



**GRAND RIVER CORRIDOR IMPROVEMENT
AUTHORITY MEETING**

**Thursday, April 13, 2023 – 8:00 a.m.
Conference Room A – City Hall
23600 Liberty Street
Farmington, MI 48335**

AGENDA

- 1. CALL TO ORDER**

- 2. APPROVAL OF AGENDA**

- 3. APPROVAL OF MINUTES**
 - A. March 9, 2023 Minutes**

- 4. DISCUSSION – PROPOSED CITY OF FARMINGTON CODE OF ORDINANCES TEXT AMENDMENT: CHAPTER 25, SIGNS**

- 5. PUBLIC COMMENT**

- 6. BOARD COMMENT**

- 7. ADJOURNMENT**

**CITY OF FARMINGTON
GRAND RIVER CORRIDOR IMPROVEMENT AUTHORITY
MINUTES
March 9, 2023**

CALL TO ORDER

The Farmington Grand River Corridor Improvement Authority meeting was called to order at 8:05 a.m. by Vice Chairman Carron.

Members Present: Accetura, Bowman, Carron, O'Dell, Thomas
Members Absent: Graham, King
Staff: Christiansen
Other: Iden Kalabat (Kalabat Engineering)

APPROVAL OF AGENDA

Motion by O'Dell, supported by Accetura to approve the agenda. Motion approved unanimously.

APPROVAL OF MINUTES

Motion by Accetura, supported by Thomasto approve the February 9, 2023 minutes. Motion approved unanimously.

CONCEPT PLAN REVIEW – BIGGBY COFFEE, 31806 GRAND RIVER AVENUE

Director Christiansen reviewed a proposed commercial redevelopment project with the Board. The project, Biggby Coffee, is intended to be developed on the existing vacant commercial property located at 31806 Grand River Avenue (former Paramount Health Care). Iden Kalabat, President of Kalabat Engineering, discussed the proposed project with the Board and answered questions. No action was taken.

PUBLIC COMMENT

None.

BOARD COMMENT

The Board asked questions and made comments about various development projects in the City.

ADJOURNMENT AT 9:05 am

CITY OF FARMINGTON

Article 25. - SIGNS

Sec. 25-1. - Purpose and Intent

Signs may be erected or maintained in the City of Farmington only as permitted by this article and subject to other restrictions contained in this Code. The sign regulations in this article are intended to balance the public and private interests and to promote a safe, well-maintained, vibrant, and attractive community while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information. The sign regulations of this article are intended to ensure that signs are located, designed, sized, constructed, installed, and maintained in a way that protects and promotes safety, health, aesthetics, and the public welfare while allowing adequate communication.

The following municipal interests are considered by the city to be compelling government interests. Each interest is intended to be achieved in a manner that represents the least restrictive means of accomplishing the stated interest, and in all events intended to promote an important government interest that would not be effectively achieved absent the regulation. Regulating the size and location of signage in the most narrowly tailored manner represents the least restrictive means of addressing the targeted government interests of avoiding nuisance-like conditions while maintaining and improving pedestrian and vehicular safety and efficiency; character and quality of life; economic development and property values; and property identification for emergency response and wayfinding purposes.

- A. **Pedestrian and Vehicular Safety.** Maintaining pedestrian and vehicular safety are predominant and compelling government interests throughout the city, with particular emphasis on the safety of pedestrians. The sidewalk network provides facilities for pedestrians in the city, even in automobile-oriented commercial areas. The city recognizes that pedestrian traffic in the commercial areas leads to retail sales and it serves a variety of business, entertainment, government, and residential uses in the districts. In addition, the City also accommodates automobile-oriented businesses and other land uses that generate motor vehicle trips.

Since most signage is intended and designed to attract the attention of operators of motor vehicles, thereby creating distractions from vigilance for traffic and pedestrian safety, this article is intended to regulate signs such as to reduce such distractions and, in turn, reduce the risk for crashes, property damage, injuries, and fatalities, particularly considering the rate of speed at which the vehicles are traveling in these districts.

1. The city encourages signage that will inform pedestrians regarding their desired locations without conflicting with other structures and improvements in these districts, while concurrently allowing effective signage for motorists. These interests are legitimately supported by limiting the maximum size of signage, providing setbacks where relevant, and specifying minimum-sized characters for efficient perception by motorists and pedestrians, while minimizing distractions that could put pedestrians at risk.
2. In some circumstances, adjusting the size, setback, and other regulations applicable to signage may be important to avoid confusion and promote clarity where vehicular speeds vary on busy thoroughfares.

3. In multi-tenant buildings and centers, it is compelling and important to provide distinct treatment with a gradation of regulation for individual identification depending on base sign size, amount of road frontage, and the like, all intending to provide clarity to alleviate confusion and thus additional traffic maneuvers, provide a minimum size of characters to allow identification, and maintain maximum-sized overall signage to prevent line-of-sight issues.
 4. Maximum size and minimum setback of signage is compelling and important to maintain clear views for both traffic and pedestrian purposes.
- B. **Character and Quality of Life.** Achieving and maintaining attractive, orderly, and desirable places to conduct business, celebrate civic events, entertain people, and provide for housing opportunities is directly related to the stability of property values needed to provide and finance quality public services and facilities within the city. This article intends to allow signs that are of sufficient, but not excessive, size to perform their intended function as necessary to provide and maintain the city's character and support neighborhood stability. Signs that promote potential vehicular and pedestrian conflict, hinder sight distance, and distract from the pedestrian experience will be prohibited in efforts to preserve the character and unique experience within the city. Also, the intent of this article is that signs will reflect the character of unique districts as may be established by the city's Master Plan, other adopted plans or the zoning article.
- C. **Economic Development and Property Values.** It is found and determined that there is a clear relationship between the promotion of a set of specifications and restrictions for signage and the promotion of economic development, recognizing that unregulated and haphazard determinations concerning the size, location, and other characteristics of signs has a realistic tendency to result in an appearance that reduces economic development, and, in the long-term, property values. In addition, the establishment of the restrictions in this article has a direct relationship to creating stability and predictability, allowing each private interest to secure reasonable exposure of signage, and thus promote business success. The application of the restrictions in this article allows businesses to reasonably command attention to the content and substance of their messages while concurrently allowing the promotion of other visuals, including types of business, landscaping, and architecture, all promoting economic development and property value enhancement.
- D. **Avoidance of Nuisance-Like Conditions.** Due to the concentration of people and activities, there is a potential for, and it is a compelling interest to avoid, blight, physical clutter, and visual clutter in the city, recognizing that such conditions tend to create nuisance-like conditions contrary to the public welfare. The result of these conditions leads to diminished property values, reduced attractiveness of the community, and reduced quality of life within the districts. Minimum regulations that substantially relate to signage are compelling and important and are necessary for the maintenance and well-being of positive conditions, good character and quality of life in the city. Ultimately, these regulations are compelling and important for the protection of all police power values.
1. An excessive number of signs in one location creates visual blight and clutter, as well as confusion of the public. Thus, limiting the number of signs on properties, and establishing setbacks from property lines is a compelling interest that can be directed with minimum regulation.

2. Signs that are too large and not properly spaced can lead to confusion, undermine the purposes of the signs, and ultimately lead to physical and visual clutter. Establishing maximum sizes and locations can be the subject of clear and effective regulations that address this compelling and important interest.
 3. Requiring minimum construction and maintenance specifications for signs can minimize the creation of blight and clutter due to the deterioration of signs that are not durable or otherwise well-constructed, and such regulations would be consistent with construction codes for other structures. These requirements can be enforced with efficient and low discretion application and review.
 4. The sign article is designed to prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views. There is a compelling governmental interest that signs avoid glare, light trespass, safety, and skyglow. A framework that enables the selection of proper fixture types and location, use of supportive lighting technology, and control of light levels in a reasonable fashion is consistent with regulations that are narrowly tailored to achieve the City's interests.
- E. **Property Identification for Emergency Response and Wayfinding Purposes.** Locating a business or residence by emergency police, fire, and other emergency responders can be a matter of life and death, and thus it is a compelling interest to ensure that proper, understandable, unambiguous, and coordinated signage be permitted and required, and specifications for such purposes can be accomplished in a simple and narrow manner. Wayfinding for vehicular and pedestrian purposes is also a compelling interest to avoid confusion in public rights-of-way, and unnecessary intrusions on private property, and sign specifications for such wayfinding can be coordinated with property identification for emergency purposes.
- F. **Protection of the Right to Receive and Convey Messages.** The important governmental interests contained herein are not intended to target the content of messages to be displayed on signs, but instead seek to achieve *non-speech* objectives. In no respect do the regulations of signage prohibit a property owner or occupant from an effective means of conveying the desired message. Nothing in this article is intended to prohibit the right to convey and receive messages, particularly noncommercial messages such as religious, political, economic, social, philosophical or other types of speech protected by the First Amendment of the United States Constitution.
- G. **Ease of Administration.** To have standards and administrative review procedures that are simple for property owners, tenants, and sign installers to understand and follow.
- H. **Consideration of Grand River Avenue Corridor.** Based on the Grand River Corridor Vision Plan, the city has adopted an overlay district intended to accomplish the goals of the Corridor Plan. The goals include: (1) to promote high quality development and redevelopment through the use of high-quality architecture and urban design elements/treatments that create a signature environment along the corridor; (2) creating a safe and enjoyable environment for walking and biking, public transit, and automobiles with minimal conflicts among users; (3) to enhance and support a balance of land uses in a vibrant and integrated development plan; (4) the creation of new public spaces that encourage community gathering and outdoor activity; (5) to create connections with surrounding areas that provide travel choices for people to move through the corridor, adjoining neighborhoods, centers of commerce and public spaces; and (6) to apply best management practices in environmentally responsible planning and construction. These goals are significant and must be taken into consideration in determining the appropriate

placements, type and size of signs. Signs have been limited in this area to ensure that any sign does not hinder visibility to driveways, intersection and streets, and to limit any potential negative impact on aesthetics and property values.

Sec. 25-2. - Definitions

The following words and phrases shall have the meanings set forth in this article when they are used in this article:

- A. **Sign Definitions, Sign Types.** The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:
1. **Air-Activated Signs.** A sign that is inflated by air or uses air flow to induce movement. Inflatable objects used for signs are often made of flexible fabric and are equipped with a motor to blow air into the object. Air-activated signs are typically temporary and are restrained, attached, or held in place by a cord, rope, cable, or similar method, but can be permanent.
 2. **Animated Sign.** A sign that has any visible moving part either constantly or at intervals; flashing, scintillating, intermittent, or oscillating lights; visible mechanical movement of any description; or other apparent visible movement achieved by any means that move, change, flash, oscillate or visibly alters in appearance to depict action, create an image of a living creature or person, or create a special effect or scene. This definition does not include Changeable Copy Signs and Electronic Message Center (EMC) Signs that comply with this article.
 3. **Awning Sign.** A permanent sign painted or screen printed on the exterior surface of an awning. An awning is a retractable or fixed shelter constructed of nonrigid materials on a supporting framework that projects from the exterior wall of a building.



Figure 1: Awning Sign

4. **Back lit signs.** Signs that are illuminated by an internal light source. An example of a back lit sign is a monument sign that is illuminated by several fluorescent bulbs that are located within the sign cabinet. The background of back lit signs may be any color, provided the background is blacked out at night so that only the lettering and message is illuminated.



5. **Banner Sign.** A temporary sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached flat against a permanent sign face or strung between two poles or structures.



Figure 3: Banner Sign

6. **Bench Sign.** A sign applied to or affixed to the seat or back of a bench.
7. **Billboard Sign.** A large sign erected, maintained, and used for the purpose of displaying messages that can be seen from a long distance or read from a vehicle traveling at high speeds. A Billboard Sign differs from a Freestanding Sign based on its size. A Billboard Sign is typically 200 square feet or greater in size.
8. **Canopy Sign.** A permanent Projecting Sign affixed to the side or bottom surface(s) of an attached canopy. A canopy is a fixed shelter constructed of rigid materials on a supporting framework that projects from the exterior wall or a building, or may be self-supporting to provide protective covering.

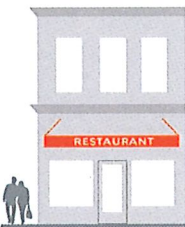


Figure 4: Canopy Sign

9. **Changeable Copy Sign.** A permanent sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means or manually through placement of copy and symbols on a panel mounted in or on a track system.
10. **Corner parcel.** A lot at the intersection of two (2) streets or access drives.

11. **Day.** For the purpose of these regulations, a calendar day rather than a business day.
12. **Display Board.** An accessory sign displayed near a public building entrance either on the building or on a freestanding podium. Display Boards are intended to be viewed at close proximity. Examples include displaying menus, special sales, and descriptions of goods or services provided within the building.

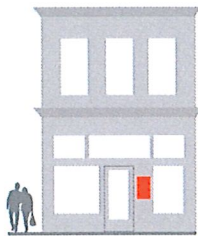


Figure 5: Display Board

13. **Electronic Message Center (EMC) Sign.** An electrically activated changeable-copy sign whose variable message and/or graphic presentation capability can be electronically programmed. EMCs typically use light emitting diodes (LEDs) as lighting sources.
14. **Entranceway Signs.** A sign placed at a major entrance to a development consisting of multiple users, parcels, lots, or a combination of each. Entranceway signs are often integrated into freestanding walls, columns, boulders, or other distinguishing features unique to the development.

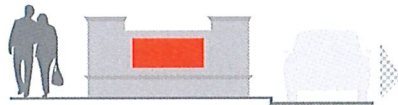


Figure 6: Entranceway Sign

15. **Festoons.** A string of ribbons, pennants, spinners, streamers, tinsel, small flags, pinwheels, or lights, typically strung overhead and/or in loops.

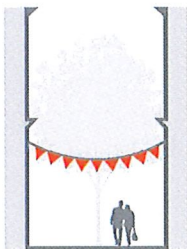


Figure 7: Festoons

16. **Flag.** A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached to a permanent conforming pole. Flags are typically supported on one side of the sign. Flags are not considered air-activated signs for the purposes of this article.

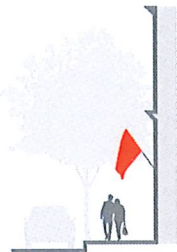


Figure 8: Flag

17. **Freestanding Sign.** A sign supported by one or more uprights, poles, pylons, monuments, or braces placed in the ground and not attached to any building or other structure. Freestanding signs include Monument Signs, but do not include Billboards.

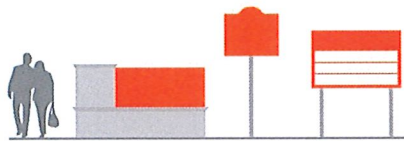
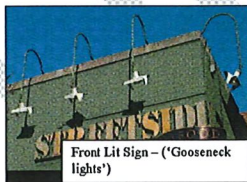


Figure 9: Freestanding Sign

18. **Front lit signs.** Signs that are illuminated by an external light source. An example of a front lit sign is a monument sign that is illuminated by a spotlight that is located several feet in front of the sign. The background of front lit signs may be any color, provided they are not reflective at night. However, such signs may use light-reflecting lettering and messaging.



19. **Incidental Sign.** A small sign, usually two (2) square feet or less, designed and located to be viewed by persons on a property and are generally not visible or legible from the right-of-way or adjacent properties. Examples of incidental signs include, but are not limited to, credit card signs, signs indicating hours of business, no smoking signs, signs used to designate bathrooms, handicapped signs, traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices, and other signs providing information to be read at close proximity.

- 20. **Interior Sign.** A sign placed within a building that is not visible from any public street, sidewalk, alley, park or public property. A Window Sign is not considered an interior sign.
- 21. **LED Sign.** A sign consisting of light-emitting diodes that are arranged in a pattern that creates the sign's message.



- 22. **Marquee Sign.** A type of projecting sign typically mounted parallel to the building façade in a vertical manner. Marquee signs often include a changeable copy component in addition to the display of a permanent message but are not required to have changeable copy.



Figure 12: Marquee Sign

- 23. **Monument Sign.** A base-mounted, freestanding sign placed on the ground and not attached to any building or other structure. A Monument Sign includes a solid supporting base of at least twenty-four (24) inches in height and a width equal to or greater than the width of the sign face. Monument signs are constructed of a decorative and durable material (e.g., masonry), and shall have no separations between the sign face and the base.



Figure 13: Monument Sign

- 24. **Nit.** A measure of luminance equal to one candela per square meter.
- 25. **Nonconforming Sign.** A sign that was lawfully permitted at the time it was erected but is not permitted under current law.
- 26. **Permanent Sign.** A sign constructed of durable materials intended to withstand

prolonged exposure to exterior elements. Permanent signs are affixed to the ground or a structure by means of footings beneath the ground surface, bolts or screws into a structure, or other method intended to ensure the sign is displayed for an extended period of time with minimal maintenance or replacement of parts.

27. **Portable Sign.** A temporary sign designed to be easily movable. Portable signs are typically held in place during the period of display by sandbags, blocks, or other easily movable anchor.
28. **Poster Panel Sign.** A temporary sign that is not permanently anchored or secured to either a building, structure, or the ground. Often referred to as "sidewalk signs" or "sandwich signs," poster panel signs include, but are not limited to, "A" frame, "T" shaped, or inverted "T" shaped stands.
29. **Projecting Sign.** A sign attached to a building or other structure and extending beyond the attachment surface by more than eighteen (18) inches. A "Projecting Sign" is differentiated from a "Wall Sign" based on the distance the sign projects from the surface of the building. "Awning Signs," "Canopy Signs," "Blade Signs" and "Marquee Signs" are types of Projecting Signs.



Figure 14: Projecting Sign

30. **Roof line.** The top edge of a roof or parapet wall, whichever is higher, but excluding cupolas, chimneys, or other minor projections. The roofline is the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.
31. **Roof Sign.** A sign that is erected, constructed, and maintained upon, against, or above the roof or parapet of a building or any portion thereof. A sign mounted upon a mansard fascia that does not project above the highest point of the roof or parapet is considered a "Wall Sign."
32. **Support Pole Sign.** A temporary sign attached to a light pole, utility pole, street signpost, fire hydrant or tree. Prohibited support pole signs shall not include support pole signs lawfully installed by an authorized public entity.
33. **Temporary Sign.** A display sign, banner or other device constructed of cloth, canvas, fabric, plastic or other light temporary materials, with or without a structural frame, or any other sign intended for a limited period of display that is not permanently anchored to the ground or a building. Holiday displays are not considered temporary signs.

34. **Transported Sign.** A sign attached to or pulled by a vehicle that may be displayed or affixed to a movable object such as but not limited to a car, truck, trailer, or similar transportation device. A "Portable Sign" does not constitute a "Vehicle Sign."

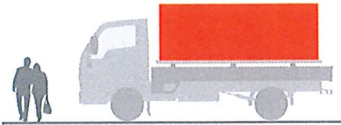


Figure 25: Transported Sign

35. **Umbrella Sign.** A sign printed or otherwise attached to an umbrella, including umbrellas used in outdoor seating areas.
36. **Unsafe Sign.** Any sign that is structurally unsafe; or constitutes a hazard to safety and health by reason of inadequate maintenance, dilapidation or abandonment; or is capable of causing electric shock to a person who comes in contact with it; or was unlawfully installed, erected or maintained; or is located in a public right-of-way except where expressly permitted; or is not kept in good repair, such that it has broken parts, missing letters or nonoperational lights; or does not meet applicable requirements of the city building code.
37. **Vehicle Sign.** A sign, painted or otherwise, attached to an operable vehicle that is regularly used and moved, including signs on a truck trailer. A "Vehicle Sign" does not constitute a "Transported Sign."



Figure 16: Vehicle Sign

38. **Wall Sign.** A sign attached to, painted on, inscribed, or otherwise set upon the exterior wall or surface of any building, no portion of which projects more than eighteen (18) inches from the wall and which does not project above the roof or parapet line. A "Wall Sign" shall also include a sign mounted upon a mansard fascia that does not project above the highest point of the roof or parapet. Any other sign upon, against, or above the roof line building or any portion thereof is defined as a "Roof Sign."



Figure 17: Wall Sign

39. **Window Sign.** A sign that is painted on or attached to a window or glass door that is intended to be viewed from the exterior, including signs located inside a building but



Figure 13: Window Sign

visible primarily from the outside of the building.

40. **Yard Sign.** A small temporary sign typically used for non-commercial purposes. Yard signs are characterized by a wire frame, non-durable message surface such as cardboard or paper, and are often inserted into a lawn with wire posts. Although variations exist to the materials of the frame and message board, a consistent physical characteristic is its temporary and disposable nature.

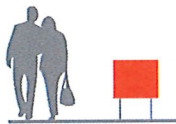


Figure 49: Yard Sign

B. Definitions, General.

1. **Alteration.** Any change in size, shape, height, or type which changes the appearance of a sign or its structure, or a change in position, location, construction, or supporting structure of a sign.
2. **Building Frontage.** The length of the front (entry) portion of a building occupied by a single tenant, often facing a street fronting to the premises on which the tenants are located.
3. **Glare.** Light emitting from a luminaire with intensity enough to reduce a viewer's ability to see, and in extreme cases, causing momentary blindness.
4. **Grade.** The average elevation of an area within a radius (of the sign base) equal to two (2) times the height of the sign, based on the highest and lowest measurements.
5. **Height, Maximum.** Shall be measured from grade to the highest edge of the sign surface or its projecting structure. The permitted height of signs shall not be measured from grade that has been built up or constructed in a manner that would have the effect of allowing a higher sign height than permitted by these regulations (e.g., the height of signs erected on a berm shall be measured from the finished grade adjacent to the berm).

External light sources used to illuminate a sign are not included in the sign's height measurement.

6. **Height, Minimum.** Shall be measured from grade to the lowest edge of the sign surface or its projecting structure.
7. **Lot, zoning.** A single tract of land, located within a single block, which at the time of filing for a sign permit is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.
8. **Luminaire.** A luminaire is a complete lighting system, which includes a lamp or lamps and a fixture.
9. **Owner.** A person, firm, partnership, association, company, or corporation, or any other legal entity, and/or its legal successors, heirs, and assigns.
10. **Premises.** The contiguous land in the same ownership or control which is not divided by a public street.
11. **Sign.** Any display or object which is primarily used to identify or display information or direct or attract attention by any means which is visible from any public street, sidewalk, alley, park, or public property and is otherwise located or set upon or in a building, structure or piece of land. The definition does not include goods displayed in a window.
12. **Sign Erector.** Any person engaged in the business of erecting, constructing, altering or removing signs on a contractual or hourly basis.

Sec. 25-3. - Sign Design and Construction Standards in All Zoning Districts

A. Construction Standards.

1. General requirements. All signs shall be designed and constructed in a safe and stable manner in accordance with the city's adopted building code and electrical code. All electrical wiring associated with a freestanding sign shall be installed underground. Signs shall be compatible with or upgrade the building and landscaping to promote an overall unified and aesthetic effect in accordance with the standards of this article. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.
2. Framework. All signs shall be designed so that the supporting framework, other than the supporting poles on a freestanding sign, is contained within or behind the face of the sign or within the building to which it is attached to be totally screened from view.

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B. Illumination.

1. **General requirements.** Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it. Temporary signs shall not be illuminated. Permanent signs may be internally or externally illuminated, except where prohibited in this article.

2. **Illumination:** Glare shall be reduced/minimized in such a manner as to maintain an appropriate level of contrast during the day. An automatic dimmer shall be required to control brightness at night, and to reduce drive distraction and light trespass into residential areas. A photometric plan which identifies the proposed illumination levels (in foot candles) shall be provided. Lighting intensities for illuminated signs shall not exceed ten (10) footcandles measured at four (4) feet perpendicular to the sign surface. Illumination levels shall not exceed 0.5-foot candles at the property line, measured five (5) feet from the ground.
3. **Non-glare, shielded lighting.** Use of glaring undiffused lights or bulbs is expressly prohibited. The source of illumination shall not be visible, shall be fully shielded, and shall cause no glare hazardous to pedestrians, motorists or adjacent residential uses or districts. Use of exposed neon lighting, including neon banding, is prohibited.
4. **Bare bulb illumination.** Illumination by bare bulbs or flames is prohibited, except that bare bulbs are permitted on electronic changeable copy signs and theatre marquees.

C. **Changeable Copy Signs and Electronic Message Center Signs.** Changeable copy and EMC signs may be permitted on monument signs in nonresidential and appropriately zoned districts subject to the standards of this section and the following regulations:

1. **Frequency of Change.** Signs with the ability to change displays shall not change more frequently than one (1) time per ten (10) seconds. Animated signs are expressly prohibited.
2. **Manner of Change.** Signs with the ability to change displays must be designed to change the display instantaneously. Flashing, scrolling, fading, dissolving, osculating, spinning, twirling, video display, or other type of motion are expressly prohibited.
3. **Internal Illumination.** Changeable copy signs and EMC signs shall not emit more than 5,000 nits in full daylight and 100 nits during night hours, which commence no later than one hour after sunset and extend through no earlier than sunrise. The displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels. All changeable copy and EMC signs shall have functioning ambient light monitors and automatic dimming equipment which shall always be set to automatically reduce the brightness level of the sign proportionally to any reduction in the ambient light. In order to verify compliance with City Code of Articles or other applicable law, the interface that programs an EMC sign shall be made available to city staff for inspection upon request. If the interface is not or cannot be made available upon the city's request, the sign shall cease operation until the city has been provided proof of compliance with City Code.
4. **Rendering:** A color rendering of the display shall be provided for consideration of the planning commission during site plan review, and the planner and building official during an administrative review.
5. **Area:** An electronic changeable copy or electronic graphic display area shall not exceed more than two-thirds (2/3) of the actual sign area of any monument sign.
6. **Integration into sign:** The electronic changeable copy or electronic graphic display

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areas on monument signs shall be part of the same sign face as a monument sign without electronic display technology and shall be integrated into the face of such sign by use of a border or similar design treatment that provides a visual linkage to the remainder of the sign.

7. **Default.** All changeable copy and EMC signs shall default to an unlit black screen if fifty (50%) percent or more of the light source fails or if the light source otherwise is not displaying properly.
8. **Prohibition.** Changeable copy signs and EMC signs are prohibited in any residential district and on any property located in the Central Business District or the Grand River Corridor Overlay District.

D. **Sign Measurement.** The total sign area is to be expressed in square feet and shall be computed as herein set forth.

1. Single face sign total area shall be computed as the number of square feet within lines drawn at the outer perimeter forming any single and/or combination of geometric shapes, such as a square, rectangle, triangle, oval, or circle encompassing the extreme limits of an individual letter(s), word(s) message(s), representations, emblem or any similar figure, including open space(s), together with any frame or other material forming an integral part of display used to differentiate such sign from the background against which it is placed.
2. Double-face signs having two (2) faces of equal size arranged and/or positioned back to back and parallel, or with the faces at an included angle of not more than thirty (30) degrees in the plain or vertical views the area of the sign, shall be computed as one half ($\frac{1}{2}$) of the total area of the two (2) faces. When the faces of such a sign are not of equal area, then the area of the sign shall be computed as the total area of the largest face. When signs have three (3) to four (4) faces of equal size arranged and/or positioned with the faces at an angle of more than thirty (30) degrees in the plain or vertical view, the area of the sign shall be computed as the total area of the largest two (2) faces. The area of three-dimensional signs shall be measured by computing the total area of the largest two (2) faces measured at a two-dimensional view.
3. When two (2) single-face wall signs are arranged and/or positioned within thirty-six (36) inches of each other, the area of the two (2) signs shall be computed as one (1) single face sign and total area shall include the open space between the two (2) separate faces.
4. The height of the sign shall be measured from grade. The maximum sign height shall be measured from grade to the top of the sign. The minimum height, if applicable, shall be measured from grade to the bottom of the sign.
5. The maximum distance between parallel sign faces on a double-faced sign shall be twenty (20) inches.
6. External light sources used to illuminate a sign are not included in the sign's height or area measurement.

E. **Sign Location.**

1. **Right-of-Way Prohibited.** No sign, 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. The city council may permit such projection or overhang, after considering the need for the specific location of the proposed sign and public safety factors; provided, however, that no such sign shall project over the actual roadway or exceed 100 square feet.
 2. **Distance from Utilities.** No sign shall be erected so that any part, including cables, guys, etc., will be within ten (10) feet of any electrical conductor, electric light pole, streetlamp, traffic light or other public utility pole.
 3. **Fire Escape.** No signs of any kind shall be attached to or placed upon a structure in a manner as to obstruct any fire escape.
 4. **Clear Vision Triangle Area.** No sign above a height of thirty (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 assured (the "clear vision area requirement"). No sign shall be in the clear vision area.
 5. **Projections.** Unless otherwise stated, no sign shall project beyond or overhang the wall or any permanent architectural feature (e.g., awning, canopy, or marquee) by more than one (1) foot and shall not project above or beyond the highest point in the roof or parapet.
 6. **Safety.** No sign shall be permitted at any location that, in the discretion of the building official, creates any type of safety hazard or visual impediment to pedestrian or vehicular traffic. In making this determination, the building official shall cite any relevant building or electrical codes, provisions of this article or other city articles, and/or findings or studies of the public safety department and/or a traffic engineer.
 7. **Liability Insurance.** If any wall, projecting, pole or roof sign is suspended over a public street or property or if the vertical distance of such sign above the street is greater than the horizontal distance from the sign to the street property line or parapet wall and so located as to be able to fall or be pushed onto public property, then the owner of such sign shall keep in force a Commercial General Liability Insurance policy in the amount of \$1,000,000.00. The Commercial General Liability Insurance policy shall include an endorsement, or policy language, naming the city as an additional insured.
- F. **Landscaping.** The area surrounding signs shall be landscaped to match the design characteristics of the site. The landscaping shall include a combination of low shrubbery and perennial/annual plantings. The landscaping shall be maintained such that the sign remains visible to passing motorists.

Sec. 25-4. - Signs Exempt from Permits

The following signs shall be permitted in all zoning districts according to the regulations of this article

and subject to the following provisions. No permit shall be required for signs enumerated below unless otherwise stated. Such exemptions, however, shall not be construed to relieve the owner of the sign from responsibility for its proper location, erection, maintenance, and removal.

- A. Address numbers, being essential for public safety and emergency response, with a numeral height no greater than six (6) inches for each dwelling unit and eighteen (18) inches for any other use, including multiple-family buildings.
- B. Nameplates, not to exceed two (2) square feet.
- C. Historical markers and plaques up to 6 square feet.
- D. Temporary signage provided they are set back a minimum of ten (10) feet from the public right-of-way or any lot line, unless otherwise stated in this article.
- E. Any sign required by the city to notice a required public hearing, to be erected, displayed, and removed according to the requirements of the City.
- F. Signs erected on a city, county, state, or federal building or land by the authorized public agency.
- G. Incidental signs, not to exceed two (2) square feet in total.
- H. Interior signs.
- I. Any lawful sign in a public or private right-of-way installed by an authorized public agency, including but not limited to, street signs and address signs.
- J. Private traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
- K. Flags, provided that there shall be no more than three (3) flags per lot, the maximum size of each sign shall not exceed fifty (50) square feet, and the flag poles shall comply with the height limitations in the district.
- L. Window signs, not to exceed twenty-five (25) percent of the total window area of the façade facing a road. Window signs must be placed in a manner to ensure visibility into the building for public safety.
- M. Vehicle signs, where the vehicle on which the sign is displayed does not regularly go unoperated for a period exceeding seven (7) consecutive days.
- N. Signs displaying noncommercial messages such as religious, political, economic, social, philosophical or other types of speech protected by the First Amendment of the United States Constitution; provided, however, said signs shall comply with the number and size regulations in the applicable zoning district.

Sec. 25-6. - Prohibited Signs in All Zoning Districts

The following signs are prohibited in all zoning districts, notwithstanding anything to the contrary in this article.

- A. Any sign not expressly permitted.
- B. Billboards.
- C. Animated signs (including revolving signs and rotating signs) and signs that incorporate moving features, except for changeable-copy signs explicitly permitted in this article.
- D. Changeable Message, Moving or Animated Signs, except as otherwise permitted. No sign shall contain any flashing, moving, oscillating, blinking or variable intensity light or intermittent lights so bright as to be blinding or distracting to a vehicle driver.
- E. Festoons, air-activated signs and balloon signs, except those approved in conjunction with a temporary use approved by the zoning board of appeals.
- F. Any sign that is deemed structurally or electrically unsafe by the building official.
- G. Support pole signs.
- H. Transported signs unless the vehicle with the transported sign is operating lawfully in a public or private road.
- I. Portable Signs, except where expressly permitted in this article.
- J. Roof signs.
- K. Bench signs, not including permanently mounted plaques intended to be read at close proximity.
- L. Projector-image signs.
- M. Costume signs. The basis of prohibiting costume signs is that the movement and proliferation of costume signs would degrade traffic safety through the creation of visual distractions.
- N. Any sign located in a public or private right-of-way.
- O. LED Signs, except where specifically permitted in this article.
- P. Neon, LED, or other light types permanently outlining windows or doors.
- Q. Signs intended to mimic traffic control or emergency services signage. These signs are considered hazards detrimental to pedestrian and vehicular travel and to the public safety and welfare.
- R. Any sign structure or frame no longer supporting or containing a sign, subject to Sec. 25-11 C 5.
- S. Signs that obstruct free access or egress from a required door, window, or other required exit.
- T. Signs that obstruct view of traffic control signs.
- U. Unsafe Signs.

Sec. 25-7. - Zoning District Regulations

A. Permanent Sign Regulations Applicable to the R-1, R1A, R1B, R1C, R1D, R2, R3, R5 and R6 Districts.

Sign Type	Sign Regulations: Single-family and duplex	Sign Regulations: Residential Developments [e.g., subdivisions, site condominiums, multi-family] and Permitted Non-Residential Uses only
Monument Signs	Not Permitted	<p>Permitted Use: Monument signs shall only be allowed for permitted non-residential uses.</p> <p>Maximum Number: 1 per parcel; 1 per each side of parcel facing a street or parking area; 1 per 300 lineal feet of frontage along a major public thoroughfare.</p> <p>Minimum distance between signs if more than one sign on a parcel: 150 feet.</p> <p>Maximum Height: 8 feet.</p> <p>Maximum Area: In Downtown Farmington: 20 square feet per side; 40 square foot total. Outside Downtown Farmington: 30 square feet per side; 60 square feet total.</p> <p>Minimum Setback: 15 feet from right-of-way. Thirty (30) feet from any property line of an adjacent single-family district.</p>
Entranceway Signs	Not Permitted	<p>Permitted Use: Entranceway signs shall only be permitted for residential developments.</p> <p>Maximum Number: 1 per side of an entrance or exit drive.</p> <p>Maximum Height: Sign structure shall not exceed 6 feet.</p> <p>Maximum Area: Message area shall not exceed 25 square feet. Sign structure may exceed this area; entranceway signs are commonly incorporated into</p>

		<p>walls, gateways, columns, or other design element consistent with the character of the development.</p> <p>Location: No part of an entranceway sign shall be installed in a road right-of-way unless consent is given in writing by the entity with jurisdiction over the right-of-way. If a sign is located within the right-of-way, the property owner shall execute a recordable document ensuring the sign will be removed at the owner's expense if the road is widened to encompass the land on which the sign is located.</p> <p>Residential setback: No sign shall be located closer than 30 feet to any property line of an adjacent single-family district.</p> <p>Boulevard Island Option: An entranceway sign may be located on a landscaped boulevard island, provided that:</p> <p>The nearest edge of the sign must be set back a minimum of 10 feet from the right-of-way of the intersecting street.</p> <p>Such signs shall comply with the requirements related to clear vision area requirements to maintain visibility for drivers.</p>
Wall Signs		<p>Permitted Use: Wall signs may only be used in conjunction with permitted non-residential uses (including approved home occupations).</p> <p>Maximum Number: 1 per lot</p> <p>Maximum Area: 2 square feet</p> <p>Internal Illumination: Internal illumination is prohibited.</p>

B. Temporary Sign Regulations Applicable to the R-1, R1A, R1B, R1C, R1D, R2, R3, R5 and R6 Districts.

Sign Type	Sign Regulations: Single-family and duplex	Sign Regulations: Residential Developments [e.g., subdivisions, site condominiums, multi-family] and Permitted Non-Residential Uses only
Banner Signs	Not Permitted	<p>Maximum Number: 1 banner is permitted per model home in a residential development.</p> <p>Maximum Area: 30 square feet</p>

		Maximum Duration: 30 days per 6-month period.
Portable Signs	Not Permitted	<p>Maximum Number: For residential developments, up to one (1) portable sign may be placed for each common amenity property maintained by the association.</p> <p>Maximum Height: 3 ft.</p> <p>Maximum Area: 6 square feet</p> <p>Location: For residential developments, signs shall be placed on common amenity property with approval of the recognized association in charge of maintaining the property.</p> <p>Duration of Display: Seven (7) days per month; may be displayed on consecutive days.</p>
Yard Signs		<p>Maximum Number: Unlimited so long as total square footage does not exceed 24 square feet.</p> <p>Maximum Height: 6 feet.</p> <p>Maximum Area: 24 square feet total; 6 square feet per sign.</p> <p>Minimum Setback: 5 ft. from any lot line.</p>

C. Permanent Sign Regulations Applicable to the RIP District and other parking areas.

Sign Type	Sign Regulations: Parking areas	Sign Regulations: RIP District and other parking areas
Wall Signs and Monument Signs	Permitted	<p>Permitted Use: Only in the R1P District or other parking areas.</p> <p>Maximum Number: 1 per entrance to designate each entrance to or exit from a parking area.</p> <p>Maximum Area: 2 square feet.</p> <p>Minimum Setback: Shall be screened from adjoining property.</p> <p>Internal Illumination: Internal illumination is prohibited.</p>

D. Temporary Sign Regulations Applicable to the R1P District and other parking areas.

Sign Type	Sign Regulations: R1P and other parking areas	Sign Regulations: R1P District and other parking areas
Yard Signs		<p>Maximum Number: Unlimited so long as total square footage does not exceed 24 square feet.</p> <p>Maximum Height: 6 feet.</p> <p>Maximum Area: 24 square feet total; 6 square feet per sign.</p> <p>Minimum Setback: 5 ft. from any lot line.</p>

E. Permanent Sign Regulations Applicable to the O, OS, CBS, C2, C3, P, and IND Districts, and Redevelopment Overlay District.

Regulations differ for signs depending on whether the sign is located within the DDA boundaries of Downtown Farmington or are located elsewhere in the city.

Sign Type	Sign Regulations	
Monument Signs	Permitted	<p>Maximum Number: 1 per parcel; 1 per each side of parcel facing a street or parking area; 1 per 300 lineal feet of frontage along a major public thoroughfare.</p> <p>Minimum distance between signs if more than one sign on a parcel: 150 feet.</p> <p>Maximum Height: 8 feet.</p> <p>Maximum Area: In Downtown Farmington: 20 square feet per side; 40 square foot total. Outside Downtown Farmington: 30 square feet per side; 60 square feet total.</p> <p>Minimum Setback: 15 feet from right-of-way. Thirty (30) feet from any property line of an adjacent single-family district.</p> <p>Illumination: Permitted.</p>
Entranceway Signs	Permitted	<p>Permitted Use: Entranceway signs shall only be permitted in instances where multiple businesses utilize a common entranceway, such as an industrial park, shopping center, or similar multi-user development.</p> <p>Maximum Number: 1 per building; individual</p>

		<p>business owners are not permitted to have individual signs</p> <p>Maximum Height: In Downtown Farmington: maximum 10 feet; Outside Downtown Farmington: 16 feet.</p> <p>Maximum Area: 40 square feet per side; maximum of 80 square feet.</p> <p>Location: No part of an entranceway sign shall be installed in a road right-of-way unless consent is given in writing by the entity with jurisdiction over the right of way. If a sign is located within the right-of-way, the property owner shall execute a recordable document ensuring the sign will be removed at the owner's expense if the road is widened to encompass the land on which the sign is located.</p> <p>Illumination: Permitted.</p>
Incidental Signs	Permitted	<p>Maximum Number: 1 per vehicular entrance or exit, plus 1 per 100 linear feet of driveway, measured from the right-of-way.</p> <p>Maximum Height: 4 feet.</p> <p>Maximum Area: 6 square feet</p> <p>Location: Must be placed within six (6) feet of a driveway or sidewalk; may not be closer than 15 feet from planned right-of-way.</p>
Window Signs	Permitted	<p>Maximum Area: Not more than 25% of the surface of the window</p> <p>Illumination: Not permitted except for LED sign. An LED sign may be permitted subject to the following: the sign shall be a maximum of 2 square feet in area; not more than 1 LED sign will be permitted per business or storefront; not more than 2 colors shall be used. The sign messaging must be a static display that may be changed up to four (4) times per hour. The LED sign must not include any blinking, flashing, scrolling, animation or any other actual or simulated movement. An LED sign is not permitted if the property is located in a residential district.</p>
Wall Signs	Permitted	<p>Maximum Number: 1 per parcel; 1 per business for each individual tenant having an individual means of access in a multi-tenant building; 1 per each side of a building facing a street or parking area</p> <p>Maximum Sign Height: Must not exceed building</p>

		<p>height in the applicable district; must not be higher than the building; must be at least 7 feet above ground level or sidewalk.</p> <p>Maximum Area: In Downtown Farmington: 10% of the wall, up to a maximum of 100 square feet; Outside Downtown Farmington: 10% of the wall, up to a maximum of 10 square feet</p> <p>Illumination: Permitted.</p> <p>Increase of Area: For businesses in Downtown Farmington that face directly onto adjacent public street right-of-way, the maximum allowable wall sign area may be increased, as indicated below, up to a maximum of 140 square feet. For businesses outside Downtown Farmington that face directly onto adjacent street right-of-way, the maximum allowable wall sign area may be increased, as indicated below, up to a maximum of 210 square feet.</p> <table border="0"> <tr> <td>Distance of sign from ROW line:</td> <td>Allowable Increase in sign area</td> </tr> <tr> <td>200-300 feet</td> <td>25%</td> </tr> <tr> <td>301-400 feet</td> <td>30%</td> </tr> <tr> <td>401-500 feet</td> <td>35%</td> </tr> <tr> <td>501+ feet</td> <td>40%</td> </tr> </table> <p>Setback: All wall signs shall be set back at least 50 feet from any residential district.</p>	Distance of sign from ROW line:	Allowable Increase in sign area	200-300 feet	25%	301-400 feet	30%	401-500 feet	35%	501+ feet	40%
Distance of sign from ROW line:	Allowable Increase in sign area											
200-300 feet	25%											
301-400 feet	30%											
401-500 feet	35%											
501+ feet	40%											
Awnings and canopies	Permitted	<p>Coverage: The total area of the lettering and logo shall not exceed 1/3 of the total area of the awning.</p> <p>Height: Bottom of awning or canopy must be at least 7 feet above ground level or sidewalk.</p> <p>Illumination: Not permitted under awning or canopy except for gas station awnings. Building-mounted lighting may illuminate the area above or below the awning or canopy.</p> <p>Location: Awnings or canopies may project a maximum of 6 feet into the public right-of-way. In no case shall the awning or canopy be less than 3 feet from any street curb line.</p>										
Projecting Signs	Permitted	<p>Maximum Number: 1 per business, provided not within 20 feet of another projecting sign.</p> <p>Height and Placement: Projecting signs must be installed at a 90-degree angle from the building wall, at least 8 feet above ground level of the sidewalk and</p>										

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		<p>below the second story windowsill or roofline of the building, whichever is lower.</p> <p>Maximum Area: 8 square feet per sign face; 16 square feet total. The area of the sign does not include any bracket or frame located above or below the sign face provided there is no messaging on the bracketing or frame. The area of the sign includes the surface of the sign space and any space located between the sign and the building. Any messaging on a bracket or frame above or below the sign face is included in the area of the sign.</p> <p>Illumination: Permitted.</p>
Poster Signs	Panel Permitted in Downtown Farmington only	<p>Maximum area: 7 square feet per side; total of 14 square feet</p> <p>Maximum height: 3.5 feet</p> <p>Maximum Number: 1 per customer entrance</p> <p>Illumination: Not permitted.</p> <p>Location: The sign shall be located a minimum of 2 feet from the edge of the curb and must be located so that at least a 5-foot wide sidewalk is maintained between the sign and the building wall for pedestrian traffic flow and safety.</p> <p>Permitted Hours: The sign is permitted only during operating business hours and must be stored inside when the business is closed.</p> <p>Construction: The sign must be constructed of weatherproof, durable material and kept in good repair.</p>
Marquee Signs	Permitted	<p>Maximum Area: 10% of the wall, up to a maximum of 100 square feet</p> <p>Maximum Height: Must not exceed building height in district; Must not be higher than building; At least 8 feet above ground level or sidewalk</p> <p>Maximum Number: 1 per parcel</p> <p>Illumination: Permitted.</p>

F. Temporary Sign Regulations Applicable to the O-1, C-1, C-2, I-1, and I-2 Districts, and Planned Technology and Research Development Overlay District

Sign Type	Sign Regulations	
Banner Signs		<p>Maximum Number: 1 per business.</p> <p>Maximum Area: 32 square feet or the area of the permanent sign if temporarily covering the permanent sign.</p> <p>Maximum Duration: 2 times per year, for a maximum of 30 days each time.</p> <p>Must be securely anchored to ground, building or structure.</p>
Flag		<p>Maximum Number: 1 per lot.</p> <p>Maximum Area: 45 square feet</p>
Yard Signs		<p>Maximum Number: 24 square feet total; 6 square feet per sign.</p> <p>Maximum Height: 4 feet.</p> <p>Maximum Area (Total): 24 square feet</p> <p>Minimum Setback: 10 feet from any lot line.</p>
Poster Panel Signs		<p>Districts Permitted: O-1, C-1 and C-2</p> <p>Maximum Number: 1 per business with individual access to a sidewalk.</p> <p>Maximum Height: 3 feet</p> <p>Maximum Area: 6 square feet</p> <p>Location: Within 10 feet of the primary building entrance door; location must allow more than five (5) feet of clearance for pedestrian circulation on a sidewalk. Signs shall not be placed in a right-of-way.</p> <p>Duration of Display: Signs may be displayed up to one (1) hour before and after business hours.</p> <p>Manner of Display: A poster panel sign shall be internally weighted to ensure stability and prevent unintentional movement or conflict with pedestrians.</p> <p>Parking District: No temporary signs shall be permitted in the Parking District</p>
Umbrella Signs		<p>Maximum Area: Lettering and/or logo may cover maximum of one-third of umbrella</p>

G. Permanent Sign Regulations applicable to Grand River Corridor Overlay District

Sign Type	Sign Regulations	

H. Temporary Sign Regulations applicable to Grand River Corridor Overlay District

Sign Type	Sign Regulations	

Sec. 25-8. - Construction and Maintenance Requirements

- A. **Material and Design.** All signs shall be designed, constructed, and maintained in conformity with the provisions for materials, loads and stresses of the latest adopted edition of Building Code and requirements of this article.
- B. **Fastenings.** All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector.
- C. **Fire Escapes.** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- D. **Support Location.** No pole, cable, or support of any nature shall be placed on any publicly

owned property, street, right-of-way, or proposed street rights-of-way without written authorization from the owner of said right-of-way.

- E. **Proximity to Electrical Conductors.** No sign shall be erected so that any part including cables and guys will be within ten (10) feet of any electrical conductor, streetlamp, traffic light or other public utility pole standard, or ten (10) feet of a high voltage wire.
- F. **Sanitation.** Property surrounding any monument sign shall be kept clean, sanitary, and free from obnoxious and offensive and offensive substances, free from weeds, rubbish and inflammable material.
- G. **Traffic Interference.** No sign shall be erected or maintained which simulates or imitates in size, color, letter, or design any traffic sign or signal or other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
- H. **Maintenance.** All signs shall be maintained in a condition of good repair. Peeling or missing paint, holes, broken, cracked, bent, warped, rotted, discolored, sagging, out-of-plumb, rusted, or missing material or parts shall be repaired within thirty (30) days of written notification by the Building Official.
- I. **Compliance with Building Code.** The building code adopted by the city shall regulate the construction and maintenance of signs unless the provisions of this article are more stringent.

Sec. 25-9. - Nonconforming Signs

- A. **Intent.** It is the intent of this article to avoid any unreasonable invasion of established private property. It is further the intent to encourage eventual elimination of signs that:
 - 1. As a result of the adoption of this article, become nonconforming;
 - 2. Are recognized as illegal nonconforming signs.
- B. **Lawful Existing Signs.** Subject the amortization requirements in Sec. 25-11 below, any sign lawfully existing at the time of adoption of this article which does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained, there is no increase in nonconformity, and the sign is not detrimental to the health, safety, and welfare of the community except as hereafter provided. Signs on which an enforcement action have been initiated by the City are not considered lawful signs for the purposes of this section.
- C. **Alteration.** No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction complies with the provisions of this article. For the purpose of this article only, the term "altered" or "reconstructed" shall not include normal maintenance or replacement of sign copy when no changes are made to the frame or structure of the sign. Nonconforming signs and sign structures shall be removed or made to conform within sixty (60) days of the termination of the use to which they are accessory.
- D. **Continuance.** A nonconforming sign shall not be:
 - 1. Relocated, expanded, or structurally altered to prolong the life of the sign or to change the shape, size, type, placement or design of the sign.

2. Repaired or re-erected after being damaged if the repair or re-erection of the sign would cost more than fifty (50) percent of the cost of a similar new sign.

E. **Removal of Nonconforming Signs.** If the owner of a sign or the premises on which a sign is located changes the location of a building, property line or sign, or changes the use of the land or building so that any sign on the premises is rendered nonconforming, such sign shall be removed or made to conform to this article.

F. **Portable Signs.** All portable signs existing on the date of adoption of this article, except those specifically permitted herein, shall be removed immediately upon the enactment of this article.

Sec. 25-10. - Amortization of Legal Nonconforming Signs

A. All legal nonconforming signs are to be removed and replaced by signs that conform to these regulations no later than twelve (12) years from the date this amortization provision was originally enacted. The original enactment date for purposes of determining the period of time is _____ (insert date of first ordinance).

B. Upon the determination that a sign remains nonconforming after the twelve-year amortization period in A above, the city shall notify the sign owner and/or the owner of the property on which the nonconforming sign is located and such owners shall have ninety (90) days after written notice from the city to remove the sign.

C. In the event the owner fails to remove the sign, and after written notice from the city to the owner of its failure to remove, the city may enter upon the property and remove the sign, and assess the cost of removal, including an administrative expense of twenty-five percent (25%) and any attorney fees incurred (collectively "the costs of removal"), to the owner of the property on which the sign is located. The city may require the payment of such monies prior to performing the work. In any event, the cost of removal shall be due and payable upon receipt by the owner of a written invoice for the same from the city with appropriate supporting documentation. Any assessment not paid within thirty (30) days following the delivery of the invoice shall bear interest at the rate of one and one-half (1 1/2%) percent per month until paid. If such costs and expenses have not been paid within thirty (30) days of a billing to the owner all unpaid amounts may be placed on the delinquent tax roll of the city and shall accrue interest at the rate of one and one-half (1 1/2 %) percent per month and penalties, and shall be collected as, and shall be deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. At the discretion of the city, such costs and expenses may also be collected by suit initiated against the owner, and in the event the city prevails in such suit, the owner shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit. The city shall also have the enforcement rights otherwise provided in applicable city articles.

Sec. 25-11. - Administration, Permits, Inspections and Enforcement

A. Permits and Applications

1. **Permit Required.** It shall be unlawful for any person to erect, re-erect, alter or relocate any sign without first obtaining a permit in accordance with the provisions set forth in this article. However, a permit will not be required to change a message on a previously approved sign, on a marquee, or any other sign approved for use of replaceable copy,

or to perform routine maintenance where not structural changes are being made. A permit shall require the payment of a fee in accordance with the schedule adopted by resolution of the city council. Any sign that makes use of electricity shall, in addition to a sign permit, require an electrical permit, regardless of size.

2. **Applications.** Applications for sign permits shall be made upon forms provided by the building department for this purpose and shall contain the following information:
 - a. Name, address, and phone number of applicants.
 - b. Location of the building, structure, or lot on which the sign is to be attached or erected.
 - c. Position of the sign on the building, structure, or lot on which the sign is to be attached or erected.
 - d. Position of the sign in relation to nearby buildings, structures, property lines, and right-of- ways, existing or proposed.
 - e. Two (2) copies of the plans and specifications and method of construction and attachment to the building or the ground.
 - f. Copies of sheets and calculations, if deemed necessary, which show the structure is designed for dead load and wind pressure in accordance with the regulations adopted by the city.
 - g. Name and address of the sign erector.
 - h. Insurance policy and/or performance guarantee as required in the Code.
 - i. Such other information as the building official may be required to show full compliance with this and all other applicable laws of the city and the state of Michigan.
 - j. When public safety so requires, the application containing the aforesaid material shall, in addition, bear the certificate or seal of a registered structural or civil engineer as a condition to the issuance of a permit.
 - k. Indicate the zoning district in which the sign is to be located.
 - l. A landscaping plan for the area surrounding the sign base, if applicable.
 - m. The location of the sign shall be staked by the property owner. The building department will use the stake to determine compliance with required setbacks.
3. **Review of application; issuance of permit.**
 - a. Planning commission review. Sign permit applications submitted in conjunction with the proposed construction of a new development, building or addition to an existing building shall be reviewed by the planning commission as a part of the required site plan review. Proposed signs must be shown on the site plan.

- b. **Building official review.** The building official shall review the sign permit application for any sign proposed on a site or existing building where no other new construction is proposed.
- c. **Issuance of a permit.** Following review and approval of a sign application by the planning commission or building official, as appropriate, and payment of all applicable fees, the building official shall issue a sign permit for signs that meet all the requirements of this article.

- 4. **Permit Expiration.** A sign permit shall become null and void if the work for which the permit was issued is not completed within six (6) months of the date of issue.
- 5. **Sign Maintenance and Message Change.** No permit shall be required for ordinary servicing, repainting of existing sign message, or cleaning of a sign. No permit is required for change of message of a sign designed to allow for message change without a change of structure, such as a bulletin board or billboard. Structural changes to a sign frame or support shall require a permit.

B. Inspection and Maintenance

- 1. **Inspection of new signs.** All signs for which a permit has been issued shall be inspected by the building official when erected. Approval shall be granted only if the sign has been constructed in compliance with the approved plans and applicable Zoning Article and building code standards and has obtained approval of the planning commission where required.
- 2. **Inspection of existing signs.** The building official shall have the authority to routinely enter onto property to inspect existing signs. In conducting such inspections, the building official shall determine whether the sign is located in the permitted area, adequately supported, painted to prevent corrosion, and so secured to the building or other support as to safely bear the weight of the sign and pressure created by the wind.
- 3. **Correction of defects.** If the building official finds that any sign is unsafe, insecure, improperly constructed, or poorly maintained, the sign erector, owner of the sign, or owner of the land shall make the sign safe and secure by completing any necessary reconstruction or repairs, or entirely remove the sign in accordance with the timetable established by the building official.

C. Certificate of Compliance Required

- 1. **Certification of Compliance.** All signs shall be inspected at original installation and if found to be in full compliance with the provisions of this article, shall be issued a Certificate of Compliance.
- 2. **Inspections.** The building official may cause existing signs to be inspected on a periodic basis, at least once every two (2) years to determine continuation of compliance with the provisions of this article.
- 3. **Inspection Fee.** An inspection fee may be established by the city council. Such fee

shall be charged to the owner of each sign inspected, at the time of inspection, provided that such fee shall not be imposed more than once in any year.

4. **Concealed Work.** In cases where fastenings are to be installed and enclosed in such a manner that the building official cannot easily remove material to see the fastenings and material used, the building department may advise the sign erector so that the inspection may be made before concealment, if such inspection is deemed necessary by the building official.

5. **Removal of Signs.** Should any sign be found unsafe, insecure, improperly maintained, or constructed or not in accordance with the requirements of this section, the erector and/or owner shall be required to make any such sign safe, secure, and otherwise in compliance with the requirements of this article within thirty (30) days of written notice.
 - a. A temporary sign shall be removed within three (3) days' notice. Failure to comply shall result in an order to immediately removal by the city at the cost of the owner of the premises.
 - b. Upon failure to comply with a notice provided for removal, the city may enter upon the property and remove the sign and its supporting structure. A sign and its supporting structure may also be removed immediately and without notice if, in the opinion of the city, the sign or structure presents an immediate threat to the safety of the public. The city shall be assess the cost of removal, including an administrative expense of twenty-five percent (25%) and any attorney fees incurred (collectively "the costs of removal"), to the owner of the property on which the sign is located. The city may require the payment of such monies prior to performing the work. In any event, the cost of removal shall be due and payable upon receipt by the owner of a written invoice for the same from the city with appropriate supporting documentation. Any assessment not paid within thirty (30) days following the delivery of the invoice shall bear interest at the rate of one and one-half (1 1/2%) percent per month until paid. If such costs and expenses have not been paid within thirty (30) days of a billing to the owner all unpaid amounts may be placed on the delinquent tax roll of the city and shall accrue interest at the rate of one and one-half (1 1/2 %) percent per month and penalties, and shall be collected as, and shall be deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. At the discretion of the city, such costs and expenses may also be collected by suit initiated against the owner, and in the event the city prevails in such suit, the owner shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit. The city shall also have the enforcement rights otherwise provided in this article.
 - c. Signs within a public right-of-way or on city property may be removed by the city without notice and may be disposed of.
 - d. An obsolete sign and supporting structure shall be removed by the owner of the sign or the owner or lessee of the building, structure or premises within ten (10) days written notice from the building department.

- e. A sign which is in conformity with the other provisions of this article may remain in place for a period of one hundred twenty (120) days if such sign is obscured by the use of a blank panel attached within the frame of the sign.
- f. Where a successor to an inactive business agrees to maintain the sign in accordance with this article within thirty (30) days of the written notice from the building department to remove, the sign need not be removed provided that the existing sign and structure conform to all requirements of this article.

- 6. **Exception.** Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed, repaired, or secured within twenty-four (24) hours of notification.
- 7. **Exemptions.** Signs exempt from obtaining permits as provided in Sec. 25-4 shall not be required to obtain a Certificate of Compliance.
- 8. **Responsibility of Compliance.** The owner of any property on which a sign is placed, and the owner of the sign are declared to be equally responsible for the erection, safety, and condition of the sign and the area in the vicinity thereof subject to provisions of this article.

D. **Sign Erector Requirements.** Permits may be issued only to licensed persons in compliance with the following provisions.

- 1. **License application.** Any person before engaging or continuing in the business of erecting or repairing signs in the city shall apply for a sign erector's license.
- 2. **Insurance Certificates.** To obtain said license he shall first furnish the city a Commercial General Liability insurance policy in the amount of \$1,000,000.00. The Commercial General Liability Insurance policy shall include an endorsement, or policy language, naming the city as an additional insured. Said license shall automatically terminate upon the expiration of the insurance policy unless evidence of renewal is filed with the city clerk. All persons erecting, installing, repairing, replacing or otherwise engaging in such activities with respect to an electric sign or outline lighting must also be appropriately licensed as required by the Michigan Electrical Administrative Act 217 of 1956, as amended.
- 3. **Lapsing of Insurance.** If at any time, the insurance of any sign erector is permitted to lapse, his/her/its license and right to obtain permits shall automatically be revoked until a current certificate of insurance is filed with the building department.
- 4. **Notification of Change.** A sign erector shall notify the building department of any change in address and if a firm or corporation, any change in ownership or management if other than that indicated on the insurance.
- 5. **Rehanging.** In case of rehanging or re-erection of any sign, the new sign erector shall place its identification, address and the date on the sign.
- 6. **Revocation.** The license of a sign erector may be suspended or revoked as otherwise

provided in this Code.

Sec. 25-12. - Appeals

Any party who has been refused a sign permit for a proposed sign may file an appeal with the zoning board of appeals, in accordance with Article 18 of the zoning ordinance. In addition to applying the standards for a variance in Sec. 35-215, the zoning board of appeals shall study the sign proposal, considering any extraordinary circumstances, such as those listed below, that would cause practical difficulty in complying with the sign standards. The presence of any of the circumstances listed may be enough to justify granting a variance. However, the zoning board of appeals may decline to grant a variance even if some circumstances are present.

- A. Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions, which cannot be legally and/or practically removed.
- B. Permitted signage could not be seen by passing motorists in enough time to permit safe deceleration and exit. In determining whether such circumstances exist, the zoning board of appeals shall consider the width of the road, the number of moving lanes, the volume of traffic and speed limits.
- C. Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
- D. Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.
- E. Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.
- F. Variance from certain sign regulations would be offset by increased building setback, increased landscaping, or other such enhancements, so that the net effect is an improvement in appearance of the parcel, compared to the result that would be otherwise achieved with construction of a conforming sign.
- G. A sign which exceeds the permitted height or area standards of the article would be more appropriate in scale because of the large size or frontage of the parcel or building or within a building setback significantly greater than required by article.
- H. The variance would permit a sign with historic significance to be retained.
- I. A variance would significantly improve the conformity of an existing sign.

Sec. 25-13. - Violations; removal of signs

- A. A violation of any provision or requirement of this article is a municipal civil infraction, subject to enforcement and the fines and penalties for civil infraction violations as set forth in the City of Farmington Code of Articles, in addition to the penalties set forth herein.

- B. In addition to the remedies set forth in paragraph A, above, the enforcement officer or his/her designee shall have the right to revoke any permit issued hereunder for a violation of this article. Any of the grounds upon which the initial permit application may be denied shall also constitute grounds for such revocation. In addition, the failure of the sign erector and property owner to comply with the provisions of this article or other provisions of this Code or other law shall also constitute grounds for revocation of the permit. The sign erector and property owner shall be notified in writing by the enforcement officer or his/her/its designee of the specific grounds for a revocation and demand for correction and abatement. Such notice may be served personally or by registered mail, return receipt requested. The notice shall allow a maximum of ten (10) business days after service of the notice to correct or abate the violation. Additional time may be granted by the enforcement officer or his/her designee when bona fide efforts to remove or eliminate the offending condition are in progress. The notice shall provide that the sign erector and property owner may request a hearing on the notice and permit revocation by filing an appeal with the zoning board of appeals.
- C. If a violation is neither remedied nor appealed within the given time period set forth by the written notice, the enforcement officer or his/her designee shall have the right to revoke the sign permit. Upon revocation of a permit issued pursuant to this article, the sign erector or property owner of the parcel on which the sign has been placed shall remove the sign from the property within ten (10) calendar days from the date of the notice and, if not so removed within the time period, the city or city's contractor may initiate removal of the sign. All costs associated with the removal of the sign and correction of the offense incurred by the city, or the city's contractor, shall be the joint and several responsibilities of the permittee and property owner. If such obligation is not paid within thirty (30) days after mailing of a billing of costs to the property owner, the city may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this state against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the city, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.

Sec. 25-14. - Severability

If any section, clause or provision of this article shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the validity of the article as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this article, but the remainder of this article shall stand and be in full force and effect.

Sec. 25-15. - Substitution Clause

Noncommercial messages shall be permitted on any sign constructed or erected in compliance with this article.

Secs. 25-15 through 25-18. – Reserved.