shall be issued for a period not to exceed 7 consecutive days.
- (c) A special event sign shall be located only on the premises of the property upon which the special event is conducted. In a circumstance where more than one parcel of land is involved, only one special event sign shall be permitted.
- (d) A special event sign shall be located so as not to project into or overhang any public right of way, driveway or sidewalk.
- (e) The location of a special event sign shall not impede on-site or off-site vehicular or pedestrian traffic.
- (f) A special event sign shall not be permanently fastened to a building or structure and shall be securely fastened to the ground.
- (g) The maximum size of a special event sign shall be 20 square feet in display area.
- (h) The maximum height of a special event sign shall be 8 feet.

d. Banners

(1) All District Requirements

- (a) Street banners advertising a public event may be displayed 14 days prior to and through the completion of such event.
 - (b) Street banners shall be removed within seven days following such event.
 - (c) Banners shall not be erected higher than 15 feet above grade.
 - (d) Banners shall not exceed 20 square feet in area.
 - (e) Banners may be connected to on site light poles, sign poles and/or buildings.
 - (f) Banners may not be connected to any public utility or light pole.
 - (g) Banner displays shall not interfere with sight distances for vehicular and pedestrian movements on site or with vehicles and pedestrians ingressing or egressing the site.
- (2) Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements
- (a) Banners shall be permitted only to call attention to a special event or promotion.
 - (b) Banners shall not exceed a display of 30 consecutive days.
 - (c) No more than 4 banner displays shall be permitted for any one business during a period of 365 days.
 - (d) Banners are limited to 2 banners per commercial use when located in a General Commercial (C-2) or Mixed Use Development (MXD) district.
 - (e) Banners are limited to 1 banner per commercial use when located in a Central Business District (C-1) or Downtown Mixed Use Development (DMXD) district.
 - (f) Banners shall not exceed 20 square feet in area.
 - (g) Banners shall not be erected higher than 15 feet above grade.
 - (h) Banners may be connected to on site light poles, sign poles and/or buildings.
 - (i) Banners may not be connected to any public utility pole or structure.

e. Pennants

- (1) Central Business District (C-1), General Commercial (C-2) and Mixed Use

Development (MXD) District Requirements

- (a) Pennant displays shall be permitted only to call attention to a special event or promotion.
 - (b) Pennant displays shall not exceed a display of 30 consecutive days.
 - (c) No more than 4 pennant displays shall be permitted for any one business during a period of 365 days.
 - (d) Pennants displays shall not be erected higher than 15 feet above grade.
 - (e) Pennant displays may be connected to on site light poles, sign poles and/or buildings.
 - (f) Pennant displays may not be connected to any public utility pole or structure.
 - (g) Pennant displays shall not interfere with sight distances for vehicular and pedestrian movements on site or with vehicles and pedestrians ingressing or egressing the site.
 - (h) Pennant displays in Central Business District (C-1) Districts shall be limited in length so as not to exceed the width of the commercial use/building.
 - (i) Pennant displays in General Commercial (C-2) or Mixed Use Development (MXD) Districts shall be limited in length so as not to exceed the width of the commercial use/building when attached to other commercial uses.
 - (j) Pennant displays for a single, freestanding commercial use located in a General Commercial (C-2) or Mixed Use Development (MXD) District shall not exceed the width of the property frontage in which a single, freestanding commercial use is located.
- f. Beacon, Sandwich Board Signs, and Inflatables
- (1) Central Business District (C-1), General Commercial (C-2), Mixed Use Development (MXD), Downtown Mixed Use Development (DMXD), Office (O-1) and Industrial (I) District Requirements.
 - (a) Limited to 4 events per calendar year.
 - (b) Display period not to exceed 4 consecutive days.

g. Human directional signs

- (1) Central Business District (C-1), General Commercial (C-2) and Mixed Use Development (MXD) District Requirements
 - (a) Human Directional signs shall be permitted only to call attention to a special event or promotion.
 - (b) Limited to 4 events per calendar year.
 - (c) Display period not to exceed 15 consecutive days.
 - (d) Human Directional signs shall be limited to one individual per business.
 - (e) Human Directional signs shall be exclusively located on the establishment's property.
 - (f) Human Directional signs shall be positioned outside of the public right-of-way and shall not impede pedestrian or vehicular traffic.

h. Vehicular Signs

- (1) It shall be prohibited to park, place or store a vehicle or trailer on which there is a vehicular sign on private or public property for the purposes of advertising a business or products or for the purpose of directing people to a business or business activity.
 - (a) *Presumption.* There shall be a presumption that the above subsection (1) has been violated if the motor vehicle sign is visible from the street and one or more of the following circumstances exists:
 1. The motor vehicle is attached to a vehicle or trailer that is unregistered or not operable.
 2. The vehicular sign is larger in any dimension than or extends beyond any surface of the vehicle or trailer to which it is attached.
 3. The vehicular sign is attached to a vehicle or trailer that is parked or stored in a public right-of-way or an area not designed, designated, or commonly used for parking.

4. The vehicular sign is attached to a vehicle or trailer that is regularly parked or stored in a "front yard" or "side yard", as such terms are defined in section 201, that abuts a street, when there are other areas of the property designed or available for the parking or storage of the vehicle or trailer that are not visible from the street or do not abut streets.
 5. The vehicular sign is attached to a vehicle or trailer that is regularly parked or stored within 50 feet of a street when there are other areas of the property designed, designated, or available for the parking or storage of the vehicle or trailer that are more distant from the street or not visible from the street.
- (b) *Rebuttal presumption.* The presumption set forth in subsection (a) above, may be rebutted by evidence showing *all* of the following:
1. The vehicle is temporarily parked in a particular location in the course of conducting personal activities or business activities that involve loading or unloading of goods for customers, providing services to off-site customers, conducting off-site business, or engaging in work breaks.
 2. The activities in subsection (1) above, are being actively undertaken during such periods of parking.
 3. The activities in subsection (1) above, require the presence of the vehicle for purposes of transporting equipment, people, supplies and/or goods necessary for carrying out such activities.
 4. The activities in subsection (1) above, are not, other than incidentally, related to advertising, indentifying, displaying, directing or attracting attention to an object, person, institution, organization, business, product, service, event or location.

Section 1506. Nonconforming signs.

Subject to the remaining restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this article may be continued.

1. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such manner as to aggravate the

nonconforming condition, nor may illumination be added to any nonconforming sign.

2. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this article.
3. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this chapter, and the remnants of the former sign structure shall be cleared from the land. For purposes of this section, a nonconforming sign is "destroyed" if damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged.
4. The message of a nonconforming sign may be changed so long as this does not create any new nonconformities (for example, by creating an off-premises sign under circumstances where such a sign would not be allowed).
5. Subject to the other provisions of this section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed 50 percent of the present day replacement cost of the sign.
6. If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within 30 days after such abandonment by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
7. If a nonconforming non-accessory sign (billboard) remains blank for a continuous period of 90 days, that billboard shall be deemed abandoned and shall, within 30 days after such abandonment, be altered to comply with this article or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign. For purposes of this section, a sign is "blank" if:
 - (a) It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or
 - (b) The advertising message it displays becomes illegible in whole or substantial part; or
 - (c) The advertising copy paid for by a party other than the sign owner or promoting an interest other than the rental of the sign has been removed.

Section 1507. Maintenance of signs.

1. All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in state of good repair. With respect to pylon signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the natural environment.

- (a) If the city finds that any sign is unsafe or insecure, or is adversely impacting the health, safety and general welfare of the public, it shall give written notice to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located. Correction of the safety condition which caused the city to give such notice shall be effected within ten days after receipt of the notice. If such condition is not corrected after the conclusion of such ten-day period, the city may cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located. Notwithstanding the foregoing provision, the city may cause any sign to be removed summarily and without notice, at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located, whenever the city determines that such sign is an immediate peril to persons or property.
- (b) If the message portion of a sign is removed, leaving only the supporting structure of a sign, the owner of the property where the sign is located, or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of section 1506 which prohibits the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a sign.

CITY OF UTICA
Macomb County, Michigan
Notice of Adoption of Amendment to Section of the Codified
Ordinance of the City of Utica

Please take notice that on January 14, 2014, the Council for the City of Utica adopted an amendment to Section 1500- Sign Regulations of the Codified Ordinance of the City of Utica. The purpose of the amendment is to adopt the ordinance which changes signage requirements, types, sizes and locations.

A copy of the ordinance may be inspected at the Clerk's Office, City of Utica, 7550 Auburn Road, Utica, Michigan. Amendment will be effective upon publication.

Beth Ricketts
CITY OF UTICA
City Clerk

Publish one time
1/25/14
Advisor Source Newspaper

Pylon	N	Y	N	Y	N	Y	N	N
Residential	Y	N	Y	N	Y	Y	N	N
Residential Real Estate	Y	N	Y	N	Y	Y	N	N
Wall	N	Y	Y	Y	Y	Y	Y	N
Window	N	Y	Y	Y	Y	Y	Y	N
<i>Temporary Signs:</i>								
Banners	Y	Y	Y	Y	Y	Y	Y	Y
Beacon, Sandwich Board & Inflatables	N	Y	Y	Y	Y	Y	Y	N
Human Directional	N	N	Y	Y	Y	Y	Y	N
Pennants	N	N	Y	Y	Y	Y	N	N
Special Decorative	Y	Y	Y	Y	Y	Y	Y	Y
Special Event	Y	Y	Y	Y	Y	Y	Y	Y
Vehicular	Y	Y	Y	Y	Y	Y	Y	Y

Sec. 1505. - Permitted signs.

1. Announcement signs.

a. All district requirements.

- (1) Two wall or monument signs or combination thereof identifying a park, school, church, public building, other authorized use or lawful non-confirming use.
- (2) The maximum sign area of each announcement sign shall not exceed 40 square feet.
- (3) The maximum height of an announcement sign shall be eight feet.

2. Billboards (non-accessory signs).

a. **Industrial** (I) district requirements.

- (1) Shall not exceed 250 square feet in area.
- (2) Maximum height of a billboard shall not exceed 50 feet.
- (3) Shall not be less than 250 feet from any residential district.
- (4) Shall be at least 500 feet from another billboard.

(5) Digital/Electronic billboards shall comply with Section 1503 10 a-h governing Changeable Messaging Centers (electronic and non-electronic).

(6) Shall follow all Michigan Department of Transportation and Federal Highway Administration regulations where applicable.

11. Wall signs.

a. Central business district (C-1), general commercial (C-2), office (O-1) and industrial (I) district requirements.

(1) Flat wall signs may not project above the roof or parapet line and may not project more than 14 inches beyond the face of the wall of the building.

(2) Wall signs shall be attached to, and be parallel to, the wall of the building.

(3) Wall signs shall be limited in number to one wall sign per business for each wall consisting of an individual means of access or is oriented towards a public right-of-way. The maximum size of any such sign shall not exceed 10 percent of the building facade, and that no such sign shall exceed 200 square feet.

(4) In the instance of several tenants utilizing a common public entranceway, a common wall sign shall be permitted provided any such sign shall not exceed 50 percent of the building facade where so provided, or 75 square feet in area for all tenants listed, whichever is more restrictive.

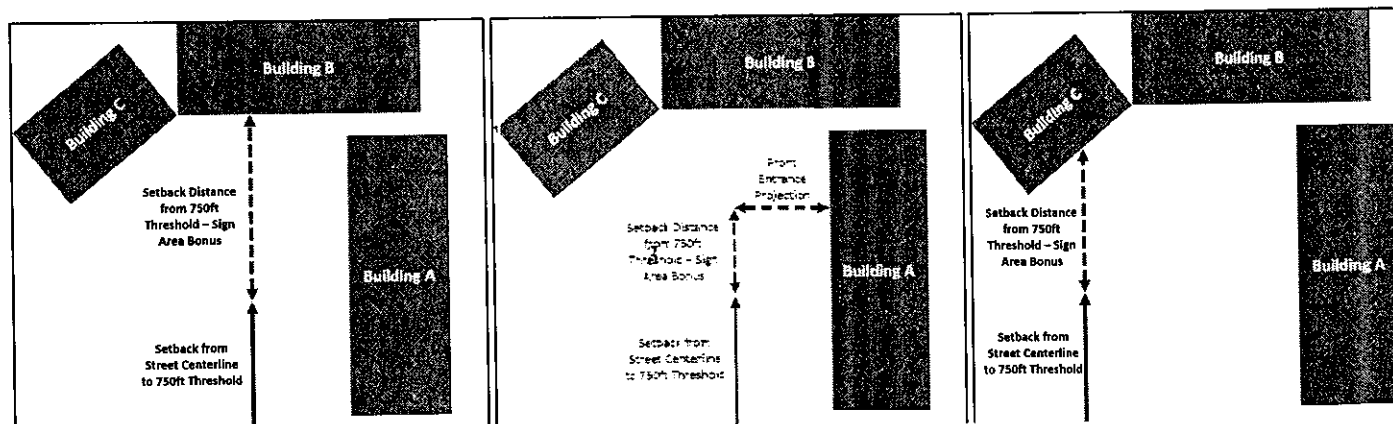
b. Mixed use development (MXD) requirements.

(1) Flat wall signs may project above the roof or parapet line, though not more than 10 feet, and may not project more than 14 inches beyond the face of the wall of the building.

(2) Wall signs shall be attached to, and be parallel to, the wall of the building.

(3) Wall signs shall be limited in number to one wall sign per business for each wall consisting of an individual means of access or is oriented towards a public right-of-way. The maximum size of any such sign shall not exceed 15 percent of the building facade or 250 square feet, whichever is more restrictive. In the case where a wall or face of the building is oriented towards a right-of-way or shared parking area but does not contain an individual means of access, one wall sign will be permitted with the intent of identifying the business for potential patrons.

(4) In cases where a wall consisting of an individual means of access setback greater than 750 feet, the sign will receive a 1 square foot sign bonus for each 3 feet of setback in excess of the 750 foot threshold. The maximum size for the wall sign shall not exceed 500 square feet or 15 percent of the building face, whichever is more restrictive. The



setback is measured from the street centerline to the central access point of the wall. Where buildings are perpendicular to the street centerline, please refer to the diagram below for proper measurement of the setback distance.

c. Downtown Mixed Use (MXD) development requirements.

- (1) The wall sign dimensional and placement standards as regulated by Section 1505.11.a of this ordinance shall be applied to all DMXD sign applications.**
- (2) Signs shall be integrated with the building architecture in terms of size, shape, color, character, materials and lighting so that signs are compatible with the overall building design.**
- (3) Signs shall be constructed using durable, high-quality architectural materials. Examples of materials include but are not limited to, treated wood, metal, stone such as slate, marble, sandstone, brick or gilded or sandblasted glass.**
- (4) Sign colors shall blend with the building and storefront colors by selecting from**

Figure 1. Setback distance as measured for a building parallel to the street centerline

Figure 2. Setback distance as measured for a building perpendicular to the street centerline

Figure 3. Setback distance as measured for a building with angled orientation to the street centerline

complementary color ranges. Florescent or neon colors, or over-scaled letters shall not be used.

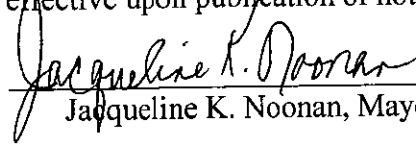
(5) Back-lit, halo-lit illumination, or reverse channel letters with halo illumination are recommended for lighting purposes. Such signs convey a subtle and attractive appearance and are legible using a warm light, similar to sunlight. Lighting of signs shall avoid creating glare or light distribution that adversely affects motorists or pedestrians or surrounding properties.

(6) For all newly constructed or exteriorly renovated buildings, an overall building sign design plan demonstrating the proposed aesthetic and structural qualities of the sign shall be approved by the Historic District Commission and the City Planning Commission.

Section 3. Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, it being the intent of the City that this ordinance shall be fully severable.

Section 5. Effective Date. This ordinance shall be effective upon publication of notice of adoption.

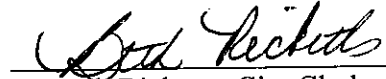

Jacqueline K. Noonan, Mayor

Attested:


Beth Ricketts, City Clerk

CERTIFICATION

I, BETH RICKETTS, City Clerk for the City of Utica, County of Macomb, State of Michigan, certify that this is a true copy of an ordinance adopted by the Council of the City of Utica at its regular meeting on July 12, 2016.


Beth Ricketts, City Clerk

PUBLICATION DATE:

July 16, 2016

Paper: Advisor Source.