

City of Southgate

PLANNING COMMISSION AGENDA

Monday, September 12, 2022

7:00 p.m. – Informal Planning Commission/Work Study Meeting

7:30 p.m. – Regular Planning Commission Meeting

A. Roll Call: Anderson, Biskner, Clark, Crawford, Gawlik, Godbout, Orman, Pricilla Ayres-Reiss, Yoos

B. Minutes: 1) Minutes of Planning Commission Meeting dated July, 11 2022
2) Minutes of Informal Planning Commission Meeting dated July 11, 2022

C. Persons and/or Petitioners:

D. Public Hearings:

E. Officials' Reports:

F. Correspondence:

G. Old Business:

H. New Business: Ordinance Amendments Section 1298 and 1422 Building Ordinance

Adjournment:

mg
08-31-2022

Next Meeting: 11/14/2022

City of Southgate

Planning Commission Informal Meeting

July 11, 2022

This meeting of the Planning Commission was held in the Municipal Caucus Room, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, July 11, 2022 and called to order by Chairperson Ed Gawlik, at 7:00 p.m.

PRESENT: Patricia Anderson, Ed Gawlik, Linda Clark, Chad Godbout, Leticia Crawford
Barbara Biskner, James Yoos, Jerry Orman, Priscilla Ayers-Reiss

ALSO PRESENT: Plan Consultant John Enos, City Attorney Ed Zelenek, Building Official Tim Leach, City Administrator Dan Marsh, Council Member Colovos

There will be (2) public hearings at the Regular Meeting tonight.

The first one will be the applicant requesting Conditional Use Approval for a Children's Activity Center @ 13300 Reeck Rd. Mills Gymnastics.

The applicant Mills Gymnastics has begun constructing a large playscape on their property in order to provide activities as a licensed State of Michigan Summer Camp. The playscape is in the northeast corner of the site and is a conditional use within the C-1 Community Business District. We are supportive of the use at this location and recommend approval.

Mr. Mills, stated they have been approved by the State for a Summer Camp. They will follow the recommendation of the City in regards to the fencing. This project will provide our campers with a fun and safe physical play environment.

The second one will be the applicant is requesting for Conditional Re-zoning from C-2 General Business to M-1 Light Industrial @ 16600 Fort St. Currently Michigan Vehicle Solutions will be "Dent Wizard".

The applicant requests to amend a conditionally rezoned parcel located at 16600 Fort Street from C-2, General Business to M-1, Light Industrial-Research. The rezoning is requested to allow for a new use, "Dent Wizard" which is a custom automobile cosmetic repair facility. The highly technical nature of operations and the low intensity of the use differentiates it from typical automobile fabrication and body shop.

Mr. Pennybacker, from Dent Wizard, discussed details of the business and is very excited about this project.

The Board will send this to City Council for final approval.

The meeting ended at 7:33 p.m.

City of Southgate
Planning Commission Meeting
July 11, 2022

This meeting of the Planning Commission was held in the Municipal Caucus Room, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, July 11, 2022 and called to order by Chairperson Ed Gawlik, at 7:34 p.m.

PRESENT: Patricia Anderson, Ed Gawlik, Linda Clark, Chad Godbout, Leticia Crawford
Barbara Biskner, James Yoos, Jerry Orman, Priscilla Ayers-Reiss

ALSO PRESENT: Plan Consultant John Enos, City Attorney Ed Zelenek, Building Official Tim Leach, City Administrator Dan Marsh, Council Member Colovos

Minutes:

The first order of business is approval of the minutes from the June 13, 2022 Planning Commission meeting.

Moved by Orman, supported by Anderson, that the minutes of the Planning Commission Meeting dated June 13, 2022 be approved. MOTION APPROVED UNANIMOUSLY.

Public Hearings:

1. Applicant is requesting Conditional Use Approval for a Children's Activity Center @ 13300 Reeck Rd. Mills Gymnastics.(PC 04-2022)

Public notices were sent out.

Moved by Anderson, supported by Clark, to open this Public Hearing. MOTION APPROVED UNANIMOUSLY.

City Planner Enos stated the applicant Mills Gymnastics has begun constructing a large playscape on their property in order to provide activities as a licensed State of Michigan Summer Camp. The playscape is in the northeast corner of the site and is a conditional use within the C-1 Community Business District. The applicant is proposing a chain link fence that is not permitted. A decorative ornamental metal fencing material is recommended. We are supportive of the use at this location and recommend approval.

Mr. Mills, stated they have been approved by the State for a Summer Camp. They will follow the recommendation of the City in regards to the fencing. This project will provide our campers with a fun and safe physical play environment.

Moved by Yoos, supported by Anderson, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Yoos, supported by Orman, to approve the Conditional Use request for a Children's Activity Center @ 13300 Reeck Rd. Mills Gymnastics. (PC 04-2022) MOTION APPROVED UNANIMOUSLY.

2. Applicant is requesting for Conditional Re-zoning from C-2 General Business to M-1 Light Industrial @ 16600 Fort St. Currently Michigan Vehicle Solutions will be "Dent Wizard". (PC 05-2022)

Public notices were sent out.

Moved by Anderson, supported by Yoos, to open this Public Hearing. MOTION APPROVED UNANIMOUSLY.

The applicant requests to amend a conditionally rezoned parcel located at 16600 Fort Street from C-2, General Business to M-1, Light Industrial-Research. The rezoning is requested to allow for a new use, "Dent Wizard" which is a custom automobile cosmetic repair facility. The highly technical nature of operations and the low intensity of the use differentiates it from typical automobile fabrication and body shop.

The site is approximately 4.15 acres site and was formerly conditionally rezoned to allow Michigan Vehicle Solutions, a custom automobile and truck fabrication, vehicle up-fitting, and vehicle research and development testing use. The applicant is proposing no building expansions; only interior modifications to the buildings. After reviewing the current land use, adjacent zoning districts, and future plans for the subject properties and vicinity, we would recommend that the Planning Commission approve the amendment to the M-1 conditional rezoning.

Mr. Pennybacker, from Dent Wizard, discussed details of the business and is very excited about this project.

The City would also like to Thank Mr. Richard Oliver for his commitment and dedication on all his projects in the City of Southgate.

Moved by Clark, supported by Yoos, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Anderson, supported by Crawford, to recommend City Council approve a Conditional Re-zoning from C-2 General Business to M-1 Light Industrial @ 16600 Fort St. Currently Michigan Vehicle Solutions will be "Dent Wizard". (PC 05-2022). MOTION APPROVED UNANIMOUSLY.

Officials' Reports:

Will continue to work on the Sign Ordinance.

Correspondence: None.

Old Business: None.

New Business: None.

Adjournment:

Moved by Anderson, supported by Orman, that this meeting of the Planning Commission be adjourned at 7:49 p.m. MOTION APPROVED UNANIMOUSLY.

Ed Gawlik
Chairperson, Planning Commission
as



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: City of Southgate Planning Commission
FROM: John Enos, AICP City Planner
DATE: September 6, 2022
RE: Ordinance Amendments

As you aware for some time we have wrestling with commercial and industrial building façade materials, especially in regard to older buildings requesting to “paint” traditional brick and stone surfaces which typically does not hold up and aesthetically is not as attractive as more natural materials. That said and in working with the Building Director we are respectfully requesting setting a public hearing for the attached Section 1298 amendments to the Zoning Ordinance. Also, included are proposed amendments to Section 1422 Building Ordinance. This will need a public hearing by the Council not the Planning Commission. Thank you.

1422.01 ADOPTION BY REFERENCE; FILE COPIES.

The **current** "International Property Maintenance Code, ~~2018~~", as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the City of Southgate, County of Wayne, State of Michigan; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are herein referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 1422.02 . A copy of the **2022 2018** International Property Maintenance Code, and the provisions thereof, shall be filed in the Building Department.

1298.13 WALLS AND EARTH BERMS

(e) Required walls shall be constructed of architectural masonry materials which may include all decorative masonry units, i.e. monolithic and/or precast concrete walls **or commercial/industrial rated wall panels with stone or brick design.** Precast concrete walls shall be stained **or** ~~not~~ painted in colors complementary to the color of exterior materials used in buildings on the site.

1298.17 EXTERIOR BUILDING WALL MATERIALS.

(2) Nonresidential Buildings.

A. Except where otherwise regulated in this section, the exterior building walls of a nonresidential building and any related accessory building shall consist of the exterior building wall materials and/or combinations of materials expressly permitted in this section.

B. The exterior building walls of a nonresidential building shall consist of the following materials or combinations thereof:

1. Face brick for nonresidential buildings, as defined in this Zoning Code, cut stone or field stone.

2. Split-face block, which shall be treated ~~(impregnated, not painted)~~ with earth tone or natural colors. The split-face block must have a rough, stone-like texture created by splitting the block during production.

3. Precast concrete in a form and pattern which may consist of its natural color or which may be treated ~~(impregnated, not painted)~~ with earth tone colors.

4. Finished cementitious materials, including finished systems and stucco, which shall be treated (impregnated, not painted) with earth tone colors and may be utilized in combination with approved materials in 1298.17(B) 1, 2, 3 a minimum of eight feet above grade.

5. Metal standing seams may be utilized for architectural exterior wall accents on canopies and mansards. Colors shall be approved by the Building Department Director.

C. Materials other than those specifically outlined in paragraph (d)(2)B. hereof shall be prohibited. Materials specifically prohibited include:

1. Concrete masonry units (CMU), such as block, pattern and fluted.
2. Tarred paper, tin, corrugated iron, porcelain clad and steel flat sheets.
3. Pressed or laminated wood products.

~~4. Painting of brick or face brick.~~

5. Similar products or materials.

D. If an applicant requests the use of other materials not specifically prohibited in subsection (d)(2)C. or noted as an approved material in subsection (d)(2)B., said materials shall be reviewed and approved by either the Site Plan Review Committee or Planning Commission per the requirements of Section 1298.07(i)(5). The Site Plan Review Committee or Planning Commission may approve alternative materials only when it determines that such materials will:

1. Be in direct harmony with the intent and purpose of this section and will stand to further promote the uniform and qualitative visual environment of the City.
2. Meet all applicable requirements of the City's Building Code.

City of Southgate

An amendment to the City of Southgate Zoning Ordinance to revise Section 1298.18 (Signs) and promote the effective regulation of said section.

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1298.18 SIGNS.

Amendment of Section 1298.18 is hereby amended to add the following intent and purpose of revision:

~~The provisions of this section are to encourage the effective use of signs as a means of communication for a particular user or use of property in the City. It is intended to protect the public health, safety, and welfare while recognizing the legitimate need of business, industry, and other activities in attaining their identification and information objectives. Finally, the section is designed to promote the economic development and aesthetic character of the City of Southgate by regulating the construction, alteration, repair, maintenance, size, location, and number of signs. All outdoor advertising structures, awnings, billboard signs, and other notices which advertise a business, commercial venture or name of a person shall be regulated as follows:~~

The intent of this article is to regulate the location, size, construction, and manner of display of signs in order to minimize their harmful effects on the public health, safety and welfare. While this article recognizes that signs are necessary to satisfy the needs of sign users for adequate identification and communication, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of the business and residential areas of the City, conflicts between different types of land use, reduction in traffic safety to pedestrians and motorists, and other impacts that are contrary to the purposes, intent, and interests identified in this section.

The following municipal interests are considered by the City to be compelling government interests. Each interest is intended to be achieved in a manner that represents the least restrictive means of accomplishing the stated interest, and in all events is intended to promote an important government interest that would not be effectively achieved absent the regulations in this Section.

- (a) Public Safety. Maintaining pedestrian and vehicular safety are predominant and compelling government interests throughout the City, with particular emphasis on the safety of pedestrians, reducing distraction of motorists, and requiring proper maintenance and/or structurally unsafe signs to be repaired or removed.
- (b) Character and Quality of Life. Achieving and maintaining attractive, orderly, and desirable places to conduct business, celebrate civic events, entertain people, and provide for housing opportunities is directly related to the stability of property values needed to provide and finance quality public services and facilities within the City.

This article intends to allow signs that are of sufficient, but not excessive, size to perform their intended function as necessary to provide and maintain the City's character and support neighborhood stability.

(c) Economic Development and Property Values. The establishment of the restrictions in this section has a direct relationship to creating stability and predictability, allowing each private interest to secure reasonable exposure of signage, and thus promoting business success. The application of the restrictions in this article allows businesses to reasonably command attention to the content and substance of their messages while concurrently allowing the promotion of other visual assets, including (without limitation) landscaping and architecture, all of which contribute to economic development and property value enhancement.

(d) Avoidance of Nuisance-Like Conditions. Due to the concentration of people and activities, there is a potential for, and it is a compelling interest to avoid, blight, physical clutter, and visual clutter in the City. The result of these conditions leads to diminished property values, reduced attractiveness of the community, and reduced quality of life within the districts. Minimum regulations that substantially relate to signage are important and necessary for the maintenance and well-being of positive conditions, good character, and quality of life in the City. Ultimately, these regulations are compelling and important for the protection of all police power values.

(e) Property Identification for Emergency Response and Wayfinding Purposes. Locating a business or residence by police, fire, and other emergency responders can be a matter of life and death, and thus it is a compelling interest to ensure that proper, understandable, unambiguous, and coordinated signage be permitted and required, and specifications for such purposes can be accomplished in a simple and narrow manner. Wayfinding for vehicular and pedestrian purposes is also a compelling interest to avoid confusion in public rights-of-way, and unnecessary intrusions on private property. Sign specifications for such wayfinding can be coordinated with property identification for such emergency and other purposes.

(f) Protection of the Right to Receive and Convey Messages. The important governmental interests and regulations contained in this article are not intended to target the content of messages to be displayed on signs, but instead seek to achieve non-speech objectives. In no respect do the regulations of signage prohibit a property owner or occupant from an effective means of conveying the desired message. Nothing in this article is intended to prohibit the right to convey and receive messages protected by the First Amendment of the United States Constitution.

The following regulations shall apply to all signs in the City of Southgate:

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(a) Definitions. The following words, terms, phrases, shall have the following meaning when used in this section:

(1) "Abandoned sign." Any sign used in conjunction with a business that has not been in operation for a period of at least six months.

(2) "Animated sign." Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

(3) "Awning." Refer to "canopy or awnings" below.

(4) "Balloon." A flexible, nonporous container that can be of various shapes which is filled with a gas causing it to inflate. Often the gas is lighter than air to allow the balloon to rise and float in the atmosphere.

(5) "Banner." Any lightweight fabric or similar material that is mounted to a pole or a building by a permanent frame at one or more edges. ~~National flags, state or municipal flags, or the official flag of any institution or business shall not be considered a banner sign.~~

(6) "Beacon." Any light with one or more beams directed into the atmosphere or directed at one or more points not in the same zoning lot as the light source; also, any light with one or more beams that rotate or move.

(7) "Billboard" or "off-premise sign." Any sign which contains a message or advertises an establishment, product, service, space or activity not available on the lot on which the sign is located.

(8) "Broken sign." A sign that is composed of individual letters fastened to a building surface or other support structure.

(9) "Building marker." Any sign indicating the name of a building, date of construction, and any incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

(10) "Canopy or awning." A retractable or fixed shelter constructed of materials on a supporting framework that projects from the exterior wall of a building. A canopy or awning is placed over a door, window, entrance, outdoor service area or entire building.



(11) "Canopy or awning sign." Any sign that is an integral and permanent part of an awning, canopy or other fabric, plastic or structural protective cover.

~~(12) "Commercial message." Any sign wording, logo, or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service, or other commercial activity.~~

(123) "Compatible." To be harmonious, consistent, or in keeping with the character of the surrounding environs.

~~(14) "Construction sign." Any sign which identifies the owners, financiers, contractors, architects, engineers or tenants of a project under construction.~~

(135) "Directional sign." A sign, solely erected for the purpose of commonly informational which does not contain advertising, that directs directing movement or, provides instructions, or is secondary to the use of the lot. Generally signs of this type indicate the entrance/exit, drive-through location, "no parking" areas, etc.

(146) "Directory sign." A sign, which indicates the tenants and their suite locations within a multi-tenant building.



~~(17) "Entranceway sign." A sign that identifies the name of a residential subdivision or development and is located at the major entranceways to the subdivision or development.~~

~~(18) "Essential service sign." Any sign indicating services that are reasonably necessary for the furnishing of public utilities, municipal departments or commissions, or the public health, safety, and welfare of City residents.~~

(159) "Flag." Cloth containing distinctive colors, patterns, or symbols used to distinguish a government, political subdivision, or other political entity.

(1620) "Flashing sign." A sign that employs lighting that flashes, blinks, moves, oscillates or varies in intensity more frequently than once every three seconds and is not an animated sign or a reader board sign.

(1721) "Freestanding sign." Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. Freestanding signs include pole and monument signs.

~~(22) "Government sign." Any sign posted by a unit of government for the health, safety, and welfare of the general public.~~

(1823) "Message board sign." A freestanding temporary sign typically designed as an A-frame, T-frame, menu, or sandwich board, that displays daily specials or promotions of the associated business.

(1924) "Monument sign." A freestanding sign which the entire bottom of said sign is in contact with the ground in a permanent location.

(205) "Mural." A design or representation painted on or drawn on a wall which does not contain any promotional or commercial advertising.

(216) "Pennant." Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

(227) "Placard." A sign that provides notices of a public nature, such as "No Trespassing" or "No Hunting" signs.

(238) "Permanent signs." Any sign, which has a permanent location on the ground or which is attached to a structure having a permanent location and which meets the structural requirements for signs as established in this section and in the Current Michigan Building Code.



(249) "Pole sign." A freestanding sign, which is supported by one or more poles that are attached to the ground in a permanent location and is separated from the ground.

(3259) "Portable sign." Any sign not permanently attached to the ground or other permanent structure, as a sign designed to be transported, including but not limited to signs transported by means of wheels; A- or T-frames; menu and sandwich boards; and, balloons, banners or umbrellas, ~~used for advertising.~~

~~(31) "Real estate sign." A sign advertising the sale, rent or lease of the real estate upon which the sign is located.~~

(2632) "Reader board." A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Also includes electronic reader board signs that can be changed or rearranged without altering the face of the surface of the sign.

(2733) "Roof sign." Any sign erected or constructed wholly on and over the roof of a building, supported by the roof structure.

(2834) "Roof sign, integral." Any sign erected or constructed as an integral part of a normal roof structure such that no part of the sign extends vertically above the highest portion of the roof and such that no portion of the sign is separated from the rest of the roof by a space of more than six inches.

(2935) "Sign." Any device, fixture, placard, or structure, visible from a public right-of-way, that uses any color, form, graphic, illumination, symbol, or writing to promote a service.

advertise, announce the purpose of, or identify the purpose of an ~~occupant person~~, entity, or to ~~communicate convey~~ information of any kind to the public.

(306) "Sign display area." That part of the sign upon, against, or through which the ~~content message~~ is presented or illustrated.

(317) "Streamer." A long, narrow strip with attached flags, pennants or banners resembling or suggesting "streaming" or "floating" in the wind.

(328) "Temporary sign." Any sign that is used only temporarily and is not permanently mounted; this shall include painted window signs.

(339) "Valance." That portion of a canopy/awning that hangs parallel to the building facade and is not larger than twenty-five percent (25%) of the total area of the structure and is used as a decorative heading.

~~(40) "Vehicle business sign." Signs attached to or painted on stationary or abandoned vehicles parked and visible from the public road that are not used in the day-to-day operation of a business.~~



(344) "Wall sign." Any single faced sign that is attached directly parallel to a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or structure, this shall include permanent window signs.

(354) "Window sign." Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window located on a wall or door or upon the window panes or glass and is visible from the exterior of the structure.

(b) General Provisions.

(1) No ~~signs portable, permanent, or any other type of sign unless specifically exempt from having a permit~~ shall be installed in any district unless a sign permit is secured. Permits must be secured by licensed builders or registered sign companies.

(2) No ~~portable, permanent, or any other type of sign~~ shall be allowed in any part of the public right-of-way.

(3) The fee schedule for signs shall be according to the fee schedule approved by Council.

(4) Any sign allowed by this section for advertising shall only ~~advertise~~ identify the ~~building occupant business~~ within that building or the goods produced or offered for sale within said premises. No sign shall advertise any other business or product not sold or offered within said building.

(5) No freestanding sign shall be constructed at any location where, by reason of its position, shape or color may interfere with, obstruct the view of, or be confused with an authorized traffic sign, signal or device. No sign shall make use of the words "Stop," "Danger," or any other traffic "caution" word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic. No sign, signal, marking, device or blinking, oscillating or rotating light shall be erected adjacent to any public right-of-way so as to create a traffic hazard.

(6) No freestanding sign shall be erected at an intersection of any streets in such a manner as to obstruct free and clear vision. No sign shall be located within eight feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending for a distance of 25 feet each way from the intersection of the right-of-way lines of a corner lot.

(7) All signs shall meet the minimum yard requirements for the district where located, as set forth herein. In addition, all ground signs shall be located a minimum of 5 feet from any private driveway on or adjacent to the property containing the ground sign, and 15 feet from any right-of-way or property line.

(87) No person, business or entity shall display upon any sign or ~~other advertising~~ structure ~~content of an any~~ obscene or indecent matter.

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(98) Signs, except as otherwise prohibited in this section, may be internally or externally illuminated. If externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or residential property. All spotlights shall be diffused or shielded so as not to shine on ~~other adjacent~~ properties.

(109) Electronic animated and reader board signs are permitted provided the message content display-area does not change more than one time per three second period. Background display areas may have continuous movement, for example a digital waving flag, provided that the display area is not flashing or blinking. Any reader board sign that changes its content message more frequently than once every three seconds shall be considered a flashing sign.

(110) No sign shall be erected, relocated or maintained so as to prevent the free ingress and egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

(121) Awnings, canopies, and marquees must maintain a minimum seven-foot clear space distance from the bottom of the structure to the grade.

(132) No sign shall project into a public right-of-way, except that awnings and canopies may project not more than four feet into a public right-of-way with the approval of the governmental jurisdiction in control of the right-of-way. All requests to erect an awning or

canopy shall include a drawing, drawn to scale, detailing the proposed awning or canopy and a cut sheet of the proposed color(s). Material colors must be "earth tone" in nature. If the awning or canopy will contain a sign, the sign shall appear on the drawing along with a notation of the amount of sign display area in square feet, and the proposed text. The application and accompanying drawing shall be submitted to the Building Department and to any other governmental jurisdiction in control of the public right-of-way, for review and approval.

(144) All signs shall be constructed of durable material and in conformance with the requirements and specifications of the current Michigan Building Code, where not in conflict with this section.

(154) Signs, which have not been in use for a period of more than six months, including any and all previously approved variances for such signs, shall be considered abandoned signs ~~and subject to removal proceedings. Abandoned signs shall have all lettering or reference to the former business removed. Custom signs, which are only relevant to the defunct business that it served, shall be removed completely from the site.~~ Written notice shall be given by the Building Official and action must be taken by the property owner or proprietor within 30 days of said notice.

(165) All signs shall be kept in workable order, with all plastic faces intact and all metal on the sign kept free of rust and painted with a rustproof paint. The Building Department shall make periodic inspections of all signs, and if any sign is found to be in a deteriorating condition, the owner shall be notified, by letter, to correct the same within 30 days of such notice. If such condition is not corrected within the time allotted, the Building Department is authorized to cause the sign to be removed at the expense of the property owner, agent or person having interest in the building or property. This subsection shall not be construed to alter the effect of Section 1298.20, which regulates nonconforming signs.

(176) All animated or internally illuminated signs must bear the emblem of a nationally recognized testing laboratory.

(187) All signs shall not be placed in the public right-of-way unless otherwise provided for by law.

(c) Prohibited Signs.

(1) Any sign in which a proprietor has not received a sign permit, unless specifically exempt.

(2) Strings of light bulbs, pennants, balloons, streamers, banners, beacons or other portable signs are prohibited, except as allowed in subsection (j) hereof.

(3) Signs that employ any flashing, moving, oscillating, blinking or variable intensity of light and are not either an animated or reader board sign.

(4) Roof signs and integral roof signs.

(5) Murals are prohibited unless utilized only for aesthetic and architectural purposes and approved by City Council.

(6) Painted signs on exterior walls.

(7) Billboard or off-premise signs.

(8) Vehicle ~~business~~ signs. (Vehicles with ~~business~~ signs are permitted if used in the day-to-day operation of the business. At the close of the business, the vehicle must either be removed from the property or parked within the loading/unloading zone. If no loading zone exists, the vehicle must be parked at a point on the site not readily visible from the public rights-of-way when not in use. The vehicle must be in operable condition and licensed with the State of Michigan.)

(9) Temporary window signs that exceed twenty-five percent (25%) of the area of the window and door on which such signs are located.

(10) Any notice, placard, bill, card, poster, sticker, sign, advertising or other device calculated to attract the attention of the public which any person posts, prints, sticks, stamps, tacks or otherwise affixes, or causes the same to be done to or upon any street, right-of-way, public sidewalk, crosswalk, curb, hydrant, tree, telephone pole, or upon any fixture of the police or fire alarm system of the City is prohibited.

(d) Exempt Signs. The following signs are exempt from the regulations of this section, including sign permits:

~~(1) Legal notices, identification, information, or directional sign erected, or required by a government agency. Highway and street signs erected by a state, county or municipal road agency identifying highways, giving direction to streets or places of interest or establishing restrictions or conditions of use for streets and highways. This exemption shall further include all such signs authorized by a road agency in conjunction with infrastructure improvements.~~

(2) Historic markers placed under the authority of the local, state or federal government.

(3) Essential service signs.

(4) Placards not exceeding two square feet.

(5) Building marker not exceeding two square feet.

(6) Flags.

(7) Decorative, seasonal or temporary signs displayed by the City of Southgate. Such displays shall be only in commemoration of a national holiday or some other civic purpose of general public interest.

(e) Signs Exempt from Permits. The following signs shall not require a sign permit but shall comply in all other respects with the regulations set forth herein:

(1) ~~Government signs.~~ Signs erected by a government agency.

~~(2) Real estate signs are allowed in any residential zoning district provided that they shall not have a surface area greater than six square feet for a single surface area or 12 square~~

feet for signs of two or more faces or a height of four feet nor shall there be more than two signs on any one lot. Real estate signs are permitted in any non-residential zoning district provided that they shall not have a surface area greater than 32 square feet for a single surface area or 64 square feet for signs of two or more faces. Real estate signs must be removed within ten days of the sale, rent or lease of the property. Only signs advertising industrial real estate for sale or rental are permitted within 500 feet of a freeway, provided that such real estate advertising signs are used during the construction of a building or the offering for sale or rental of real estate, and provided, further, that they are not larger than ten square feet in area.

— (3) Construction signs are allowed within any zoning district provided a building permit has been issued for the project. Construction signs shall not exceed 32 square feet in area for a single surface area or 64 square feet for signs of two or more faces or six feet in height. Construction signs must be removed from the property within five days of receipt of certificate of occupancy.

(4) One temporary sign is allowed for the promotion of a special event or activity of a church, non-profit or educational institution provided the sign is no larger than 32 square feet for a single surface area or 64 square feet for signs of two or more faces and is displayed for no more than two weeks prior to the event or activity and that it be removed within 24 hours of the conclusion of the event or activity.

(5) Temporary garage or yard sale signs, graduation, birthday parties, open houses, etc. are allowed for residential properties provided they are not placed in the public right-of-way and do not exceed six square feet for a single surface area or 12 square feet for signs of two or more faces. Garage and yard-sale signs shall be removed within 24 hours of the conclusion of the event or activity.

(6) Temporary promotional signs typically associated with uses where at least fifty-one percent (51%) of inventory is designed for the outdoor display and sale of merchandise on a year-round basis shall be exempt. This exemption shall only apply to promotional signs and/or devices that relate to the sale of the merchandise which is located on the lot. This exemption shall not be interpreted to include large scale inflatable devices (such as inflatable rooftop balloons or characters), strobes, spotlights, beacons, or signs that display any flashing or moving lights, or painted signs. Temporary promotional signs for these specific uses shall comply with all applicable general provisions of this section.

(5) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of ninety (90) days prior to and three (3) days after a municipal designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to sixty-four (64) square feet per premise in all districts. The maximum area of an individual sign remains as stated in the table above during this period.

(6) In residential areas, signs identifying properties for sale, lease, or rent provided the sign does not exceed 6 square feet in area for a single surface area or 12 square feet for signs of two or more faces or a height of four feet nor shall there be more than two signs on any one lot. In all other districts, a sign shall not have a surface area greater than 32 square feet

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for a single surface area or 64 square feet for signs of two or more faces. Only signs for industrial properties are permitted within 500 feet of a freeway, provided that such signs are used during the construction of a building or the offering for sale or rental of real estate, and provided, further, that they are not larger than 10 square feet in area. Such signs shall be removed within 10 days following the sale, lease, or rent of the property.

– (f) Signs in a Residential District. No signs shall be permitted in the R-1, R-1A, R-1B or RM Districts, except for the following:

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(1) ~~Subdivision entrance signs; Residential development sign;~~

(2) ~~Freestanding accessory signs and accessory wall signs for schools, churches, cemeteries, golf courses, hospitals, elderly housing, or convalescent care and nursing homes, subject to the following conditions; Signs for a permitted use other than residential are subject to the following conditions:~~

A. One freestanding sign with a maximum display area per side of 60 square feet and a maximum height of six feet, measured from the base of the sign on the ground to the highest point of the sign structure, shall be permitted.

B. One wall sign per street frontage shall be permitted. Such signs shall not exceed 25 square feet in total display area per sign and shall be affixed flat against a wall or engraved into a wall or portico of a building.

C. Additional directional or identification type name plate signs, affixed flat against a wall or door, shall be permitted. Such signs shall not exceed a total of 144 square inches of display area per sign, nor exceed six inches in height.

D. Freestanding signs and wall signs may be illuminated.

(g) Free-Standing Signs. Free-standing signs in any Commercial or Industrial District shall be not more than 20 feet in height nor more than 100 square feet in area on each side. The bottom of such sign shall be a minimum of eight feet above the ground level. A monument sign, not more than ten feet in height, may be a maximum of 150 square feet on each side, provided such sign is erected so as not to obscure pedestrian traffic at driveways and approaches. Where more than one establishment is connected together (as in a shopping center) only one free-standing sign will be allowed. The developer shall make arrangements during construction to provide a central location for a free-standing sign, with a minimum of three-fourths inch galvanized conduit from each establishment to the proposed sign footing base.

(h) Directional Signs. Directional signs are allowed provided they are limited to the identification of functions such as traffic control, loading areas, etc., on the lot and do not advertise the use of the lot. Directional signs shall not exceed two feet in height or two square feet in area for a single surface area or four square feet for signs of two or more faces.

(i) Wall-Mounted Signs. Wall mounted signs shall comply with the following standards:

(1) One principal wall sign shall be permitted for each wall containing an entrance designed and intended for public (customer) access. A principal wall sign shall not exceed

100 square feet in total display area, except that the display area of a principal wall sign may be increased one square foot for every three feet or fraction thereof that the wall to which the sign is to be attached sets back behind the minimum setback requirement of the district, up to a maximum of 250 square feet, or up to a maximum display area of ten percent (10%) of the total area of the wall to which the sign is to be attached, including all doors and windows in the wall, whichever shall result in the lesser amount.

(2) Additional accessory wall signs (excluding directional signs) may be attached to any wall at the discretion of the applicant up to a maximum total square feet of display area for all such signs of not more than 100 square feet, except that the total square feet of display area may be increased by one square foot for every five feet or fraction thereof that the wall or walls to which these signs are to be attached sets back behind the minimum setback requirement of the district, up to a maximum of 150 square feet, or up to a maximum display area of five percent (5%) of the total area of the wall to which a sign or signs are to be attached, including all doors and windows in the wall, whichever shall result in the lesser amount.

(3) ~~No advertising shall be placed on any awning or canopy except the name of the owner. Awning or canopy signs are permitted to display the building occupant.~~ business, or industry conducted within the premises; it may be painted or otherwise permanently placed flush on the awning or canopy, but only if the combination of all signs on the building front do not exceed the maximum allowable area for wall signs.

(4) No wall sign shall extend above the roof line of the building to which it is attached.

(5) No sign that is mounted along the face of the building on the premises shall project or overhang the wall or any permanent architectural feature.

(j) Temporary Signs. Portable signs, not larger than 48 square feet and the temporary display of banners or pennants ~~relating to special promotional~~ events may be installed in any C-1, C-2 or C-3 District, and shall meet the following criteria:

(1) Eight individual permits may be requested throughout the calendar year. Each permit shall be for a period of seven consecutive days. These permits may be spread out throughout the calendar year or requested in larger increments. For example, if a two-week display is needed; two permits will be required.

(2) A permit must be secured from the Building Department and the appropriate fee paid prior to installation.

(3) All portable signs must comply with this section.

(4) All portable signs ~~shall be located on the property accessory to must be on private property~~ and cannot interfere with the vision of pedestrians or traffic.

(5) If a portable sign is to be illuminated, the temporary connection shall meet the requirements of the National Electrical Code. Each portable, illuminated sign shall be protected by a ground fault circuit interrupter. Temporary cord connections to buildings or

other means must be approved by the Electrical Inspector prior to energizing the sign. All temporary cords must be a minimum of No. 14 gauge wire.

~~(6) This paragraph shall not apply to City displays.~~

(k) Temporary Window Signs. Each business establishment shall be permitted temporary window signs, provided that such signs do not exceed twenty-five percent (25%) of the area of any single window or of adjoining windows on the same frontage. This provision is not intended to restrict signs utilized as part of a window display of merchandise when such signs are incorporated within such display.

(l) Freestanding Message Board Signs. One message board sign which display daily specials or promotions of the associated business may be utilized throughout the calendar year provided the following conditions are met:

(1) No other temporary signs (including but not limited to portable; banners; pennants; streamers; signs transported by means of wheels; additional A- or T-frames; additional menu and sandwich boards; balloons; or umbrellas used for advertising; and signs attached to or painted on vehicles) shall be requested or utilized by the establishment.

(2) Total height of the sign shall not exceed four feet and the total sign display area shall not exceed 24 inches by 36 inches.

(3) The message board sign shall only be displayed during regular business hours and must be removed and appropriately stored within the business at the close of the business each day.

(4) The message board sign shall be located on private property and shall not impede pedestrian or vehicular traffic. At no time shall the message board be allowed within required parking spaces or public rights-of-way, which includes public sidewalks.

(5) The message board sign shall be properly anchored to the ground to avoid movement and ensure the public health, safety, and welfare.

(6) The message board shall meet all the general provisions of this section as outlined in subsection (b) hereof.

(7) A plot plan of the site indicating where the temporary message board sign will be placed shall be submitted to the Building Department as part of the permitting process. The location of the message board sign will be approved by the Building Department and shall be adhered to at all times by the applicant.

(m) Any sign not expressly permitted in this section is hereby prohibited.

~~(Ord. 458, Passed 1-4-89; Ord. 476, Passed 3-29-90; Ord. 480, Passed 7-18-90; Ord. 486, Passed 11-7-90; Ord. 489, Passed 1-30-91; Ord. 542, Passed 1-12-94; Ord. 606, Passed 3-5-97; Ord. 649, Passed 11-12-97; Ord. 658, Passed 6-24-98; Ord. 666, Passed 7-22-98; Ord. 781, Passed 6-18-03; Ord. 832, Passed 10-4-06; Ord. 835, Passed 11-15-06; Ord. 844, Passed 2-21-07; Ord. 858, Passed 2-20-08; Ord. 859, Passed 2-20-08; Ord. 860, Passed 2-20-08;~~

~~Ord. 09-893, Passed 12-16-09; Ord. 09-895, Passed 1-6-10; Ord. 10-913, Passed 8-4-10; Ord. 957, Passed 12-19-12; Ord. 13-963, Passed 7-3-13.)~~

1298.19 PERFORMANCE STANDARDS.

No use otherwise allowed shall be permitted within any district set forth in this Zoning Code, which use does not conform to applicable performance standards pertaining to the limitation of smoke, dust, dirt, fly ash, chemical propellants, glare, radioactivity, fire, explosive hazards, noise, vibration, odors and wastes as set forth and regulated by County, State or Federal laws.

~~(Ord. 458, Passed 1-4-89.)~~

1298.20 NONCONFORMING SIGNS.

(a) The lawful use of a sign exactly as the sign existed on the date of adoption of this amendment, may be continued, except as otherwise provided in this chapter, although that sign does not conform with this chapter. It is the intent of this chapter, however, to recognize the prompt elimination, as expeditiously as is reasonable, of such lawful nonconforming signs.

~~(Ord. 531, Passed 6-30-93.)~~

(b) A nonconforming sign:

(1) Shall not be altered in any fashion so as to prolong the life of the sign or to change the shape, size, type or design of the sign;

(2) Shall not be re-established after the activity, business or usage to which it relates has been discontinued, closed or sold;

(3) Shall not be re-established after having been damaged or destroyed if the estimated expense of reconstruction exceeds fifty percent of the replacement cost as determined by the Building Official; and

(4) Shall not have any changes ~~to the content made in the words or symbols used or the message~~ displayed on the sign unless the sign is a ~~bulletin board~~ changeable message board sign or substantially similar type of sign designed for periodic change of the sign message.

~~(Ord. 652, Passed 11-26-97.)~~