

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 17, 2019 (REVISED 12/16/19)

SUBJECT: Amendment to Chapter 55 (Unified Development Code) regarding Sign Ordinance Amendments

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code, Section 5.24.

STAFF RECOMMENDATION:

Staff recommends that the proposed **amendments** to the Unified Development Code be approved because the proposed changes follow best practices in the sign industry and is based on sign and speech related case law. It is intended that these proposed amendments supersede the version previously considered by Planning Commission.

STAFF REPORT:

This petition was approved at the August 7, 2019 City Planning Commission Meeting. After additional review by the City Attorney's Office and formatting of the code into the Unified Development Code, some significant changes were made and therefore review by the City Planning Commission is appropriate, prior to proceeding with further adoption steps.

This amendment reflects a change in approach to sign regulation away from regulating by use and by sign content, and toward regulation by zoning district in a content-neutral manner. This reflects current best practices and responds to evolving court decisions on sign regulation.

The majority of changes to the previous Ordinance considered by the Planning Commission are to seek more clarity, to more consistently reference established definitions in the UDC, and formatting. However, some amendments are more significant, such as the following:

- Sign Area calculation and height is formatted and clarified in code, and separated from the table of sign types.
- Eliminating marquee signs. Existing marquee signs are non-conforming and new reviews would fall under awning requirements.
- Eliminating 3 sq. ft. wall signs in the One and Two-Family residential districts.
- Reducing the maximum size of wall sign for 3-Family units and greater from 12 square feet to a maximum of 6 sq. ft.
- Listing exceptions for signs requiring a sign permit under Section 5.29.2 Sign Permits.

Questions and comparisons have come up during the review of the proposed UDC Sign Ordinance Amendments and proposed outdoor lighting regulations that have been drafted by members of the Environmental and Planning Commission. The two sets of amendments compare in the following manner:

- Light Trespass
 - Both the Sign Ordinance and outdoor lighting ordinance identify a limit of .1 foot candle for light trespass near residential property.
 - The Sign Ordinance restricts by residentially zoned property.
 - The outdoor lighting proposal restricts by residentially used property.
 - The Sign Ordinance does not limit light to non-residentially zoned properties, the proposed outdoor lighting ordinance sets a 2 foot candle limit in such circumstances.
- Full cut-off fixtures are required under the Sign Ordinance and the proposed outdoor lighting ordinance.
- The Sign Ordinance limits electronic signs to 5,000 nits during the daytime and 100 nits at night.
- Both the Sign Ordinance and the proposed outdoor lighting ordinance limit illumination while property activities are closed. A revision suggested at the last Planning Commission review included limiting illumination based on when the business that the sign advertised was closed. This has been revised to a slightly broader, content-neutral approach that looks at whether all businesses on a lot are closed.

City staff have not historically received complaints from light trespass from non-residentially zoned or used properties. Staff anticipates the proposed Lighting Ordinance to address this issue or the Sign Ordinance to be amended in the future.

Comparison Chart of Existing and Proposed Sign Requirements

	Current Sign Code	Proposed Sign Code
Permanent Signs	Maximums	Maximums
Single-Family AG, R1A – R1E	3 sf per dwelling (name/address of occupants) Subdivisions: 50 sf to identify the subdivision/housing complex.	0 sf. Address signs allowed separately.
Two-Family R2A, R2B	3 sf per dwelling (name/address of occupants)	0 sf. Address signs allowed separately.
Multiple-Family R3, R4A - R4E, R6	12 sf per building (name/address of occupants/name of building/organization)	Buildings with 3 or 4 Dwelling Units = 6 sf (Wall) Buildings with 5 or More Dwelling Units =6 sf per Building (Wall); Freestanding Sign 50 sf

	Current Sign Code	Proposed Sign Code
Commercial Downtown D1, D2, C1A/R	Wall sign: 2.0 linear foot of ground floor frontage up to 200 sf max. Signs may contain 10 message units. Gasoline price signs: signs on each pump island up to 20 sf per island.	2 sf per linear foot of building frontage up to 200 sf max. Distributed among all signs. Wall sign: No maximum # Projecting sign: 1 per business frontage Awning / Canopy sign: no more that 25% of awning/canopy area; 1 per business frontage
Commercial Outside Downtown C1 – C3, R5, O, RE, M1 – M2, ORL	Theater signs: 200 sf of additional changeable message signs Business center signs: 2 sf per each 1 linear foot of building frontage, up to 200 sf.; changeable portion shall not exceed 50% of the sign area or 15 sf per sign face/30 sf per sign.	2 sf per linear foot of building frontage up to 200 sf max. Distributed among all signs. Wall sign: No maximum # Freestanding sign: 1 per street frontage (200 ft spacing requirement) Projecting / Hanging sign: 1 per business frontage Awning / Canopy sign: no more that 25% of awning/canopy area; 1 per business frontage
Alley	Alley sign: 1 sf for each linear foot of alley frontage with 10 additional message units	Alley signs count toward overall maximum permitted sign area. No longer regulated separately
Billboard/Off-Premises sign	Up to 200 sf; however, the maximum permitted area for on-premises signs is reduced 1 sf for each sf of off-premises signs; up to 25' in height. No closer than 300 ft from other such sign.	On- and off-premises signs no longer regulated separately. Previously approved billboards may remain. No new billboards (signs over 200 sf).
Religious institutions, schools, museums, community recreation facility, library	Up to 50 sf	No longer regulated by these use types. Regulated by district. Permitted nonresidential uses in residential districts: Freestanding sign: 50 sq ft per Lot Wall, Awning, Canopy: 12 sf per Lot distributed among these sign types; max 1 each per street frontage

Temporary Signs		
Residential Districts	<p>For Sale Signs: one sign up to 48" in height and 36" wide – may be erected while a property is for sale and removed within 48 hours after the closing of the sale.</p> <p>For Rent Signs: one sign up to 48" in height and 36" wide – may be erected while a property is for sale and removed within 48 hours after the property is no longer available for rent.</p> <p>Portable open house signs: up to 6 sf on the premises being sold plus up to 2 additional signs in the public right-of-way.</p> <p>Contractor signs: one sign up to 48" in height and 36" wide – from the time a building permit for the work is issued until the end of construction.</p> <p>Political sign: one sign up to 48" in height and 36" wide</p>	<p>Freestanding sign: 0.2 sf of area per linear ft of street frontage (at least 12 sf and no more than 48 sf). 12 sf maximum area of single sign. 4 signs max. Display up to 65 continuous days, with 30-day gap between display periods.</p> <p>One 3 sf sign may be displayed with no time limit.</p> <p>Wall sign: 3 sf per principal building in single family districts (max 2 signs) and 12 sf per principal building in multi-family districts (max 1 sign). Display up to 28 days in calendar year, not more than 14 continuous days.</p> <p>Display period limitations are suspended while building or lot is for sale.</p>
Non-residential Districts	<p>Real estate: up to 12 sf and 10 ft high for sale/rental of other than 1- or 2-family homes; up to 120 days</p> <p>Contractor signs: Up to 50 sf and 10 ft high on sites other than 1- or 2-family homes – for work requiring a building permit.</p>	<p>Freestanding sign: 0.6 sf of area per linear ft of street frontage (at least 32 sf and no more than 100 sf). 32 sf maximum area of single sign. 4 signs max. Display up to 65 continuous days, with 30-day gap between display periods.</p> <p>One 3 sf sign may be displayed with no time limit.</p> <p>Wall sign: 20 sf per building. Display up to 28 days in calendar year, not more than 14 continuous days.</p> <p>Display period limitations are suspended while building or lot is for sale.</p>

Prepared by Chris Cheng
Reviewed by Brett Lenart
12/13/19

Attachment: [12/13/19 2019 Draft Sign Ordinance](#)

c: City Attorney's Office

UNIFIED DEVELOPMENT CODE (SIGNS)

AN ORDINANCE TO AMEND SECTIONS 5.24, 5.29.2, 5.33.2, 5.35.2, 5.36.2 AND 5.37 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.24 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be replaced as follows:

5.24 Signs

5.24.1 Applicability

Signs may be erected or maintained in the City only as permitted by this chapter and subject to other restrictions contained in this Code, including standards relating to the City's designated historic districts. The Sign regulations of this Code 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 Sign regulations of this Code are not intended to and do not apply to Signs required by law or a government entity. If any portion of the Sign regulations of this Code is determined to be a violation of law, that portion shall be severed from the remainder of the Sign regulations and shall be revised to reflect the least possible change that avoids the violation of law; and the remainder of the Sign regulations shall remain in effect and be interpreted as closely as possible to the original intent without violating state or federal law. Regardless of any provision of this Code, noncommercial messages may be placed or substituted on any lawfully permitted Sign.

5.24.2 Intent

The City intends the Sign regulations of this Code to achieve compelling, substantial, and important government interests in a manner that represents the least restrictive means of accomplishing those interests and to promote important and substantial government interests that would not be effectively achieved absent the regulations. Regulating the size and location of Signs 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 wayfinding and property identification for emergency response purposes. Nothing in the Sign regulations of this Code is intended to prohibit the right to convey and receive messages, specifically noncommercial messages such as religious, political, economic, social, philosophical or other types of speech protected by the First Amendment of the United States Constitution. The following subsections describe some, but not necessarily all, of the compelling, substantial, and important government interests that the City intends to achieve through the sign regulations of this Code:

A. Pedestrian and Vehicular Safety

The City finds that pedestrian and vehicular safety and efficiency are compelling, substantial, and important government interests. Public Rights-Of-Way and private streets in the City are used concurrently by a variety of vehicles of varying speeds, sizes, and vulnerability, including trucks, buses, trains, cars, motorcycles, mopeds, bicycles, and scooters, all of which may travel in close proximity. Interactions among vehicles and between vehicles and pedestrians create compelling, substantial, and important safety concerns. Most signage is visible to vehicle or pedestrian traffic and at least partly intended or designed to attract the attention of vehicle operators or pedestrians, thereby creating distractions that diminish traffic and pedestrian safety.

The City finds that a mix of traffic types, including vehicles and pedestrians, is beneficial to the general welfare of the City, including allowing density sufficient to sustain a healthy economic base, meeting the different transportation needs of a wide variety of residents and nonresidents, and ensuring adequate access to employment, entertainment, retail, business, housing, and services.

In order to promote pedestrian and vehicular safety, the purposes of the Sign regulations of this Code include the following:

1. To reduce distractions to vehicle operators and pedestrians and thereby reduce the risk for crashes, property damage, injuries, and fatalities.
2. To permit Signs that provide adequate information or direction to both pedestrians and vehicle operators without conflicting with other Signs, structures, or improvements.
3. To reduce clutter and confusion and to provide clear wayfinding Signs, so that traffic movement is efficient and unnecessary traffic maneuvers are minimized.
4. To maintain clear lines of sight along Public Rights-of-Way and at intersections, Driveways, and other points of interaction among vehicles and pedestrians.

B. Character and Quality of Life

The City finds that achieving and maintaining attractive, orderly, and desirable places to live, conduct business, celebrate civic events, entertain people, and provide for housing opportunities are directly related to the stability of property values needed to provide and finance quality public services and facilities within the City, and therefore are compelling, substantial, and important government interests. In order to protect the stability of neighborhoods and the unique character and quality of life of the City and its individual neighborhoods, the purposes of the Sign regulations of this Code include the following:

1. To permit Signs that are of sufficient, but not excessive, size to perform their intended function.
2. To prohibit Signs that may cause conflicts between vehicular- and pedestrian-targeted messages, hinder sight distances, or detract from a safe and pleasant pedestrian experience.
3. To regulate Signs by zoning district or other geographic area, including those established by the City's Master Plan or other laws, regulations, or plans.

C. Economic and Development and Property Values

The City finds that there is a clear relationship between the promotion of a set of specifications and restrictions for Signs and the promotion of economic development and property values, which are compelling, substantial, and important government interests. Unregulated or haphazard sizes, locations, or other characteristics of Signs have a realistic tendency to result in an appearance that reduces economic development and property values. The Sign regulations of this Code are intended to create stability and predictability, allowing each private interest reasonable exposure through Signs for purposes including expression and the promotion of business. The application of the Sign regulations of this Code is intended to allow businesses and other Persons to reasonably command attention to their messages in a manner that promotes economic development and preserves property values.

D. Avoidance of Nuisance-Like Conditions

The City finds that, due to the concentration of people and activities within the City, there is a potential for blight, physical clutter, excess light and noise, and visual clutter, which tend to create nuisance-like conditions that are adverse to the public welfare. Such nuisance-like conditions lead to diminished property values, reduced attractiveness of the community, and reduced quality of life within the City. The City finds that it is a compelling, substantial, and important government interest to avoid such nuisance-like conditions. Therefore the purposes of the Sign regulations of this Code include the following:

1. To prohibit an excessive number of Signs in proximity to one another and to establish setbacks from property lines.
2. To establish maximum sizes and regulate the locations of Signs.
3. To establish construction and maintenance specifications for Signs to protect public safety and minimize the potential for deteriorated Signs to contribute to blight.
4. To regulate Signs and Sign lighting to prevent excessive glare, light trespass, and skyglow.

E. Property Identification and Wayfinding for Emergency Response

The City finds that avoiding confusion in Public Rights-of-Way, minimizing unnecessary intrusions onto private property, and ensuring the ability for emergency

responders to promptly and efficiently navigate to and identify emergency locations are compelling, substantial, and important government interests. Therefore the purposes of the Sign regulations of this Code include regulations intended to ensure understandable, unambiguous, uncluttered, and coordinated wayfinding for vehicular and pedestrian purposes, including the regulation of location addresses and the limitation of Signs in the Public Right-of-Way.

5.24.3 Prohibited Signs

The following signs are prohibited:

- A. Signs not specifically permitted by this Code.
- B. Signs that move, pulse, scroll, blink, flash, sparkle, or give the appearance thereof.
- C. Exterior Pennants, spinners, inflatables, feather flags, and streamers.
- D. Signs that are structurally or electrically unsafe.
- E. Signs placed on a tree or utility pole or structure.
- F. Signs on a motor vehicle or trailer that is parked on a Premises so as to be visible from a Public Right-of-Way, outside of the hours that any Business on the Premises is open to the public, and for the primary purpose of commercial advertising.
- G. Rope lights, string lights or similar lighting attached to, surrounding or otherwise drawing attention to a Sign.
- H. Signs erected on or projecting into a Public Right-of-Way, except for Signs expressly permitted in a Public Right-of-Way by this Code. The City may remove and destroy or otherwise dispose of, without notice to any Person, any Sign erected on a Public Right-of-Way in violation of this Code.
- I. Signs that imitate a traffic control device.
- J. Signs that emit smoke, visible vapor, particulate matter, sound, or odor.
- K. Sign Structures that no longer contain a Sign.

5.24.4 General Provisions

A. Calculating Sign Area

Except as otherwise provided in this section, Sign Area is the area of a rectangle or rectangles enclosing the extreme limits of writing, representation, emblem, or any figure of similar character on a Sign, regardless of opacity or missing space within the rectangle or rectangles. Each row of text shall be grouped into one rectangle. See Figure 24.A and Figure 24.B.

1. Sign Area Specific Standards

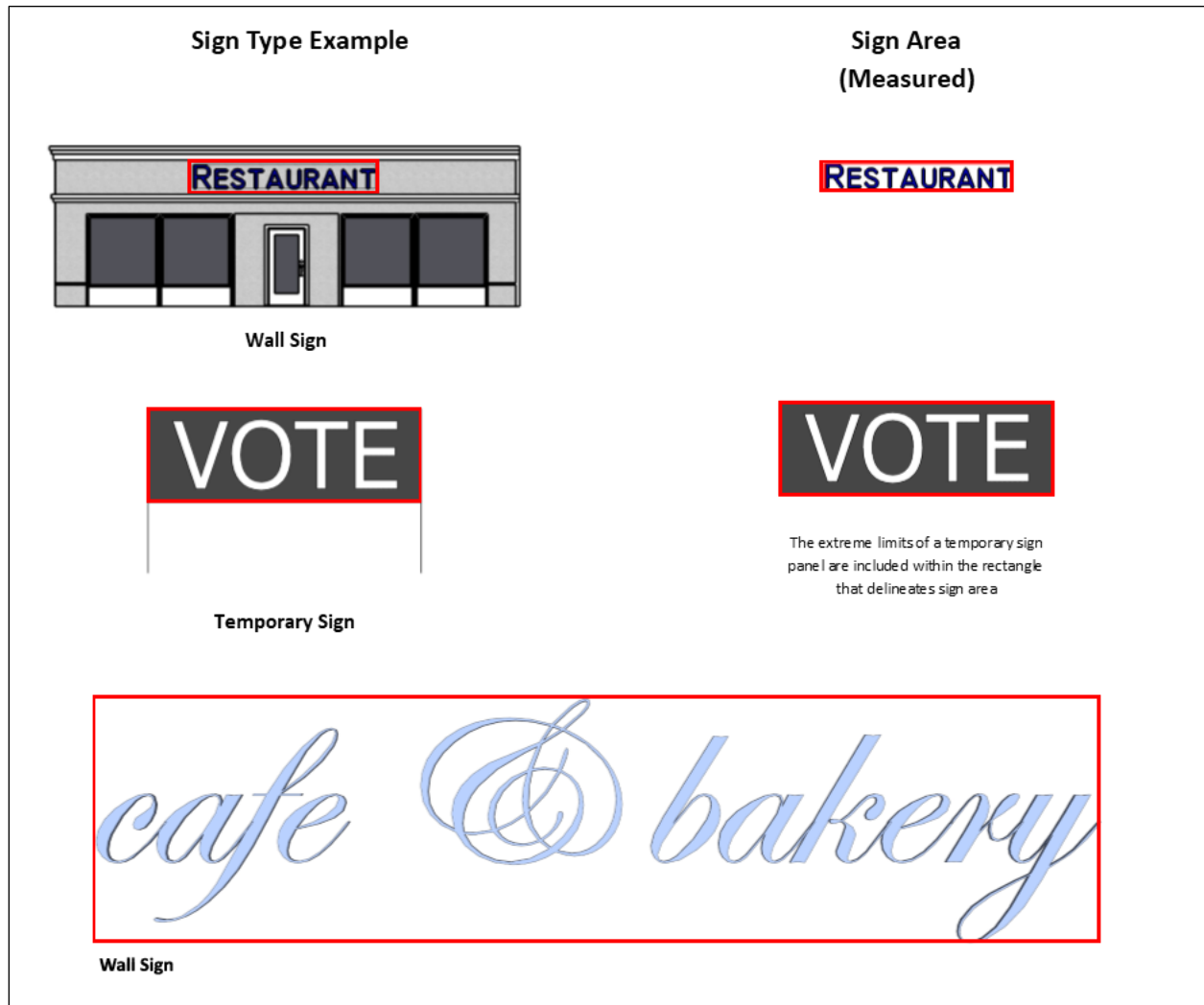
- a. **Multiple Faces.** For a Sign with two or more faces, all faces are included in the Sign Area.

- b. **Reflective Backgrounds.** For internally and externally illuminated Signs, the entire illuminated background is included in the Sign Area, except for nonreflective, matte black backgrounds.
- c. **Temporary Signs, Projecting Signs, Window Signs, Hanging Signs.** For Temporary Signs, Projecting Signs, Window Signs, and Hanging Signs, all background elements are included in the Sign Area regardless of opacity or reflectivity.
- d. **Sign Structures.** If the Sign Structure is more than three times the area of the supported Sign, the area of the Sign Structure is included in the Sign Area.
- e. **Three Dimensional Signs.** For a three-dimensional Sign, the Sign Area is the surface area of a cube that completely encloses the three-dimensional Sign.

Figure 24.A Calculating Sign Area of Freestanding Signs

Sign Type Example	Sign Area (Measured)
 <p data-bbox="305 520 737 541">Internally Illuminated Sign with Black Background</p>	
 <p data-bbox="289 781 766 802">Internally Illuminated Sign with Non-Black Background</p>	
 <p data-bbox="295 1066 769 1117">Internally Illuminated Sign with Non-Black Background and Additional Sign Elements</p>	
 <p data-bbox="363 1356 688 1411">Sign Not Illuminated (No Internal or External Illumination)</p>	

Figure 24.B Calculating Sign Area of Wall Signs and Temporary Signs



B. Measuring Sign Height

1. **Maximum Height.** Maximum heights for Signs are measured as the distance from the lowest point of the ground or pavement (whichever is lower) directly beneath the Sign to the highest edge of the Sign or Sign Structure (whichever is higher).
2. **Minimum Height.** Minimum heights for Signs are measured as the distance from the highest point of the ground or pavement (whichever is higher) beneath the Sign to the lowest edge of the Sign or Sign Structure (whichever is lower).
3. **Sign Structures.** Height requirements for Signs include all supporting Sign Structures.

C. Changeable Copy and Electronic Message Signs

- a. Changeable Copy may not exceed 50% of the total Sign Area of a Sign.

- b. An Electronic Message Sign may only be included as a component of a larger Sign and may not exceed 25% of the total Sign Area of the Sign.
- c. Changeable Copy and Electronic Message Signs shall not change more than once per minute.

D. Sign Illumination

1. General

- a. A Permanent Sign may be illuminated by internal or external Light Sources. A Temporary Sign shall not be illuminated.
- b. A Light Source that illuminates a Sign shall have a constant color and intensity, except that it may dim or brighten in response to changes in ambient light as permitted in this Code.
- c. A Light Source that illuminates a Sign shall be installed and maintained in a manner to prevent glare as required by this Code, including through the use of full cutoff fixtures, shields, baffles, mounting height, appropriate luminosity, aiming angle, and placement.
- d. In all cases, Sign illumination shall not project light that exceeds 0.1 foot candles above the ambient light at a Lot Line bordering a Residential Zoning District.

2. Mounting and Shielding

- a. An external Light Source illuminating an exterior Sign shall be mounted above the Sign, shall be shielded so that the Light Source is not directly visible from any point on or above a horizontal plane extending from the Light Source and shall not be aimed or directed toward a residential Building on another Lot or toward a Public Right-of-Way.

b. Exceptions

The following types of Light Sources are exempt from the mounting and shielding requirements in this subsection:

- i) A Light Source wholly within a Sign or Sign Structure constructed with translucent (but not transparent) material, such as an internally illuminated box Sign.
- ii) A Light Source placed behind opaque lettering or other component of the Sign and visible only through reflection off a wall or other surface, such as a halo, back-lit, or reverse channel Sign.
- iii) A Neon Sign.
- iv) An Electronic Message Sign.

3. Electronic Message Sign Illumination

- a. An Electronic Message Sign shall not emit more than 5,000 Nits in full daylight and 100 Nits at night (between astronomical dusk and dawn).
- b. An Electronic Message Sign shall have a functioning ambient light monitor and automatic dimming equipment which shall at all times 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 this Code or other applicable law, the interface that programs the Electronic Message Sign shall be made available to the City 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.
- c. When an Electronic Message Sign changes, the change shall be instantaneous, without any additional effect, such as fade, blinking, or dissolve.
- d. An Electronic Message Sign shall default to an unlit black screen when more than 50% of its Light Sources fail or if its Light Sources otherwise are not displaying properly.

4. Hours of Illumination

Illuminated Signs shall be extinguished as following:

- a. On Lots that do not contain a Business: Illuminated Signs shall be extinguished between 10:00 p.m. and 6:00 a.m.
- b. On Lots that contain a Business: Illuminated Signs shall be extinguished between one hour after the close of all Businesses on the same Lot and one hour before the opening of any Business on the same Lot.

E. Additional Standards

1. Addresses

Addresses shall be visible and legible from a Public Right-of-Way and comply with the requirements of Chapter 2 of this Code. Address Signs with an address that is 12 inches or less in height in Residential Zoning Districts and 24 inches or less in height in Nonresidential Zoning Districts shall be excluded from calculations of maximum permitted Sign Area.

2. Projections into Public Right-of-Way

A Permanent Sign, Sign Structure, Awning or Canopy shall not be located in, project into, or overhang a Public Right-of-Way or public easement except upon the prior review and permission of the City, receipt by the City of proof of all required insurance, and execution of all licenses, permits, and other agreements required by the City.

3. Sightlines, Interference with Street Signs

- a. Signs and Sign Structures shall not interfere with applicable sightline requirements and standards, including City standards for Driveways and intersections contained in the City Public Services Standard Specifications.
- b. Signs and Sign Structures shall not obscure or interfere with an official street sign or signal, including by position, shape, or color.

4. Placement of Awning Signs and Canopy Signs

Awning Signs and Canopy Signs shall be printed on or hung from the Awning or Canopy surface.

F. Safety and Maintenance

Every Sign and Sign Structure shall be maintained in a safe condition, in compliance with all applicable building and electrical codes and this Code, including adequate protection against corrosion. If at any time the Building Official determines that a Sign or Sign Structure constitutes a dangerous structure, the Building Official may require immediate action to mitigate the danger, including demolition of the Sign or Sign Structure.

A Sign or Sign Structure that is broken, torn, bent, has a broken, bent, or damaged support, or is not reasonably level and plumb shall be repaired or reinstalled in a manner prescribed by the Building Official.

A Sign or Sign Structure shall not have more than 20% of its area covered with disfigured, cracked, rippled, or peeling material or paint for a period of more than 30 consecutive days.

A Sign or Sign Structure shall not have bent or broken Sign facing, a broken support, loose appendage or strut, or lean more than 15 degrees from vertical, unless designed to do so, for a period of more than 30 successive days.

A Sign shall not have weeds, vines, or other vegetation growing upon it in a manner that obstructs the view of the Sign for a period of more than 30 consecutive days.

An illuminated Sign shall not remain partially illuminated with a failed Light Source for a period of more than 30 consecutive days.

A Sign Structure now or hereafter existing which no longer contains a Sign shall be removed.

5.24.5 Permanent Signs

A. D1, D2, and C1A/R Districts

1. Area

Each Building in the D1, D2, and C1A/R district is permitted two square feet of Sign Area per linear foot of Building Frontage up to a maximum of 200 square feet of Sign Area for Permanent Signs. The permitted Sign Area may be distributed among permitted Sign types, provided that:

- a. **Awning Signs.** The Sign Area of Awning Signs shall be no more than 25% of the Awning area.
- b. **Canopy Signs.** The Sign Area of Canopy Signs shall be no more than 25% of the Canopy area.

2. Height, Placement, and Number

The type, height, placement, and number of Permanent Signs permitted in D1, D2, and C1A/R districts are provided in Table 5.24-1. Height and placement requirements include the Sign Structure, unless otherwise stated.

TABLE 5.24-1: D1, D2 AND CIA/R DISTRICT PERMANENT SIGNS			
SIGN TYPE	HEIGHT	PLACEMENT	MAXIMUM NUMBER
PROJECTING SIGNS	Maximum: 30 ft. but no higher than the top of the Building Minimum: 8 ft. if projecting into Public Right-of-Way	May not project more than 4 ft. from the Building	1 per Business Frontage
WALL SIGNS	Minimum: 8 ft. if projecting into Public Right-of-Way	Must be within lowest 20 ft. of the Building. If the Building Height is 45 ft. or higher, may be placed within the uppermost 15 ft. of the Building and may extend up to 3 ft. above the top of the Building. May not project more than 2 feet from the Building	No maximum
AWNING SIGNS	Maximum: 20 ft.	Entirely within the Awning	1 per Business Frontage
CANOPY SIGNS	Maximum: 20 ft.	Entirely within Canopy	1 per Business Frontage

B. Other Mixed Use and Nonresidential and Special Purpose Districts

1. Area

Each Building in Mixed Use Zoning Districts other than D1, D2, and C1A/R and Nonresidential and Special Purpose districts is permitted two square feet of Sign Area per linear foot of Building Frontage up to a maximum of 200 square

feet of Sign Area for Permanent Signs. The permitted Sign Area may be distributed among permitted Sign types, provided that:

- a. **Awning Signs.** The Sign Area of Awning Signs shall be no more than 25% of the Awning area.
- b. **Canopy Signs.** The Sign Area of Canopy Signs shall be no more than 25% of the Canopy area.

2. Height, Placement, and Number

The type, height, placement, and number of Permanent Signs permitted in Mixed Use Zoning Districts other than D1, D2, and C1A/R and Nonresidential and Special Purpose districts are provided in Table 5.24-2. Height and placement requirements include the Sign Structure, unless otherwise stated.

TABLE 5.24-2: OTHER MIXED USE AND NONRESIDENTIAL AND SPECIAL PURPOSE DISTRICTS PERMANENT SIGNS			
SIGN TYPE	HEIGHT	PLACEMENT	MAXIMUM NUMBER
PROJECTING SIGNS	Maximum: 30 ft. but no higher than the top of the Building Minimum: 8 ft. if projecting into Public Right-of-Way	May not project more than 4 ft. from the Building	1 per Business Frontage
WALL SIGNS	Minimum Height: 8 ft. if projecting into Public Right-of-Way	Must be within lowest 20 ft. of the Building. If the Building Height is 45 ft. or higher, may be placed within the uppermost 15 ft. of the Building and may extend up to 3 ft. above the top of the Building. May not project more than 2 ft. from the Building	No maximum
FREESTANDING SIGNS	Maximum: 1 ft. for each foot set back from the nearest Lot Line, up to 25 ft. maximum	Minimum Required Setback 5 ft. Minimum 200 ft. between each Freestanding Sign on the same Premises	1 per Street Frontage
AWNING SIGNS	Maximum: 20 ft.	Entirely within the Awning	1 per Business Frontage
CANOPY SIGNS	Maximum: 20 ft.	Entirely within Canopy	1 per Business Frontage

C. Residential Zoning Districts

The type, area, height, placement, and number of Permanent Signs permitted in Residential Zoning Districts are provided in Table 5.24-3. Height and placement requirements include the Sign Structure, unless otherwise stated.

TABLE 5.24-3: RESIDENTIAL DISTRICTS PERMANENT SIGNS

LAND USE	SIGN TYPE	MAXIMUM SIGN AREA PER LOT	HEIGHT	PLACEMENT	MAXIMUM NUMBER
BUILDINGS WITH 3 OR 4 DWELLING UNITS	WALL SIGN	6 sq. ft. per Building	Maximum: 10 ft.	Within 4 ft. of a door facing and visible from a public Street	1 per Building
BUILDINGS WITH 5 OR MORE DWELLING UNITS	WALL SIGN	6 sq. ft. per Building	Maximum: 10 ft.	Within 4 ft. of a door facing and visible from a public Street	1 per Building
	FREESTANDING SIGN	50 sq. ft.	Maximum: 1 ft. for each foot set back from the nearest Lot Line, up to 8 ft. maximum	Minimum Required Setback: 5 ft.	1 per Lot
NONRESIDENTIAL	WALL SIGNS	12 sq. ft. among these types	Maximum: 10 ft.	N/A	1 per Street Frontage
	AWNING SIGN		Maximum: 10 ft.	Entirely within Awning face	1 per Street Frontage
	CANOPY SIGN		Maximum: 10 ft.	Entirely within Awning face	1 per Street Frontage
	FREESTANDING SIGN	50 sq. ft.	Maximum: 1 ft. for each foot set back from the nearest Lot Line, up to 8 ft. maximum.	Minimum Required Setback: 5 ft.	1 per Lot

5.24.6 Window Signs

Window Signs are permitted as provided in Table 5.24-4 in addition to all other permitted Signs.

TABLE 5.24.4: WINDOW SIGNS

ZONING DISTRICT	PLACEMENT	SIGN AREA
MIXED USE, NONRESIDENTIAL AND SPECIAL PURPOSE	Ground floor windows only	Maximum 25% of ground floor window area of Building facade

5.24.7 Temporary Signs

A. Display Period

1. Temporary Wall Signs

A Temporary Wall Sign may be displayed for up to 28 days in a calendar year and shall not be displayed for more than 14 continuous days. Temporary Wall Signs shall be removed when not within the permitted display period.

2. Temporary Freestanding Signs

A Temporary Freestanding Sign may be displayed for up to 65 continuous days, with at least a 30-day gap between any display period. Temporary Freestanding Signs shall be removed when not within the permitted display period.

3. Exceptions

- a. **Building or Lot For Sale.** When all or a portion of a Building or Lot is listed for advertised for sale or lease, the maximum display period for Temporary Signs on that Building or Lot shall be the duration that the Building, Lot, or portion thereof, is listed or advertised for sale or lease. Once the Building, Lot, or portion thereof, is no longer listed or advertised for sale, all Temporary Signs that have been displayed for more than 65 days shall be removed.
- b. **Unlimited Sign.** One nonilluminated Temporary Freestanding Sign with a noncommercial message up to 3 square feet in Sign Area is permitted on a Lot at any time with no limitation on display period. Such a Sign is subject to the placement requirements and counts toward the maximum Sign Area for Freestanding Signs provided in Table 5.24-4.

B. Regulations

The type, area, height, number, and placement of Temporary Signs permitted by district are provided in Table 5.24-5. Height and placement requirements include the Sign Structure, unless otherwise stated.

TABLE 5.24-5: TEMPORARY SIGNS						
ZONING DISTRICT	SIGN TYPE	MAXIMUM SIGN AREA		MAXIMUM NUMBER	REQUIRED SETBACK	MAXIMUM HEIGHT
		PER LOT	PER SIGN			
SINGLE AND TWO-FAMILY	Freestanding Sign	Lot Width 60 ft. or less: Maximum 12 sq. ft. Lot Width more than 60 ft.: Maximum 0.2 sq. ft. per linear foot of Lot Width up to 48 sq. ft.	12 sq. ft.	4	Minimum 5 ft.	5 ft.
	Wall Sign	Maximum 3 sq. ft. per Principal Building	3 sq. ft.	2	N/A	10 ft.
MULTIPLE-FAMILY	Freestanding Sign	Lot Width 60 ft. or less: Maximum 12 sq. ft. Lot Width more than 60 ft.: Maximum 0.2 sq. ft. per linear foot of Lot Width up to 48 sq. ft.	12 sq. ft.	4	Minimum 5 ft.	5 ft.

TABLE 5.24-5: TEMPORARY SIGNS						
ZONING DISTRICT	SIGN TYPE	MAXIMUM SIGN AREA		MAXIMUM NUMBER	REQUIRED SETBACK	MAXIMUM HEIGHT
		PER LOT	PER SIGN			
	Wall Sign	Maximum 12 sq. ft. per Principal Building	12 sq. ft.	1	N/A	10 ft.
NONRESIDENTIAL	Freestanding Sign	Building Frontage 166 ft. or less: Maximum 32 sq. ft.				
		Building Frontage more than 166 ft.: Maximum 0.6 sq. ft. per linear foot of Building Frontage up to 100 sq. ft.	32 sq. ft.	4	Minimum 5 ft.	6 ft.
	Wall Sign	20 sq. ft. per Building	20 sq. ft.	No maximum	N/A	10 ft.

C. Materials and Construction

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. A Temporary Freestanding Sign larger than three square feet shall have a rigid frame or border.

5.24.8 Liability Insurance

If any Permanent Sign or Sign Structure is erected upon or projects into a Public Right-of-Way or if the height of a Sign or Sign Structure is greater than the distance from the Sign or Sign Structure to a Public Right-of-Way, then the owner of the Sign or Sign Structure shall at all times maintain Commercial General Liability Insurance in the amount of \$1,000,000.00 covering collapse of the Sign or Sign Structure and potential resulting injuries and damages. The Commercial General Liability Insurance policy shall include an endorsement, or policy language, naming the City of Ann Arbor as an additional insured.

Section 2. That Section 5.29.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.29.2 Sign Permit

A. Signs Requiring a Permit

~~Sign regulated by Sections 5.24.4 On-Premises Exterior Business Signs, 5.24.7, Real Estate Signs, or 5.24.11 Off-Premises Signs, shall not be erected, altered, relocated or maintained unless a permit for it is obtained from the City in accordance with the requirements of Section 5.24 and the following requirements:~~

All Signs regulated by this Code, that are erected, altered, relocated, or maintained require a permit from the City.

B. Exceptions

~~No permit shall be required for ordinary servicing, repainting of existing Sign message or cleaning of a Sign. No permit is required for changing the Changeable Copy of a Sign unless the Changeable Copy is being replaced with a permanent Sign.~~

No permit is required for:

1. Ordinary repair and upkeep of an existing Sign.
2. Changing the Changeable Copy of a Sign unless the Changeable Copy is being replaced with a Permanent Sign.
3. Temporary Signs in Residential Zoning Districts and the Temporary Freestanding Sign permitted under Section 5.24.7.A.3.b. in all zoning districts.
4. Address Signs.

C. Display of Street Address

No permit shall be issued pursuant to Section ~~Error! Reference source not found.~~5.24.3C or ~~Error! Reference source not found.~~5.24.5 unless the Applicant displays on the Premises the street address number in digits having a height of at least three inches that also meet the requirements of Chapter 2 of this Code.

C.D. Application

~~Application for Sign permits shall be made upon forms provided for by the City and shall contain the following information:~~

An application for a Sign permit shall be made upon forms provided by the City and shall provide the following information:

1. Name, address and telephone number of the Applicant.
2. Location of Building, Structure or Lot to which the Sign is to be attached or erected.
3. Position of the Sign in relation to nearby Buildings, Structures and Lot Lines.

4. ~~Drawings of the plans and specifications and method of construction and attachment to the Building or in the ground.~~ Sign drawings, plans, specifications, sufficient to determine compliance with applicable requirements, including the method of construction and attachment of the Sign to the Building or ground.
5. Name and address of the Person, ~~firm, corporation or association~~ entity erecting the ~~Structure~~ Sign.
6. ~~Insurance policy or bond as required by this chapter~~ Evidence of all required insurance policies and bonds.
7. ~~Stress sheets and calculations, if deemed necessary by the City, showing the Sign Structure as designed for dead load and wind pressure in accordance with regulations adopted by the City.~~
- 7.8. Such other information as the City may require to show full compliance with this and all other applicable laws of the City and the State of Michigan.
8. ~~Permit applications for electronic Illuminated Signs shall include a copy of the manufacturer's specifications for luminance.~~

D.E. Building Permit Requirement

~~Signs requiring a new footing, framework, or attachment to a Building or Structure shall also be required to submit a Building permit application, unless determined unnecessary by the Building Official. The Building permit application shall include drawings, stress sheets and calculations showing the Sign as designed for dead load and wind pressure in accordance with Chapter 100 of this Code and shall bear the certificate or seal of a registered Architect or Professional Engineer. A Sign subject to a Building permit shall meet the materials, design and maintenance standards of Chapter 100 regardless of whether the Sign is visible from public property. Nothing contained in Chapter 100 shall be construed to permit any Sign prohibited by this chapter.~~

A Sign or Sign Structure requiring a new footing, framework, or attachment to a Building or Structure shall also submit a building permit application, unless determined unnecessary by the Building Official. The building permit application shall include drawings, stress sheets, and calculations showing the Sign and Sign Structure as designed for dead load and wind pressure in accordance with Chapter 100 of this Code and shall bear the certificate or seal of a registered Architect or Professional Engineer. A Sign or Sign Structure subject to a building permit shall meet the materials, design, and maintenance standards of Chapter 100 regardless of whether the Sign is visible from a Public Right-of-Way or public property. Nothing contained in Chapter 100 shall be construed to permit any Sign or Sign Structure prohibited by this chapter.

E.F. Electrical Permit Requirement

~~All new electric Signs or existing electric Signs requiring an electrical reconnection shall be required to submit an electrical permit application. All electric Signs and outside lighting shall be installed in accordance with the Electrical Code adopted by the City as referenced in Chapter 100 of this Code.~~

Sign illumination, a new electric Signs, or existing electric Signs requiring an electrical reconnection shall submit an electrical permit application. All electric Signs and outside

lighting shall be installed in accordance with the Electrical Code adopted by the City, as referenced in Chapter 100 of this Code.

~~**F.A. Display of Street Address**~~

~~No permit shall be issued pursuant to Section 5.24.3C or 5.24.5 unless the Applicant displays on the Premises the street address number in digits having a height of at least three inches that also meet the requirements of Chapter 2 of this Code.~~

G. Criteria for Approval

The City shall issue a Sign permit if it determines that the application complies with this chapter and with all other applicable laws and regulations of the City.

Section 3. That Section 5.33.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.33.2 Nonconforming Signs

- A. Unless otherwise provided in this chapter or other applicable law, Nonconforming Signs may be used, maintained, or repaired in the same form and type as they existed at the time they became nonconforming, subject to the provisions in subsections B through ~~E-D~~ below.
- B. No Nonconforming Sign:**
1. Shall be changed to another Nonconforming Sign.
 2. Shall have any change made in the Sign Structure, shape, size, type, design, or mechanical or electrical equipment of the Sign unless the change brings the Sign into compliance with this chapter; however the Building Official may order repair of a Nonconforming Sign for safety.
 3. Shall be re-established or maintained after the ~~activity, Business or usage~~ Premises, Building, Business, Lot, Dwelling Unit or use ~~to that~~ which it ~~relates-is associated~~ has been ~~discontinued-unoccupied~~ for 90 days or longer.
 4. Shall be repaired or erected after being damaged if the repair or erection of the Sign would cost more than 50% of the cost of an identical new Sign.
 5. Shall have any change made that would result in different type of or greater illumination of an illuminated Sign or change a non-illuminated Sign to an illuminated Sign.
 6. Shall have any change made to add mechanical or electronic features, except ambient light monitors to regulate brightness in accordance with this Code.
- C. If the owner of a Sign or the Premises on which a Sign is located changes the location of a Building, Lot Line or Sign or changes the use of a Building so that any Sign on the Premises is rendered a Nonconforming Sign, such Nonconforming Sign must be removed or made to conform to this chapter.
- ~~D. Notwithstanding the foregoing, Signs that violate Sections 5.24.10E, 5.24.10F, 5.24.10G, 5.24.10H, 5.24.10I, or 5.24.10J that were in existence before September 1, 1975, and were not removed by that date are illegal Signs, rather than Nonconforming Signs.~~
- E.D. Billboards ~~A Freestanding Sign over 200 square feet~~ lawfully existing as of April 10, 2013 (referred to as "billboards" in prior versions of this Code), may be maintained or repaired in the same form and type so as to continue ~~the use of the Billboard~~ in the same manner as its use as of April 10, 2013, however such ~~Billboards~~ Signs may not be expanded, enlarged, or extended and may not be

altered to add illumination, Changeable Copy, or other features that were not lawfully present as of April 10, 2013. ~~Billboards lawfully existing as of April 10, 2013~~ Such a nonconforming Sign may be removed for maintenance or repair purposes in accordance with this Subsection 5.33.2~~DE~~ upon obtaining a permit from the City, however, if the ~~Billboard Sign~~ is not reinstalled within 90 days of removal, the Nonconforming Use of the ~~Billboard Sign~~ shall be deemed abandoned and the Billboard may not be reinstalled. The Sign Area of such a nonconforming Sign shall not be included in the calculation of any maximum Sign Area permitted under this Code.

Section 4. That Section 5.35.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.35.2 Specific Enforcement Powers

A. Storm Water Management and Soil Erosion

Whenever the performance of any act is required or prohibited by the provisions of Section ~~Error! Reference source not found.5.22~~ or a related provision of Sections ~~Error! Reference source not found.5.29.3~~ or ~~Error! Reference source not found.5.29.4~~, a failure to comply with those provisions shall constitute a violation of this chapter. The Planning Manager may issue a stop work order on the remaining portion of construction or may refuse the issuance of building permits or certificates of occupancy. The Planning Manager may also cause such work, as necessary for compliance with this chapter, to be performed and the expense of work performed shall become a debt to the City from the landowner and may be collected as a single Lot assessment under Section 1:292 of this Code, or in any other manner in which an indebtedness due the City may be collected. Additional enforcement provisions are included in Chapter 100 of this Code and the Michigan Construction Code.

B. Sign Inspection

A Person who owns or controls a Sign or a Sign Structure and a Person who owns or controls the property where a Sign or Sign Structure is located shall make the Sign or Sign Structure available for City staff to inspect for compliance with the City Code or other applicable law upon the City's request.

Section 5. That Section 5.36.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.36.2 Specific Provisions

A. Storm Water Management and Soil Erosion Control

1. Except as set forth in Subsections 2 and 3 below, a violation of Section 5.22 is a municipal civil infraction subject to a civil fine of no more than \$2,500.00, plus costs, plus equitable relief as may be ordered by the court, including but not necessarily limited to ordering the Person to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation. Each day and each violation is a separate violation.

A Person who knowingly violates Section 5.22 or a related provision of Sections 5.29.3 or 5.29.4 or knowingly makes a false statement in an application for a permit or in a soil Erosion and sedimentation control plan is responsible for a civil infraction and is subject to the payment of a civil fine of not more than \$10,000.00 for each day of violation, plus costs plus equitable relief as may be ordered by the court, including but not necessarily limited to ordering the Person to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation.

A Person who knowingly violates Section 5.22 or a related provision of Sections 5.29.3 or 5.29.4 after receiving a notice of the violation is responsible for a civil infraction and is subject to the payment of a civil fine of not less than \$2,500.00 or more than \$25,000.00 for each day of violation, plus costs, plus equitable relief as may be ordered by the court, including but not necessarily limited to ordering the Person to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation.

B. Signs

It shall be unlawful for any Person to erect, construct, maintain, enlarge, alter, move, or convert any Sign or Sign Structure in the City, or cause or permit the same to be done, in violation of this chapter. A violation of this chapter shall be a civil infraction punishable with a fine of not more than \$500.00 and not less than \$100.00 plus costs and all other appropriate remedies. Each day that a violation continues shall be deemed a separate violation. Any unlawful Sign or Sign Structure may be removed by the City at the expense of the owner and such expenses may be assessed under the provisions of Section 1:292 of this Code after the owner has been ordered in writing to remove the Sign or Sign Structure by the City and has refused to do so without providing justification for so refusing at a hearing to be held by the Planning Manager. A Sign or Sign Structure constituting an immediate hazard to health and safety shall be deemed a nuisance and may be removed by the City, without notice to any Person, at the expense of the owner and such expenses may be assessed under the provisions of Section 1:292 of this Code. The City Attorney may apply to a court of appropriate jurisdiction for an order requiring an appropriate remedy, including removal, for a Sign or Sign Structure in violation of this chapter.

Section 6. That Section 5.37.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.37.1 Generalized Terms

The following generalized terms are used for specific groupings of zoning districts as follows:

- A. Single-Family Zoning Districts** – collectively refers to the R1A, R1B, R1C, R1D, and R1E Single-Family Dwelling districts.
- B. Two-Family Zoning Districts** – collectively refers to the R2A and R2B Two-Family Dwelling districts.
- C. Multiple-Family Zoning Districts** – collectively refers to the R3 Townhouse Dwelling district and the R4A, R4B, R4C, R4D, ~~and~~ R4E Multiple-Family Dwelling districts, and the R6 Mobile Home Park District.
- D. Residential Zoning Districts** – collectively refers to the R1A, R1B, R1C, R1D, and R1E Single-Family Dwelling districts, the R2A and R2B Two-Family Dwelling districts, the R3 Townhouse Dwelling district, and the R4A, R4B, R4C, R4D, and R4E Multiple-Family Dwelling Districts.
- E. Nonresidential Zoning Districts** – collectively refers to all zoning districts except those grouped in the Residential Zoning Districts.
- F. Mixed Use Zoning Districts** - collectively refers to the O Office District, C1 Local Business District, C1A Campus Business District, C1B Community Convenience Center District, C1A/R Campus Business Residential District, D1 and D2 Downtown districts, C2B Business Service District, and the C3 Fringe Commercial District.
- D.G. Nonresidential and Special Purpose Zoning Districts** – collectively refers to the R5 Hotel District, P Parking District, PL Public Land District, RE Research District, ORL Office/Research/Limited Industrial District, M1 Limited Industrial District, M1A Limited Light Industrial District, and the M2 Heavy Industrial District.

Section 7. That Section 5.37.2.A, .B, .C, .I, .L, .M, .P, .S, of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.37.2 Specific Terms

A

Accelerated Soil Erosion

The increased loss of the land surface that occurs as a result of human activities.

Accessory Building

A Building that is subordinate in use, area and purpose to the Principal Land Use and Principal Building in which an Accessory Use is contained or conducted on the Lot. Accessory Buildings can be attached or detached to a Principal Building. When attached, the Accessory Building shall be considered part of the Principal Building for setback purposes.

Accessory Dwelling Unit

A Dwelling Unit for not more than one Family which is an integral part of a Single-Family dwelling or is included in a detached Accessory Building, and that meets all of the requirements of Section [Error! Reference source not found.5.16.6D.](#)

Accessory Use

A land use that is subordinate in use, area, or purpose to a principal land use on the same Lot and serving a purpose naturally and normally incidental to such principal land use.

Active Open Space

The portion of Open Space devoted to and suitable for Outdoor Recreation and household activities measuring at least six feet by ten feet if intended for common or shared use by all households and at least four feet by ten feet if intended for private or individual household use. Common or shared Active Open Space may include, but shall not be limited to, lawns, sidewalks and pathways, playgrounds, fields (baseball, soccer, etc.), courts (basketball, tennis, etc.), and swimming pools. Private or individual Active Open Space may include, but shall not be limited to, porches, decks, balconies, patios, and accessible portions of Roofs. Active Open Space shall not include Woodlands, storm water management basins, Wetlands, Natural Features Open Space, conflicting land use buffers, Vehicular Use Area interior landscape islands, or screening.

Adult Bookstore

An establishment having as a Principal Activity the sale of books, magazines, newspapers, video tapes, video discs, and motion picture films that are characterized by their emphasis on portrayals of human genitals and pubic regions or acts of human masturbation, sexual intercourse or sodomy.

Adult Day Care Center

A facility licensed by the state for aged, infirmed, or disabled adults (18 years old or older) that is operated during a part of the day only and provides supplementary care and protection of individuals who reside elsewhere, except the home or residence of an individual who cares for only Persons related to him by blood or marriage.

Adult Entertainment Business

One or a combination of more than one of the following types of Businesses: Adult Bookstore, Adult Motion Picture Theater, Adult Mini-Motion Picture Theater, Adult Personal Service Business, Adult Novelty Business, Adult Nightclub.

Adult Foster Care

Use of a Structure constructed for residential purposes that is licensed by the state under the Adult Foster Care facility licensing act, 1979 PA 218, MCL 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for 6 or fewer individuals under 24-hour supervision or care.

Adult Motion Picture Theater

An enclosed Building with a capacity of 50 or more Persons having as a Principal Activity displaying motion pictures characterized by their emphasis on portrayals of human genitals and pubic regions or acts of human masturbation, sexual intercourse or sodomy for observation by patrons therein.

Adult Mini-Motion Picture Theater

An enclosed Building with a capacity of less than 50 Persons having as a Principal Activity the presenting of material characterized by emphasis of portrayals of human genitals and pubic regions or actions of human masturbation, sexual intercourse or sodomy for observation by patrons therein in individual viewing booths.

Adult Novelty Business

A Business that has as a Principal Activity the sale of devices of simulated human genitals or devices designed for sexual stimulation.

Adult Personal Service Business

A Business having as a Principal Activity a Person, while nude or Partially Nude, providing Personal Services for another Person on an individual basis in a closed room. It includes, but is not limited to, the following activities and services; massage parlors, exotic rubs, modeling studios, body painting studios, wrestling studios, and individual theatrical performances. It does not include activities performed by Persons pursuant to, and in accordance with, licenses issued to such Persons by the State of Michigan.

Adult Nightclub

A Business with the Principal Activity of providing entertainment by nude or Partially Nude performers.

Affordable Housing Dwelling Unit

Housing units reserved for households with income levels that are less than 60% of Area median income as defined by the United States Department of Housing and Urban Development (HUD) where the occupant is paying no more than the current HUD Fair Market Rents for Ann Arbor, including taxes and utilities.

Agriculture / Greenhouse

The production of livestock, dairy animals, dairy products, poultry or poultry products, fur-bearing animals, horticultural or nursery stock, fruit, vegetables, forage, grains, timber, trees, or bees and apiary products, conducted on either unenclosed land or in enclosed Structures, such as Greenhouses and Barns.

Airport, Municipal

A publicly owned area of land that is used or intended for the use for the landing and takeoff of aircraft, and includes its Buildings and facilities, if any. Accessory Uses may include but are not limited to aircraft storage, servicing, fueling, or leasing; private aviation clubs or associations.

Alteration

Any change or rearrangement in the supporting members of an existing Building, such as bearing walls, columns, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a Building or Structure, whether horizontally or vertically, or the moving of a Building or Structure from one location to another.

Applicant

A Person submitting an application or petition for review.

Approach

An area improved for vehicular traffic on a public street Right-of-Way that connects the traveled portion of the street with a Driveway.

Archaeological Resources

Any material remains of past human life and activities that are of either historic or prehistoric archaeological interest.

Architect

A Person licensed by the State of Michigan to engage in the practice of Architecture or landscape Architecture, as defined by Act 299 of the Public Acts of 1980 (as amended), being (Section 2001 or 2201 of the Michigan Compiled Laws of 1979).

Artist Studio

Work space for one or more artists or artisans, including space for the accessory sale of art produced on the Premises.

Asphalt and Concrete Mixing Plant

A plant for the manufacture or mixing of asphalt or concrete, including any apparatus and uses incident to such manufacturing and mixing.

Automobiles, Motorcycles, Recreation Vehicles, Equipment (Sales and Rental)

The sale, display, lease, rental, or storage of light motor vehicles, including Automobiles, vans, light trucks, light trailers, boats, construction Equipment, and Recreational vehicles. This shall not include salvage operations, scrap operations, vehicle impound yards, or commercial Parking Lots available for short-term use.

Automobiles, Trucks and Construction Equipment Repair

Any Building, Structure, or Lot used for the Business of repairing Automobiles, trucks, or construction Equipment or the sale and installation of tires, batteries, and other minor accessories and services for Automobiles, trucks, or construction Equipment. This shall not include retail sale of vehicle supplies, tires, or parts unrelated to repairs being performed on the Premises, the retreading and/or vulcanizing of tires, Fueling Stations, or convenience stores that sell gasoline or lubricating oil, except other vehicle accessories or services are included in this use.

Awning

A rooflike cover attached only to the face of a Structure that projects (usually over windows and doors) generally for the purpose of extending over or in front of a place, such as over steps or in front of a door or window, as a providing shelter.

B

Bank, Credit Union, Financial Services

An establishment that provides retail Banking, mortgage lending, and Financial Services to individuals and Businesses, and including check-cashing facilities. Accessory Uses may include automatic teller machines and Administrative Offices.

Barn

An agricultural Building required to serve the farm on which it is located.

Base

The portion of a Building located between the street Grade and the Streetwall Height (see Figure 1).

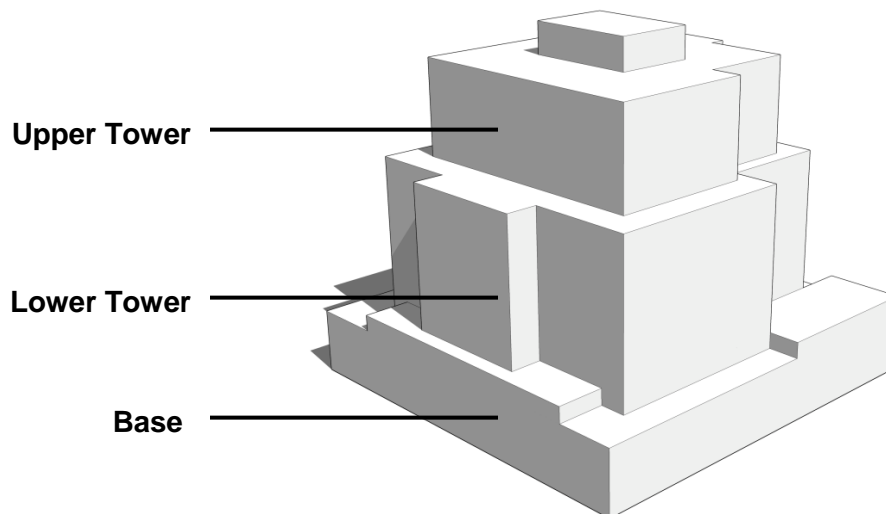


Figure 1: Base, Lower Tower, and Upper

Beauty Salon

A Personal Services establishment that provide beauty treatments such as hair cutting, coloring and styling; hair removal; manicure; pedicure; skin care; and therapeutic massage.

Bed and Breakfast (Principal)

A type of Hotel in which the operator typically lives and provides, but is not required, to serve meals to guests.

Bed and Breakfast (Accessory)

A Building designed as a Single-Family dwelling in which the operator lives and provides guestrooms of lodging accommodations by prior arrangement to no more than 3 guests for compensation to nonfamily members where occupancy of the dwelling including guests

complies with the requirements for the zoning district in which the dwelling is located. It may or may not include serving of meals to guests.

Bicycle Parking Space

An area and facility used for the securing of bicycles. This term shall include enclosed bicycle storage, covered bicycle racks, or fixed bicycle racks that meet the requirements the for bicycle parking in this chapter.

Billboard

~~An Off Premises Sign with a Sign Area in excess of 200 square feet.~~

Bioretention

A storm water infiltration system capable of retaining and infiltrating runoff from the first one-half (1/2) inch of rainfall during any storm event.

Boarding House

See Group Housing.

Borrow Pit

An area from which soil or other unconsolidated material are removed and used, without additional Processing, as Fill for other Development-related activities.

Building

Any Structure having a Roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, Equipment, goods or materials of any kind. When separated by division walls from the ground up without openings, each portion of such Structures shall be deemed a separate Building.

Building Coverage

The percentage of a Lot covered by Buildings, including carports and Parking Structures. Building Coverage is measured from exterior wall to exterior wall, including all structural projections except architectural features such as cornices, eaves, and chimneys.

Building Frontage

The portion of a Building facing any adjacent public street.

Building Height

The vertical distance of a Building measured from the Finished Grade to the highest point of the Roof surface of a flat Roof; to the deck line of a mansard Roof; and to the average height between the eaves and the ridge of the highest Roof section for a gable, hip and gambrel Roof.

Business

Any legal use of a Building by a Person other than for a Religious Assembly, Child Care Center, school, Home Occupation, or residence. Although contained in the same Building as another Business and owned by the same Person, a use may be treated as a separate Business if it is physically separated, uses different personnel, and provides different products or services.

Business Center

~~A group of five or more Businesses that collectively has a name different than the name of any of the individual Businesses and that has common private parking and entrance facilities, or that is a platted Business subdivision.~~

Business Frontage

The length of the portion of a Building occupied by a single Business facing a street adjacent to the Premises on which the Business is located.

Business Services

Service rendered to Business establishment or individual on a fee or contract basis including but not limited to actuarial, advertising, janitorial, Office or Business Equipment rental, photocopying, and other such services.

C**Canopy**

For purposes of Natural Features and Storm Water Management, the area within the outermost spreading vegetative layer of any woody plant(s) delineated by the Critical Root Zone.

For purposes related to Structures, ~~and Buildings, and Signs~~, a rooflike Structure ~~covered with canvas~~ supported by poles extending over or in front of a place such as over a Vehicular Use Area, sidewalk, ~~or patio, or in front of a door, or entryway, usually~~ to provide shelter from the elements.

Cemetery

Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. Mortuaries shall be included when operated within the boundaries of the Cemetery.

Certification

A signed, written statement by the Planning Manager that specific improvements, inspections, or tests, where required, have been performed and that they comply with the applicable requirements of this chapter or regulations adopted pursuant to this chapter.

Changeable Copy

That portion of a Sign that is designed or used to display characters, letters, words, or ~~illustrations graphics and~~ that can be readily changed or rearranged by manual, mechanical, or electronic means ~~without altering the face of the Sign. This definition does not include Electronic Message Signs.~~

Child Care Center

A facility that receives one or more children for care for periods of less than 24 hours a day.

Christmas Tree Sales

A temporary Retail Sales operation, generally conducted wholly outside, that offers for sale Christmas trees and related holiday items, such as wreaths and tree stands.

Clearing

The severing of Woody Plants above ground level, leaving root system and stumps intact.

Club Headquarters or Community Centers

Buildings and facilities owned or operated by a corporation, association, Person, or Persons for a place of meeting, social, cultural, or educational, or Recreational purposes, to which membership or residency requirements are is required for participation.

Coal and Coke Dealer

Establishment engaged in the sale or distribution of coal and coke.

Community Recreation

Use of a Buildings and facilities accessory to townhouse and Multiple-Family Dwellings for a social, educational, or Recreational purpose, to which residency of the townhouse or Multiple-Family Dwellings are required for participation and that does not render a service customarily carried on as a Business.

Conceptual PUD Plan

A graphic depiction in plan form of the elements of a planned unit development district that illustrates the PUD Development Program and the district's Supplemental Regulations.

Conference Center

A facility used for service organizations, Business and professional conferences, and seminars, and limited to accommodations for conference attendees.

Contractors, General Construction and Residential Builders

Individuals or Businesses offering services related to construction of Buildings and Development of land such as Residential Trade Contractors and home builders, highway and street, heavy construction and general Buildings; Coal and Coke Dealers.

Corner Lot

See Lot, Corner.

Correctional Facility

A publicly or privately operated facility to house Persons awaiting trial or Persons serving a sentence after being found guilty of committing a crime. This use includes a prison, jail, and adult or juvenile detention center.

Critical Root Zone

The circular area surrounding a tree that is considered to contain tree roots within 18 inches of the ground surface. The radius of the Critical Root Zone is, in feet, the same numerical value as the tree's Diameter at Breast Height (DBH) in inches, and is measured outward from the center of the tree. For example, the Critical Root Zone of a 12-inch DBH tree has a radius of 12 feet.

CSA

Community Services Area.

Cultural Services

A facility, such as a Museum, art gallery, or similar public or semi-public use, that displays, preserves, and exhibits objects of community, cultural, or scientific interest.

Curb Cut

That section of curb removed to permit ingress and egress from the pavement to the adjacent property and shall be measured between the points of tangency of the Opening radii with the normal street curbing.

Cut or Excavation

Any act, by which soil or rock is Cut into, dug, quarried, uncovered, removed, displaced or relocated, and shall include the conditions resulting there from.

I.

~~Illuminated or Illumination~~

~~When used in the context of sign regulation, refers to lighting of a sign by any type of artificial light, whether by emission or reflection.~~

Impervious Surface

All paved or hard surfaced areas, such as areas covered by Buildings and Structures; roads and drives; Parking Lots; formed curb and gutters; Vehicular Use Areas; brick or gravel surfaces; sidewalks; bike paths; patios; and any areas of concrete or asphalt or non-absorbent material.

Incidental Sales and Services

Incidental and accessory Sales and Services intended for the convenience of occupants of the district, including newsstands, coffee shops, snack shops, Indoor Recreational facilities, dry cleaning, shoe shining, Beauty Salon or spa, Child Care Centers, Restaurants, and medical and Dental Offices.

Indoor Recreation

An indoor establishment having as its principal or predominant use the offering of sporting-related, participatory or spectator entertainment, and which may or may not sell alcohol for consumption on the Premises. Sandwiches, light meals, snacks, and/or full service meals may be available for consumption on the Premises but are not the principal or predominant use of the establishment. Examples include, without limitation: court game facilities, swimming pools, skating rinks, health clubs, and bowling alleys.

Industrial Plants, Manufacturing, Processing, Assembling

An establishment engaged in the manufacture or compounding process of raw materials. Such activities may include the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. Examples include, but are not limited to: refining or initial Processing of raw materials; rolling, drawing, or extruding of metals; asphalt batching plants; sawmills; meat slaughtering or packing house; and manufacture or packaging of cement products, feed, fertilizer, flour, glue, paint, petroleum products, soap, turpentine, varnish, charcoal, or distilled products.

Institution of Higher Learning, Private

Private colleges, universities and other institutions of higher learning, offering courses in general, technical, or religious education.

Institution of Higher Learning, Public

A post-secondary public college or university that awards associate, bachelor, or higher degrees.

Invasive Species

Botanical species included on the City's Invasive Species list that is maintained and updated in the Building department, as provided under this Code.

L

Laboratory

A facility or area for conducting scientific research, investigation, testing, or experimentation, but not including facilities for the manufacture or sale of products, except as incidental to the main purpose of the Laboratory.

Landmark Tree

Any tree of 24-inch DBH or greater, or that is a type and DBH equal to or greater than shown on the Landmark Tree list in the land Development regulations, and that has a health and condition standard factor of over 50% based on the standards established by the Internal Society of Arboriculture. These standards consider the soundness of the trunk, the growth rate, the Structure of the tree, the presence of insects or disease, the crown Development, and the life expectancy. The definition of a Landmark Tree shall not include any tree identified as an Invasive Species on the City's Invasive Species list.

Laundry, Cleaning, and Garment Service

An establishment where laundry or dry cleaning is dropped off and picked up by customers and that also includes on-site laundry and/or cleaning activities and garment tailoring services.

Laundry and Dry Cleaning Plant

An industrial facility where laundry or dry cleaning is performed in bulk and primarily for commercial and institutional customers. This use does not include facilities where the public drops off or picks up dry cleaning or laundry that is cleaned off-site.

Lawn Extension

The unimproved portion of any Public Right-of-Way.

Library

A public facility for the use and loan, but not sale, of literary, musical, artistic, or reference materials.

Light Manufacturing

An Industrial, Manufacturing, Processing, or Assembling plant using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety Hazards outside of the Building or lot where such assembly, manufacturing, or processing takes place, where such processes are housed entirely within a Building.

Light Source

When illuminating a Sign, that part of a lamp or device that emits light, such as a bulb or diode.

Limits of Soil Disturbance

A line marking the perimeter of the area within which there will be construction activity and any disturbance to the soils on a Site.

Lot

A parcel of land, not including a public or private street, that may be a platted Lot of a recorded subdivision, a site condominium Lot, or a parcel of land that meets the requirements of this Code.

Lot Area

The total horizontal land area in square feet within the Lot lines of a Lot, including land donated or to be donated to the City for public park purposes which is accepted by the City, and excluding any area of dedicated or proposed Public Right-of-Way and private street easements.

Lot, Corner

A Lot or parcel of land abutting two or more streets at their intersection, or two parts of the same street forming an interior angle of less than 135 degrees.

Lot Line

The boundary of a Lot (see Figures 2 and 3).

Front Lot Line

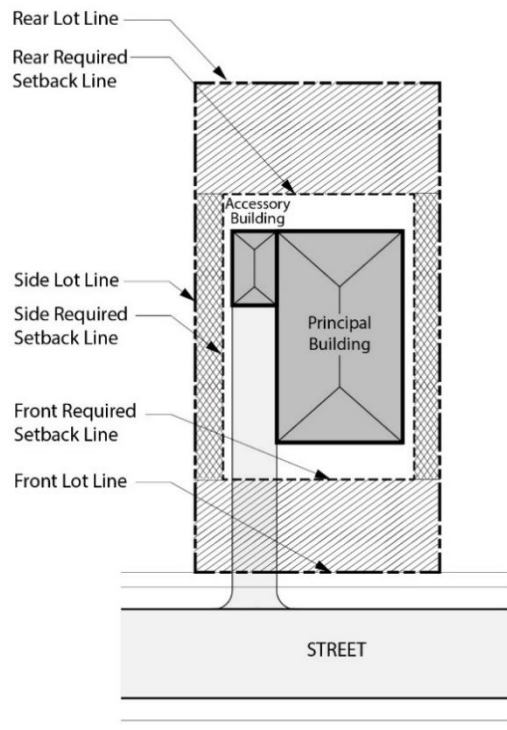
The Lot Line separating a Lot from a street, excluding Lot Lines separating I-94, U.S. 23, M-14, and alleys.

Rear Lot Line

The Lot Line opposite and most distant from the Front Lot Line; or in the case of irregularly-shaped Lots, a line ten feet in length entirely within the Lot, parallel to and at a maximum distance from the Front Lot Line.

Side Lot Line

Any Lot Line other than a Front or Rear Lot Line.



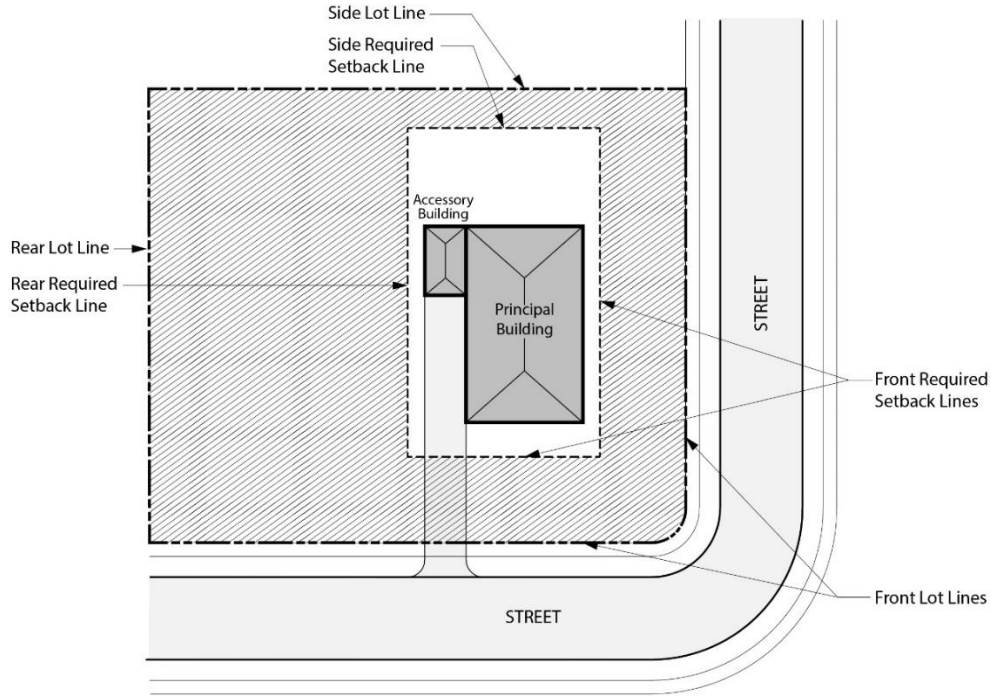


Figure 3: Corner Lot and Setback Lines

Lot of Record

A Lot for which the deed, prior to January 1, 1963, is on record with the Washtenaw County Register of Deeds and that exists as described in those records.

Lot Width

The length of a straight line drawn between the points where the Required Front Setback Line cuts the Side Lot Lines.

M

Management/Maintenance Building

Use within a principal or Accessory Building for storage of maintenance supplies to be used on the Site of the Principal Use, or occupied by a Person for day-use for the purpose of managing a property, Building, or facility.

Marihuana

That term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106, or as defined in the Michigan Regulation and Taxation of Marihuana Act, as applicable.

Marijuana

See definition of Marihuana.

Designated Marijuana Consumption Facility

A licensed commercial space where customers may consume, via smoking, ingestion, or other means, Marijuana as authorized by the Michigan Regulation and Taxation of Marihuana Act (and referenced as “Designated Consumption Establishment”).

Licensee

As used in the context of Marijuana, a person holding a State Marijuana License.

Marijuana Facility

A location at which a Licensee is licensed to operate under the Medical Marijuana Facilities Licensing Act or the Michigan Regulation and Taxation of Marijuana Act.

Marijuana Grower

A Licensee that cultivates, dries, trims, or cures and packages Marijuana for sale to a Processor, Medical Marijuana Provisioning Center, or Marijuana Retailer as further defined by the Marijuana Facilities Licensing Act and the Michigan Regulation and Taxation of Marijuana Act, as applicable.

Marijuana Plant

Any plant of the species *Cannabis sativa* L.

Marijuana-Infused Product

A topical formulation, tincture, beverage, edible substance, or similar product containing any usable marijuana that is intended for human consumption in a manner other than smoke inhalation, as further defined by the Medical Marijuana Facilities Licensing Act and the Michigan Regulation and Taxation of Marijuana Act, as applicable.

Marijuana-Infused Product Processor

A Licensee that is a commercial entity located in this state that purchases resin, oil, or other concentrates, to produce, package, and wholesale Marijuana-Infused Products to licensed Medical Marijuana Provisioning Centers, Marijuana Retailers, or other Processors.

Marijuana Microbusiness

A Licensee that cultivates, processes, and sells or transfers Marijuana directly to consumers, as further defined in the Michigan Regulation and Taxation of Marijuana Act.

Marijuana Processor

A Licensee that is a commercial entity located in this state that purchases Marijuana from a Marijuana Grower and that extracts resin from the Marijuana or creates a Marijuana-Infused Product for sale and transfer in packaged form to a Medical Marijuana Provisioning Center or Marijuana Retailer.

Marijuana Safety Compliance Facility

A Licensee that is a commercial entity that receives Marijuana from a Marijuana Facility or registered Primary Caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the Marijuana to the Marijuana Facility or Primary Caregiver.

Marijuana Secure Transporter

A Licensee that is a commercial entity located in this state that stores Marijuana and transports Marijuana between Marijuana Facilities for a fee.

Marijuana Retailer

A Licensee that purchases Marijuana from a Marijuana Grower or Marijuana Processor, or Marijuana-Infused Processor, and sells, supplies, or provides Marijuana to customers as further defined by and in compliance with the Michigan Regulation and Taxation of Marihuana Act.

Medical Marihuana Facilities Licensing Act

The Medical Marihuana Facilities Licensing Act, as amended, MCL 333.27101 *et seq.*, also referred to as the MMFLA, and the administrative rules authorized by the MMFLA.

Medical Marijuana Home Occupation

An Accessory Use of a nonresidential nature that is conducted by a registered Primary Caregiver who resides in the dwelling and (A) is performed within a Single-Family Dwelling or within an Accessory Building to that Single-Family Dwelling, (B) is for the purpose of assisting one or more registered Qualifying Patients with the Medical Use of Marijuana who do not reside in the dwelling, and (C) complies with the MMMA.

Medical Marijuana Provisioning Center

A Licensee that is a commercial entity located in this state that purchases Marijuana from a Marijuana Grower or Marijuana Processor and sells, supplies, or provides Marijuana to registered Qualifying Patients, directly or through the Qualified Patients' registered Primary Caregiver. This use includes any commercial property where Marijuana is sold at retail to registered Qualifying Patients or registered Primary Caregivers. A noncommercial location used by a Primary Caregiver to assist a Qualifying Patient connect to the Primary Caregiver through the department's Marijuana registration process in accordance with the MMMA is not a Medical Marijuana Provisioning Center.

Medical Use of Marijuana

The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of Marijuana or paraphernalia relating to the administration of Marijuana to treat or alleviate a registered Qualifying Patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

Michigan Medical Marihuana Act

The Michigan Medical Marihuana Act, as amended, MCL 333.26421 *et seq.*, also referred to as the MMMA, and the administrative rules authorized by the MMMA.

Michigan Regulation and Taxation of Marihuana Act

The Michigan Regulation and Taxation of Marihuana Act, as amended, MCL 333.27951 *et seq.*, also referred to as MRTMA, and the administrative rules authorized by the MRTMA.

MMMA

See Michigan Medical Marihuana Act.

Primary Caregiver

As used in the context of Marijuana, a person who is at least 21 years old and who has agreed to assist with a patient's Medical Use of Marijuana and who has never been convicted of a felony involving illegal drugs.

Qualifying Patient

As used in the context of Marijuana, a person who has been diagnosed by a physician as having a debilitating medical condition.

State Marijuana License

As used in the context of Marijuana, or unless the context requires a different meaning, “license” means a state operating license that is issued under the Medical Marijuana Facilities Licensing Act or a state license under the Michigan Regulation and Taxation of Marijuana Act.

Massing Articulation

The way in which a Building wall surface is broken down into vertical modules, sub-parts or major elements, which are distinguished by changes in materials, texture or surface plane (see Figure 3).

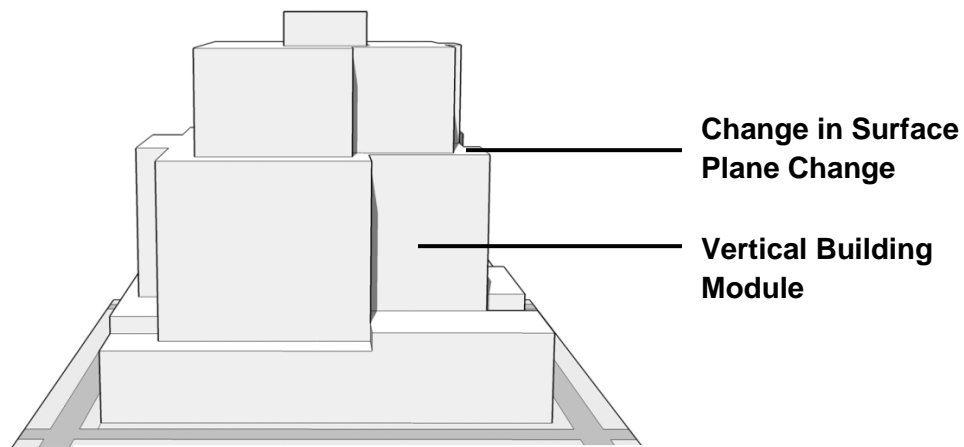


Figure 4: Massing Articulation

Maximum Diagonal

The longest horizontal dimension of a Building or Tower, as measured from corner to corner of a Story (see Figure 4).

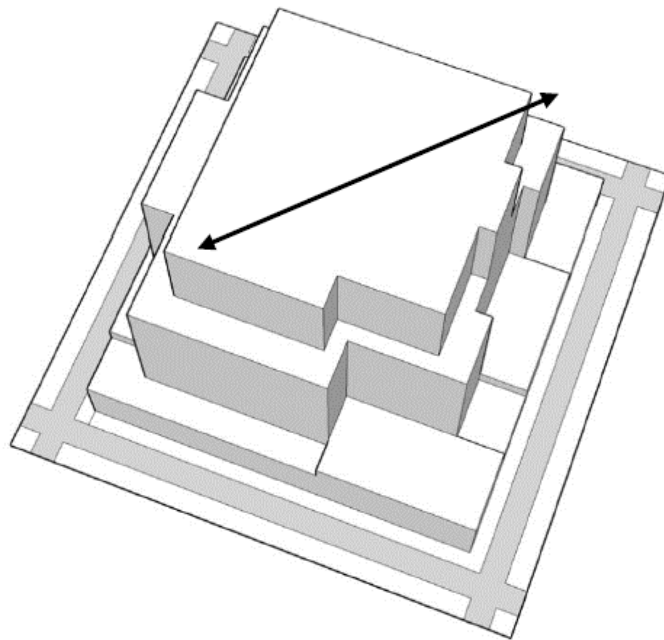


Figure 5: Maximum Diagonal

Medical Laboratory

A facility or area for conducting medical research, investigation, testing, or experimentation, but not including facilities for the manufacture or sale of products, except as incidental to the main purpose of the Laboratory.

Medical or Dental Office

An establishment where patients who are not lodged overnight are admitted for examination and treatment by an individual physician or dentist or a group of physicians and dentists in practice together.

Medium Term Car Storage

Parking of excess inventory of new, used or recalled vehicles owned by a licensed vehicle dealership for a specified period of time. Does not include storage of damaged vehicles, display of vehicles for customers, or retail sales of vehicles.

Message Unit

~~Each of the following equals one Message Unit: a word, an abbreviation, a number, a symbol, a geometric shape, a Person's initials, or a website or electronic mail address. Letters or numbers four inches or smaller in height and punctuation marks are not counted in computing a number of Message Units. When a Business has a Sign with identical Sign messages facing opposite directions, only the Message Units on one side of each such pair shall be counted in computing the permitted number of Message Units.~~

Mobile Home Park

A parcel of land under one ownership that has been planned and improved for the placement of two or more mobile homes for rental purposes for non-transient use.

Mobile Food Vending Service

Any vehicle or trailer, designed to be portable and not permanently attached to the ground, from which food is prepared and/or sold.

Multiple-Family Dwelling

A Building containing three or more Dwelling Units arranged either side by side or one above the other.

Museum

A Building having public significance by reason of its Architecture or former use or occupancy or a Building serving as a repository for a collection of natural, scientific, or literary objects of interest, or works of art, and arranged and designed to be used by members of the public for viewing, with or without admission charge, and which may include as an Accessory Use the sale of goods that are related in topic with the primary purpose of the Museum.

P**Parking Attendant Building**

A shelter to house the on-site attendant of a Parking Lot.

Parking Lot

A total surface area on one parcel of 1200 or more square feet or five or more parking spaces used for parking and maneuvering of motor vehicles, which includes unenclosed Parking Structures..

Parking Space

A private area designed or used for the parking of a motor vehicle and properly accessed from a public street by a Driveway or private street.

Parking Structure

A Building or Structure used to store motor vehicles.

Parks, Recreation, and Open Space

Land owned or leased by the City or other public agency for use as a neighborhood park, an urban park or plaza, a Recreation facility, a historic site, a community-wide park, and/or a natural area as described in the Parks and Recreation Open Space Plan.

Partially Nude

Having any or all of the following bodily parts exposed: buttocks, genitals, pubic area, or female breasts.

Pennant

A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, supported on small poles, and intended to flap in the wind.

Permanent Open Space

The portion of a Lot or Lots, exclusive of road rights-of-way, vehicle access and utility easements, and required storm water management, soil Erosion and Sedimentation control facilities, which is restricted by a recorded conservation easement or similar binding instrument. Permanent Open Space shall be intended for, but shall not be limited to, the preservation and conservation of undeveloped natural resources, Natural Features, scenic or wooded conditions, or naturally occurring water surfaces. It may also include undeveloped greenways of contiguous or linear Open Space providing habitats or corridors for wildlife, or links between Parks, nature reserves, cultural features, or historic sites for passive Recreation or conservation.

Permanent Soil Erosion and Sedimentation Control Measures

Control measures that are installed or constructed to control soil Erosion and Sedimentation and that are maintained after Project Completion.

PDSU

The Ann Arbor Planning and Development Services Unit.

Personal Services

An establishment that is engaged in the provision of informational, instructional, personal improvement, personal care, and similar services. Examples include but are not limited to; catering establishments, custom dressmaking, film Processing, licensed massage salons, optical and optician services, service and repair establishments, sun tan centers, bicycle rental, and small craft rental. This definition does not include Laundry, Cleaning and Garment Services.

Phase

A portion of a larger Development that contains independently adequate (1) pedestrian and vehicular access, (2) sanitary, water and storm water conveyance and management systems, and (3) required Site improvements such as, but not limited to, landscaping, Open Space and parking and is specifically identified as a Phase on an approved plan.

Pilot Manufacturing

The production of a product, process, or piece of Equipment on a simulated factory basis, and limited to Pilot Manufacturing of engineering, Laboratory, scientific, electronic and research instruments and associated Equipment.

Pinball Parlor

A pinball facility meeting all requirements of Chapter 87, Section 7:327.

Planning Manager

The Manager of the PDSU.

Plant

Any living organism that produces its own food through photosynthesis and has observable root formation or is in growth material.

Power and Fuel Rights-of-Way

All lines and facilities related to the provision, collection, distribution, and transmission of Power and Fuel Rights-of-Way.

Premises

The contiguous land in the same ownership or control that is not divided by a public street or Alley.

Principal Activity

A use accounting for more than 20% of a Business' stock in trade, display space, Floor space, live entertainment time or movie display time per year.

Principal Use

The primary use of any Lot.

Principal Building

A Building or group of Buildings in which the main or Principal Use is conducted on a Lot.

Prior Zoning and Development Regulations

The provisions of each of those chapters of the Code listed in Section [Error! Reference source not found.](#)5-9-1 as they existed immediately prior to the adoption of this chapter.

Professional Engineer

A person licensed by the State of Michigan to engage in the practice of Professional Engineering as defined by Act 299 of the Public Acts of 1980 (as amended), being Section 2001 of the Michigan Compiled Laws of 1979.

Project Completion

The point at which all permitted improvements for a project have been completed consistent with all permit approvals, as well as with any approved amendments or modifications, and for which all final inspections have been made and approved by the City.

PSA

Public Services Area.

Public Right-of-Way or Right-of-Way

For purposes of this chapter only, all public streets, Highways, Sidewalks and Alleys.

Public Utility

Private enterprise with a franchise for providing a public service.

PUD Development Program

A written document or portion of a document describing the objectives, purposes, and beneficial effect for the City proposed to be achieved by the PUD zoning district.

S**School, Private**

A private institution intended for the purpose of elementary or secondary education, but also including dance schools, and art schools, but not trade schools, and which does not secure the major part of its funding from public sources.

School, Public

A public institution intended for the purposes elementary or secondary education, including Public School academies (commonly known as charter schools) and similar institutions as recognized by state regulations.

Security

For non-Warranty purposes, cash or certified check or money order made payable to the City. For Warranty purposes, surety bond, cash or certified check or money order made payable to the City.

Sediment

Any solid particulate matter, mineral or organic, that has been deposited in water, is in suspension in water, is being transported, or has been moved from its site of origin by the process of soil Erosion.

Short Term Car Storage

Parking of personal, privately owned vehicles in parking lots for up to 14 days. The use is typically associated with car sharing services or park-n-ride services.

Sign

~~A name, identification, description, display, light, balloon, banner, or illustration that is affixed to, or painted, or otherwise located or set upon or in a Building, Structure or piece of land and that communicates information or directs attention to an object, product, place, activity, Person, institution, organization, or Business and that is visible from any Public Right-of-Way, Parks, Recreation, and Open Space, or other public property. The definition includes any support Structure, lighting, or other accessory features. The definition does not include goods displayed in a window. The definition does not include religious symbols or paintings that do not display lettering and do not advertise a Business, product or service.~~

Any display or object which is primary used to identify or display information about or direct or attract attention to a Person, institution, organization, Business, product, event, or location, or any religious, political, social, ideological, or other message, by any means which is visible from any public Street, Sidewalk, Alley, park, or public property and is located or set upon or in a Building, Structure, or piece of land. Sign does not include any goods displayed in a window.

Address Sign

A Permanent Sign that contains only the address of a location consistent with the address recognized by the United States Postal Service.

Canopy Sign

A Sign that is part of or attached to a Canopy.

Electronic Message Sign

A Sign whose message is primarily composed of Light Sources designed to be directly visible and that may be changed through electronic means, such as an LED, LCD, or plasma display.

Freestanding Sign

A Permanent Sign that is affixed or anchored to the ground and not attached to a Building, Awning, or Canopy, or Marquee.

Neon Sign

A Sign that is a neon tube or other visible light-emanating gas tube that is bent to form letters, symbols, graphics, or other messaging.

Permanent Sign

A Sign that is not a Temporary Sign and which is permanently affixed or anchored to the ground or to a Building, Awning, or Canopy, or Marquee.

Projecting Sign

A Sign, such as a blade Sign, that is attached to and projects from a Building, generally perpendicular to the Building wall. Projecting Signs do not include Wall Signs and Signs on an Awning, or Canopy, or Marquee.

Temporary Sign

A Temporary Sign means a Sign constructed of cloth, canvas, fabric, plastic, or other light temporary material, with or without a structural frame, and any other Sign intended for a limited period of display that is not permanently anchored to the ground or a Building.

Wall Sign

A Sign that is on or attached to and is generally parallel with a Building wall or door.

Sign Area (or other reference to square measure)

~~The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing representation, emblem, or any figure of similar character together with any frame or other material or other color forming an integral part of the display or used to differentiate it from the background against which it is placed, excluding the necessary supports or uprights on which such Sign is placed. Where a Sign has two or more faces, the area of all faces shall be included in determining the area of the Sign. Where a Sign consists solely of lettering painted or mounted on a wall, any blank area which is more than 10% of the area of the Sign as otherwise computed shall be disregarded.~~

The surface area of a Sign, measured as described in this chapter.

Sign, Exterior

~~Any Sign other than an Interior Sign.~~

Sign, Interior

~~A Sign within the walls of a Building.~~

Sign, Illuminated

~~A Sign lighted by any type of artificial light, whether emitted from the Sign or reflected off the Sign.~~

Sign, Off-Premises

~~A Sign other than an On-Premises Sign.~~

Sign, On-Premises

~~A Sign that advertises only goods, services, facilities, events, or attractions on the Premises where the Sign is located.~~

Sign, Political

~~A Sign whose message relates to a candidate for political Office, or to a political party, or to a political issue, or an ideological opinion.~~

Sign, Temporary

~~A Sign intended for a limited period of display.~~

Sign Structure

The necessary poles, posts, walls, frames, brackets, or other supports holding a Sign or its attached Sign illumination in place, to the extent they are not themselves a Sign. This definition does not include Awnings or Canopies.

Site

For purposes of applying site plan review and approval standards, one or more Lots that have been identified on a plan for existing or proposed Development.

For purposes of applying Grading and drainage standards, and Lot or parcel of land or combination of contiguous Lots or parcels of land where Grading is performed or permitted.

For purposes of applying streets and Curb Cut standards, all contiguous land under the same ownership or one platted Lot in the case of land for which a recorded plat exists.

Soil Erosion Control Facility

A facility placed or constructed as necessary for the successful control or abatement of Accelerated Soil Erosion.

Solar Collector Surface

Any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface, is considered the front of the SES, and does not include frames, supports, and mounting hardware.

Solar Energy

Radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

Solar Energy System (SES)

A system (including solar collector surface and ancillary solar equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar Energy Systems include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems.

SES, Personal-Scale

A ground-mounted or building-mounted SES that is accessory to the principal residential use on the parcel. The sale and distribution of excess available energy to an authorized public utility for distribution, if permitted, shall be incidental to this type of system, and not its primary purpose.

SES, Ground-Mounted

A freestanding solar energy system that is not attached to and is separate from any building on the same parcel of land on which the solar energy system is located.

SES, Building-Mounted

A solar energy system that is attached to a building on a parcel as the principal method of physical support.

Special Event Sales

A temporary outdoor use on private or public property that is approved in conjunction with a special event designated by City Council resolution and often subject to special conditions that address the duration and impacts of the special event. Examples include, but are not limited to,

art fairs, home football games at the University of Michigan Stadium, Sidewalk sales, festivals, and carnivals.

Special Exception Use

A use permitted in a particular zoning district if it conforms to specific standards outlined in this chapter.

Stabilization

The establishment of vegetation or the proper placement, Grading, or covering of soil to ensure its resistance to soil Erosion, sliding, or other earth movement.

Steep Slope

A naturally occurring landform with a vertical change in elevation of ten feet or more, a slope of 20% or more, and a length of 50 feet or more measured parallel to the contour lines.

Story

That portion of a Building included between the surface of any Floor and the surface of the Floor next above it, or if there be no Floor above it, then the space between the Floor and the ceiling next above it and including those basements used for the Principal Use.

Stockpiling

The depositing of earth materials or rock for temporary periods of time for the purpose of facilitating construction operations.

Storm Water Management System

A system that is designed and constructed or implemented to control runoff, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, overland flow, environmental degradation, and water pollution or otherwise affect the quality and quantity of the discharges. The Storm Water Management System includes but is not limited to, any of the following: conduits and appurtenance features, canals, channels, ditches, streams, culverts, streets, storm sewers, detention basins, infiltration devices, swales, and pumping Stations.

Storm Water Retention/Detention Basin

An artificial impoundment constructed in upland that serves to restrain or filter storm water runoff.

Street Frontage

The length of a Premises abutting one or more streets.

Streetwall

The exterior face of a Building that fronts a street between the street Grade and the Streetwall Height (see Figure 7).



Figure 7: Streetwall and Streetwall Height

Streetwall Height

The height of the Streetwall portion of the Building, as measured in stories above the street Grade (see Figure 7).

Stripping

Any activity that removes or significantly disturbs the vegetative surface cover, including Clearing and Grubbing operations.

Structural Amenity

When used in the context of landscaping, a non-plant element in the landscape that adds to the public benefit of the proposed landscape plan, such as outdoor art, benches, sculptural solar lighting, water features, and similar items.

Structure

A combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

Student Cooperative Housing

A facility for housing students who largely perform their own household maintenance and meal preparation and who have a vote in the operation, maintenance and management of their household affairs. Such housing must be an organized legal entity, such as a corporation, and recognized by the national association for student cooperatives..

Superintendent

The Superintendent of the department of Parks and Recreation.

Supplemental Regulations

A written document that contains the zoning and site Development requirements that, once approved, become part of the ordinance establishing the PUD zoning district, and, in addition to current City regulations and ordinances, shall be in effect for the district.

Section 8. This ordinance shall take effect and be in force on and after ten days from legal publication.

