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Charter and Code of Ordinances of the City of Sterling Heights, Michigan

SECTION 28.13. SIGNS.

A. *Findings.* The City Council finds:

1. Signs are a separate and distinct use of the property upon which they are located and affect the uses and users of adjacent streets, sidewalks, and other areas open to the public.

2. Signs are also an important means of communication for businesses, organizations, individuals, and government.

3. Depending on their size, numbers, and character, signs may attract or repel visitors, affect the visual quality enjoyed daily by residents, affect the safety of vehicular travel and pedestrians, and define the character of the community.

4. Aesthetic considerations impact economic values as well as public health, safety, and welfare.

5. Signs also take up space and may obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.

6. The unregulated installation and display of signs constitutes a public nuisance detrimental to the public health, safety, convenience, and general welfare.

7. Therefore, the purpose of this section is to establish reasonable regulations pertaining to the time, place, and manner in which outdoor signs and window signs may be installed and maintained in order to achieve the following purposes:

a. Promotion of the general health, safety, and welfare, including the creation of an attractive and harmonious environment;

b. Maintenance and enhancement of the visual quality (aesthetics) of the community;

c. Improvement of pedestrian and motorist safety by avoiding saturation and confusion in the field of vision, by directing and controlling pedestrian and vehicular traffic, and by minimizing distractions and obstacles to clear views of the road and of directional or warning signs;

d. Protection and enhancement of economic viability by assuring that the City of Sterling Heights will be a visually pleasant place to visit or live;

e. Protection of property values and private/public investments in property;

f. Protection of views of the natural landscape and sky;

g. Protection of the public investment in the creation, maintenance, safety, and appearance of the city's streets, highways, and other areas open to the public;

h. Protection and enhancement of the city's attractiveness as a place for economic development and growth;

i. Avoidance of personal injury and property damage from structurally unsafe signs;

j. Provision of effective and efficient opportunities for business identification by reducing competing demands for visual attention;

k. Allow for expression by signage subject to reasonable regulation.

Intent. The intent of this section is to regulate signage within the City of Sterling Heights in order to preserve the city's tradition and reputation as a community with a rich mix of land uses that blend into a landscape of high aesthetic quality. The regulation of signage is further intended to enhance the physical appearance of the city so that it remains an appealing and desirable place to live, work, and visit. The provisions of this section are the minimum amount of regulation necessary to achieve the purposes set forth herein and to preserve the scenic and natural beauty of designated areas, make the city a more enjoyable and pleasing community, and create a more attractive economic and business climate, while at the same time reducing signage distractions, eliminating hazards caused by signs, and minimizing confusion caused by conflicting adjacent and/or clustered signs.

C. Scope. The City Council further finds that many of the signs allowed in this section are situational, and the likelihood of multiple simultaneous situations arising on a lot at any particular time is remote. Therefore, the number of signs allowed on a lot is reasonable and allows alternative channels of communication as situations arise without adversely impacting the purposes of this section.

D. Definitions. In addition to the general definitions set forth in this zoning ordinance, the following definitions shall apply to the regulations set forth in this section.

ADMINISTRATIVE REVIEW BOARD. A board comprised of the Building Official, City Engineer, and City Development Director to hear requests for administrative modification or administrative appeals permitted by this section.

AGRICULTURAL SALES SIGN. An accessory sign relating to the land use function of selling agricultural, dairy, livestock, or poultry products raised or produced at the location where the sign is installed.

DIRECTIONAL SIGN. A sign directing vehicular or pedestrian traffic to parking areas, loading areas, or to portions of a building or site.

ELECTRONIC MESSAGE BOARD. A freestanding sign that uses light emitting diodes (LED) to electronically change the image or message displayed on the message board.

FESTOON SIGN. Light bulbs, ribbons, streamers, or pinwheels, or light strips, banners, pennants, balloons, search lights, or similar objects and features, which are not an integral physical part of the building or structure they are intended to serve and which are hung or strung for the purpose of drawing attention.

FLASHING, ANIMATED, OR MOVING SIGN. A sign that intermittently reflects lights from either an artificial source or from the sun; a sign which has movement of any illumination such as intermittent, flashing, or varying intensity or a sign that has any visible portions in motion, either constantly or at intervals, which motion may be caused either by artificial or natural sources. An electronic message board that otherwise meets the requirements of this section is not a flashing, animated, or moving sign.

FREESTANDING SIGN. A sign located in or upon the ground or attached to something requiring location on the ground, such as a freestanding frame, mast, or pole, which is not attached to any principal or accessory structure.

IDENTIFICATION SIGN OR NAMEPLATE. A wall sign stating the name of a person or firm, or stating the name or description of the permitted use of the premises.

MAXIMUM SIZE (OF A SIGN). The total area of a sign included within the rectangle, triangle, or circle caused by encompassing the outermost portions of the sign or around the outermost edges of a sign formed of letters or symbols only. On signs with more than one side, this measurement shall be determined with reference to the area contained on one side of the sign, including all openings.

MONUMENT SIGN. A freestanding sign attached to a permanent foundation with decorative base located on the ground with no exposed poles or other supporting devices.

OFF-PREMISES SIGN. A sign that communicates messages relating to any activity or use not related to the permitted use of the premises upon which the sign is installed.

PORTABLE SIGN. A sign without a permanent foundation and not permanently attached to a fixed location which can be carried, towed, hauled, or driven and is primarily designed or installed to be mobile rather than be limited to a fixed location regardless of modifications that limit its mobility, such as, but not limited to, vehicles, trailers, "A" frame, "T"-shaped, or inverted "T"-shaped sign structures.

PROJECTING SIGN. A sign which is affixed to or supported by any building or structure, or part thereof, which extends beyond the plane of the building wall, or part thereof, or structure, by more than 12 inches.

PUBLIC SIGN. A sign installed or required by any governmental entity to provide information to the public.

REAL ESTATE DEVELOPMENT SIGN. A temporary sign permitted for real estate development projects that have received site plan approval and are placed on the premises of a real estate development to indicate a proposed start date or to provide information regarding available properties or tenant spaces within the development.

RESIDENTIAL SUBDIVISION IDENTIFICATION SIGN. A permanent sign installed to exhibit the name of the residential development within which it is installed.

ROOF SIGN. A sign located on or above the roof of any building and which projects above or beyond the eave, roof, or parapet, or which is attached to a mansard type roof.

SIGN. The use of any words, numerals, figures, devices, inflatable moving advertising products, designs, logos, or trademarks which direct attention to a product, place, activity, person, institution, message, or business, or by which anything is made known to the general public, and which is visible and discernible off the lot or from any public right-of-way.

SIGN AREA. Unless otherwise noted, the total area within any circle, triangle, rectangle, or other geometric shape or envelope enclosing the extreme limits of writing, representation, emblem, or any similar figure or element of the sign. The area of a double-faced sign shall be computed using only one face of the sign, provided that the outline and dimensions of both faces are identical and that the faces are back-to-back so that only one face is visible at any location. The sign area shall not include any supporting framework, bracing, or decorative fence or wall when such feature otherwise complies with the requirements of this section and is clearly incidental to the sign itself. References in this section to the square footage of signs are references to the measurement of the sign area unless otherwise specified.



SIGN HEIGHT. Measured as the vertical distance from the normal grade directly below the sign to the highest point of the sign or sign structure, whichever is higher, and shall include the sign base. References to maximum height and height limitations in this section are references to this definition unless otherwise specified.

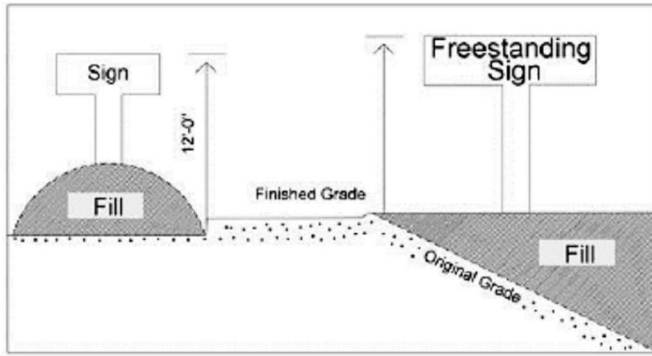
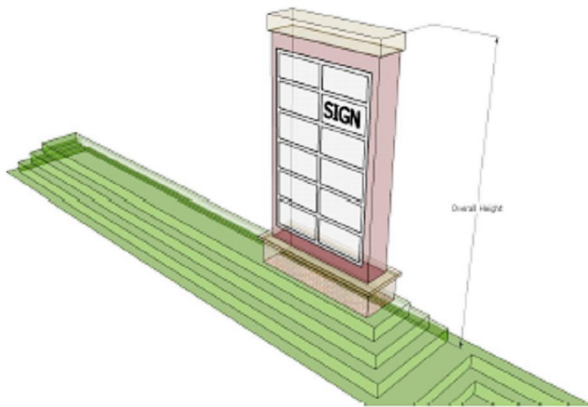


Figure III: Measuring Sign Height



SUPER REGIONAL MALL. A shopping mall with over 100,000 square feet of gross leasable area which serves as the dominant shopping venue for the region in which it is located.

SUPER REGIONAL MALL BOULEVARD ENTRANCE SIGN. A sign identifying a super regional mall that is located upon the median of each boulevard leading directly into a super regional mall development.

SUPER REGIONAL MALL DIRECTIONAL SIGN. A sign directing vehicular and pedestrian traffic to particular businesses within a super regional mall that is located upon a private easement of a lot or parcel adjacent to the ring road of the super regional mall or the boulevard leading directly into the super regional mall development from a major thoroughfare as identified on the Master Road Plan.

SUPER REGIONAL MALL FESTOON SIGN. A banner style sign attached to a parking lot light pole located upon a lot or parcel abutting a ring road of a super regional mall development. Such signs must be double-sided pole pocket style.

SUPER REGIONAL MALL PRIMARY ENTRANCE SIGN. A sign identifying a super regional mall and its major tenants, and promoting events and activities taking place at the super regional mall that is located upon a private easement of a lot or parcel adjoining a major thoroughfare as set forth on the Master Road Plan.

TEMPORARY SIGN. A sign not permanently attached to the ground, a structure, or a building and not supported by a permanent frame.

a. A long-term temporary sign is a temporary sign constructed of durable, weather-resistant, wind-resistant materials equivalent or substantially as durable as vinyl, fabric, wind mesh, acrylic, polycarbonate, treated wood, aluminum, and aluminum composite, and affixed to a durable, weather-resistant, wind-resistant frame.

b. A short-term temporary sign is a temporary sign constructed of less durable non-rigid or semi-rigid materials, such as paper, cardboard, polystyrene, foam PC, foam board, and untreated wood, and affixed to a frame not designed for long-term outdoor sustainability, such as thin wire frames, hollow or lightweight plastic frames, and frames consisting of non-rigid or semi-rigid materials.

c. A flag is a short-term temporary sign made of cloth, fabric, bunting, nylon, or similar flexible material.

WALL SIGN. A sign attached to, placed flat against, or otherwise inscribed on an exterior wall or surface of any building, confined within the limits thereof, and no portion of which projects more than 12 inches beyond the wall, but which may or may not project above the roof or parapet.

WARNING SIGN. A sign that provides a warning or a notice to persons on, or entering upon, the premises on which the sign is located including, but not limited to, signs that guide vehicular or pedestrian traffic within, but not at the entrance of, a development, identify hazards and possibly dangerous conditions, ensure public safety, or are required by law to be installed.

WINDOW SIGN. A sign consisting of words, numerals, or trademarks displayed in, attached to, or painted on a window.

E. *General conditions.* Except as otherwise provided herein, the following regulations shall apply to all signs installed or located in any use district:

1. All signs shall conform to all ordinances and regulations of the City of Sterling Heights, including, but not limited to, other sections of this zoning ordinance, the City's Code of Ordinances, and any other codes or regulations governing signage.

2. Signs shall not be placed in, project into, or overhang any public right-of-way or dedicated public easement, existing or proposed, unless placed or approved for placement by the city or applicable governmental entity or agency.

3. Signs shall not be placed on city property unless placed or approved for placement by the city.

4. Signs shall not be placed on utility poles, utility boxes, traffic control devices, telecommunications towers, sidewalks, lamp posts, hydrants, bridges, public property, public ways, easements, or trees unless placed or approved for placement by a governmental entity as public signs or warning signs.

5. Permanent signs shall not be placed in a required side yard setback or within 12 feet of a public right-of-way.

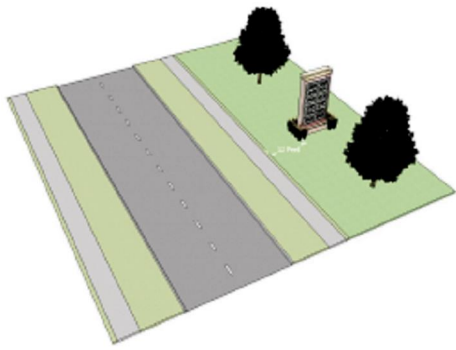
6. Signs shall not be placed in a manner that obstructs or diminishes sight lines for vehicular travel, obstructs driver vision, or creates potential hazards to pedestrian safety. All signs shall comply with the corner clearance requirements set forth in Section 2.03.

7. Signs must have a minimum clearance of eight feet six inches above a non-public sidewalk and provide appropriate emergency vehicle clearance above driveways and maneuvering lanes.

. Applications for approval of a sign permit will not be processed or placed on an agenda for any public hearing, nor will a sign permit be issued, on properties with outstanding and unresolved code violations, including but not limited to violations of the International Property Maintenance Code as adopted and locally amended by the city, unless the property owners and occupants have executed a code compliance agreement with the city setting forth a written commitment by, and contractual obligation of, the applicant and property owner to bring the site and/or building into full compliance with all provisions of the applicable code within a specific time period acceptable to the City Development Director.

9. Signs shall not have more than two sides.

10. No sign shall be painted directly onto the wall of a building.



Signs authorized in every zoning district.

Prohibited signs.

Illumination.

Enforcement.

Nonconformity and modification.

Reed v Town of Gilbert

Gilbert

Reed v Town of

Reed v Gilbert

