



Legislation Text

File #: 20-1256, **Version:** 2

An Ordinance to Amend Sections 5.16.4, 5.16.6, 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 - Sign Regulations (ORD-20-27)

In 2017, the City started work on updates to the City's Sign Ordinance. The resulting product for this work seeks to modernize City sign regulations and philosophically approaches sign regulation from a content-neutral regulatory framework, consistent with recent Supreme Court law. This approach establishes regulations for signage that balance the opportunity for expression while establishing and defining the City's regulatory intentions.

In 2017, the City contracted with Giffels Webster to provide consulting services to assist in updating the City's Sign Ordinance. Giffels Webster provided the City with primary research, model ordinances, conducted community engagement (both online and in person), draft ordinance, and has provided ongoing consultation services as the work nears these completion stages. Additional survey work was conducted in the past year at the direction of the Planning Commission, specific to signage in residential areas.

The attached Ordinance is the result of a long period of evaluation and amendments by both City Planning and Attorney Staff, as well as feedback and direction from the Historic District Commission, Downtown Development Authority, and of course, the Planning Commission.

The Planning Commission's ongoing review of the ordinance resulted in many changes and refinements that are now provided in the Ordinance. The fundamental approach to this ordinance is distinct from the City's current sign regulations in that it seeks to eliminate regulation of signs that could be deemed content-based (e.g. political signs will not have distinct requirements from real estate signs) to ensure consistency with current law. Additionally, the ordinance relies upon underlying zoning districts to delineate the types and sizes of signs permitted, allowing better adaptability of the regulations to different land uses.

While it is difficult to provide a side by side comparison based on these differing approaches, here are some notable sections of content that help to clarify the impact of this ordinance:

- Expanded intent section that summarizes the reasons for both the provisions for and regulations of signs.
- Sign illumination is carefully regulated, largely consistent with proposed outdoor lighting standards that are currently under consideration.
- The currently allowed area of permanent signage is maintained, based on 2 square feet of sign area per lineal foot of business frontage. The ordinance clarifies frontage can be along a public right-of-way or a shared driveway/parking lot.
- Business Center signs are eliminated, which currently provide additional signage for multiple tenant buildings.

- The ordinance provides much more clarity and direction for the calculation of sign area, including many graphic examples.
- The ordinance eliminates some specifically defined sign types. For example, marquee signs and billboards are eliminated as special types and would be regulated by size and other requirements in the same manner as other signs. Existing marquees and billboards would continue as nonconforming signs.
- Protection for maintenance/continuance of non-conforming signs greater than 200 square feet is included. This has the impact of carrying forward similar provisions that were previously specifically directed to billboards. This language would have the impact of extending the provisions to additional signs that exceed this area.
- Non-commercial flags are permitted, and are not subject to sign area maximum calculations up to three flags and a total of 90 square feet.
- Addition, definition, and regulation of window signs.
- Clarifications of sign regulations in PUD zoning districts.
- Temporary sign provisions that generally provide for limitations on Temporary Sign size and display duration. Exceptions have been established for one unlimited temporary sign with a non-commercial message, and that the duration of a temporary sign may be extended with all or a portion of a property is for lease or sale.
- Amendments to applicable definitions sections.

Based on discussion and questions raised in the process, here is some additional background for City Council consideration:

- Enforcement - The City does not have regular evening/night time enforcement for lighting associated matters.
- Temporary signs - Regulations specify a maximum display period of 65 days. No permits are required to erect temporary signs. There were numerous discussions at the Planning Commission level regarding the appropriate size of temporary signage. The recommended ordinance provides up to 20 square feet of temporary signage, with no single sign greater than 12 square feet.
- A 6-foot square, non-commercial, temporary sign of unlimited duration is allowed for the purpose of providing the opportunity for community expression and speech without onerous restrictions. For example, this would allow one two-sided, 2x3 foot sign.

On August 5, 2020, the Planning Commission unanimously recommended approval of the amendments presented.

Attachment: August 5, 2020 Planning Commission Minutes
August 5, 2020 Sign Ordinance Staff Report

Prepared by: Brett Lenart, Planning Manager
Chris Cheng, City Planner

Reviewed by: Derek Delacourt, Community Services Area Administrator
Christopher Frost, Senior Assistant City Attorney

Approved by: Tom Crawford, Interim City Administrator

[\(See Attached Ordinance\)](#)