

**CITY OF CLAWSON
OAKLAND COUNTY, MICHIGAN
ORDINANCE NO.769 – SIGN REGULATIONS**

**AN ORDINANCE TO ADOPT A SIGN ORDINANCE TO PROVIDE STANDARDS FOR THE
ERECTION AND MAINTENANCE OF SIGNS**

NOW THEREFORE, THE CITY OF CLAWSON ORDAINS:

Chapter 36 – Sign Regulations

36-1 Purpose and Intent

This ordinance establishes rules and standards for the construction, location, maintenance and removal of all signs except those exempted from regulation by this ordinance. The purpose of this chapter is to protect the interest of public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification and communication. In order that such purposes can be achieved, the following objectives shall be applied for this chapter and any future additions, deletions and amendments:

- (1) **Generally.** Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare.
- (2) **Public Safety.** Protect public safety by prohibiting signs that 1) are structurally unsafe or poorly maintained; 2) cause unsafe traffic conditions because they unreasonably distract motorists, have similarities to official traffic signs or hinder vision; and 3) impede safe movement of pedestrians or safe ingress and egress from buildings or sites.
- (3) **Protect Aesthetic Quality of Districts and Neighborhoods.** Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views. Prevent proliferation of signs in residential areas and eliminate abandoned signs and sign structures on unused properties. Also, avoid glare, light trespass, and skyglow through selection of proper fixture type(s) and location, lighting technology, and control of light levels. Additionally, reflect the character of unique districts as may be established by the City of Clawson Comprehensive Plan, other adopted plans or the zoning ordinance.
- (4) **Free Speech.** Ensure that the constitutionally guaranteed right of free speech is protected and allow signs as a means of communication.
- (5) **Reduce Conflict.** Reduce conflict among signs and light and between public and private information systems.
- (6) **Business Identification.** Allow for adequate signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
- (7) **Foster Economic Development.** Ensure that signs are located in a manner that does not cause visual clutter, blight, and distraction, but rather promotes identification and communication necessary for sustaining and expanding economic development in the city.
- (8) **Recognize Unique Areas.** Acknowledge the unique character of certain districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas.
- (9) **Discontinue Nonconforming Signs.** It is the intent of this ordinance that all nonconforming signs remaining in the city at the time of its adoption be removed or replaced as sites and signs around the city are altered.

36-2 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Abandoned sign* means a sign which no longer relates to the premises where such sign is displayed or any sign not repaired or maintained properly, after notice, pursuant to the terms of this article.

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- (2) *Add-on sign* means a sign that is attached as an appendage to another sign, sign support, and is intended to draw attention to the goods and services available on the premises.
- (3) *Animated sign* means a sign manifesting either kinetic or illusionary motion occasional by natural, manual, mechanical, electrical or other means.
- (4) *Accessory sign* means a sign which pertains to the principal use of the premises upon which the sign is located.
- (5) *Awning* means a roof-like structure made of canvas or similar materials, stretched over a frame and attached to a wall of a building that may or may not include a sign.
- (6) *Banner sign* means a sign on paper, cloth, fabric or other combustible material of any kind, either with or without frames, intended for temporary use.
- (7) *Business frontage* means the length of the portion of a building facing a street abutting to the premises on which the business is located.
- (8) *Canopy* means a permanent roof-like shelter extending from part of or all of a building face over a public access area. Canopies can be constructed of cloth, metal, wood, or other materials.
- (9) *Changeable copy/reader board sign* means a sign or portion thereof with characters, letters or numbers that can be changed or rearranged without altering the face or the surface of the sign.
- (10) *Development identification sign* means a sign or entranceway structure identifying by name a multi-family development, condominium, or subdivision.
- (11) *Digital/electronic sign* means a sign that uses changing lights or other electronic media to form a commercial or advertising function wherein the sequence of messages and the rate of change is electronically programmed and can be modified by an electronic process. Video display signs, automatic teller machines, real estate display signs and the like shall be considered synonymous with digital/electronic signs.
- (12) *Eave line* means the line between the two lowest points of intersection of the top of a wall and the eave, or edge of the roof. The eave line is an imaginary line drawn across the wall on a gable end, and is not a roofline, which is the line of intersection the wall has where it abuts the roof.
- (13) *Freestanding Sign* means any sign which has a supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.
- (14) *Grade* means the average change in elevation at the base of the structure in relation to the surrounding area. Grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.
- (15) *Illuminated sign* means a sign which has characters, letters, figures, or designs which are illuminated either internally or with external shielded lights (see appendix).
- (16) *Nonconforming sign* means any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this article, and any amendments thereto, and which fails to conform to any applicable regulations and restrictions of this article, or a sign for which a permit was previously issued that does not comply with the provisions of this article.
- (17) *Off-premises sign* means a sign which contains a message unrelated to a business or profession conducted on the subject property or which relates to a commodity, service or activity not sold or offered upon the premises where such sign is located.
- (18) *On-premises sign* means a sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic into or from the premises.
- (19) *Panel change* means replacing the internal sign panel while maintaining the existing sign structure.
- (20) *Periodic change sign* means a sign where the wording, image, description, display or illustration changes at regular intervals of time.
- (21) *Pole sign* means a sign which is mounted permanently in the ground on a single or double pole and elevated above the established grade (also known as pylon sign).
- (22) *Portable sign* means a sign that is freestanding, not permanently anchored or secured to a building and not having supports or braces permanently secured in the ground, including but not limited to, sandwich signs, A-frame signs, inverted "T" signs, and signs mounted on wheels so as to be capable of being pulled by a motor vehicle.
- (23) *Premises* means any site on which the development under consideration is located.
- (24) *Projecting sign* means a sign that extends perpendicular to a wall surface.
- (25) *Roof sign* means a sign which is erected, constructed and maintained on or above the roof of a building or any portion of such building.
- (26) *Roofline* means the edge of a roof or parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or other minor similar projections.
- (27) *Sign* means a structure which includes a name, identification, image, description, display or illustration affixed to, painted or represented directly or indirectly upon a building, structure or parcel of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business,

and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

- (28) *Sign setback* means the minimum distance of a sign from property lines or public rights-of-way. Such distance will be measured from the portion of the sign structure nearest to such specified line. For the purpose of this measurement, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.
- (29) *Site* means a recognized parcel or collection of parcels proposed for a single development or containing existing or proposed development. A site can consist of more than one parcel of land. A multiple tenant development on a series of individual parcels constitutes a single site.
- (30) *Suspended sign* means a sign mounted under an awning or canopy directed to pedestrians and usually mounted perpendicular to the façade it means to identify.
- (31) *Temporary sign* means a sign which is not constructed or intended for long-term use or permanently mounted or affixed to the ground, a building, or a structure.
- (32) *Wall sign* means a sign that is directly attached to a wall of a building and neither extends more than 12 inches from the wall nor projects above the roofline.
- (33) *Window sign* means a sign affixed to the interior of the window, or exterior if etched into the glass.

36-3 General Regulations

- (1) Applicability. The regulations of this section shall apply to all signs visible from a public right-of-way, private road, public park or residentially zoned property. Directional, emergency, or traffic-related signs owned by city, county, state or federal government agencies are not regulated by this ordinance.
- (2) Sign Permits. It shall be unlawful to construct, display, install, change or cause to be constructed, displayed, installed, or changed, a sign requiring a permit upon any property within the city without first obtaining a sign permit.
 - a. Signs Not Requiring a Permit. The following signs are permitted, pursuant to the standards herein, without a sign permit in all zoning districts where the principal permitted use to which they are related is a permitted principal, accessory or special approval use in that district:
 - i. Wall signs not exceeding two square feet in area.
 - ii. Traffic or municipal signs, including, but not limited to, the following: legal notices, historic site designations, municipal facility directional signs, street or traffic signs, and danger and other emergency signs as may be approved by the city council or any federal, state or county agency having jurisdiction over the matter of the sign. Such signs may be located in any zoning district. However, all signs on governmental property on which a municipal building is located shall meet the requirements in section 36-9.
 - iii. Community special event signs approved by the city council or its designee.
 - iv. Freestanding temporary signs six square feet or fewer in area, as regulated herein.
 - v. Window signs
 - b. Permit Required. The following signs shall require a permit:
 - i. Wall signs.
 - ii. Freestanding signs.
 - iii. Temporary signs over six square feet in area
 - c. Application for Permit. An application for a sign permit shall contain, at a minimum, the following information:
 - i. Name, address, and contact information of property or establishment owner
 - ii. Name, address, and contact information of sign installer
 - iii. Address of property where signs is proposed to be installed
 - iv. Complete dimensions of all proposed signs, including height of the signs and its supports or base for ground signs, and distance to ground or projecting signs
 - v. Method of illumination
 - vi. Method of mounting
 - vii. Method of electrification/path of underground wires
 - viii. To-scale illustrations showing the colors and proportions of all sides of the sign
 - ix. Setbacks to property lines and other structures on the site, where applicable
 - x. Location of proposed sign on the property of building façade
 - xi. Area of building façade and setback to building, where applicable
 - d. Permit Approval. Sign permits shall be issued by the Building Department upon application by the owner of the property or authorized designee. Signs shall be identified and adequately described on any site plan

submitted for review to the city. The building official shall review and issue permits for signs only when such signs are in compliance with this chapter. However, the building official always reserves the right to refer any sign permit request to the planning commission.

- e. Review Process. Where a sign is proposed at the time of application for site plan approval, the planning commission shall be responsible for the review and approval of sign plans as part of a concurrent site plan and/or special land use review. The planning commission shall also be responsible for ensuring that signage is identified and adequately described on any site plan, and that such signage meets with the requirements of this chapter. Planning commission approval of a site plan having signage as part of the approved development shall not necessarily guarantee the issuance of a sign permit from the building official. During administrative review, the building department shall have the authority to send any application for a sign to the planning commission for its review and approval prior to the issuance of the permit from the building official.

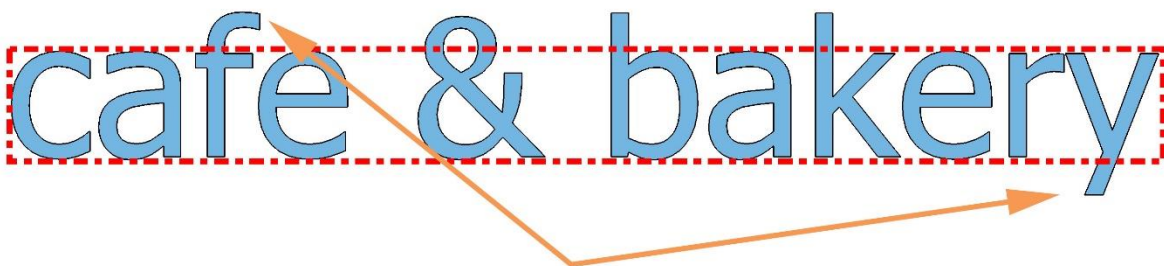
(3) Prohibited Signs. The following signs are prohibited:

- a. Signs which incorporate in any manner any flashing or moving lights, including strobe lights, whether they are mounted indoors or outdoors, if they are visible from the outdoors.
- b. Animated signs or any sign which moves or has any moving or animated parts, or images, whether the movement is caused by any mechanical, electronic or electrical device or wind or otherwise, including swinging signs and strings of flags or streamers, or cloth flags moved by natural wind. Such a prohibition shall not pertain to public message signs on governmental property.
- c. Any sign which by reason of its size, location, content, coloring, intensity, or manner of illumination constitutes a traffic hazard or a detriment to traffic safety by obstruction of visibility of any traffic sign or control device on any public street or road.
- d. Signs designed to mimic official traffic control devices.
- e. Signs which make use of words such as "stop," "look," or "danger" or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse drivers of vehicles traveling upon any highway, driveway or parking area.
- f. Any sign or other advertising structure or display which conveys, suggests, indicates or otherwise implies by pictures, drawings, words, emblems, logos, or other communication methods the following:
 - i. Human genitalia.
 - ii. Specified sexual activities as defined in article X, zoning, division 22, section 34-1131[sic] of the land development regulations.
 - iii. Adult nude human bodies.
 - iv. Obscene words.
 - v. Obscene gestures.
- g. Unlawful motor vehicle signs. It shall be unlawful to park, place, or store a vehicle or trailer on which there is a motor vehicle sign on private property if:
 - i. The motor vehicle sign is attached to a vehicle or trailer that is unregistered or not operable;
 - ii. The motor vehicle sign is larger in any dimension than or extends beyond any surface of the vehicle or trailer to which it is attached;
 - iii. The motor vehicle sign is attached to a vehicle or trailer that is parked or stored in a public right-of-way or an area not designed, designated, or commonly used for parking;
 - iv. The motor vehicle sign is attached to a vehicle or trailer that is regularly parked or stored in a "front yard" or "side yard," as such terms are defined in the zoning ordinance, that abuts a street, when there are other areas of the property designed, designated, or available for the parking or storage of the vehicle or trailer that are not visible from the street or do not abut streets; or
 - v. The motor vehicle sign is attached to a vehicle or trailer that is regularly parked or stored within fifty (50) feet of a street, when there are other areas of the property designed, designated, or available for the parking or storage of the vehicle or trailer that are more distant from the street or not visible from the street.
 - vi. The foregoing prohibition shall not apply if the vehicle is temporarily parked in a particular location in the course of conducting personal activities or business activities that involve the

loading or unloading of goods for customers, providing services to off-site customers, conducting off-site business, or engaging in work breaks; provided:

- (1) The activities in subsection (vi), above, are being actively undertaken during the period of such parking;
- (2) The activities in subsection (vi), above, require the presence of the vehicle for purposes of transporting equipment, people, supplies and/or goods necessary for carrying out such activities; and
- (3) The activities in subsection (vi), above, are not, other than incidentally, related to advertising, identifying, displaying, directing, or attracting attention to an object, person, institution, organization, business, product, service, event or location.

- h. Bench signs.
 - i. Roof signs.
 - j. Portable signs, except as provided in section 36-6.
- (4) Locational Requirements.
- a. No sign (or any pole or support cable of any nature), except those established and maintained by the city, county, state, or federal governments, shall be located in, project into, or overhang a public right-of-way or dedicated public easement, unless otherwise authorized in this article.
 - b. No sign above a height of 30 inches shall be located within, project into, or overhang the triangular area formed at the intersection of any two street right-of-way lines, existing or proposed, by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection, unless visual under clearance can be ensured on the plans. These standards shall also apply to the intersection of private drives with public streets, except that the distance from the point of intersection shall be 20 feet and distance along the driveway shall be measured along the edge of the driveway (along back of curb if curb is provided).
 - c. No sign shall be erected so that any part, including cables, guys, etc., will be within ten feet of any electrical conductor, electric light pole, streetlamp, traffic light, or other public utility pole or standard.
 - d. No sign shall be attached to any utility pole, tree, fence, screening wall, or curb.
 - e. No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- (5) Measurement of Sign Area. Sign area shall be measured as follows:
- a. Wall Signs, including signs on canopies and awnings. The area of a permanent wall sign shall be the total square footage of a rectangle or rectangles enclosing the extreme limits of writing, representation, emblem, or any figure or character, or of any internally illuminated area. Any single row of text shall be grouped into one continuous rectangle. Ascenders and descenders from lowercase letters that extend up to 25% of

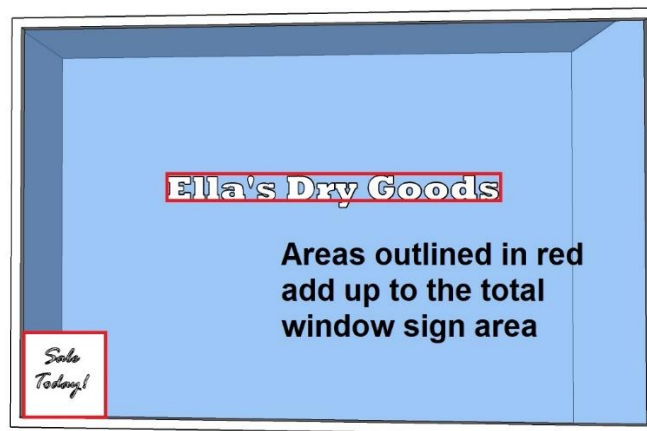


the average letter height beyond the sign area rectangle do not count toward the total sign area calculation.

- b. Freestanding Signs. The area of a permanent ground sign shall be the total square footage of the display area, measured on one side of the sign. The supporting base or uprights supporting the sign shall not be considered part of the sign area.



- c. Temporary Signs and Window Signs. The area of any temporary sign or window sign shall be the square footage of rectangle enclosing the extreme limits of the sign, including all background elements, regardless of opacity, except that the supporting elements of a temporary freestanding sign are not considered part of sign area.



- (6) Measurement of Sign Height. Sign height shall be measured as follows:
- Sign height* is the measurement to the top point of the sign structure from the finished elevation of the sidewalk nearest to the sign for ground signs located at the right-of-way; and the measurement to the top point of the sign structure from the average elevation at the base of the sign for all other signs.
- (7) Landscape Requirements. Landscaping shall be provided and maintained around the base of any freestanding sign, provided that such landscaping does not obscure the sign. Landscaping may include planter boxes and shall be maintained in accordance with Section 34-5.15 of the Zoning Ordinance.
- (8) *Liability insurance.* If the vertical distance of a sign above the street is greater than the horizontal distance from the sign to the street right-of-way line and is so located as to be able to fall or be pushed onto or impact public property in any manner, then the owner of such sign shall keep in force a public liability insurance policy in the amount of \$100,000.00 for injury to one person and \$300,000.00 for injury to more than one person and property damage insurance in the amount of \$25,000.00 for damage to property. In lieu of an insurance policy as required in this subsection, an owner may present satisfactory proof to the city attorney that such owner is financially capable of self-insurance in the amounts described in this subsection.
- (9) Illumination. All signs shall meet the following illumination standards:
- Signs shall not be illuminated by uplighting.
 - Signs shall not be framed by LED light strings.
 - No sign shall be illuminated by other than approved devices, and in no case shall any open spark or flame be used for display purposes unless specifically approved by the city planning commission.
 - All illuminated signs shall be so arranged or shielded so as not to interfere with the vision of persons on adjacent thoroughfares and properties.

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- e. In no event shall light from an illuminated sign shine directly on adjacent property which is used for residential purposes. Light levels from illuminated signs shall not exceed 0.3 footcandles at the residential property line (measured at five feet above grade).
- f. Wall signs in residential districts shall not be internally illuminated.
- (10) Addresses. All properties shall display a street address visible and legible from the public right-of-way.
- (11) Substitution of Non-Commercial Messages. Any sign permitted under this ordinance may contain either a commercial or non-commercial message.
- (12) Legibility and Design. The minimum height of all letters and numbers on a freestanding sign shall be as follows:

Posted Roadway Speeds	Minimum Letter and Number Height
40 mph or greater	6 inches
30-35 mph	4.5 inches
25 mph or less	3 inches

36-4 Regulations by Street Segment and Zoning District

- (1) Signs Permitted in the R-1, R-2, RM-1, and RM-2 districts.

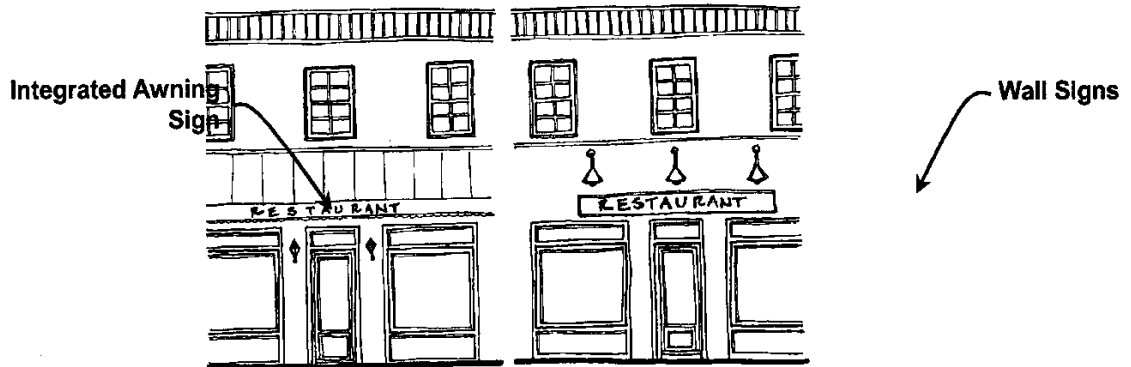
Table 36-4(1)			
Sign Type	Number	Area Maximum	Height Maximum
Development identification sign	One ground sign per entrance or one on each side of the entrance where mounted or integrated into an entrance monument	24 sq. ft.	6 feet (sign support shall not extend more than 2 feet from grade)
Ground signs for permitted non-residential uses	One ground sign for each developed site	24 sq. ft.	6 feet
Wall signs for permitted non-residential uses and residential towers in the RM-2 district only	One wall sign on the primary frontage	36 sq. ft.	Shall not project above the top of the wall

- (2) Signs permitted outside of R-1, R-2, RM-1, RM-2, CC, CMD, and CR districts for properties fronting on Rochester Road, Main Street, 14 Mile Road, Maple Road, Anderson Road, and Crooks Road.

Table 36-4(2)			
Sign Type	Number	Area Maximum	Height Maximum
Wall signs and awning or canopy signs	See Section 36-5	50 square feet; See wall sign area in section 36-5	Shall not project above the top of the wall
Ground signs	One for each developed site	32 sq. ft.	8 feet
Window signs	Two per window surface	25% of the total surface of the window to which the sign is affixed.	N/A

- (3) Signage in the City Center and CMD districts. The intent of these regulations is to foster a consistent district identity in the city's mixed-use center. Signs are permitted in the CC and CMD districts as follows:
- Banners promoting community events must comply with the standards adopted by the city council on July 20, 2004, or as amended.
 - All signs shall be designed so as to be integral and compatible with the architecture of the development of the building in terms of scale, color, materials, graphic design, typography, and lighting.
 - Wall/awning/canopy signs for ground floor commercial/retail, service and restaurant uses shall meet the following standards:

Wall Signs for Ground Floor Uses

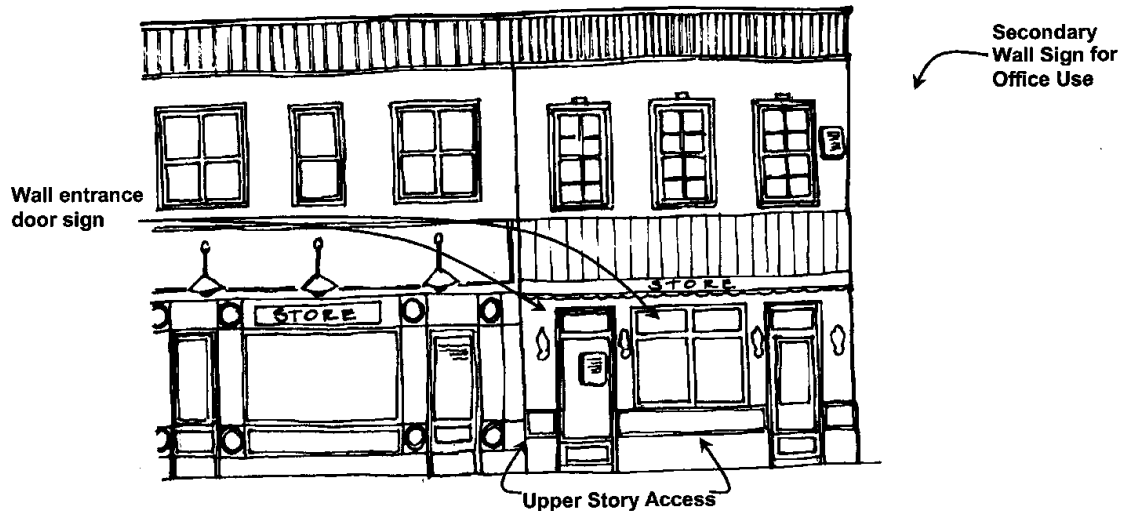


- Wall signs for all buildings fronting on Main Street or 14 Mile Road may be integrated into the awning. All others shall be flush mounted on the front face of the building.
- For businesses with a frontage of 50 lineal feet or less onto a public street, the wall/awning/canopy sign area shall measure no larger than 24 square feet per public road frontage. For businesses with a public street frontage of 51 lineal feet or greater, additional wall/awning/canopy signage of 0.5 square feet per lineal foot of frontage shall be permitted. A secondary sign of no greater than 12 square feet shall be permitted at the rear or side entrance.
- Wall signs may be internally or externally illuminated. Awnings may be internally illuminated provided the light source is completely recessed on the underside of the awning.
- Signage on awnings shall not be a decal or stick-on sign.
- Signs may be mounted on top of flat metal awnings or canopies. Such signs may project up to 12 inches above the top of the awning or canopy.



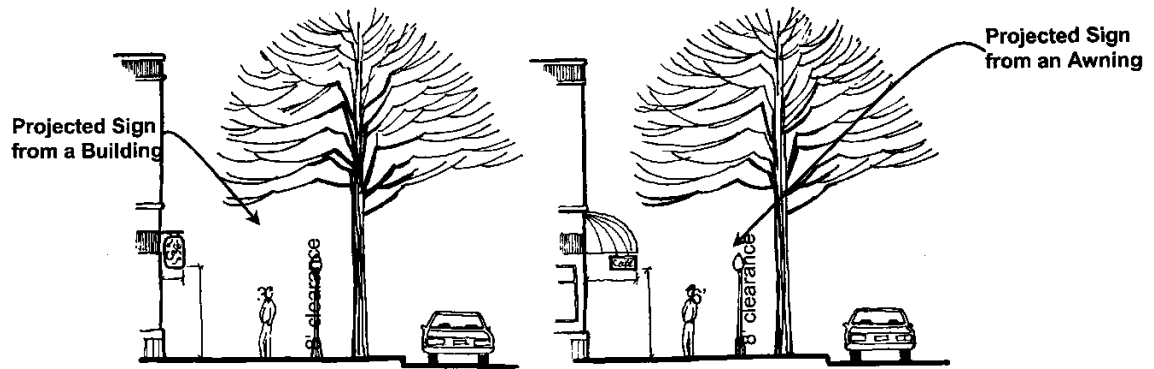
- Wall signs for upper floor uses shall meet the following standards:

Wall Signs for Upper Floor Uses



- i. When access to the upper-floor uses is exclusively from the front of the building, one wall sign shall be placed on or within two feet of the entrance door and shall measure no larger than two square feet.
- ii. When the access to the upper-floor uses is exclusively from the rear of the building, one wall sign shall be placed on or within two feet of the entrance door and shall measure no larger than two square feet. For non-residential uses only, a secondary wall sign of no greater than six square feet in area may be placed on the front of the building adjacent to the nearest driveway.
- iii. Where an entrance leads to multiple tenant spaces, an additional two square feet of signage is permitted within the permitted locations above, and may be used to identify multiple tenants.
- e. Window signs are permitted as follows:
 - i. The total sign area shall not exceed more than 25 percent coverage or the total ground floor window area.
 - ii. The sign shall not obstruct visibility into the building.
 - iii. Window signs shall be etched, painted, or professionally adhered to the window.
 - iv. When the lettering or images that comprise the sign are not placed on an opaque background and provide greater than 50% transparency, the sign may be placed anywhere on the window. Opaque window signs that conceal the view into the building shall be limited to the bottom 12 inches of the window pane only.
 - v. Maximum letter height shall not exceed 12 inches.
- f. Indoor electronic signs, including but not limited to neon and LED signs, within four feet of a window shall be permitted subject to the following conditions:
 - i. The cables, conduits, electrical wiring and other parts are hidden from view of the window.
 - ii. No more than one sign shall be permitted per business.
 - iii. Each sign shall not exceed two square feet in area.
 - iv. No permit shall be required, provided the sign is UL listed and has a 110-volt maximum input.
 - v. Such signs shall be illuminated only while the business is open to the public and shall be turned off within one-half hour of the close of business.
 - vi. The signs may not flash, blink, oscillate, rotate, animate, chase or intermittently turn on and off. Signs that change messages shall not change more often than once every ten seconds.
 - vii. The intensity of illumination shall be adjusted based upon the time of the day to avoid excessive brightness and glare. A sign for which the city receives three or more complaints within a 30-day period shall be considered to be noncompliant and shall be adjusted.
- g. Projecting signs for ground floor uses are permitted as follows:

h. *Suspended or Projecting Signs for Ground Floor Uses*



- i. In addition to the wall signs noted above, buildings fronting on Main Street or 14 Mile Road may have one suspended or projecting sign.
 - ii. The maximum permitted size of a projecting sign is three (3) square feet.
 - iii. Projecting signs may project a maximum of three (3) feet into the public right-of-way.
 - iv. All projecting signs shall provide eight (8) feet of clearance between the lowest point of the sign and the ground below.
 - v. Buildings not fronting on Main Street or 14 Mile Road may request a suspended or projecting sign in lieu of a flush-mounted wall sign.
- i. Freestanding signs in the CC and CMD districts. The CC and CMD districts have many existing business establishments with nonconforming pylon/pole signs, which are contrary to the intent and image of the City Center area envisioned by the master plan and the design framework plan. While removal and replacement of existing nonconforming buildings with new built-to-line structures is encouraged, for existing buildings set back from the front property line, one of the following signage types shall be permitted in lieu of allowable wall signage. This provision shall not be applicable to new buildings, new construction or buildings located at the property line:
- i. *Monument signs.* A monument sign may be allowed when the planning commission determines that a wall sign would not be easily seen from the public street and there is sufficient area on the site to accommodate a freestanding sign.
 - ii. *Need.* The applicant shall provide line-of-sight diagrams to indicate that the location of buildings on adjacent parcels and/or the setback of the existing building reduce the visibility of any wall sign.
 - iii. *Location.* The sign may be located only along a site's frontage, adjoining a public street. Such sign may not be located in an easement or interfere with power lines or other utility systems.
 - iv. *Maximum area and height.* The sign shall be no more than 24 square feet in size per side and shall not exceed eight feet in height from grade to the top of sign.
 - v. *Design.* The design of a monument sign shall be consistent with the overall scale of the building. The design and placement of the sign shall not obstruct traffic safety sight areas.
 - vi. *Landscaping requirements.* Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 20 square feet of sign area = 40 square feet of landscaped area. The planning commission may reduce or waive this requirement upon demonstration of potential conflict with existing utilities or other non-self-created hardships.
 - vii. *Elevated monument signs.* Where the planning commission determines that a wall sign would not be easily seen from the public street and the typical monument sign standards would also result in illegibility due to physical conditions of the site, the planning commission may permit additional sign height.

- (4) Signage in the CR district. All signs permitted within the CR district shall be subject to the following requirements:
- All signs shall be designed so as to be integral and compatible with the architecture of the development and the adjacent buildings in terms of scale, color, materials, graphic design, typography, and lighting.
 - One sign shall be permitted per site. The sign may be either a wall sign compliant with item c. below or a freestanding sign compliant with item d. below.
 - Wall signs are permitted as follows:
 - The wall sign shall be flush mounted on the front face of the building.
 - The wall sign area shall measure no larger than 12 square feet.
 - Wall signs, if illuminated, shall not be internally lit.
 - Freestanding signs are permitted as follows:
 - Freestanding signs shall be no taller than four feet and located no less than five feet from the public road right-of-way unless a greater setback is required to satisfy the clear vision requirements of this ordinance.
 - The freestanding sign area shall measure no larger than 8 square feet.
 - Freestanding signs shall have no more than two sides.
 - Freestanding signs, if illuminated, shall not be internally lit.

36-5 Specific Regulations for Permanent Signs by Sign Type

- (1) Freestanding Signs.
- Supporting structures shall be constructed of materials that blend with the surrounding environment or shall be painted a neutral color to blend with the surrounding environment.
 - Corner lots. Corner lots shall be permitted to have a second ground sign provided the area is no more than 50 percent of the total permitted ground sign area.
 - Electronic display areas. The City of Clawson recognizes that electronic display areas can be an effective means of communication, and that these signs are becoming more common. The City also recognizes that these display areas can pose unique safety hazards and can also create a nuisance if improperly aimed, overlit, or casting light that changes frequently. As such, a review of the recommendations of the Illuminating Engineering Society of North America (IESNA) regarding digital sign brightness has been used to inform these standards. Electronic display areas shall be permitted as follows:
 - Electronic display areas shall be permitted to occupy up to one third of the permitted freestanding sign area on any primary freestanding sign when a property has frontage on Crooks Road, Maple Road, 14 Mile Road, Rochester Road, or Main Street and is located outside the R-1, R-2, RM-1, CC, CMD, and CR districts.
 - Electronic display areas shall automatically dim. The brightness of such display areas shall be limited to 0.3 footcandles above ambient light conditions, as measured five feet above grade at the right-of-way line from the distances in the following table:

Table 36-5(1)c.ii. Brightness of Electronic Display Areas	
Size of Display Area	Measuring Distance
16 square feet or less	40 feet
Greater than 16 square feet	48 feet

Ambient light levels shall be established by taking a measurement pointed at the sign while the sign is not turned on.

- Electronic display areas shall be switched off completely after 11pm (or 30 minutes after the close of business, whichever is later), and remain off until one hour before sunrise.
 - Signs shall be programmed to go dark in the event of a malfunction.
 - The content of the electronic display area shall not feature motion or animation. Any and all portions of the message shall remain static for a minimum of thirty (30) seconds. The change from message to message shall be instantaneous.
 - The background of the electronic display shall not be white.
 - Electronic displays shall not mimic traffic controls.
 - See Section 36-3 regarding illumination.
- (2) Wall Signs
- Flush mounting of wall signs. Wall signs shall not project beyond or overhang the wall, or any permanent architectural feature, by more than 18 inches, and shall not project above or beyond the highest point of the roofline or parapet.
 - Placement. Total permitted wall sign area may be distributed across the front façade and secondary façades that do not face residential districts.

- c. Area. The maximum total permitted area of all wall signs is based on setback and the width in feet of the longest side of the building facing a parking lot, private drive, or road. The total square footage for wall signs, awning/canopy signs or combination of both in a given setback range shall be determined by multiplying one square foot by the total feet in width of the building or legally occupied tenant space. The total wall sign area shall not exceed the permitted maximums established by the following table.

Table 36-5(2)b.	
Setback from Right-of-Way of Structure to which Wall Sign will be Affixed	Area Maximum per Building or Tenant Space
0 feet to 149.0 feet	1 square foot per linear foot of building or tenant space frontage, up to 50 square feet
150 feet to 299.9 feet	1 square foot per linear foot of building or tenant space frontage, up to 100 square feet
300 feet to 449.9 feet	1 square foot per linear foot of building or tenant space frontage, up to 150 square feet
450 feet or greater	1 square foot per linear foot of building or tenant space frontage, up to 200 square feet

- d. Rear entrance signs. In all districts outside of the R-1, R-2, RM-1, and RM-2 districts, a secondary sign of no greater than 12 square feet shall be permitted at the rear entrance. A rear entrance sign shall not be illuminated when the rear entrance faces a residentially zoned parcel not separated from the subject parcel by a street.
- e. Wall sign bonuses.
- When a freestanding sign is infeasible. In all districts outside of the R-1, R-2, RM-1, RM-2, CC, and CMD districts, in the event that a freestanding sign otherwise permitted by the chapter cannot be located in compliance with the location requirements of the chapter due to existing natural or manmade features, proximity to an existing sign or otherwise, additional wall sign area may be awarded above the permitted maximum wall sign area of Table 36-5(2)b. This bonus may only be applied when the applicant, in the course of seeking a sign permit, has satisfactorily demonstrated that the development of an otherwise permitted freestanding sign is not possible in compliance with other provisions of this chapter. The wall sign area bonus shall not be greater than 24 additional square feet beyond that permitted by Table 36-5(2)b.
 - Corner lots. Where a lot fronts on two thoroughfares (defined as Crooks Road, 14 Mile Road, Main Street, Rochester Road, and Maple Road for the purposes of this provision), both façades facing the thoroughfare shall be permitted the maximum wall sign square footage permitted in Table 36-5(2)b. Where a lot is located on a corner, and the second right-of-way is not a thoroughfare as defined in this provision, the corner lot shall be permitted 150 percent of the otherwise permitted total maximum wall sign area.
- f. Awnings and canopies. Awning or canopy signs shall be counted toward the permitted area for wall signs.
- g. Additional signs. Additional signs shall be permitted on non-residential sites as follows:
- Additional signs shall not exceed 2 square feet in area.
 - Additional signs may be located on a wall in addition to otherwise permitted wall signage, or may be freestanding. Freestanding additional signs shall not be located closer than two feet to a driveway and shall not exceed 36 inches in height.
 - At one-way driveways only, one directional sign indicating the direction of travel is permitted.
 - Within a site, up to two additional signs are permitted per half-acre of property within a side yard or rear yard. Such signs are not permitted in front yards.
- h. Landmark signs. The City of Clawson recognizes that, in some cases, it may be desirable to approve signage that does not otherwise fit within the regulations of this ordinance in order to enhance or preserve the character of a district, recognize the history of a given site, or create a community landmark. Therefore, it is the intent of the City to permit landmark signs in certain limited circumstances as follows:

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- i. Process. All landmark signs are subject to site plan review and approval by the Planning Commission, in accordance with the standards for site plan review of the Clawson Zoning Ordinance; landmark signs may also be approved as part of a larger site plan.
- ii. Locations. Landmark signs may be considered and approved in the following locations:
 1. Within the CC and CMD districts on property directly fronting on 14 Mile Road or Main Street.
 2. Within 100 feet of the boundary of the city at the corner of Crooks Road and 14 Mile Road, the corner of 14 Mile Road and Rochester Road, the corner of Crooks Road and Maple Road, the corner of Maple Road and Main Street, or on South Main Street.
- iii. Mandatory criteria for approval. The Planning Commission shall not approve a proposed landmark sign unless it makes an affirmative finding on each of the following criteria:
 1. The sign shall not be injurious to the public, health, safety and welfare.
 2. The location and scale of the sign will be compatible with adjacent uses.
 3. The sign is designed to be durable, and an acceptable plan for its maintenance has been submitted to the city.
- iv. Other criteria for approval. The Planning Commission shall not approve a proposed landmark sign unless it makes an affirmative finding that a minimum of one of the following criteria for review are met:
 1. The sign preserves, revives, or restores a documented historical element of the site.
 2. The sign enhances the municipal identity of the City of Clawson or provides a gateway feature for the City or its downtown.
- v. Conditions of approval. The Planning Commission may place conditions on its approval that it finds to be consistent with the protection of the health, safety, and welfare of the city, its residents, and visitors.

36-6 Temporary Signs

- (1) **Temporary A-Frame Signs.** Temporary A-frame signs are permitted for ground floor uses in the CC, CMD, and CR districts, subject to the following:
 - a. The total A-frame sign structure (which includes any sign copy and the remaining structure) shall not exceed twelve (12) square feet per side.
 - b. The height of the sign structure, which includes the sign panel and the support structure, shall be no greater than four (4) feet in height as measured from the ground to the top of the full extent of the A-frame structure.
 - c. The A-frame sign shall be located within twenty (20) feet of the main entrance of the establishment placing the sign.
 - d. One (1) a-frame sign shall be permitted per establishment.
 - e. The A-frame sign shall not be placed in a corner clearance area, as regulated in [Section 34-5.11 of the Zoning Ordinance](#).
 - f. The sign shall not be illuminated in any manner.
 - g. Where the sign is placed on a sidewalk or within a public right-of-way, a minimum of five (5) feet of sidewalk width shall be kept free and clear to permit passage around the sign.
 - h. The sign must be stored inside when not displayed and shall not be displayed outside of operating hours of the establishment placing the sign.
 - i. The sign must be professionally constructed of weather-proof, durable material, and kept in good repair.
 - j. The sign shall not contain moving parts, or have balloons, windsocks, pinwheels, streamers, pennants, or similar adornment attached to them.
 - k. The sign shall be so weighted that it will not fall or move in wind conditions up to sixty (60) mph.
- (2) **Specific Regulations for All Other Temporary Freestanding and Temporary Wall Signs.**
 - a. Temporary signs shall be permitted as follows:

Table 63-6(2) Maximum Size, Maximum Height, and Permitted Type of Temporary Signs				
Use	Permitted Types	Max Area of All Temporary Signs	Max Area of Any Individual Sign	Maximum Height

Single Family Residential	Freestanding	10 square feet	6 square feet	4 feet
	Wall	6 square feet	6 square feet	Not located on any roof
Multiple Family Residential	Freestanding	24 square feet	12 square feet	6 feet
	Wall	24 square feet	24 square feet	Not located on any roof
Non-Residential Uses in R-1, R-2, and the RM districts	Freestanding	24 square feet	24 square feet	6 feet
	Wall	24 square feet	24 square feet	Not located on any roof
Non-Residential Uses in All Other Districts	Freestanding	24 square feet	24 square feet	6 feet
	Wall	24 square feet	24 square feet	Not located on any roof

- b. In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of sixty (60) days prior to until three (3) days after a city-designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to sixty-four (64) square feet in all districts. The maximum area of an individual sign remains as stated in the table above during this period.
- c. Display of temporary banners and temporary signs mounted on building walls (temporary wall signs) shall be limited to a total of twenty-eight (28) days per calendar year. Such signs shall not be displayed for any continuous period greater than fourteen (14) days.
- d. Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
- e. Temporary signs shall be subject to the maintenance standards of this ordinance.
- f. The maximum display time of freestanding temporary signs is 64 days unless additional time is granted under subsection (7) below. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days before the display of any temporary sign on the same zoning lot.
- g. When all or a portion of a building or land area on a zoning lot is listed for lease, the maximum display time of freestanding temporary signs and temporary signs mounted on buildings shall be ninety (90) days. When all or a portion of a building or land area on a zoning lot is listed for sale, the maximum display time of freestanding temporary signs for all uses and temporary signs mounted on buildings for all uses except residential uses shall be the duration the building, building unit or land is listed for sale. In all cases, the sign area limits in Table 36-6(2) apply.
- h. Temporary signs shall not be attached to a tree, bush, or any other plant materials.
- i. Temporary signs shall not be placed in a public right-of-way.
- j. Temporary a-frame are regulated separately in Section 36-6(1).

36-7 Administration & Enforcement

- (1) Nonconforming Signs.
 - a. Nonconforming regulations established in the Zoning Ordinance for nonconforming structures shall not be applicable to signs which exist on the effective date of this chapter where such signs fail to comply with the provisions described in this chapter. The elimination of nonconforming signs is hereby declared to be a public purpose and a public service for the following reasons:
 - i. These signs constitute a nuisance to the city resulting from their incompatibility due to excessive size, poor location, relationship to existing structures, excessive quantity in a small geographic area, inadequate or inappropriately displayed message and volume;
 - ii. These signs are detrimental to the public health, safety and welfare arising from quantity, location, and bulk having an adverse or detrimental impact upon police and fire protection, causing confusion for motorists; and blocking signage of adjoining businesses;
 - iii. These signs are incompatible with the adopted zoning regulations governing sign location, size, placement and features which have been deemed adequate for commercial enterprise;

- iv. Technological advancements in signage have created the opportunity to locate businesses quicker, minimize maintenance, enhance safety and decrease the size requirements;
 - v. Readability is limited due to the ill-proportioned nature of many older nonconforming signs; whereas existing advanced technology often times allows instantaneous information or format enhancing readability;
 - vi. Age has resulted in the physical deterioration of such signage, harming the aesthetic quality of the city, and creating potential safety hazards.
- b. Nothing in this chapter shall relieve the owner or user of a nonconforming sign, or the owner of property on which the nonconforming sign is located, from the provisions of this chapter regarding safety and maintenance of the sign.
 - c. Whenever an addition or modification to an existing site requires submittal and approval of a site plan pursuant to section 6.1 of the Zoning Ordinance, all nonconforming signs on the site shall be brought into conformance with the provisions of this chapter.
 - d. Whenever a sign permit is sought for any sign on a site with nonconforming signs, all signs shall be brought into compliance with all applicable standards of the Sign Ordinance.
 - e. Ninety days following the cessation of any business or related activity, a nonconforming sign shall lose its legal status and shall be removed and/or brought into compliance. Noncompliance within 30 days after notice shall authorize the building official to initiate removal of the sign structure and assess all costs against the owner of the property.
 - f. A nonconforming sign that is moved on a site shall thereafter conform with all applicable sign regulations.
 - g. Should a nonconforming sign be destroyed by any means to an extent of more than 50 percent of its fair market value, it shall be reconstructed only in conformity with all applicable sign regulations.
 - h. The failure to remove such signs after notice to do so shall authorize the city to issue the appropriate citation or take necessary action to remove such signage at the expense of the property owner or lessee. Any citation issued under this chapter 36 shall upon conviction, be punishable by a fine of \$500.00 and reimbursement to the city of its actual cost, fees and expenses in seeking the removal of the offending structure.
- (2) Applicability of State Construction Code
- Except as otherwise indicated in this chapter, the regulations of the State Construction Code as adopted by the city shall apply to signs. Where the provisions of this chapter are more restrictive in respect to location, setback, use, size or height of signs, the limitations of this chapter shall take precedence over the regulations of the State Construction Code.
- (3) Removal of Signs. When a sign is removed, such removal shall be in accordance with the following, as applicable:
- a. All supports and footings shall be removed along with the sign, and the ground returned to a state approximately similar to its condition prior to the installation of the sign.
 - b. Any electrical service to the removed sign, if not removed, shall be properly capped and safely maintained, with the power supply turned off.
- (4) Maintenance of Signs
- a. Signs, including the face, framing and all supports thereof, shall be kept and maintained in a safe condition, shall be adequately protected against corrosion and shall conform to all the provisions of this chapter.
 - b. Signs which are broken, torn, bent or whose supports are broken, bent or damaged, and signs that are not reasonably level and plumb shall be repaired and re-installed in a manner prescribed by the Building Official or his/her designee, and in compliance with this ordinance.
 - c. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code. Failure to comply with this section may result in action by the Building Official or his/her designee to rescind the permit with subsequent removal of the entire structure.
 - d. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, rippled or peeling paint, poster paper or other material for a period of more than 30 successive days.
 - e. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than 30 successive days, unless determined by the Building Official or his/her designee to pose a safety hazard, in which case immediate action may be required.

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- f. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.
- g. An internally illuminated sign shall not be allowed to stand with only partial illumination for a period of more than 30 successive days.
- h. Any sign erected or displayed without a permit or any sign which does not comply with the provisions of this chapter shall be deemed a hazard to the safety of the public and is declared to be a public nuisance and may be abated by removal without notice.

(5) Appeals.

- a. The Clawson Zoning Board of Appeals shall be authorized to hear appeals from an interpretation or administrative decision of an official of the city regarding any sign regulation. The zoning board of appeals shall consider the following standards when considering whether a variance should be granted, and the board or appeals' finding on each question shall be documented and factually supported as part of any motion made on the application:
 - i. The sign will not cause confusion or mislead the public.
 - ii. The sign appearance is compatible with the visual character of the surrounding area, e.g., scale and placement to the building, relationship of color to adjacent colors, dissimilarity of shape to other signs in the surround area, dissimilarity of lettering to other signs in the surrounding area.
 - iii. The sign is legible from its intended location.
 - iv. The sign's placement on the building is compatible with the building's architectural features, including the primary entrance.
 - v. The sign can be viewed with comfort by pedestrians.
 - vi. If located on the ground, the proposed sign is outside the clear vision triangle and presents no obstruction to vehicles entering and exiting the site.
 - vii. The location of the sign does not obscure the establishment's interior or its merchandise.
 - viii. The proposed sign does not significantly depart from the applicable provisions of the chapter.
 - ix. The sign has no visible guy wires or cables,
 - x. The proposed sign is proportional to the other features of the site and/or building.
 - xi. The source of illumination is hidden from view, glare is sufficiently shielded, electrical raceways are not exposed, and the lighting is compatible with surrounding light sources.
 - xii. The signage proposed as the basis for the appeal does not result in the perpetuation of a nonconforming sign, or reduces an existing nonconformity.
 - xiii. A sign variance may further be granted in those instances in which there has been a demonstrated showing by the applicant that the particular sign sought to be approved is suitable to the community or has some value that comports with the history/development of the community and would not, if a variance were granted, be materially in conflict with the applicable regulations for the district in which the sign is located.
- b. *Appeals.* Any applicant denied relief hereunder has the right to an appeal per section 34-543 to the Oakland County Circuit Court within the applicable limits established by this chapter or state law. Such an appeal will be limited to a showing the basis of the decision from which the appeal has been taken is contrary to law or is not supported by the competent, material or substantial evidence sought as the basis for the variance.

36-8 Repealer.

This Ordinance hereby repeals any ordinances in conflict herewith.

36-9 Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

36-10 Severability

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

DATE OF EFFECT.

The Clawson City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take full force and effect ten (10) days after the date of publication.

This ordinance was adopted by the City Council of the City of Clawson at a meeting duly called and held on the 21st day of February 2023, and ordered to be published as prescribed by the law.

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and active City Clerk of the City of Clawson, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance made, passed, and adopted by the Council of said City at a regular meeting held in the Council Chambers, 425 N. Main Street, Michigan, on Tuesday the 21st day of February 2023 at 7:30 p.m., further this Ordinance was duly published in the February 25, 2023 edition of the Daily Tribune, a newspaper of general circulation in the City of Clawson.

Paula Millan, Mayor

August Gitschlag, City Clerk

Date: _____

Dated: _____