

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 17, 2019

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.

Many changes to the proposed ordinance are to seek more clarity, to more consistently reference established definitions in the UDC, and formatting. However, some amendments are more significant, 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. commercial 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.. Multi-family residential uses with 5 units or more are also allowed a free-standing sign.
- 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.

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	3 sf per dwelling (name/address of occupants) Subdivisions: 50 sf to identify the subdivision/housing complex.	0 sf
Two-Family	3 sf per dwelling (name/address of occupants)	0 sf
Multiple-Family	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
Commercial Downtown	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.	Wall sign: 2.0 linear foot of ground floor frontage up to 200 sf max. Projecting / Hanging sign: 1 per business façade (included in wall sign area) Awning / Canopy sign: no more that 25% of awning/canopy area (included in wall sign area)

	Current Sign Code	Proposed Sign Code
	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.	Marquee sign Awning Sign: 200 sf max for places of assembly only (included in max wall sign area)
Commercial Outside Downtown		Wall sign: 2.0 linear foot of ground floor frontage up to 200 sf max. Freestanding sign: 2 sf / linear ft of ground floor frontage up to 200 sf (200 ft spacing requirement) Projecting / Hanging sign: 1 per business façade (included in wall sign area) Awning / Canopy sign: no more that 25% of awning/canopy area (included in wall sign area) Marquee sign Awning Sign: 200 sf max for places of assembly only (included in max wall sign area)
Alley	Alley sign: 1 sf for each linear foot of alley frontage with 10 additional message units	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.	No change. Previously approved billboards may remain. No new billboards.
Projecting	Projecting / Hanging sign: 1 per business façade (included in wall sign area) in all non-residential districts	Projecting / Hanging sign: 1 per business façade (included in wall sign area) in all non-residential districts
Religious institutions, schools, museums, community recreation facility, library	Up to 50 sf	50 sq ft per Building Wall, Awning, Canopy 12 sf MAX Total
Memorial signs	Cut into masonry surface or constructed of bronze/other incombustible material.	Part of wall sign area
Temporary Signs		
Residential Districts	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. For Rent Signs: one sign up to 48" in height and 36" wide – may be erected while a property is for sale and removed	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. One 3 sf sign may be displayed with no time limit. Wall sign: 3 sf per building in single family districts and 12 sf per building in multi-family districts.

	Current Sign Code	Proposed Sign Code
	<p>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>	
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.</p> <p>One 3 sf sign may be displayed with no time limit.</p> <p>Wall sign: 20 sf</p>
Right-of-way signs	Up to 10 sf on bulletin boards/kiosks	Signs not permitted in right-of-way
Special event signs	Approved by council/administrator	Included in temporary sign area
Window Signs		
Residential Districts	Up to 4 sf when property is for sale/rent	0 sf
Non-residential Districts	<p>Permanent: 25% of the window area of each floor level of said business, not to exceed the combined message units</p> <p>Temporary: 25% of the window area of each floor level of said business; posted for up to 30 days in each 60-day period.</p>	25 % of total window area of Building facade.

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

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

c: City Attorney's Office