

## **ORDINANCE NO. 1635**

**AN ORDINANCE TO AMEND TITLE V, ZONING AND PLANNING, OF CHAPTER 45, ZONING ARTICLE 4, OF THE CODE OF THE CITY OF SOUTHFIELD, BY ADDING NEW SECTION 5.22-4 SIGNS AND LIGHTING.**

**THE CITY OF SOUTHFIELD ORDAINS:**

**THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY ADDING A NEW SECTION 5.22-4 SIGNS AND LIGHTING, TO TITLE V, ZONING AND PLANNING, OF CHAPTER 45, ZONING ARTICLE 4, WHICH SHALL READ AS FOLLOWS:**

### **SECTION 1. 5.22-4 SIGNS AND LIGHTING**

- (1) Necessary directional or regulatory traffic signs of not more than two (2) square feet (.186 square meters) each shall be permitted.
- (2) No moving or flashing parts or lights or devices, or stationary light bands, shall be permitted to surround windows or doors on either the interior or exterior of the building. All incandescent light sources shall be shielded from view from residentially zoned property. No lighting fixture shall be located or directed as to be a hazard to traffic safety.
- (3) Lighting that has motion either constantly or at intervals, or gives the impression of motion, characteristics of running, blinking, scintillating, or expanding, contracting or changing light patterns, shall be prohibited.
- (4) Nonconforming lighting: Any lighting which was unlawfully installed and maintained prior to the effective date of this Section and which fails to conform to all applicable regulations and restrictions of this Section must be removed or a variance sought from the Zoning Board of Appeals.
- (5) Accent lighting on buildings:
  - (a) Subdued accent lighting on buildings, such as indirect wall lighting, up lighting, and channelized lighting behind translucent lenses, shall be allowed provided:
    1. The lighting is an integral decorative or architectural feature of the building and not connected or gives the appearance of any connection to the overall signage of the project.
    2. The lighting may not be exposed and used only for back lighting allowing for partial exposure toward the building and not toward the street or adjacent properties.
    3. Approval process in all non-residential zoning districts.

- (6) Visible neon and fiber-optic lighting on buildings:
- (a) Visible neon, fiber-optic lighting, and similar lighting on buildings shall be allowed provided:
1. The lighting is an integral decorative or architectural feature of the building, and is used to accent three-dimensional architectural elements.
  2. Is not connected or gives the appearance of any connection to the overall signage of the project.
  3. Visible neon, fiber-optic, or similar lighting is permitted on any side of the building not facing residential districts and shall not count toward the maximum allowable sign area, provided:
    - a. The lighting does not exceed one (1) linear foot of neon or fiber-optic tube for each linear foot of building façade on the side of the building the tube is being placed upon.
    - b. Such lighting in excess of the aforesaid requirements shall be counted toward the project maximum allowable sign area.
    - c. Visible neon, fiber-optic, or similar lighting that exceeds the maximum linear footage noted in paragraph “a.” above shall be calculated as sign area square footage at a rate of .5 feet times the linear feet of the tube or tubes.
    - d. Visible neon, fiber-optic and similar lighting shall be allowed only in the City Centre and downtown development authority areas of the city, and properties immediately adjacent to and along the I-696, M-10 Lodge/Northwestern Highway, Telegraph Road and Southfield Fwy. corridors.
    - e. Visible neon, fiber-optic and similar lighting shall be allowed in all non-residential zoning districts.
- (7) Decorative lighting used for the celebration of recognized holidays shall be allowed in all zoning districts and is not subject to the above regulations.
- (8) Visible neon, fiber-optic lighting, and similar lighting shall be subject to recommendation by the Southfield Downtown Development Authority or the City Centre Advisory Board if located within their districts.
- (9) Shall be subject to the provisions of the development agreement if located within an overlay development district.
- (10) No such lighting shall exceed a brightness level of .3 foot candles above ambient light as measured using a foot candle (lux) meter at a preset distance. The measurement distance shall be calculated with the following formula:

Example using 1 square foot of lighting:

$$\text{Measurement distance} = \sqrt{(1 \text{ sq. ft.} \times 100)} = 10 \text{ ft.}$$

Light measurement shall be taken with the meter aimed directly at the lighting, or the area of the lighting emitting the brightest light.

(11) Maintenance

- (a) All signs and accent, visible neon and fiber-optic lighting shall be maintained in good working condition and shall remain fully illuminated, so as not to subject persons or property to any risk of personal injury or property damage. Any sign and accent, visible neon and fiber-optic lighting that is not so maintained at all times shall be termed a nuisance per Section 9.1 of the Southfield City Code and be subject to the penalties provided in Section 9.2, Abatement and paragraph (12) below.

(12) Penalties and enforcement

- (a) Any firm, corporation or person who violates any of the provisions of this chapter is responsible for a municipal civil infraction, and shall be subject to such penalties as are provided in Chapter 15, Section 1.703 of the Southfield City Code. Nothing in this paragraph shall be construed to limit the remedies available to the city in the event for a violation by a firm, corporation or person of this Chapter.

SECTION 2.

Should any section, clause, or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part declared to be invalid.

SECTION 3.

All ordinances or part of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4.

This Ordinance shall become effective upon passage and publication.

DONALD F. FRACASSI, Acting Mayor

NANCY L.M. BANKS, City Clerk

Introduced: 01/26/2015  
Enacted: 02/23/2015  
Published: 03/08/2015