

**ORDINANCE NO. 2020 – 01
CITY OF ST. CLAIR
COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO
AMEND APPENDIX B OF THE CODE OF ORDINANCES
THE CITY OF ST. CLAIR ORDAINS:**

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend various sections of Appendix B of the Codified Ordinances of the City of St. Clair pertaining to regulation of signage.

SECTION 2. SECTIONS AMENDED & UPDATED

Article 6, Section 7.3 of Article 7, Article 8, and Section 8.32 of Article 8B of Appendix B of the Codified Ordinances of the City of St. Clair are hereby amended and updated to read in their entirety as shown on the following pages.

SECTION 3. SEVERABILITY.

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 4. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

SECTION 5. RATIFICATION.

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

SECTION 6. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

ORDINANCE DECLARED ADOPTED.

William Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 20th day of January, 2020, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Cedar, Ellery, Kindsvater, Kuffa, LaPorte, McCartney, Watt

Members Absent: none

It was moved by Member McCartney and supported by Member Kindsvater to adopt the Ordinance.

Members voting yes: McCartney, Watt, Ellery, Kindsvater, Kuffa, LaPorte, Cedar

Members voting no: none

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

Annette Sturdy, City Clerk
City of St. Clair, Michigan

INTRODUCED: January 6, 2020

ADOPTED: January 20, 2020

PUBLISHED: January 29, 2020

EFFECTIVE: January 29, 2020

December 9, 2019 – R 15.0.

This text was transcribed – not downloaded from the website.

Article 6. – SIGNS

Section 6.1 – General provisions.

6.1.1 Purpose. It is the purpose of this Chapter to create the legal framework for a comprehensive system of signage in the City, to facilitate the need for businesses to communicate with the citizens of the community and to provide for the balanced need of the protection of the community environment, property values, traffic and pedestrian safety. It is the intent of this Chapter to achieve this purpose through the following objectives:

- A. To protect the general public welfare by controlling the distractions, hazards, and obstructions caused by excessive signage.
- B. To prevent hazards due to collapse, fire, collision, decay, or abandonment of signage.
- C. To keep the number of signs at a reasonable amount that would be necessary to identify a business and its products and to ensure that the signs are within a reasonable scale in relation to the building to which they relate.**
- D. To preserve the value of property by assuring the compatibility of signage with surrounding land uses by regulating the placement and sizes in a manner that will prevent the signs of adjacent businesses from being obscured or concealed.
- E. To prevent off-premise signs from conflicting with private, public, and commercial land uses.
- F. To protect the aesthetic quality of the City** by ensuring that the signage will harmonize with the building upon which it is placed and with the adjacent land uses.

6.1.2 Applicability/Scope. No sign shall be erected, moved, altered, or maintained within the limits of the City of St. Clair which is not in compliance with all the requirements of this Chapter.

- A. Any sign which is not specifically permitted by this ordinance is prohibited.**
- B. All signs permitted by this ordinance may only advertise goods, services, or uses that are displayed, sold, or are permitted uses allowed by the ordinance on the parcel or premises on which they are located.
- C. Any sign already established and previously permitted on the effective date of the Chapter, and which is rendered nonconforming by the provisions of this chapter, or subsequent amendments of this Chapter shall be subject to the regulations concerning nonconforming signs. (See Section 6.7)

6.1.3 *Enforcement.* The Building Official and/or his or her duly authorized representative is hereby authorized and designated as the person responsible for the enforcement of this article. The initial determination of any supposed violation of this ordinance shall be made for the Building Official with all appeals or interpretations made by the Zoning Board of Appeals. Upon presentation of proper credentials, the authorized representative, may, for the purposes of enforcing this article, enter at reasonable times, any structure, premises, or parcel, to perform any duty imposed upon them by the provisions of this Chapter.

Section 6.2 – Definitions

The following definitions will apply in the interpretation, administration, and enforcement of this Chapter:

Animation: A rapid display of a sequence of images or blinking lights in order to create an illusion of movement.

Area: The entire area within a rectangle, circle, triangle, or parallelogram enclosing the extreme limits of writing or pictorial representation emblem or any figure of similar character together with any frame or other material or other color forming an integral of the display or used to differentiate it from the background against which it is placed. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except where two (2) such faces are placed back-to-back, parallel to one another, and less than 24 inches apart, the area of the sign shall be the area of one face.

Abutting: Properties sharing common lot lines.

Adjacent: Nearby, lying near, neighboring.

Awning sign: A sign which is attached directly to, or painted, or otherwise inscribed upon, an awning. Awnings must be supported entirely from the exterior wall of a building. Awnings shall have non-combustible frames but may have combustible coverings. Awnings shall be either fixed, retractable, folding, or collapsible. An awning is any covered projection attached to the face of a building which is supported entirely by the building and projects beyond the building wall.

Banner sign: Any sign produced on cloth, paper, fabric, or on any other combustible material either with or without a supporting framework. See also definition of Light Pole Banner/Cross-street Banners and Wind Sail Signs/Wind Banners. Banner signs are addressed in Section 6.4.5 of this ordinance.

Billboard: Any display sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Building Official: City Administrative Staff who are assigned the administration and enforcement of this Article of the Ordinance.

Canopy: Any covered structure attached to a building which projects beyond the building wall and is carried by a frame partially supported by the ground or sidewalk below it.

Changeable copy: Any non-electric sign designed or constructed so as the lettering or message contained thereon is capable of being changed by rearranging or installing new letters or messages without removing and replacing or resurfacing the face of such sign.

Clearance: The vertical distance from the lowest part of the face of the sign to the average ground level at the base of the sign.

Commercial: A premises used or occupied for transportation, retail sales, or service businesses; wholesale sales facilities; hotels, tourist homes or motels; or commercial recreation.

Construction sign: A sign erected at a construction site identifying the architects, engineers, contractors, or other parties responsible for a project, or identifying the intended purposes or uses of the building.

Curb line: The line at the back of the curb farthest from the street or roadway. In the absence of a curb, the average area of the alley or street where the gravel begins. In the case of a proposed curb, the curb line shall be established by the City Engineer.

Development sign: A temporary sign that advertises new housing development of five (5) or more housing units (including vacant lots) or commercial/industrial development over three (3) acres.

Directional sign: A sign identifying the exit(s) and entrance(s) of premises and containing only the name or logo of the premises or information directional thereto.

Educational sign: A sign identifying a public or private educational facility.

Electronic Message Sign/LED: A sign with a fixed or changing message composed of a series of lights or light-emitting diodes (LED) that may be changed through electronic means.

Grand opening: A grand opening is a publicized event at which a new establishment announces its official opening to the public.

Ground sign: A sign, the principal support of which is independent of any building.

Hanging sign: Any sign attached to a building which extends more than twelve (12) inches beyond any vertical surface of the building which supports it.

Indirectly illuminated sign: A sign illuminated with a light source so shielded as to illuminate only the surface of the sign.

Interior signage: Signage located on the interior of a structure that is visible from the exterior of the structure and may or may not exceed the allowable size permitted by ordinance.

Indirect Lighting - Internally Illuminated: Means a source of illumination entirely within the sign which makes the sign visible at night by means of lighting the background upon which the free standing character is mounted. The character itself typically is opaque, and thus is silhouetted against the background. The source of illumination shall not be visible.

Internal Lighting: Means a source of illumination entirely within the sign which makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

Light Pole Banner and Cross-Street Banner: Banners meeting the description and requirements found in Sections 6.5.8 and 6.5.9 of this ordinance independent of the definition of Banner Sign.

Main street building frontage: The location based upon street address.

Marquee sign: A sign which is attached directly to, or painted, or otherwise described upon, a marquee or an electronic message sign/animated sign. Marquees shall be permanently roofed structures attached to and supported by the building and projecting over public property.

Master sign plan: A site plan prepared by a licensed Architect or Engineer, including elevations, showing the size, height, and location of all signage proposed on a business center, structure, or series of abutting structures, that are utilizing a similar design/style to provide continuity of design.

Multi-tenant site: A structure, or series of adjacent structures, which, for the purposes of this ordinance, are collectively operated under common ownership or management and are located in a Commercial, Industrial, or Mixed Use Zoning District or the Downtown Redevelopment District.

Off-site signage: Signs which direct attention to a use, business, commodity, service, or activity not conducted, sold, or offered upon the premises where the sign is located.

Political sign: A sign relating to the election of a person or persons to public office or relating to a political party or relating to a matter to be voted upon at an election called by a public body.

Portable sign: A sign, which by its description or nature may be, or is intended to be, moved from one location to another.

Premises: Any unit of contiguous real property or buildings under common ownership.

Real estate sign: A sign advertising the sale, rental, or lease of the premises or part of the premises on which the sign is displayed.

Religious sign: A sign identifying the structure, House of Worship, activity, or use of structure or land of a religious organization recognized by the government as such and approved as a bona fide non-profit organization.

Roof sign: Any sign which is attached to a building and any part of which extends above the lowest point of the bottom line of any portion of the roof surface.

Sign: Any structure or part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, code mark or other representation used as, or in the nature of, an announcement, advertisement, direction or designation, of any person, firm, organization, place, commodity, service, business, profession, or industry, which is located upon any land or in any building, in such manner as to attract attention from outside the premises. Placards not exceeding one (1) square foot in area bearing only property numbers, post box numbers or names of occupants of premises shall not be considered signs.

Shopping Center sign: A ground sign which allows for a multitenant site, with more than three units, in a C-2 or Downtown Redevelopment zoning to have more than one sign face at the front of the property. The sign would be allowed to have one sign on each side, or each unit in the center and would allow the Anchor Store, or largest store to occupy forty (40) percent of the allowed square footage. Also see definition of “Master sign plan” and Section 6.4.2.

Shopping center: A commercial site with more than three (3) units, in a C-2 or Downtown Redevelopment Zoning District with two hundred fifty (250) Lineal Feet of frontage on one road.

Subdivision or development entry sign: A sign which identifies the name of a residential development or the developer or the type or residential structures included in the development, and which is harmonious in appearance with that of the vicinity.

Temporary sign: Any sign that is freestanding or attached in any manner to the exterior of any building or land other than a window sign, which is not meant to be a sign of a permanent nature as allowed by the Schedule of Sign Regulations. Such signs may only be intended for special events, sales, and notices. They cannot have permanent footings and may only be constructed of light weight material such as cardboard, plastic, paper and may be of a banner, hanging, swinging, or flagpole type of construction. They may include A-frame and freestanding sidewalk signs but strings or flags or lights are not considered allowed temporary signs under this definition.

Vacant lot signage: Any sign located on a parcel which does not have a principal permitted use located and in use on the property.

Wall sign: A sign which is attached directly to, or painted, or otherwise inscribed upon a building wall.

Wind sail signs/wind banners: A freestanding or mounted sign that is supported by a flexible or semi-flexible or partial frame within which material constructed of vinyl, paper, or other wind- resistant and moveable materials is mounted. A wind sale is considered a temporary sign.

Window sign: Any sign which is applied, affixed, or attached to the interior or exterior within two feet and in line with any window as measured from the glass surface.

(Ord. No. 2005-02, § 1, 3-21-05; Ord. No. 2010-02, § 1, 4-19-10)

Section 6.3 – Permits and general requirements.

No person shall erect, move, alter, or maintain any sign, not exempted by this ordinance, without first obtaining a permit to do so in compliance with the following:

6.3.1. *Permits.* See Section 6.5 and 8.32.2 for exempted signs that do not require permits.

A. *Application for Sign Permits.* Application for such permit shall be filed upon forms provided by the Building Official and shall contain of have attached the following information:

1. Name, address, and telephone number of the applicant, person, firm, or association, who will be erecting the sign.
2. Name, address, and written consent of the owner of the property or building o which the sign is to be erected.
3. Location of property or building on which the sign is to be erected.
4. Position of the sign in relation to nearby buildings, structures, and property lines.
5. Two drawings of the plans, specifications, method of construction and attachment to the building or placement in the ground.
6. Liability insurance certificate as required by Federal, State, or Local law or ordinances of the City of St. Clair.

7. Such other information as the Building Official may require to show full compliance with this and all other applicable Federal, State or Local law or ordinances of the City of St. Clair.
8. When required by the Building Code, the drawings, plans, and specifications required with the application shall bear the certificate or seal of a registered architect or engineer as a condition to the issuance of a permit, including a copy of the stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure in accordance with regulations of the City of St. Clair.
9. An electrical permit must be issued to a licensed electrician prior to the installation of any sign requiring electrical service.

B. **Permit Fee.** Every applicant is required to pay a fee based on a schedule as adopted from time to time by resolution of the City Council. Administrative review fees only shall be required for ordinary repairs, maintenance, or change copy, provided the cost of such do not exceed fifty percent (50%) of the value of the sign.

6.3.2 *General standards.* The following shall apply to all signs erected or located within any district unless specifically exempted, or provided for, in this Chapter.

A. *Construction.* All signs are required to be constructed in compliance with the following:

1. **Size.** No sign shall exceed the allowable height or area listed in the Schedule of Sign Regulations.
2. **Location.** No sign shall be allowed in a location not specifically permitted by ordinance.
3. **Building Codes.** All construction shall be in full compliance with the building codes in effect at the time of the issuance of the permit including electrical, plumbing, or mechanical codes. This shall also include all regulations regarding the current standards for the type of materials used such as steel, masonry, wood, and plastics, as well as calculations for structural stability and resistance to natural pressures such as wind, snow, and soil bearing capabilities.
4. The allowable height of any sign shall be determined by measuring from the average grade of the area surrounding the sign. Signs may not be placed on

berms or other elevated areas that would allow them to exceed the allowable height by such means.

B. *Maintenance.* All signs, including all their supports, braces, guys and anchor, shall be kept in good maintenance and repair and kept in compliance with the plans and specifications approved for the issuance of the sign permit.

1. The owner of any sign which has not been properly maintained shall be sent written notification to commence repairs and/or maintenance within 30 days, with completion of repairs to be performed within a reasonable time.
2. Failure to comply with the above requirements shall render the sign a nonconforming sign for the purposes of this ordinance and subject the owner to further action as dictated by the ordinance.

C. *Restrictions.* No sign shall be allowed in the following locations:

1. *The Public Right-of-way.* No sign, unless placed and maintained by the City, County, or State, shall be allowed to project into, over, or across any public right-of-way, except by permission of the City Council or as specifically permitted by this ordinance. (Exception: See the Schedule of Sign Regulations. Hanging/Canopy Signs.)
2. *Street or Alley Intersections.* No sign permitted by this ordinance shall be allowed to exceed two and one-half (2-1/2) feet in height when placed in the following area of an intersection. This area shall be a triangular area formed by the intersecting street right-of-way lines and a straight line joining the two (2) street lines at points which are thirty (30) feet distant from the point of intersection, measured along the street right-of-way line. (See illustration in reference material, Figure 6.3.2.C.2.) See also Section 5.10.
3. *Emergency Egress.* No sign shall be allowed so as to obstruct any door, means of egress, fire escape or placed in such a manner that it would prevent or obstruct firefighting or health, safety, and code related requirements.

6.3.3 *Illumination.* Signs shall be illuminated only as follows:

A. *Type:* Signs shall be allowed to be illuminated by a steady, stationary light, shielded and directed solely at the sign, internally illuminated solid faced signage by interior light (with no visible exposed tubing), or neon lighting. No combination of the afore listed

sources of illumination may be utilized for any one sign. Internally illuminated, translucent canopies are specifically prohibited. The visible use of Light Emitting Diode (LED) lights including illuminators, LEED bars, LED lamps, alphanumeric, Red Green Blue (RGB), Bi-Color, Tri-Color and flashing LED's are specifically prohibited. See also Item G.

B. Intensity: No portion of the sign shall have a luminance greater than the Schedule of Maximum Illumination when measured at a distance of four (4) feet perpendicular to any surface of the sign.

SCHEDULE OF MAXIMUM ILLUMINATION

District	Maximum Luminance
R-1—R-4, MHP, P, R&PF	Eight (8) foot candles
MD1,MD2	Ten (10) foot candles
OS, C-1, C-2, M-1, M-2	Fifteen (15) foot candles
MD1, MD2, OS, C-1, C-2, M-1, M-2	Eight (8) foot candles for sign locations directly adjacent to a residential zoning district.
PUD	As approved by City during site plan review
Riverside	Fifteen (15) foot candles
Clinton	Fifteen (15) foot candles
Gaslight	Fifteen (15) foot candles

C. Interior Signage: For internally illuminated signs placed within a structure that exceed the size of the amount of window space signage and/or luminance allowed by the ordinance, it is required that the windows be provided with shading or glazing that restricts the illumination outside of the building to that which would otherwise be normal to the structure or the surrounding area without the signage. See also the definition of "Window sign".

D. Hours of Operation: All internally illuminated, or neon signs located adjacent to a residential zoning district are required to be shut off between the hours of 10 PM or the closing time of normal business hours, whichever is later, and 7 AM or the opening of business hours, whichever is earlier.

E. Internal illumination shall not be permitted for any sign which is located in a historic district or a State or Federal historically designated site.

F. The external illumination directed at any signage shall be shielded at its source in a manner that will not shine light on adjacent properties or on or into abutting public streets and/or walkways.

G. Flashing, rotating, moving or other light sources not specifically permitted by this ordinance, including motion-sequenced rope lighting and animated window shades, are prohibited. The visible use of Light Emitting Diode (LED) lights including illuminators, LED bars, LED lamps, alphanumeric, Red Green Blue (RGB), Bi-Color, Tri-Color and flashing LED's are specifically prohibited.

(Ord. No. 2005-02, § 1,3-21-05; Ord. No. 2010-02 § 1, 4-19-10)

Section 6.4 – Sign Regulations.

6.4.1 The Schedule of Sign Regulations. The following schedule and accompanying notes shall apply to all signs erected or located within any district unless specifically excepted by, or provided for in this chapter. The area of each sign, height, location and setback allowed shall be according to the district listed.

THE SCHEDULE OF SIGN REGULATIONS*

*Additional regulations may be listed in this ordinance for the specific districts or signs under the appropriate section.

All signs are subject to corner visibility requirements and may not be located in the right-of-way.

See this Schedule of Regulations also in separate Excel format.

Type of Sign	Ground	Wall	Canopy (note b)	Window	Electronic Message/Animated (note d)	Temporary & Misc. notes
Districts						
1. R-1, R-1A, and R-2: 1&2 Family Residential Sq. ft. allowed Height Setback	1 Subdivision or Religious/educ. Entrance Sign 32 sq. ft. 6 ft. 15 ft. from back of curb.	1 Sign on model identifying office 6 sq. ft., On 1 st story wall or in window	Signage not permitted on canopies	As noted under Wall section for 1 & 2 Family Residential	Not permitted	See Temporary Signage, Section 6.4.7
	1 additional wall/projecting/hanging sign allowed on each abutting street frontage for religious/educational institutions. 1 sq. ft. of sign allowed per 2 ln. ft. of building frontage. Not to exceed 5% of the 1 st story exterior building wall face or height.					

2. R-3: Multiple Family Residential	1 Identification sign at main entrance/island	1 allowed per structure	Signage not permitted on canopies	Not permitted	Not permitted	See Temporary Signage, Section 6.4.7
Sq. ft. allowed Height Setback	32 sq. ft. 6 ft. 15 ft. from curb	4 sq. ft., On 1 st story wall				
1 additional wall/projecting/hanging sign allowed on each abutting street frontage for religious/educational institutions. 1 sq. ft. of sign allowed per 2 ln. ft. of building frontage. Not to exceed 5% of the 1 st story exterior building wall face or height.						
Type of Sign	Ground	Wall/Canopy (note b)	Window	Electronic Message/Animated (note d)	Temporary & Misc. notes	
3. C-1 Local Commercial, MD Mixed Use	1 ground or wall sign allowed on main street frontage	1 wall/projecting- hanging/canopy sign allowed on one abutting street frontage. 1 sq. ft. of sign allowed per 2 ln. ft. of building frontage. Not to exceed 5% of the 1 st story exterior building wall face or height.	Not to exceed 25% of/on 1 st story windows only. Maximum of 50% coverage any single window. See Figure 6.5.2.	See Section 4.1 note d.	See Temporary Signage, Section 6.4.7 or as approved by the City Council upon request.	
Sq. ft. allowed Height Setback	24 sq. ft. 6 ft. 15 ft. from back of Curb					
4. C-2 General Commercial,	1 ground or wall sign allowed on main street front	1 wall/projecting- hanging/canopy sign allowed on one abutting street frontage. 1 sq. ft. of sign allowed per 1 ln. ft. of building frontage. Not to exceed 10% of the 1 st story exterior building wall face, height, or 200 sq. ft. maximum.	Not to exceed 25% of/on 1 st story windows only. Maximum of 50% coverage any single window. See Figure 6.5.2.	See Section 4.1 note d.	See Temporary Signage, Section 6.4.7 or as approved by the City Council upon request.	
Sq. ft. allowed Height Setback	32 sq. ft. 6 ft. 25 ft. from back of curb					
5. OS, M-1, and M-2: Office Service, Light Industrial, and Heavy Industrial (note a, b, d)	1 ground or wall sign allowed on main street frontage	1 wall/projecting- hanging/canopy sign allowed on one abutting street frontage. 1 sq. ft. of sign allowed per 1 ln. ft. of building frontage. Not to exceed 10% of the 1 st story exterior		See Section 4.1 note d.	See Temporary Signage, Section 6.4.7	
Sq. ft. allowed	32 sq. ft. 8 ft. 25 ft. from back of curb					

Height Setback		building wall face, (height), or 200 sq. ft. maximum.			
6. Multi-tenant. Commercial (C-1 and C-2), Industrial (Light and Heavy), and OS (Office Service)	A Master Sign Plan, as outlined in this ordinance, is required for all multi-tenant sites with over 100 lineal feet of frontage on any one individual road right of way. One main ground sign permitted with additional signs as determined necessary based on lot size and zoning.		As listed above for corresponding district.	See Section 4.1 note d.	Same as above for corresponding district. Otherwise, see Temporary Signage, Section 6.4.7.
7. PRPF: Parks, Recreation and Public Facilities Sq. ft. allowed Height Setback	1 ground or wall sign allowed on main street front 32 sq. ft. 8 ft. 15 ft. from back of curb	1 additional wall or canopy sign allowed on each street frontage 1 sq. ft. per 2 ln. ft. of frontage Not to exceed 16 sq. ft. each Only on 1 st story or canopy	Not permitted	See Section 4.1	See Temporary Signage, Section 6.4.7 or as approved by the City Council upon request

Type of Sign	Ground	Wall	Canopy (note b)	Window	Electronic Message/Animated (note d)	Temporary & Misc. notes
8. MHP: Mobile Home Park Sq. ft. allowed Height Setback	1 Identification sign at main entrance/island 32 sq. ft. total 6 ft. 15 ft. from curb	1 Sign on model identifying office 6 sq. ft., On 1 st story wall or in window	Signage not permitted on canopies	Not permitted	Not permitted	See Temporary Signage, Section 6.4.7
9. PUD: Planned Unit Development	All Signage must be presented with the request for the PUD at the Planning Commission review for the PUD or as allowed per Article 8 of this ordinance.					
10. Gas Station (note b, d)	All Signage must be presented with the request for Site Plan Approval as required by the Ordinance. See also 8.32.3.C for Downtown Development District.					
11. Riverside	See Article 8.32 of this ordinance for specific requirements.					
12. Clinton	See Article 8.32 of this ordinance for specific requirements.					

13. Gaslight	See Article 8.32 of this ordinance for specific requirements.
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- a. Increases in sign sizes, excluding window signs, are allowed in the OS, M-1, M-2, PRPF, C-1, C-2, Riverside, Clinton and Gaslight districts, and PUD according to the following schedule.

Distance of sign from current right of way.	50+ feet	100+ feet	200+ feet	300+ feet	400+ feet
Allowable increase in Sign Area due to distance from the right of way.	25% (× 1.25)	50% (× 1.5)	100% (× 2)	200% (× 3)	300% (× 4)

- b. Hanging, projecting, canopy or awning signs may be erected and utilized as wall signs in the R-1, R-1A, R-2, R-3, C-1, C-2, OS, M-1, M-2, PRPF, PUD, Gas Station, Riverside, Clinton and Gaslight districts and for multi-tenant buildings and gas stations provided compliance with the following conditions 1, 2, and 3:
1. Lighting restrictions on canopies as follows:
 - Under-lit translucent canopies or awnings are not permitted.
 - Lighting underneath non-translucent canopies or awnings may be permitted for pedestrian safety.
 - Lighting over the top of canopies or awnings may be permitted provided the style of lighting is in compliance with the architectural style approved for the district by the Planning Commission.
 2. They may project over the right-of-way or public walk-way provided they are seven (7) feet or more above the walking surface and do not project into or over a street or alley and do not extend over five (5) feet from the face of the building.
 3. The measurement of the signage for a canopy or hanging sign will be determined by the Building Official and will be based on the actual area encompassing the lettering and any design feature applied to the surface along with the lettering as opposed to the architecture or structure of the sign. [See also the definition of Area]
- c. All signs in Multi-tenant (C-1, C-2, M-1, M-2, OS, Riverside, Clinton, and Gaslight) and PUD districts are required to have material, illumination, type, and color that meet Planning Commission approval as listed in the ordinance under the requirements of the Master Sign Plan Section 6.4.2.
- d. Electronic message signs/animated signs may be allowed in C-1, C-2, OS, M-1, M-2, Multi-tenant, PRPF, Gas Station, Riverside, Clinton and Gaslight districts, provided they are made a part of the square footage allowed in the district permitted with additional size as allowed in Section 6.4.5.C of this ordinance and provided the illumination and the type of display is reviewed and approved by the Planning Commission and found to be

compatible with the general architectural character of the area. See also Section 6.4.5 and 6.5.7 of this ordinance.

- e. One additional sign is allowed in any district where there is additional road frontage. The sign may be allowed to be constructed at fifty percent (50%) of the original allowable area calculations for the main street building frontage, as listed for that zoning district. The height and location requirements remain the same.

6.4.2 *Master sign plan.* The purpose of this section of the ordinance is to ensure continuity of design for signage on a business center, structure, or series of structures that were originally designed and built with a similar continuity of design. Nothing in this section is meant to deprive or prohibit individuality or creativity, but it is intended to preserve the value of property by assuring the compatibility of signage with surrounding land uses and adjacent businesses.

A. *Guidelines:* Where signs are required to meet the review of a Master Sign Pan, they shall comply with the following guidelines regarding material, style, and color:

1. A site plan must be submitted to the Planning Commission containing all the general information required by the ordinance for Site Plan Review.
2. All colors, material, and lighting shall be coordinated to provide a consistent theme throughout the site, similar in character and quality with the Architectural design and character of the structures located on the site.
3. All proposed signage shall be prepared by a licensed architect or engineer.
4. No signage may be permitted by the Planning Commission which is not specifically permitted, or is specifically prohibited, by this Ordinance.

B. *Size Increase:* Allowances may be granted by the Planning Commission to allow for up to a twenty-five percent (25%) increase in the size of allowable signage where the following conditions are met:

1. A specific Zoning, Historic, or Overlay District must be designated by the resolution of the Planning Commission and City Council. The District would have to demonstrate a certain architectural, aesthetic, or characteristic style which would be considered by the Planning Commission and City Council as promoting the general welfare of the City.
2. An architectural study must be submitted for one of the above districts, by a licensed architect, specifying the area to be included in the District and the style that is to be demonstrated.
3. All proposed signage submitted for the increase must be designed by a licensed architect in compliance with the specific unique style of the District and reviewed and approved by the Planning Commission.
4. Any subsequent changes in signage may be approved by the Building Official provided they comply with all of the above requirements.

6.4.3 *Gas station signs.* In addition to the signs otherwise permitted by this chapter for the District in which it is located each premises used as a gasoline service station shall be permitted the following signs:

- A. *Gasoline pump signs:* May not exceed three (3) square feet per pump containing customary information regarding the brand and type of gasoline sold.
- B. *Price Signs:* Two (2) wall or double-faced, free-standing signs permanently affixed to the premises indicating the price and grade of gasoline sold, not exceeding sixteen (16) square feet in surface display area per face with a maximum height of not to exceed eight (8) feet. A price sign may include light-emitting diode (LED) signs subject to Section 6.4.5. A fuel price sign is permitted provided that the price is displayed as a single color on a dark background.
- C. *Display racks:* Up to three racks may be allowed for the orderly display of customary products such as oil, tires, and accessories, not exceeding six (6) feet in height or six (6) feet in length (including attached signs and printed product information) and set back twenty-five (25) feet from the nearest curb line.

6.4.4 *Fast Food Menu Boards.*

- A. Up to two fast food menu boards will be allowed for each drive up restaurant with a total allowed area of fifty (50) square feet.
- B. Location of fast food menu boards is subject to Planning Commission approval of a submitted site plan indicating sign location and size.
- C. Maximum illumination shall be as indicated in Section 6.3.3.
- D. Maximum noise level shall be as indicated in Section 10.6.
- E. See also Section 7.3.5.I.

6.4.5 *Banner signs.*

Banner signs advertising a public or civic announcement are permitted. The Building Official shall approve the use, size, color, means of securing, message content, duration (unless stated specifically) and other applicable features of a banner sign.

6.4.6 *Electronic message signs/Animated signs.* Electronic message signs shall be permitted only within the OS, C-1, C-2, M-1, M-2, PRPF, Riverside, Clinton Avenue, and Gaslight zoning districts, as either a freestanding, wall-mounted, or window sign. See also Section 6.5.7.A, Public and civic announcement signs. Such signs shall be allowed subject to the sign regulations for each zoning district and subject to the following additional regulations:

- A. The Electronic display shall not be flashing or pulsing.
- B. The frequency of the message change shall be restricted to no more than once every eight (8) seconds.
- C. The maximum area of all electronic message signs/animated signs shall be considered a part of a wall or freestanding sign and shall not exceed fifty percent (50%) of the total permitted sign area. This may be considered additive to the allowed sign area for that district, subject to the review and approval of the Planning Commission.
- D. The maximum height of an electronic message sign/animated sign shall conform to the height regulations for signs allowed in each zoning district.
- E. The maximum illumination level must meet the standards of Section 6.3.3.
- F. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory programmed not to exceed the above listed light levels, and that the intensity level is protected from end-user manipulation by password-protected software or other method satisfactory to the City of St. Clair.
- G. An electronic message sign/animated sign located adjacent to a residential zoning district shall be required to be shut off between the hours of 10 PM or the closing time of normal business hours, whichever is later, and 7 AM or the opening of business hours, whichever is earlier.

6.4.7 *Temporary, special event signage.* The following regulations shall apply to temporary, special event signage where it is permitted as set forth in this Article:

- A. Temporary, special event sign(s) shall be erected only after making application for and receiving a Zoning Permit from the Building and Zoning Department. The Building Official or designee shall determine the total number of temporary, special event signs allowed based upon the total street front footage of the parcel or store front footage in the case of a strip mall or multi-unit business. An interval of sixty (60) feet on-center is acceptable under this ordinance.
- B. An individual business, company, corporation, or property owner shall be entitled to employ temporary, special event signage within a non-residential zoned parcel for a period not to exceed 45 days per one (1) year period and in increments of time from three (3) to fifteen (15) consecutive days at a time.
- C. Any and all temporary, special event signs, when connected to an electrical service shall meet the requirements of the State of Michigan Electrical Code.

- E. Any and all temporary, special event signs shall be securely anchored so as to minimize danger of wind damage, theft, or vandalism as determined by the building Official or designee. No temporary, special event sign shall be placed within the City right-of-way or where such sign shall create a vision obstruction.
- F. All temporary, special event signs shall be removed by no later than two (2) calendar days after the date of expiration of the Zoning Permit.
- G. The City, may by written order, demand the immediate removal of any temporary special event sign in violation of this or any other section of this Zoning Ordinance or amendments thereto.

(Ord. No. 2005-02, § 1, 3-21-05; Ord. No. 2010-02 §1,4-19-10; Ord. No. 2011-11, § 1, 10-3-11)

Section 6.5 – Exempted Signs.

The following signs are exempted from the requirements of section 6.3.1 and do not require permits unless specifically stated otherwise:

6.5.1 *General.*

- A. Address numbers of all structures, as required by ordinance.
- B. One (1) sign, per structure, not exceeding two (2) square feet in area, designating only the name/profession of an occupant of the structure.
- C. Signs not exceeding two (2) square feet in area which contain only noncommercial messages including designation of rest rooms, or direction of door openings.
- D. Directly or indirectly illuminated signs such as clock faces or barber poles which do not contain illustrations or communicate a message.
- E. One plaque or sign designating a historic structure or district, building directory, or restaurant menu not exceeding six (6) square feet in area with a letter height not greater than two (2) inches painted on or attached to the building which contains information pertaining to building occupants only.
- F. Parking information signs containing only directional information, pedestrian, or vehicular warning or control material. Such signs shall have a surface display area of not more than four (4) square feet and shall not exceed three (3) feet in height to the top of the sign for ground mounted signs.

- G. Portable open signs as permitted by the Schedule of Sign Regulations. Fixed lighted and unlighted open signs, including LED or neon open signs are permitted up to maximum of four (4) square feet.
- H. Reserved parking space, reserved - seating, or reserved display area.
- I. Neon or painted lettering on windows as permitted by the Schedule of Sign Regulations.
- J. Grand opening signs, one time only, for forty-five (45) days.

(Ord. No. 2005-02 § 1, 3-21-05)

6.5.2 *Window signage.*

Window signage which does not exceed the type, number, size, height, location, length of time, or illumination restrictions as stated in the Schedule of Sign Regulations in this ordinance is allowed. The maximum amount of window signage on any single window or door is fifty percent (50%) of the total area of that single window or door of the business, including neon or painted lettering. The maximum amount of any combination of window and door signage allowed is that amount stated for that district in the Schedule of Sign Regulations in this ordinance. Electronic message and animated signs displayed within a window shall comply with the maximum area, frequency of change, and illumination standards of this ordinance for such signs. See Figure 6.5.2 Window Signage – Sample Calculation. See also Sections 6.4.5 and 6.4.6.

6.5.3 *Special Events.*

- A. Municipal seasonal decorations and community events signs, provided the dates and locations have been reviewed by the City Council under the requirements of the ordinance regulating Special Events. Other similar seasonal decorations and also signs not exceeding two (2) square feet in area may be placed on private property provided such decorations do not become a nuisance or cause hardship to the abutting property owners.
- B. Civic and charitable event signs.
 - 1. Permission to display a sign or banner for civic or charitable events shall require Building Official and sign permit approval.
 - 2. Non-profit community groups may display temporary signs in a C-1 or C-2, Clinton, Riverside, and Gaslight district, or in any residentially zoned district upon

written permission of the property owner. Temporary signs whose placement would encroach on a public right-of-way must be specially permitted by the Building Official, who must determine that the proposed encroachment would not pose a public safety hazard. All signs permitted under this section shall not be erected more than twenty-one (21) days prior to an event, and all must be removed within forty-eight (48) hours after the conclusion of the event. In the case of placement of special event signs in a C-1, C-2, Clinton, Riverside, and Gaslight districts, these signs do not count as part of the allowable business signs.

3. Event signs shall be ground mounted, not exceed twelve (12) square feet in size and shall not exceed thirty-six (36) inches in height as measured from the ground.

C. **Banner Sign: Private Property** - Temporary banner signs are permitted on private property provided the following criteria are met.

1. A sign shall be displayed for a period not to exceed 45 days per one (1) year period and in increments of time from three (3) to twenty-one (21) consecutive days at a time.
2. A sign shall be removed within 48 hours of the conclusion of the event. This two (2) day period is considered part of the allowed total days.
3. A business, non-profit agency or leasing entity shall be permitted one sign.
4. A sign shall not exceed twelve (12) square feet for one side or a total of twenty-four (24) square feet for all sides.
5. Illumination is prohibited.
6. A sign shall be registered with the City of St. Clair Building Department.

6.5.4 *Political/civic.*

A. Political signs-are allowed on private property with the permission of the owner. Political signs are not allowed within the right-of-way. Signs for the promotion of political elections may be erected at any time prior to a proposed election, however all signs must be removed within ten (10) days after the election for which they are erected. Failure to remove the signage as required may result in a fine by the Building Official.

B. Signs maintained by a political subdivision of the State of Michigan.

C. Signs, traffic signals, or warning devices erected or displayed by, or required or permitted to be displayed by, any public agency. Such signs shall not be counted against the number of signs or against the total sign area permitted on the premises.

D. Signs existing on the effective date of the adoption of this Chapter which are maintained by a church, school, community center, or other public building.

E. Memorial signs or tablets denoting the name or date of erection of a building when cut into any masonry surface or when constructed of bronze or other incombustible material.

F. Flags bearing the official design of a unit of government, education institution, or civic league or organization, fraternal benefit societies, order, or association, or any organization operated for religious, charitable, scientific, literary, or educational purposes.

6.5.5 *Construction.*

A. *Residential districts:* Signs shall not exceed six (6) square feet in surface display area per face and shall be set back at least fifteen (15) feet from the nearest curb.

B. *Non-residential districts:* Signs in all other districts shall not exceed eighteen (18) square feet in display area and shall be set back at least fifteen (15) feet from the curb and in no case located in the right-of-way.

C. *Display period:* Signs shall only be displayed during the period of actual construction and shall be removed upon completion of final inspection, or issuance of a certificate of occupancy whichever comes first. In no case shall construction signs be permitted in any district for more than one hundred eighty (180) days without the approval of the Building Official.

6.5.6 *Real estate signage.*

A. *For sale signs:* One (1) wall or freestanding real estate sign per lot, provided that, such signs are removed ten (10) days after the sale, lease, or rental of the property upon which erected, subject to the following:

1. *Residential areas:* Signs shall not exceed nine (9) square feet in surface display area per face and shall not exceed four and one-half (4-1/2) feet in height, and if freestanding, shall be set back at least fifteen (15) feet from the nearest curb and/or pavement or gravel street surface. The above setback requirement may be waived by the Building Official after determination that a sufficient area for display does not exist and that the sign may be safely placed at an alternate location.
2. *Non-residential districts:* Signs shall not exceed sixteen (16) square feet in surface area per face, nor be erected higher than eight (8) feet in total height above the average grade. Freestanding signs shall be set back at least fifteen (15) feet from the nearest existing or future curb line, or in the absence of curbs, fifteen (15) feet from the nearest edge of pavement or gravel street.

B. *Open house signs:* Directional signage not exceeding six (6) square feet or three (3) feet in height, may be permitted on the dates of the open house, provided the sign is located on private property, and that written permission has been obtained from the owner of the property on which the sign is placed. The sign must be set back at least fifteen (15) feet from the nearest curb and/or pavement or gravel surface. No such sign

may be erected regarding any one property for more than three (3) consecutive days in a row.

C. *Garage sales:* Directional signage not exceeding six (6) square feet or three (3) feet in height, may be placed on private property with the owner's permission during any three (3) consecutive days provided that no such signage is displayed for more than a total of six (6) days in any one (1) calendar year from January to December.

D. *Development signs:* For developments over five (5) individual units or for industrial/commercial development over three (3) acres, one sign allowed at the front of the property with a maximum of sixty (60) square feet in area. A second sign of sixty (60) square feet in area is allowed if the property has two (2) street accesses.

6.5.7 *Public and civic announcement signs.*

A. One (1) electronic message announcement sign meeting the requirements of Section 6.4.5 shall be permitted on any site which contains a church, school, or civic space regardless of the district in which it is located, provided said sign does not exceed twenty-four (24) square feet in area and a height of six (6) feet, and is set back a minimum of ten (10) feet from the right-of-way line.

B. The maximum illumination level must meet the standards of Section 6.3.3.

C. A sign permitted under this section shall meet the following design criteria.

- a. A sign base rising a minimum of one (1) foot above the grade on which the sign is located shall be installed.
- b. A minimum one (1) side support shall be installed.
- c. A base and side supports shall be faced with material matching the type, texture, and color of the principal building.

D. The requirements in Section 6.4.1 Note d, may also apply subject to the district the sign is located in.

6.5.8 *Light pole banners.*

A. Promotional light pole banners are permitted upon zoning and sign permit approval of the Building Official.

B. Only civic or charitable organizations or municipal banners are permitted within City rights-of-way.

C. Light pole banners located wholly on private property may advertise business activity and/or business name.

D. Light pole banners may be placed on private or public poles located wholly within C-1, C-2, PRPF Clinton, Riverside, and Gaslight districts.

E. The applicant is responsible for the installation, maintenance, and removal of the banners.

F. For installation, banners must be attached to banner hardware, which must be attached to the light poles with proper banding materials. Municipal light poles cannot be penetrated, altered, or damaged by the installation, wear, or removal of banners or banner hardware.

G. An applicant is responsible for monitoring and maintaining the safety and attractiveness of banners. An applicant shall remove, replace, repair, or otherwise correct the problem within forty-eight (48) hours of public notice for non-public safety matters. As a courtesy, banners shall be removed by the applicant when they become damaged or faded. All banners which are not properly maintained shall be removed at the order of the Building Official.

H. An applicant shall act immediately to correct a public safety matter upon notification by the City. Failing to immediately correct such matter may result in the City of St. Clair correcting the matter at the applicant's expense.

I. Banners shall conform to the following dimensional standards.

1. Banners shall be a maximum of thirty (30) inches in width and one hundred (100) inches in length and shall not exceed twenty (20) square feet in area.
2. Banners shall be at least twelve (12) feet above grade.
3. Banners shall not project more than three (3) feet from the pole that it is mounted on.
4. Banners shall be constructed of lightweight, pliable, and durable fabric or similar material especially designed for outdoor display and use and shall be mounted at one or more edges.
5. Banners shall be attached to light poles capable of withstanding wind loads generated by banner attachments. Civic, charitable, or municipal banners shall only be placed on City approved poles.

J. Flags shall not be considered banners.

K. All other promotional banners, pennants, streamers, or inflatable devices are strictly prohibited.

6.5.9 *Cross-street banners.*

A. Street crossing banners shall be erected for a duration established by the written approval of the Building Official but shall not exceed sixty (60) days. This duration shall consider the schedule of the various events being promoted and coordinate their display

to the greatest extent possible. A “Generic City Banner” may be displayed for any duration year-round to fill periods with no special event promotion banner.

B. The applicant is responsible for the installation, maintenance, and removal of the banners.

C. For installation, banners must be attached to banner hardware, which must be attached to the City approved poles with proper banding materials. Municipal light poles cannot be penetrated, altered, or damaged by the installation, wear, or removal of banners or banner hardware.

D. Banners shall conform to the following dimensional standards.

1. Banners overhanging a street shall be at least fifteen (15) feet above the immediate grade.
2. Banners shall be constructed of lightweight, pliable, and durable fabric or similar material especially designed for outdoor display and use and shall be mounted at one or more edges.
3. Banners shall be attached to light poles capable of withstanding wind and loads generated by banner attachments and shall only be placed on City approved poles.

E. An applicant is responsible for monitoring and maintaining the safety and attractiveness of banners. An applicant shall remove, replace, repair, or otherwise correct the problem within forty-eight (48) hours of public notice for non-public safety matters. All banners which are not properly maintained shall be removed at the order of the Building Official.

F. An applicant shall act immediately to correct a public safety matter upon the notification of the City. Failing to immediately correct such matter may result in the City of St. Clair correcting the matter at the applicant’s expense.

(Ord. No. 2005-02 §1, 3-21-05; Ord. No. 2010-02 § 1,4-19-10; Ord. No. 2011-06 § 1, 8-1-11)

Section 6.6 – Prohibited signs.

6.6.1 *General.*

A. *Traffic:* Signs which resemble or are meant to be an imitation of an official traffic sign or signal, which may mislead or be confused with a traffic signal or which bear the words “stop,” “go slow,” “caution,” “danger,” “warning,” or similar words used in traffic control.

- B. *Roof signs:* No sign shall be erected at or above the bottom roof line of a structure, except for the following. False mansard roof fronts, erected on a one (1) story structures not greater than three (3) feet above the adjacent flat roof surface of the structure any have signs at or below the height of the top of the roof line of the structure.
- C. *Banner signs:* Advertising a product, service, or entertainment venue that is not a public service or civic announcement unless otherwise specifically allowed within this ordinance.
- D. *Content.* Signs which contain or present material or a message that is considered obscene under the test articulated by the U.S. Supreme Court in *Miller v California*, its progeny, or any other state or federal law.

6.6.2 *Specific.*

- A. *Billboard/offsite signage:* Billboard/offsite signage which advertises goods, services, or uses not located on the site on which the sign is located.
- B. *Vacant lot signage:* With the exception of signs advertising the sale of the property or political signage as allowed by ordinance.
- C. *Internally illuminated canopies or awnings:* Which are translucent or permit the transfer of light.
- D. *Neon:* Except for "open" or "closed" signs with a maximum area of four (4) sq. ft.
- E. *LED illumination:* Except as specifically allowed for electronic message signs/animated signs, "open", "closed", and gas station signs.
- F. *Trailer or vehicle mounted sign.*
- G. *Lasers, searchlights and other high-intensity illumination.*
- H. *Advertising of a product or service on a flag or bunting.*
- I. *Pennants, streamers and similar types of advertising.*
- J. *Inflatable signs.*

(Ord. No. 2010-02, § 1, 4-19-10)

Section 6.7 – Nonconforming Signs

Any sign in existence on the effective date of this Chapter is rendered nonconforming by the provisions of the Chapter or subsequent amendments of the Chapter shall be subject to the following regulations:

6.7.1 *Nonconformity:* All of the following shall be considered nonconforming signs for the purpose of this ordinance.

- A. Signs that are not in compliance with any of the regulations listed in the Schedule of Sign Regulations for the district in which they are located.
- B. Signs which advertise a product or use, or is located on the site of a use, that has ceased, or is vacant for a period of six (6) months or more.
- C. Signs which have not been properly maintained and which the owner of has failed to commence repairs and/or maintenance within thirty (30) days after written notification, or where completion of repairs are not performed within a reasonable time.
- D. Signs which have been determined by the Building Official to be an immediate threat or hazard to the safety or welfare of the general public owner of the sign, or occupants of the site on which the sign is located.
- E. Signs which are damaged for any reason beyond fifty percent (50%) of the replacement value of the existing sign.
- F. Signs on which repairs for any reason would be estimated to exceed fifty percent (50%) of the replacement value of the existing sign.
- G. Signs which are structurally altered so as to change the shape or size of the sign.

6.7.2 *Regulations.* No nonconforming sign may be:

- A. Moved to a different location on the same or different site.
- B. Changed to another type of sign which is not in compliance with the requirements of this ordinance.
- C. Repaired for any reason where the costs of such repairs would be estimated to exceed fifty percent (50%) of the replacement value of the existing sign.
- D. Structurally altered so as to change the shape or size of the sign.

6.7.3 *Compliance.*

Any lot, premises, or structure on which a nonconforming sign is located, shall not be allowed to increase signage, or provide additional signage without bringing the site into compliance with the requirements of this Chapter.

December 9, 2019 - R 7.0.

Section 8.32. ☐Signs.

Standards for sign design and placement are set forth in the Schedule of Sign Regulations.

8.32.1. *Part I Schedule of Sign Regulations: Maximum Area Permitted:* A building may select one of the following signs unless permitted otherwise.

RIVERSIDE AND CLINTON AVENUE SUBDISTRICTS			
Standard	Wall	Awning or Canopy	Freestanding / Projecting
<i>Max. Number of Signs</i>	One (1) per public thoroughfare.	One (1) per awning or canopy.	One (1) per development.
<i>Maximum Area</i>	One and one-half (1.5) sq. ft. per one (1) lineal foot of building frontage or thirty-six (36) sq. ft.	One and one-half (1.5) sq. ft. per one (1) lineal foot of building frontage or thirty-six (36) sq. ft.	One and one-half (1.5) sq. ft. per one (1) lineal foot of building frontage or thirty-two (32) sq. ft. per side.
<i>Maximum Bonus Area</i>	Twelve (12) sq. ft. for the use of exterior illumination or through the use of a dark background with a minimum sixty percent (60%) opaqueness.	Twelve (12) sq. ft. for use of exterior illumination.	Twelve (12) sq. ft. for the use of exterior illumination or through the use of a dark background with a minimum sixty percent (60%) opaqueness.
<i>Maximum Sign Letter Height</i>	Deleted by Ordinance change.	Two (2) feet for a canopy.	No requirement.
<i>Height Above Grade</i>	Min: Eight (8) feet. Max: Fifteen (15) feet for a single-story building. Max: One (1) foot below the second-story window sill line for a multi-story building.	Eight (8) feet.	Min: No requirement for freestanding. Min: Eight (8) feet for wall-mounted. Max: Twelve (12) feet.
<i>Additional Permitted Signs</i>	A wall sign is permitted on abutting public streets. The wall sign on each additional street(s) shall not exceed fifty percent (50%) of the allowable area for the primary street sign.	Awning signs are permitted on abutting public streets. Awning signage on each additional street(s) shall not exceed fifty percent (50%) of the allowable area for the primary street sign.	For properties greater than one hundred twenty (120) lineal feet of primary street frontage, a pole-mounted projecting sign not exceeding eighteen (18) sq. ft. is permitted on the primary frontage in addition to a wall, awning or canopy sign.
<i>Additional Criteria</i>	Letter signs may be directly	Awning valance lettering shall not exceed eight (8) inches in	Signs shall not project over a public right-of-way.

	mounted to the canopy roof structure.	height. Shall be prohibited on any awning except those mounted on the ground level. Letter signs may be directly mounted to the canopy roof structure.	
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GASLIGHT SUBDISTRICTS			
Standard	Wall	Awning or Canopy	Freestanding Projecting
<i>Max. Number of Signs</i>	One (1) per public thoroughfare.	One (1) per awning or canopy.	One (1) per development.
<i>Maximum Area</i>	One (1) sq. ft. per one (1) lineal foot of building frontage or twenty-four (24) sq. ft.	One (1) sq. ft. per one (1) lineal foot of building frontage or twenty-four (24) sq. ft.	One (1) sq. ft. per one (1) lineal foot of building frontage or twenty-four (24) sq. ft. per side.
<i>Maximum Bonus Area</i>	Eight (8) sq. ft. for the use of exterior illumination or through the use of a dark background with a minimum sixty percent (60%) opaqueness.	Eight (8) sq. ft. for use of exterior illumination.	Eight (8) sq. ft. for the use of exterior illumination or through the use of a dark background with a minimum sixty percent (60%) opaqueness.
<i>Maximum Sign Letter Height</i>	Deleted by Ordinance change.	Two (2) feet.	No requirement.
<i>Height Above Grade</i>	Min: Eight (8) feet. Max: Fifteen (15) feet for a single-story building. Max: One (1) foot below the second-story window sill line for a multi-story building.	Eight (8) feet.	Min: No requirement for freestanding. Min: Eight (8) feet for wall-mounted. Max: Twelve (12) feet.
<i>Additional Permitted Signs</i>	A wall sign is permitted on abutting public streets. The wall sign on each additional street(s) shall not exceed fifty percent (50%) of the allowable area for the primary street sign.	Awning signs are permitted on abutting public streets. Awning signage on each additional street(s) shall not exceed fifty percent (50%) of the allowable area for the primary street sign.	For properties with greater than one hundred and twenty (120) lineal feet of primary street frontage, a pole-mounted projecting sign not exceeding twelve (12) sq. ft. is permitted on the primary frontage in addition to a wall, awning or canopy sign.

<i>Additional Criteria</i>	Letter signs may be directly mounted to the canopy roof structure.	<p>Awning valance lettering shall not exceed eight (8) inches in height.</p> <p>Shall be prohibited on any awning except hose mounted on the ground level.</p> <p>Letter signs may be directly mounted to the canopy roof structure.</p>	Signs shall not project over a public right-of-way.
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8.32.2. Part II Schedule of Regulations: Signs - meeting the following conditions are exempt from Section 6.3.1 and do not require permits unless specifically stated otherwise.

DOWNTOWN DEVELOPMENT DISTRICT			
Standard	Wall Mounted, Projected or Hanging	Window	Additional
Max. Number of Signs	One (1) per street frontage.		<p>Signs identified below are permitted as exempt signs provided the criteria in Section 8.32.3 are met.</p> <ul style="list-style-type: none"> •Rear or side entry sign. •Awning valance or window signage not exceeding four (4) sq. ft. •Banner Sign: Public Property. •Banner Sign: Private Property. •Access directional sign. •Business directories for multiple tenants. •"Open" signs. •Menu. •Temporary Sidewalk And Valet Signs. •Multiple-family residential development. •Flags and bunting promoting a national holiday or community event.
<i>Maximum Area</i>	Six (6) sq. ft. per side.	Twenty-five percent (25%) of the ground floor window area. Maximum of 50% coverage any single window. See Figure 6.5.2.	
<i>Maximum Bonus Area</i>	Not permitted.		
<i>Maximum Sign Height</i>	Eighteen (18) inches.	No requirement.	
<i>Height Above Grade</i>	<p>Min: Seven (7) feet.</p> <p>Max: Twelve (12) feet for a single-story building.</p> <p>Max: One (1) foot below the second-story window sill line for a multiple-story building.</p>	No requirement.	
<i>Additional Permitted Signs</i>	Zero (0).	Zero (0).	
<i>Additional Criteria</i>	<p>A projecting sign shall not extend greater than five (5) feet from the wall surface.</p> <p>A hanging sign shall not</p>	<p>Signage permitted on ground-level windows only.</p> <p>Window display shall remain visible from exterior.</p>	<ul style="list-style-type: none"> •Fuel Price Signs. •Electronic Message Signs/Animated Signs. •Riverfront Signs.

	<p>extend beyond the outer limits of the supporting structure.</p> <p>A projecting or hanging sign shall be confined to the ground level.</p> <p>Interior illumination is prohibited.</p>		
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8.32.3. *Additional Signage Criteria.*

- A. Rear or side entry sign: Max six (6) sq. ft.
- B. Awning valance not exceeding four (4) sq. ft. per valance is permitted in addition to the main signage for non-residential or mixed-use development. Lettering shall not exceed eight (8) inches in height.
- C. A fuel price sign is permitted provided that:
 - a. Price is displayed as a single color on a dark background.
 - b. Message shall only reflect the fuel sales price.
 - c. Requirements of Sections 6.4.3(B) and 6.4.5 of the Zoning Ordinance are met.
- D. An electronic message sign/animated sign is permitted in the Clinton Avenue, Riverside, and Gaslight districts provided that:
 - a. Such sign is wall mounted.
 - b. The maximum area of all electronic message signs/animated signs shall be considered a part of a wall or freestanding sign and shall not exceed fifty percent (50%) of the total permitted sign area. This may be considered additive to the allowed sign area for that district, subject to the review and approval of the Planning Commission.
 - c. Requirements of Section 6.4.5 Electronic Message Signs/Animated signs are met.
- E. Signage facing the St. Clair River or Pine River is permitted provided that:
 - a. A property shall abut the St. Clair River or Pine River.
 - b. The total sign area for a property abutting the St. Clair River shall not exceed one hundred percent (100%) of the permitted sign area.
 - c. The total sign area for a property abutting the Pine River shall not exceed fifty percent (50%) of the permitted sign area.
 - d. Additional dimensional requirements for permitted signs shall be met.
 - e. Signage shall be positioned between a building and the riverfront.
- F. Banner Sign: Public Property Temporary banner signs are permitted within a public right-of-way or on public property. City Council has the authority to grant such permission and to establish criteria for location, size, time limits, content and other criteria deemed appropriate to protect public health, safety and welfare. If a governmental agency other than the City owns the property, written permission from that agency shall be required prior to City Council approval. See also 6.5.8 and 6.5.9.

- G. Banner Sign: Private Property Temporary banner signs are permitted on private property provided the following criteria are met.
1. A sign shall be displayed for a period not to exceed 45 days per one year period and in increments of time from three to twenty-one consecutive days at a time.
 2. A sign shall be removed within forty-eight hours of the conclusion of the event.
 3. Advertising of a community event is exempted from time constraints. Signs shall not be erected more than twenty-one days prior to an event and shall be removed within forty-eight hours after the close of the event.
 4. A business, non-profit agency or leasing entity shall be permitted one sign.
 5. A sign shall not exceed twelve square feet for one side or a total of twenty-four square feet for all sides.
 6. Illumination is prohibited.
 7. A sign shall be registered with the City of St. Clair Building Department.
- H. Access directional signs not exceeding four square feet in area and limited to three feet in height to the top of the sign for ground mounted signs.
- I. Business directories for multiple tenants not exceeding six square feet and wall mounted. Interior illumination is prohibited.
- "Open" or "Closed" signs not exceeding four square feet in area. One per business. The use of neon is permitted. Fixed lighted and unlighted open or closed signs, including LED or neon open signs are permitted up to maximum of four square feet.
- K. A menu not exceeding six square feet is permitted to be displayed adjacent to a restaurant main entrance.
- L. Sidewalk and Valet Signs are permitted provided the following criteria are met:
1. One sign is permitted per business.
 2. The sign must be removed during hours that business is not open.
 3. A sign located in the public right-of-way shall not exceed four feet in height and six square feet in area for any one side.
 4. A sign on private property shall not exceed five feet in height and eight square feet in area for any one side.
 5. Illumination is prohibited.
 6. A sign shall not obstruct doorways, entries, sidewalks pedestrian paths and other non-motorized path systems.
 7. A minimum of four feet of continuous clear space shall be maintained between the street curb area and a sidewalk or valet sign.
- M. A multiple-family residential development is permitted to have one identification monument sign. The sign shall be located at the main entry and shall not exceed thirty-two square feet in area per side.
- . Flags and bunting promoting a national holiday or community event are permitted.
- 8.32.4. *Planning Commission Interpretation:* The Planning Commission may interpret the intent of Section 8.32, Signs, in accordance with the following:
- A. The Building Official may send a sign application to the Planning Commission for interpretation as to size, style, illumination and design.

- B. The Planning Commission may modify the requirements of this Section 8.32 based on functional hardship.
 - C. Marquee and electronic message signs/animated signs meeting the requirements of Section 6.4.5 may be approved by the Planning Commission.
 - D. Planning Commission may require written description, visual graphics, plans, elevations and other applicable support for an interpretation or modification.
- 8.32.5. *Multi-Tenant Buildings:* A master sign plan is required for developments accommodating multiple tenants. The plan shall meet the requirements of this Section. The master sign plan shall be applicable to current and future users of the building. The City shall enforce the master sign plan when processing a certificate of occupancy or site plan application. The Planning Commission can approve a new master sign plan upon application. Also see definition of "Master sign plan" and Section 6.4.2 Master Sign Plan.
- 8.32.6. *Additional Regulations:* The following Sections are applicable to the Downtown District sign schedules:
- 6.1 General provisions.
 - 6.2 Definitions.
 - 6.3 Permits and general requirements.
 - 6.4.2 Master Sign Plan
 - 6.4.5 Electronic message signs/animated signs
 - 6.5 Exempted signs, except for banner and window signs.
 - 6.6 Prohibited signs.
 - 6.7 Nonconforming signs.
 - Definitions of the Downtown Redevelopment District.
- 8.32.7. *Prohibited Signs:* **Any sign not specifically permitted by this Ordinance shall be considered prohibited for the purposes of this Section.** See also Section 6.6. for a complete listing of Prohibited Signs. The following signs are also prohibited:
- Neon, except for "open" or "closed" signs with a maximum area of four (4) sq. ft.
 - LED illumination. Except as specifically allowed for electronic message signs/animated signs, "open", "closed", and gas station signs.
 - Trailer or vehicle mounted sign.
 - Imitation traffic.
 - Roof, except letter signs as permitted in the sign schedule.
 - Lasers, searchlights and other high intensity illumination.
 - Advertising of a product or service on a flag or bunting.
 - Pennants, streamers and similar types of advertising.

(Ord. No. 2009-05, § 1, 10-5-09; Ord. No. 2011-05, § 1, 5-16-11)

ARTICLE 8. - PLANNED UNIT DEVELOPMENT

Section 8.1. - Purpose.

The provisions of this article provide enabling authority and standards for the submission, review, and approval of applications for planned unit developments. It is the intent of this article to authorize the use of planned unit development regulations for the purposes of: encouraging the use of land in accordance with its character and adaptability; conserving natural resources and energy; encouraging innovation in land use planning; providing enhanced housing, employment, shopping, traffic circulation and recreational opportunities for the people of the City; and bringing about a greater compatibility of design and use.

Section 8.2. - PUD regulations.

8.2.1. Planned unit development treatment may be applied in any zoning district.

8.2.2. Any land use authorized in this Ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development for the purpose of effectively dividing varied land uses which have been zoned in and/or are adjacent to the development.

8.2.3. The applicant for a planned unit development must demonstrate all of the following as a condition to being entitled to planned unit development treatment:

- A. Grant of the planned unit development will result in one of the following:
 - 1. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - 2. Long-term protection and/or preservation of natural resources and natural features of a significant quantity and/or quality in need of protection or preservation on a local, state, and/or national basis; or
 - 3. A nonconforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.
- B. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, and utilities in relation to the use or uses otherwise permitted by this Ordinance, and shall not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants and/or the natural environment.
- C. The proposed development shall be consistent with the public health, safety and welfare of the City.
- D. The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
- E. The proposed development shall be under single ownership and/or control such that there is a single person having responsibility for completing the project in conformity with this Ordinance.

Section 8.3. - Project design standards.

8.3.1. Residential uses shall be permitted with the following maximum density, based upon the zoning district in which the property is situated immediately prior to classification under this article.

- A. Eight (8) dwelling units per gross acre in R1.
- B. Ten (10) dwelling units per gross acre in R1A.
- C. Twelve (12) dwelling units per gross acre in R2.
- D. Fourteen (14) dwelling units per gross acre in R3.

8.3.2. Nonresidential uses shall be permitted as part of a common development with residential units to the extent the applicant demonstrates by expert analysis, and the Planning Commission finds, in its discretion, that the nonresidential uses shall principally serve the persons residing in the

residential units in the project, provided, the non-residential uses, including without limitation, parking and vehicular traffic ways, shall be separated and buffered from residential units in a manner consistent with good land and community planning principles.

- 8.3.3. For non-residential uses, minimum lot area requirements of the district in which a use is a permitted principal use shall apply, subject to the provisions of the immediately following paragraph. All ambiguities shall be resolved by the Planning Commission.
- 8.3.4. All regulations applicable to lot size, lot width, setback, parking and loading, general provisions, and to other requirements and facilities, shall be met in relation to each respective land use in the development based upon regulations of the zoning district in which the property is situated immediately prior to classification under this article. For all special uses, regulations applicable to the respective uses shall apply. The Planning Commission, in its discretion, shall resolve all ambiguities as to applicable regulations. Notwithstanding the immediately preceding provision of this paragraph, deviations with respect to such regulations may be granted as part of the overall approval of the planned unit development, provided there are features or elements deemed adequate by the Planning Commission designed into the project plan for the purpose of achieving the objectives of this article.
- 8.3.4.5. Signage specific to the use and operation of the planned unit development shall be presented to the extent possible as part of the overall approval of the planned unit development for the review and comment of the Planning Commission. Such signage shall be consistent with the requirements of the district the planned unit development is located in and in compliance with all requirements of Article 6 and Article 8B of this ordinance. Such signage that may be determined as required for operation after approval of the planned unit development may be presented to the building official for approval consistent with Article 6 and Article 8B of this ordinance. When the terms of Article 6 and Article 8B are not met the building official shall pass the approval to the Planning Commission. The Planning Commission shall have authority to grant reasonable variance to the requirements of Article 6 and Article 8B to the extent such variance is consistent with the operation of the approved planned unit development.
- 8.3.5. Additional density of up to 25 percent greater than specified in Section 8.3.1. for residential uses may be allowed in the discretion of the Planning Commission based upon a demonstration by the applicant of design excellence in the planned unit development resulting in a material benefit to all or a significant portion of ultimate residential uses of the project, including, without limitation, development of innovative design producing significant energy efficiency, pedestrian or vehicular safety, or long-term aesthetic beauty.
- 8.3.6. To the maximum extent feasible, the development shall be designed so as to preserve natural resources and natural features. In the interpretation of this provision, natural resources and natural features may be impaired or destroyed only if it is clearly in the public interest to do so. In determining whether action is in the public interest, the benefit which would reasonably be expected to accrue from the proposal shall be balanced against the reasonably foreseeable detriments of the activity, taking into consideration the local, state and national concern for the protection and preservation of the natural resources or features. To accomplish this balancing, the following criteria shall be applied: The availability of feasible and prudent alternative methods of accomplishing the development; the extent and permanence of the beneficial or detrimental effects of the proposed activity; the size, quality and rarity of the natural resources or natural features which would be impaired or destroyed.
- 8.3.7. There shall be a perimeter setback and berming, as found to be necessary by the Planning Commission, for the purpose of buffering the development in relation to surrounding properties. If the planned unit development project includes non-residential uses adjacent to a district authorizing residential uses, and/or if the project is larger than one acre in area, such perimeter setback shall be established with a dimension from the property line of up to one hundred (100) feet in the discretion of the Planning Commission, taking into consideration the use or uses in and adjacent to the development. The setback distance need not be uniform at all points on the perimeter of the development.

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- 8.3.8. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
- 8.3.9. Where feasible, there shall be underground installation of utilities, including electricity and telephone.
- 8.3.10. In all cases where separation can be accomplished without significantly reducing the kind and density of uses, the pedestrian circulation system, and its related walkways and safety paths, shall be separated from vehicular thoroughfares and ways.
- 8.3.11. Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project, shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.
- 8.3.12. In all cases where non-residential uses adjoin off-site residentially zoned property, noise reduction and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed. The Planning Commission, in its discretion, shall review and approve the design and location of such mechanisms in regard to maximizing, to a reasonable extent, the achievement of the screening objectives.

Section 8.4. - Procedure for review and approval.

- 8.4.1. The grant of a planned unit development application shall require a rezoning by way of an amendment of this Ordinance.
- 8.4.2. Prior to the submission of an application for planned unit development approval, the applicant may submit to the Planning Commission a preliminary site plan of the proposed planned unit development, as well as the following information: Total number of acres in the project; a statement of the number of residential units, if any, the number and type of non-residential units, and the number of acres to be occupied by each type of use; the known deviations from ordinance regulations to be sought, including signage deviations; the number of acres to be preserved as open or recreational space; and, all known natural resources and natural features to be preserved.
- 8.4.3. The Planning Commission shall review the preliminary site plan, and shall be entitled to make reasonable inquiries of and receive answers from the applicant. Following review, the Planning Commission shall provide the applicant with written comments, which shall be part of the official minutes of the Planning Commission.
- 8.4.4. Within six (6) months following receipt of the Planning Commission comments on the preliminary plan, the applicant shall submit to the Code Enforcement Officer, four (4) copies of a final plan conforming with Section 8.5. below. This plan shall constitute an application to amend this Ordinance, and shall be noticed for public hearing before the Planning Commission, and otherwise acted upon by the Planning Commission, and the City Commission, as and to the extent provided by law. With and in addition to the regular report submitted by the Planning Commission in connection with a rezoning application, the Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the planned unit development project, including, without limitation, recommendations with respect to matters on which the City Commission must exercise discretion.

Section 8.5. - Applications.

Final plans shall include the following:

- 8.5.1. All requirements of Article 9 of this Ordinance.
- 8.5.2. A plan showing the type, location, and density of all uses.
- 8.5.3. All open spaces, including preserves, recreational areas, and the like, and each purpose proposed for such areas.
- 8.5.4. A separately delineated specification of all deviations from this ordinance, including signage deviations, which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article. This specification should include ordinance

provisions from which deviation are sought, including signage deviations, and the reasons and mechanisms to be utilized for the protection of the public health, safety, and welfare in lieu of the regulations from which deviations are sought.

8.5.5. A detailed landscaping plan.

8.5.6. A specific schedule of the intended development and construction details, including phasing or timing, and the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.

8.5.7. A specification of the exterior building materials with respect to the structures proposed in the project.

8.5.8. Signatures of all parties having an interest in the property.

Section 8.6. - Conditions.

8.6.1. Reasonable conditions may be required with the approval of a planned unit development, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, and the community as a whole, shall be reasonable related to the purposes affected by the planned unit development, and shall be necessary to meet the intent and purpose of this Ordinance, and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved planned unit development.

Section 8.7. - Phasing and commencement of construction.

8.7.1. *Phasing:* Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, phasing shall contemplate that at least 35 percent of all proposed residential units are completed concurrent with the first phase of any non-residential construction—completion of at least 75 percent of all proposed residential construction prior to the second phase of non-residential construction—and completion of 100 percent of all residential construction prior to the third phase of non-residential construction. For purposes of carrying out this provision, the percentages shall be approximations as determined in the discretion of the Planning Commission.

8.7.2. *Commencement and Completion of Construction:* Construction shall be commenced within one (1) year following final approval of a planned unit development, or within one (1) year of any other necessary governmental approval for commencement of the project, whichever is later, provided all other necessary approvals have been actively pursued. Each phase of the project shall be commenced within one (1) year of the schedule established for same in the application submitted. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Planning Commission upon good cause shown if such request is made to the Commission prior to the expiration of the initial period. Moreover, in the event a site plan has expired, the City shall be authorized to rezone the property in any reasonable manner, and, if the property remains classified as PUD, a new application shall be required, and shall be reviewed in light of then existing and applicable law and ordinance provisions.

Section 8.8. - Effect of approval.

If and when approved, the planned unit development amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such amendment.

Section 8.9. - Fees.

The amount of such fees shall be established by ordinance of the Planning Commission.

8.32.2. Part II Schedule of Regulations:

8.32.2 Schedule of Regulations: Signs meeting the following conditions are exempt stated otherwise.	
Standard	Wall Mounted, Projected or Hanging
Maximum Number of Signs	One (1) per street frontage.
Maximum Area/Square Feet Allowed	Six (6) SF per side.
Maximum Bonus Area	Not permitted.
Maximum Sign Height	Eighteen (18) inches.
Maximum Sign Height Above Grade	Min: Seven (7) feet. Max: Twelve (12) feet for a single-story building. Max: One (1) foot below the second-story window sill line for a multiple-story building.
Additional Permitted Signs	Zero (0).
Additional Criteria	A projecting sign shall not extend greater than five (5) feet from the wall surface. A hanging sign shall not extend beyond the outer limits of the supporting structure. A projecting or hanging sign shall be confined to the ground level. Interior illumination is prohibited.

<p>from Section 6.3.1 and do not require permits unless specifically</p>	
Window	Additional
	Signs identified below are permitted signs provided the criteria in Section 8.32.3 are met. 1) Rear or side entry sign. 2) Awning valence or window signage not exceeding four (4) SF. 3) Banner Sign: Public Property.
Eight (8) SF or twenty-five (25) of the ground floor window area. Maximum of 50% coverage any single window. See Figure 6.5.2.	4) Banner Sign: Private Property.
No requirement.	5) Access directional sign.
	6) Business directories for multiple tenants.
	7) "Open" signs. 8)
	Menu. 9)
	Temporary Sidewalk and Valet signs.
Zero (0).	10) Multiple-family residential development. 11)
Signage permitted on ground-level windows only.	Flags and bunting promoting a national holiday or community event.
Window display shall remain visible from exterior.	12) Fuel Price Signs. 13)
	Electronic Message Signs/Animated Signs. 14) Riverfront Signs.

Figure 6.3.2.C.2

General Standards, Restrictions. □o sign shall be located in the following locations. Street or Alley Intersections.

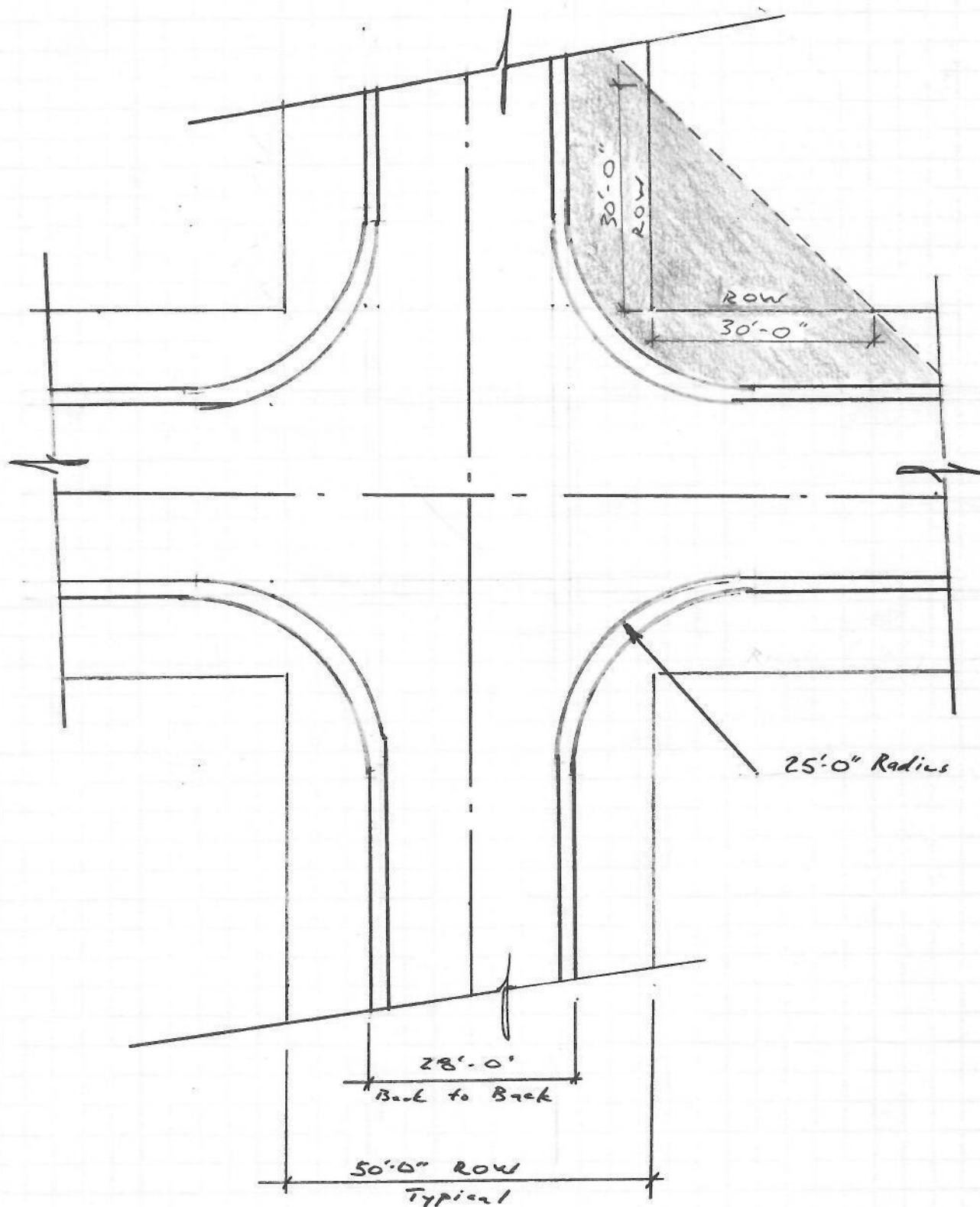
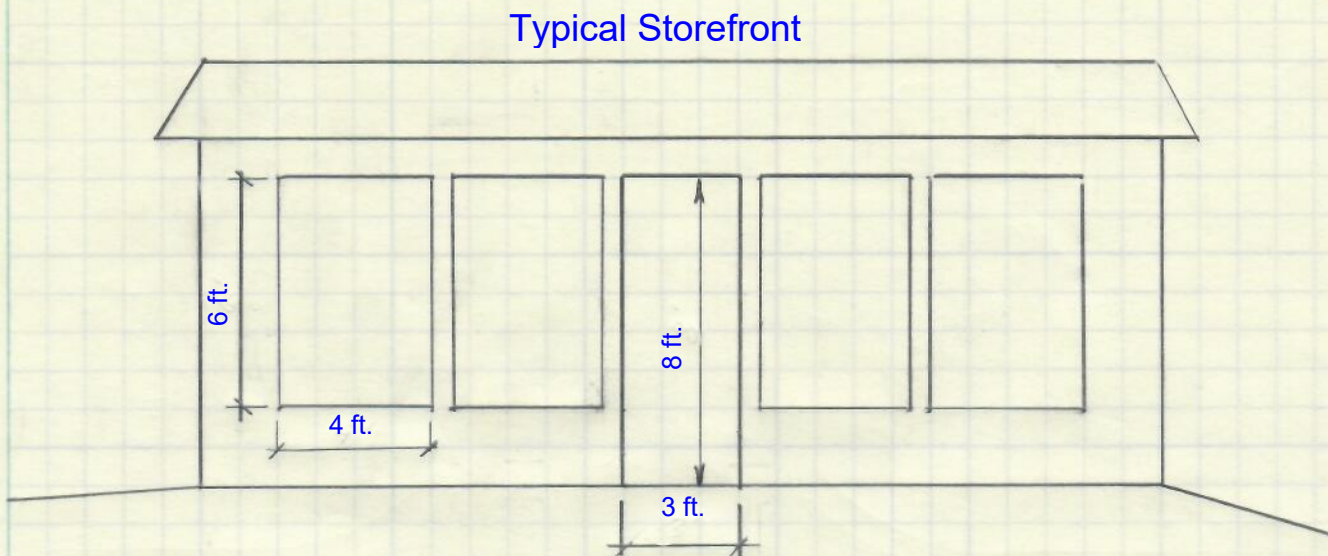


Figure 6.2.3.2.C.2

□o sign permitted by this ordinance shall be allowed to exceed two and one-half feet in height when placed in the following area of an intersection. This area shall be a triangle formed by the intersecting street right-of-way lines and a straight line joining the two street lines at points which are thirty feet distant from the point of intersection, measured along the street right-of-way. See also Section 5.10.

Figure 6.5.2 Window Signage: Sample Calculation



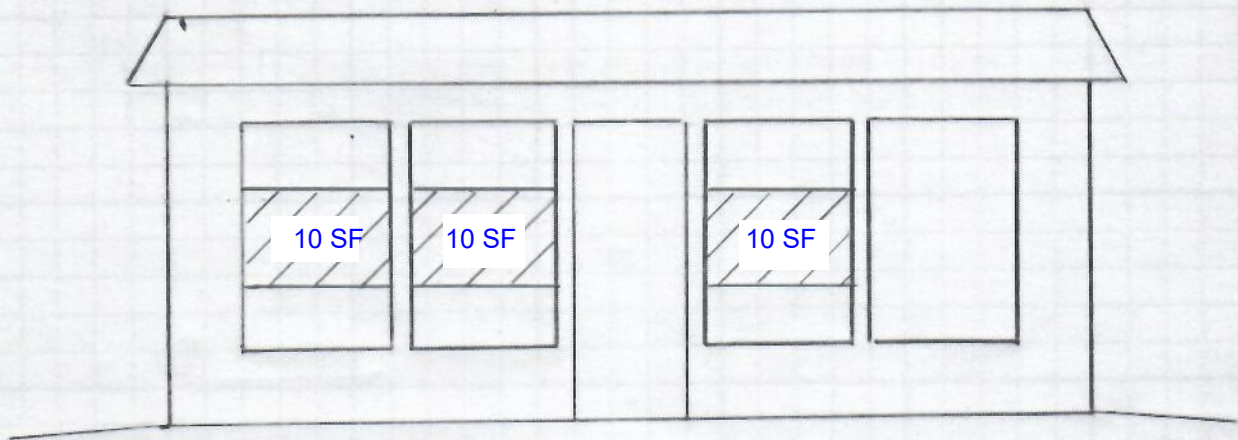
Given: 4 windows @ 4 ft. x 6 ft. = 96 SF
1 door @ 3 ft. x 8 ft. = 24 SF
TOTAL = 120 SF Total Window Area

Per Sign Schedules 6.4.1 and 8.32.2 the total allowed coverage is 25% of the ground floor window area.
Per Section 6.5.2 the maximum coverage on any single window is 50%.

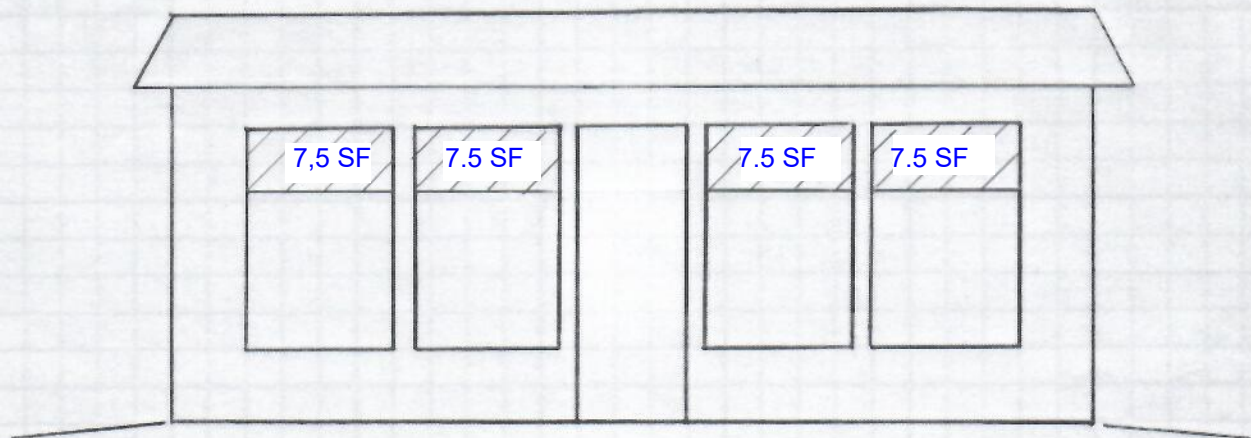
In this example, the maximum area of signage is 25% x 120 SF = 30 SF
Each window or door is 24 SF. The maximum coverage of any single door is 50% x 24 SF = 12 SF

See acceptable examples on the following page.

Figure 6.5.2 Window Signage: Acceptable Examples



Maximum allowed area of signage is 30 SF. 3 signs @ 10 SF each is OK.
Maximum allowed coverage is 12 SF per window. 10 SF is less than 12 SF. 10 SF is OK.
Position may be top, bottom, or midway.



Maximum allowed area of signage is 30 SF. 4 signs @ 7.5 SF each is OK.
Maximum allowed coverage is 12 SF per window. 7.5 SF is less than 12 SF. 7.5 SF is OK.
Position may be top, bottom, or midway.

December 9, 2019 – R1.0

Section 7.3. Off-street parking lot construction and operation.

The construction of any parking lot shall be in accordance with the requirements of the provisions of this Ordinance and such construction shall be completed and approved by the Code Enforcement Officer and the City Engineer before actual use of the property as a parking lot and before a Certificate of Occupancy is issued. Plans for the development of any parking lot must be submitted to the Building Inspector, prepared at a scale of not less than fifty (50) feet equals one (1) inch and indicating existing and proposed grades, drainage, pipe sizes, parking of all dimensions, type of curbing, drive and aisle dimensions, lighting, adjacent main buildings, sidewalls, landscaping, surfacing and base materials to be used and the layout of the proposed parking lot. The plans are to be prepared in a presentable form by person's competent in such work and shall reflect conformance with the following provisions.

- 7.3.1. All such parking lots required for uses other than single or two-family residential shall be hard-surfaced with a pavement consisting of asphalt or concrete, shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be completely constructed prior to a Certificate of Occupancy being issued. No surface water from such parking area shall be permitted to drain onto adjoining private property.
- 7.3.2. All illumination for or on all such parking lots shall be deflected away from adjacent residential areas and shall be installed in such a manner as to allow the reduction of the amount of light in other than normal parking hours each day, and shall provide average and initial illumination of 0.80 vertical foot-candles and 0.62 horizontal foot-candles in the area used for parking.
- 7.3.3. The depth of the front yard setback line from the street as established for houses in any block in any given residential area shall be continued and made applicable to parking space in such residential area and it shall be unlawful to use the space between such setback line and the street line for the parking of motor vehicles.
- 7.3.4. When a non-residential parking lot or parking area is situated on a parcel which adjoins a residentially zoned district, the side and/or rear yard setback, adjacent to this residential district, shall be a minimum of thirty (30) feet from the proposed actual parking area. The first fifteen (15) feet of this required setback shall be developed as a greenbelt and shall extend to encompass the parking lot by extending beyond the actual parking area and its drives by at least thirty (30) feet or to the property line. The above greenbelt requirement may be replaced, upon Planning Commission approval, by an eight (8) foot wide strip of lawn containing a five (5) foot high solid-faced wall equivalent, located within three (3) feet of the respective property line and encompassing the parking lot as stipulated above.
- 7.3.5. Off-street parking lots adjacent to public rights-of-way and directly visible from residential, mixed-use and downtown redevelopment zoning districts shall be screened according to the following design standards:

A. Masonry piers spaced per the following schedule:

	Street Length			
	Less than 100'	100'—150'	151'—200'	Greater than 200'
Pier Spacing	20'	30'	40'	50'

- B. Ornamental metal, wood, vinyl or brick screen fence between the heights of 32 inches and 36 inches shall be installed between the piers. Such fence shall not obscure the off-street

parking area. The Planning Commission may substitute an opaque landscape hedge as regulated in section C. for a fence.

- C. An opaque landscape shrub hedge between the height of 32 inches and 36 inches is installed and maintained along public right-of-way side of the fence line.
- D. A minimum five foot landscape strip is installed along the inside of the fence line.
- E. Ornamental trees spaced 20 feet on center are installed in the landscape strip.
- F. Planning Commission may modify these requirements provided the applicant demonstrates that required parking lot dimensions inhibit installation and proper maintenance.
- G. A corner visibility triangle meeting the requirements of this ordinance shall be maintained at corners and access drives. Walls and landscaping not exceeding 30 inches in height can be installed within the corner visibility triangle.
- I. Fast Food Menu Boards are allowed subject to Planning Commission approval of a submitted site plan indicating sign location and size. See also specific sign requirements in Section 6.4.4 Fast Food Menu Boards.

7.3.6. Adequate ingress and egress to the parking lot, by means of limited and clearly defined drives, shall be provided for all vehicles.

7.3.7. Wheel chocks shall be provided, so located as to prevent any vehicle from projecting over the lot or setback lines. This requirement may be waived by the City building official or Planning Commission where a five (5') foot landscape strip is located adjacent to the parking space.

7.3.8. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum regulations and as listed in Table 7.3.8a and as illustrated in 7.3.8b

- 1. A minimum off-street parking space shall not be less than 18 feet in length as measured from a face of sidewalk, curb or wheel chock
- 2. A pedestrian wall adjacent to off-street parking spaces shall not be less than six (6') feet in width and not reduced to less than four (4') feet of clear walking space with vehicle overhang.
- 3. A vehicle shall not overhang or cross public right-of-way or property.

7.3.9. Parking lots containing more than twenty (20) spaces shall be landscaped in accordance with Section 5.7 of this Ordinance.

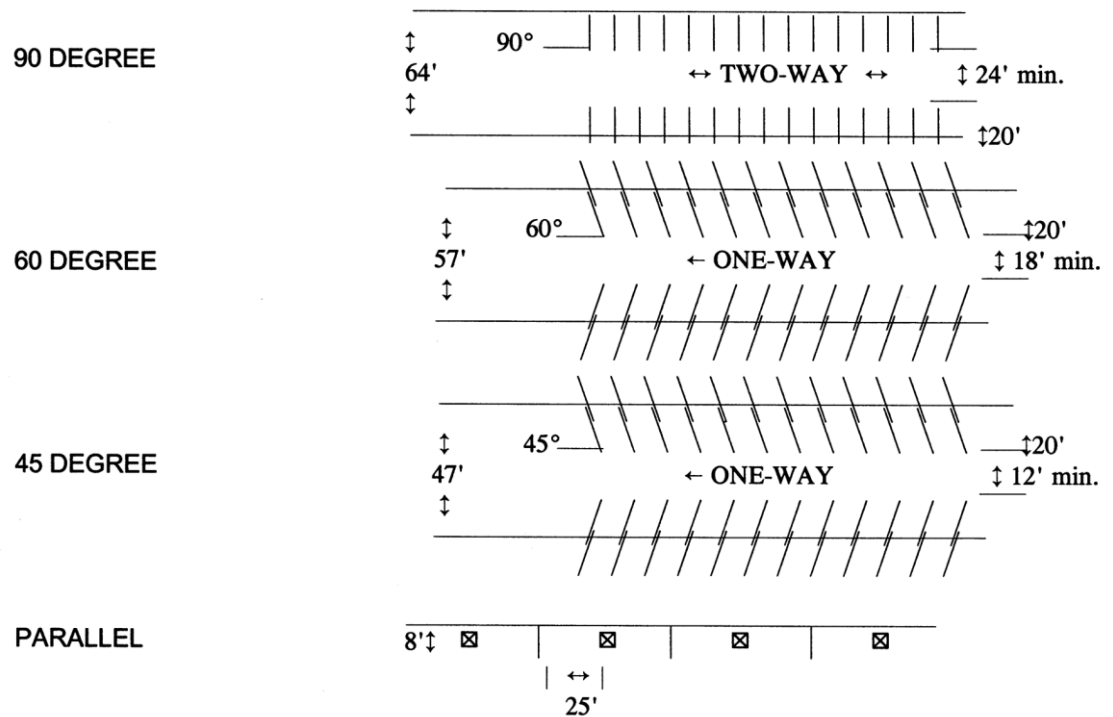
Table 7.3.8a

PARKING PATTERN	MINIMUM DRIVEWAY OR AISLE WIDTH	PARKING SPACE LENGTH ^(a)	PARKING SPACE WIDTH ^(b)	TOTAL WIDTH OF TWO TIERS OF SPACES & AISLES
0° (parallel)	10 feet	25 feet	8 feet	feet
30°	10 feet	20 feet	9 feet	feet
45°	12 feet	20 feet	9 feet	feet
60°	18 feet	20 feet	9 feet	feet
90°	24 feet	20 feet	9 feet	feet

- a. as measured perpendicular to longitudinal angle of parking
- b. as measured parallel to longitudinal angle of parking

Table 7.3.8(b)
Parking Layouts*

□



Parking Layouts

□ Maneuvering lanes will be required to be increased when such lane is required for fire or safety vehicle access to building.