

Oak Park

Special Council Meeting

March 16, 2015





**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
35TH OAK PARK CITY COUNCIL
MARCH 16, 2015
6:00 PM**

AGENDA

- 1. CALL TO ORDER**
- 2. ROLLCALL**
- 3. SPECIAL BUSINESS**
 - A. Re-appointments to City Boards and Commissions
 - B. National League of Cities Service Line Warranty Program
 - C. Build Transit, Build Business
 - D. Sign Ordinance and Murals
- 4. CALL TO THE AUDIENCE**

Each speaker's remarks are a matter of public record; and the speaker, alone, is responsible for his or her comments; the City of Oak Park does not, by permitting such remarks, support, endorse or accept the content, thereof, as being true or accurate. There is a three minute time limit per speaker.
- 5. ADJOURNMENT**



CITY OF OAK PARK

OFFICE OF THE CITY CLERK

Mayor
Marian McClellan
Mayor Pro Tem
Paul Levine
Council Members
Michael Seligson
Carolyn Burns
Kiesha Speech

BOARDS & COMMISSIONS

RE-APPOINTMENTS

Board Name	Applicant	Term Expiration
Arts & Cultural Commission	Sudha Sekhar	February 2018
Arts & Cultural Commission	Michele Stevenson	February 2018
Arts & Cultural Commission	Jeffrey Beyer	February 2018
Beautification Advisory Commission	Reatha Richmond	February 2018
Beautification Advisory Commission	Mattie Boykin	February 2018
Beautification Advisory Commission	Santhia Guinn	February 2018
Beautification Advisory Commission	Angela Mitchell	February 2018
Brownfield Redevelopment Authority / Economic Development Corporation	Emile Duplessis	February 2021
Election Commission	Lana Sherman	January 2016
Election Commission	Saul Chudnow	January 2016
Ethnic Advisory Commission	Rosetta Kincaid	August 2017
Ethnic Advisory Commission	Reatha Richmond	August 2017
Ethnic Advisory Commission	Sudha Sekhar	August 2017
Ethnic Advisory Commission	Nathaniel Warshay	August 2017
Ethnic Advisory Commission	Leona Burns	August 2017
Ethnic Advisory Commission	Mattie Boykin	August 2017
Library Board	Sharon Chudnow	August 2019
Library Board	Sherman Barton	August 2018
Local Officers Compensation Commission	James Gulley	February 2022
Recreation Advisory Board	Bob Gershman	August 2018
Recycling & Environmental Conservation	Angela Mitchell	August 2018
Recycling & Environmental Conservation	Denise Trombley	August 2018
Zoning Board of Appeals	Louis Landau	August 2018
Zoning Board of Appeals	Sherman Barton	August 2018
Zoning Board of Appeals	James Huston	August 2018



NLC Service Line Warranty Program

The NLC Service Line Warranty Program, administered by Utility Service Partners, Inc. (USP), is an affordable home protection solution that helps your residents save thousands of dollars on the high cost of repairing broken or leaking water or sewer lines.

The NLC Service Line Warranty Program gives your residents who have not set aside money to pay for an unexpected, expensive utility line repair the opportunity to obtain a low cost warranty that will provide repairs for a low monthly fee, with no deductibles or service fees. The work is performed by licensed, local plumbers who will call the customer within one hour of filing a claim. The repair is performed professionally and quickly, typically within 24 hours. USP provides a personally staffed 24/7 repair hotline for residents, 365 days a year.

There is no cost to your city to participate in the program. PLUS, your city receives a share of the revenues collected! Implementation is easy and USP provides all of the required services. The program will be offered to all cities in the 48 contiguous states by March 2012, as various state regulatory requirements are met and contractor networks are established and vetted by USP. Check to see if the program is available in your state.

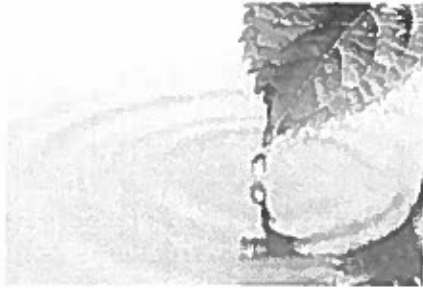
If you're a local elected official looking to implement this program in your city, please contact Emma Lieberth at 202-626-3075 or at lieberth@nlc.org

If you are a resident wanting more information on this program in your city, please call the USP Hotline at 866-922-9006.

About Utility Service Partners, Inc.

USP, headquartered in Canonsburg, Pennsylvania, is a leading independent provider of service line warranties and water heater rentals in the United States. USP is a portfolio company of Macquarie Capital, part of Macquarie Group Limited, one of the world's largest owners and managers of infrastructure assets and a manager of over \$36 billion in infrastructure equity around the world. For more information on USP, please visit their website.

MORE INFORMATION



[NLC Service Line Warranty Program Brochure](#)

[Frequently Asked Questions](#)

[Implementation Process](#)

[Case Study](#)

[Request for More Information](#)

IN THE NEWS

[NLC's Service Line Warranty Program Tops 100 Cities](#)

[New NLC Program Reduces Service Line Repair Costs](#)

[National League of Cities Service Line Warranty Program Celebrates 200th Partner](#)

[Service Line Warranties of America named the 2013 Winner of the Western Pennsylvania Torch Award for Marketplace Ethics](#)

[More News](#)

STAFF CONTACT

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Policy for review and/or approval of Murals

- 1) Applicant completes mural application and submits drawing, sketch or photo of proposed mural to the Economic Development Manager for determination of whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.

The city staff shall review the proposed mural to make a determination whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.

- 2) Using the following Zoning Ordinance described definitions city staff will determine if the mural is an Art Mural or Limited Reference Art Mural
 - a. Sign – is the use of any words, numerals, figures, sculpture, devices, designs, insignia, imprints or trademarks by which anything is made known, advertised, or to promote the interests of any person, firm or corporation when the same is placed in view of the general public, whether displayed on a permanent or portable structure attached or not attached to a building, including painted directly on an exterior building wall or awning.
 - b. Art Mural - is a design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.
 - c. Limited Reference Art Mural - is an original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site. The graphics, words, and/or symbols referencing the establishment, product, or service are limited in scope and dominance, and not readily construed as commercial advertising. References must be subtle and integrated into the overall mural.

- 3) After the type determination by the city staff, a recommendation will be made to the city council on art murals and limited reference art murals.

- 4) City Council will determine if the mural or limited reference art mural is to be allowed based upon the following guidelines:

- a. If the proposed design or representations is determined to be an Art Mural, the city council will review the mural specification and make a determination of whether the content of the mural is a nuisance as described in Chapter 38, ARTICLE III, DIVISION 1, Sec. 38-51. City Council shall declare the following content in Art Murals to be nuisances:
 - i. The promotion of hostility, disorder, violence or attacks on any person or group of persons.

- ii. The promotion of discrimination including, but not limited to, demeaning, harassing, or ridiculing any person or group based on race, color, national origin, religion, sex, age, disability, ancestry, creed, or sexual orientation.
 - iii. Libelous statements or information.
 - iv. Being obscene or pornographic as defined by prevailing community standards.
- b. If the proposed design or representations is determined to be a Limited Reference Art Mural, the applicant shall obtain a determination of whether the Limited Reference Art Mural is a nuisance as described in Chapter 38, ARTICLE III, DIVISION 1, Sec. 38-51. City Council shall declare the following content in Art Murals to be nuisances:
 - i. The promotion of hostility, disorder, violence or attacks on any person or group of persons.
 - ii. The promotion of discrimination including, but not limited to, demeaning, harassing, or ridiculing any person or group based on race, color, national origin, religion, sex, age, disability, ancestry, creed, or sexual orientation.
 - iii. Libelous statements or information.
 - iv. Being obscene or pornographic as defined by prevailing community standards.
 - v. For purposes of this subsection, "limited in scope and dominance" shall mean not exceeding fifteen (15) percent of the wall area on which it is located, integrated throughout the Mural and not be placed in a concentrated area or manner where it becomes, in essence, a prominent advertisement.
 - vi. The references to an establishment, product, or service are not to be in the form of traditional building signage. Traditional signs on the same wall will be reviewed separately under applicable sign requirements.

3/11/2015



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: Special Meeting - March 16, 2015

AGENDA #

SUBJECT: First reading of a proposed Zoning Ordinance text amendment to amend Article XVIII, Signs.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the December 8, 2014 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendments would make a number of changes to Article XVIII, Signs. At that meeting the Planning Commission voted to recommend to the City Council adoption of the text amendment. Since that time City Council has proposed changes and they are included in this version of the ordinance amendment: 1) The process for approval of murals 2) Sandwich board signs are now required to be within 20 feet of the principal entrance of a business 3) changes to the mural ordinance

RECOMMENDED ACTION: The City Council discuss any other changes to the mural section of the text amendment to the City of Oak Park Zoning Ordinance, Article II, Definitions, and Article XVIII, Signs.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: Proposed ordinance for adoption, Mural review process.

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XVIII, SIGNS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII with the following:

ARTICLE XVIII. - SIGNS

Sec. 1800. - Signs.

A. *Purpose.* It is the purpose of this section to provide for proper identification of businesses and institutions; to enable the public to locate goods, services and facilities without difficulty and confusion; to prevent wasteful use of resources as a result of competition among businesses for attention; and to promote the continued attractiveness of the City of Oak Park. It is further determined that to allow an excessive number of signs in the city would be unduly distracting to pedestrians and motorists, creates a traffic hazard, and may reduce the effectiveness of signs needed to direct the public. The regulations of this section are determined to be the minimum regulations necessary to achieve its purposes.

B. *Objectives.* To achieve the purpose stated above, this section has the following objectives:

1. To prevent the placement of signs in a manner that will conceal or obscure signs or adjacent businesses;
2. To keep the number of signs and sign messages at a level reasonably necessary to identify a business and its products or services;
3. To keep signs within a reasonable scale with respect to the buildings to which they relate;
4. To keep an area adjacent to streets clear of signs which might obstruct or distract the view of motorists;
5. To reduce the visual and physical obstructions to motorists entering or leaving streets;
6. To enhance the physical appearance of the city;
7. To preserve scenic and natural beauty of designated areas;
8. To make the city a more enjoyable and pleasing community; and
9. To create a more attractive economic and business climate.

Sec. 1801. - Definitions.

Refer to definitions pertaining to signs found in article II.

Sec. 1802. - Basic requirements—All districts.

The following general requirements shall apply to all signs in every zoning district within the City of Oak Park.

- A. Only on-site signs are permitted.
- B. The calculation of sign surface area shall include: the sign frame and any sign member or support which is illuminated or bears advertising matter, symbols, logos, or similar decorations associated with the business identified thereon.
- C. Every sign shall be effectively attached to a building, other permanent structure, or the ground. Portable or moveable signs (such as trailer signs) are prohibited. The intent of this paragraph shall not be circumvented by the use of parked vehicles or trailers as signs or conveyances for signs.
- D. All illuminated signs shall be so arranged or shielded so as not to interfere with the vision of persons on adjacent thoroughfares and properties. In no event shall light from an illuminated sign shine on adjacent property which is used for residential purposes.
- E. The color saturation and hue of illuminated signs shall be such as to preclude confusion with traffic signals.
- F. All signs shall conform to the regulations as set forth in this ordinance, and any sign or billboard not conforming thereto shall be deemed a nonconforming structure subject to the provisions of section 2005
- G. No sign shall be located or placed on any property or building in a manner that interferes with the driver of an automobile having proper visibility of pedestrians or automobile traffic.
- H. No sign, except those for emergency service purposes established and maintained by the city, county, state or federal government, shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- I. All emergency service purpose directional signs required for the purpose of orientation, when established by the city, county, state or federal government, shall be permitted in all use districts, and may exceed six feet in height.
- J. Sign materials and design shall be consistent with the architectural design of the building they identify.
- K. All signs shall be maintained in a condition similar to that which existed at the time of their erection. At the least, all signs and all awnings with sign components shall be kept clean, free of missing or loose parts, free of blistering or peeling paint, and without burned-out illumination, or missing or obsolete sign panels.
- L. All sign owners shall complete a form, provided by the city, indicating the name, address and phone number of the person responsible for maintenance of the sign. At the request of the city, any sign owner shall update the information provided on this form.
- M. Free-standing signs shall be set back at least five feet from all lot lines unless otherwise provided by this section. Freestanding signs shall be located so as to not hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
- N. Replacement signs. When a sign is to be replaced, it shall thereafter conform to all requirements of this zoning ordinance. This shall not prevent the lawful continuance of nonconforming signs that were legally established prior to the current requirements of

the zoning ordinance. The following provisions shall apply to replacement of panels and signs intended to update information nonconforming signs:

1. The owner of a nonconforming sign may replace a panel or face of the sign in order to update information on the nonconforming sign or identify a new tenant or occupant from the same use category provided the sign is not enlarged or otherwise made more nonconforming. Approval of replacement panels may be granted by the administrative official designated by the city manager.
 2. The replacement of a nonconforming sign or signs with a sign that conforms to the current requirements of the zoning ordinance may be approved by the administrative official designated by the city.
- O. The maximum height of all free-standing signs shall be six feet, unless otherwise provided in this section.
- P. No sign shall be erected within the clear vision area at the intersection of any two streets or other public ways. The clear vision area is formed by two lines each 25 feet long measured along the right-of-way for both streets from the point of intersection and connected by a third line to form a triangle.
- Q. Signs for public buildings in all districts. Public buildings, such as schools, city offices, libraries, community centers, and the like shall comply with the following regulations in all districts:
1. Permanent signs that are part of the structure, such as engraved stone panels, cast bronze plaques and the like, may occupy not more than ten percent of the front wall surface area, to maximum of 100 square feet.
 2. The total area of monument signs and all wall signs shall not exceed ten percent of the front wall surface area of the buildings they identify.
 3. If a public building requires a changeable message board, it shall be incorporated as part of the permanent sign.
- R. Prohibited signs and sign features or components. The following signs are prohibited, notwithstanding anything to the contrary in this ordinance:
1. Signs which incorporate in any manner or are illuminated by any flashing or moving lights, or where any illumination can shine directly into the eyes of any occupant of any vehicle traveling upon any highway, driveway or parking area, or into any window of any residence within 100 feet, or where the illumination interferes with the visibility or readability of any traffic sign or device.
 2. Pennants, strings of flags, spinners, streamers, balloons, and inflatable advertising devices.
 3. Exterior string lights used in connection with a commercial premises, other than holiday decorations used from the day after Thanksgiving through the following January 15.
 4. Any sign which has any visible motion, moving or animated parts or image, whether movement is caused by machinery, electronics, wind, or otherwise, except for minor elements of clocks or thermometers.
 5. Any sign which is structurally or electrically unsafe, or which obstructs any fire escape.

6. Any sign erected on a tree or utility pole except signs of any political subdivision of this state.
 7. Any business sign, sign structure or frame now or hereafter existing which no longer advertises a bona fide business conducted or a product offered for sale, or no longer contains a sign.
 8. Portable signs. Temporary portable signs for city-sponsored events are exempt from this requirement when posted three days or less prior to the event.
 9. Any sign on a motor vehicle or trailer which is parked in front of a business for the purpose of advertising a business or product or service of a business located on the premises where such vehicle is parked.
 10. Any sign on a motor vehicle or trailer which is parked at a location visible from a public street and intended to attract attention for the business, product or service identified on the sign.
 11. Roof signs.
 12. Any sign or sign part, cable or support, except those established for emergency service purposes and maintained by the city, the Road Commission for Oakland County, the Michigan Department of Transportation, or the federal government, located in, projecting into, or overhanging a public right-of-way or dedicated public easement. The building inspector is authorized to cause the removal of any signs posted or placed in any public right-of-way, provided any such sign shall be kept for a period of 60 days for pick-up by any person who might claim it, and thereafter may be destroyed by the city.
 13. Any sign within the clear vision area as specified in section 1701
 14. Any sign erected on any property, public or private, without the consent of the owner or occupant thereof.
 15. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
 16. Any sign which incorporates any open spark or flame.
 17. Phone numbers on signs.
 18. Portable message board signs.
 19. Business signs in the windows of office buildings in all districts.
 20. "Sold" signs, messages, or parasite signs on real estate signs.
 21. Human signs.
- S. Signs on parking lots in any district. One sign shall be permitted at each point of ingress and egress to a parking lot to indicate the operator, parking rates, and directions of movement. Each such sign shall not exceed ten square feet in area, shall not extend more than four feet in height above grade, and shall be entirely on the parking lot property.
- T. Electronic messaging signs. Electronic messaging signs shall be defined as a sign, or portion thereof, that displays electronic, static images, static graphics or static pictures, with or without textual information. Such a sign can be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting

diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic messaging signs include computer programmable microprocessor controlled electronic or digital displays, and shall not include animated images or graphics, audio components, scrolling messages, or video moving images similar to television images. Electronic messaging signs are subject to the following provisions and requirements:

1. An electronic messaging sign shall be permitted only as a portion of a monument style sign or a freestanding shopping center sign. Electronic messaging signs are prohibited as wall, office building identification, window and temporary signs.
2. The area of the electronic messaging display shall not exceed 50 percent of the total sign face of a monument style sign.
3. In a freestanding shopping center sign, an electronic messaging display may replace one permitted tenant panel not to exceed 30 square feet in size.
4. Messages on electronic messaging signs shall be displayed for a minimum of eight seconds before changing.
5. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and other electronic graphic or video display shall not blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance except when the electronic message or display is changed to another message or display. When an electronic message changes, the prior message shall disappear simultaneously with the appearance of the new message.
6. An electronic messaging sign shall be equipped with an automatic dimmer control capable of providing a distinct illumination change from a higher illumination level to a lower illumination level. The illumination level of the sign shall be reduced during the time period from one-half hour before sunset to one-half hour after sunrise.
7. Audio speakers are not permitted on any electronic messaging sign.
8. A malfunctioning electronic messaging sign shall be turned off or shall display a blank screen until repaired.
9. No electronic messaging sign shall be allowed within 100 feet of a residential zone from which it is visible. An electronic messaging sign which is visible from a residential district may operate only between the hours of 6:00 a.m. and 10:00 p.m.

U. The above regulations apply to signs in all districts. Where the district regulations below establish more stringent requirements, they shall apply.

Sec. 1803. - Signs permitted in residential districts (R-1, R-2, RM-1, RM-2 PMF).

- A. For institutional uses (such as a church or school): one free-standing monument sign and one wall sign:
 - a. Monument signs shall not exceed six feet in height above the ground (measured from the average ground level within two feet of the base of the sign and 30 square feet in area. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.

- b. The total area of the monument sign and all wall signs shall not exceed ten percent of the front wall surface area of the principal building up to a maximum of 120 square feet.
 - c. No illuminated or electronic messaging sign shall be allowed within 100 feet of a residential zone from which it is visible. All illuminated signs and electronic messaging signs which are visible from a residential use may operate only between the hours of 6:00 a.m. and 10:00 p.m.
- B. For permitted uses in multiple family districts (RM-1, RM-2, PMF): one sign not exceeding 30 square feet in area.
 - C. For subdivision developments: one permanent subdivision identification sign not exceeding 30 square feet in area.
 - D. For new residential developments: one temporary sign advertising the sale of dwellings therein not exceeding 50 square feet in area. Permits for temporary development signs shall expire after two years or when the last unit is sold, whichever shall occur first, and shall require a cash performance deposit of \$300.00 to guarantee removal of the sign.
 - E. One trespassing, safety, or caution sign not over two square feet in area shall be permitted for each 200 lineal feet of perimeter lot line.
 - F. Signs for the rental, sale, or lease of the property on which they are located, subject to the following:
 1. In R-1 and R-2 districts, only one such sign not over six square feet may be displayed no closer than 12 feet to any lot line.
 2. In PMF, RM-1 and RM-2 districts, not more than two such signs not over 12 square feet may be displayed no closer than 12 feet to any lot line.
 - G. One non-illuminated sign, not over one square foot in area, attached to or displayed on the principal building as accessory to a permitted home occupation.
 - H. One multifamily building identification sign, not more than 30 square feet in area, may be attached to the face of the first floor of a building and shall not project more than 12 inches from the face of the building. Such sign must relate only to the name and use of the building and premises. In addition, one ground sign identifying a group of buildings under common ownership or management shall be allowed. Such ground sign shall be set back at least five feet from the property line and be no higher than six feet overall, nor larger than 30 square feet in area per side.

Sec. 1804. - Signs permitted in O office building districts.

- A. For office buildings, one free-standing building identification monument style sign plus one building identification wall sign per building subject to the following:
 1. Free-standing building identification monument signs shall not exceed six feet in height, 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Building identification monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
 2. Building identification wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Building identification wall signs shall not exceed 15 percent of their front

wall surface area to a maximum of 120 square feet. The total area of the Building identification monument sign plus the Building identification wall signs shall not exceed 150 square feet.

3. In addition, one directory sign per building, stating only the name and suite number of each tenant, and located on the wall of the building within three feet of the principal entrance door. A directory sign shall not exceed six square feet per tenant to a maximum of 30 square feet total and shall not project more than 12 inches from the wall.
4. Signs for the rental, sale or lease of the property on which they are located; provided, that no such sign shall exceed ten square feet in area per sign. No more than two such signs may be placed on any one property.
5. The use of neon window signs such as "open" and "closed" signs, and all other temporary or permanent window signs are prohibited in all O office building districts.

Sec. 1805. - Signs permitted in B-1, B-2, PTRED, and PCD districts.

- A. For office buildings, one free-standing building identification monument style sign plus one building identification wall sign per building subject to the following:
 1. Free-standing building identification monument signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign), 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Building identification monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
 2. Building identification wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Building identification wall signs shall not exceed 15 percent of their front wall surface area to a maximum of 120 square feet. The total area of the Building identification monument sign plus the Building identification wall signs shall not exceed 150 square feet.
 3. In addition, one directory sign per building, stating only the name and suite number of each tenant, and located on the wall of the building within three feet of the principal entrance door. A directory sign shall not exceed six square feet per tenant to a maximum of 30 square feet total and shall not project more than 12 inches from the wall.
 4. Signs for the rental, sale or lease of the property on which they are located; provided, that no such sign shall exceed ten square feet in area per sign. No more than two such signs may be placed on any one property.
 5. The use of neon window signs such as "open" and "closed" signs, and all other temporary or permanent window signs are prohibited in all O office building districts.
- B. For retail and similar buildings, one free-standing monument style sign plus one wall sign per tenant, subject to the following:
 1. Monument signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign), 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site. As a substitution for a monument style sign, one additional wall sign, subject to area limitations for

monument signs, may be displayed on one side of the building. Buildings fronting on Eight Mile Road are permitted a monument style sign 40 square feet in area.

2. Wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Individual store signs shall not exceed 15 percent of their front wall surface area to a maximum of 120 square feet. The total area of the monument sign plus the wall signs shall not exceed 150 square feet.
3. Individual stores shall be permitted only one wall sign per store provided, however, that buildings on corner lots where both streets have business districts fronting thereon for at least 200 feet may be permitted one sign on the front wall facing each street for the corner store only.
4. In addition, the following secondary signage is permitted:
 - a. Awning sign: One sign, no greater than 50% of the front face of the awning and no greater than 30 square feet, may be included on an awning subject to the permitted total sign area regulations. No awnings bearing a sign shall be back lighted to illuminate the awning sign.
 - b. Blade Sign: One non-illuminated blade sign oriented perpendicular to the building, no greater than four square feet in size, projecting no more than four feet from the façade of the building and no lower than eight feet above ground level. Blade signs shall be placed below the roof line of a single-story building or below the second floor of a multi-story building.
 - c. Stationary Sandwich Board signs are allowed, after issuance of an annual permit, and subject to the following:
 1. One Stationary Sandwich Board sign per business, no greater than six square feet in area, with a maximum height of no more than three-and-one-half feet.
 2. The sign shall be placed within twenty feet of the principal business entrance and in a manner so it maintains five feet of pedestrian passage, does not cause a sight obstruction, and does not hinder ingress or egress from buildings or parked cars. Signs shall be stored indoors when business is closed.
 3. Signs may include the name of the business, the word "Open," hours of operation, and one other line of text. Graphics including a business's logo shall be permitted, but individual product logos shall be prohibited.
 4. No sign shall be connected to any power source.
 5. No sign shall be chained or otherwise secured to a building, bench or pole.

C. For planned shopping centers under single ownership and management, one free-standing pole or monument style shopping center identification sign per business street providing access to the site and one wall sign per tenant, subject to the following:

1. Free-standing pole shopping center identification signs shall be permitted in accordance with the following table:

TABLE OF FREESTANDING POLE SHOPPING CENTER IDENTIFICATION SIGN REQUIREMENTS
(Shopping center stores in B-1, B-2, PTRED and PCD only)

Freestanding Shopping Center Identification Signs	Less than 10,000 square feet in size	Between 10,001 and 99,999 square feet in	Greater than 100,000 square feet

		size	in size
Maximum Height	15 Feet	22 Feet	24 Feet
Maximum Size	30 Square Feet	120 Square Feet	200 Square Feet
Shopping Center Name Minimum % of Display Area	100%	40%	40%
Individual Tenant Maximum % of Display Area	0%	40%	40%
Maximum Number of Tenants on Identification Sign	0	3	3

2. Free-standing monument style shopping center identification signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign) and 30 square feet in area. Monument signs shall only display the name of the shopping center. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
3. Free-standing shopping center identification signs shall be set back at least five feet from street property lines, 20 feet from adjacent property lines and 100 feet from adjacent residential districts.
4. Wall signs for individual stores shall not exceed 15 percent of their front wall surface area to a maximum of 180 square feet per tenant with 10,000 or more square feet of leasable area and 120 square feet per tenant with less than 10,000 square feet of leasable area. These limits may be raised as the size of the store and/or its setback from the lot line adjoining the principal street frontage increases in accordance with the following table:

TABLE OF MAXIMUM ALLOWABLE WALL SIGN AREA, IN SQUARE FEET*
(Shopping center stores in B-1, B-2, PTRED and PCD only)

Building Front Setback	Store Size In Square Feet				
	Less than 10,000	10,001 to 25,000	25,001 to 40,000	40,001 to 100,000	Over 100,000
Over 150 feet	240	300	380	460	560
101—150 feet	190	250	330	410	510
51—100 feet	150	210	290	370	470
0—50 feet	120	180	260	340	440

* In no instance shall the above table cause any wall sign to exceed 15 percent of the store's front wall surface area.

5. In addition, the following secondary signage is permitted:
 - a. Awning sign: One sign, no greater than 50% of the front face of the awning and no greater than 30 square feet, may be included on an awning subject to the

permitted total sign area regulations. No awnings bearing a sign shall be back lighted to illuminate the awning sign.

- b. Blade Sign: One non-illuminated blade sign oriented perpendicular to the building, no greater than four square feet in size, projecting no more than four feet from the façade of the building or underneath a walkway canopy and no lower than eight feet above ground level. Blade signs shall be placed below the roof line of a single-story building or below the second floor of a multi-story building.
- c. Stationary Sandwich Board signs are allowed, after issuance of an annual permit, and subject to the following:
 1. One Stationary Sandwich Board sign per business, no greater than six square feet in area, with a maximum height of no more than three-and-one-half feet.
 2. The sign shall be placed in a manner so it maintains five feet of pedestrian passage, does not cause a sight obstruction, and does not hinder ingress or egress from buildings or parked cars. Signs shall be stored indoors when business is closed.
 3. Signs may include the name of the business, the word "Open," hours of operation, and one other line of text. Graphics including a business's logo shall be permitted, but individual product logos shall be prohibited.
 4. No sign shall be connected to any power source.
 5. No sign shall be chained or otherwise secured to a building, bench or pole.

D. Gasoline service stations may have one parasite sign, not exceeding 15 square feet, to display the current prices of the various fuels sold.

Sec. 1806. - Signs permitted in LI industrial districts.

- A. Individual buildings may have one free-standing monument sign per principal building and one wall sign per tenant.
- B. Monument signs shall not exceed six feet in height above the ground (measured from the average ground level within two feet of the base of the sign) and 30 square feet in area. Monument signs shall be set back not less than five feet from the front lot line, 20 feet from the existing curb line, and 100 feet from an adjoining residential district. Buildings fronting on Eight Mile Road are permitted a monument style sign 40 square feet in area. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site. As a substitution for a monument style sign, one additional wall sign, subject to area limitations for monument signs, may be displayed on one side of the building.
- C. The total area of the monument sign and all wall signs shall not exceed ten percent of the front wall surface area of the principal building up to a maximum of 120 square feet.

Sec. 1807. - Signs allowed without a permit.

The following signs are allowed to be erected or maintained without a permit provided they comply with the following regulations and applicable construction standards in this ordinance.

- A. Signs posted by duly constituted public authorities in the performance of their public duties.
- B. Signs located on the rolling stock of common carriers.

- C. Signs located on motor vehicles or trailers bearing current license plates which are traveling or lawfully parked upon public highways, or parked upon any premises where the primary purpose is not the display of the sign.
- D. Signs having an area of not more than two square feet which convey only the street number and address, the name of the premises, the name of the owner and/or the occupant of the premises.
- E. On-premises, temporary and permanent window signs for retail and service businesses in B-1, B-2, PTRED and PCD Districts when located inside and visible through the windows of an enclosed building, where the area of such signs does not exceed 25 percent of the window area. Temporary window signs containing a message referring to current, temporary merchandising or promotional activities, such as a special sale, shall be posted for no longer than 14 days.
- F. Wall signs not exceeding six square feet and indicating only the date of erection of a building, when cut into a masonry surface or constructed of bronze or other noncombustible material.
- G. Flags and banners subject to the following:
 - 1. The flag of any corporate, commercial or noncommercial organization, educational institution, nation, state, political subdivision, or governmental entity respectfully displayed. In addition, for each 20 lineal feet of street frontage, out decorative banner or flag, or flag or banner of any educational institution, nation, state, political subdivision, or government entity, not exceeding 15 square feet, may be displayed on the premises. "Decorative banner or flag" is defined as a banner or flag containing no words, symbol, logo, emblem or trademark naming, describing, or otherwise related to any business located or conducted on the premises.
 - 2. For the purpose of this section, flags and banners on roofs shall be considered roof signs with the exception of decorative banners or flap, as defined above.
 - 3. Flags and banners used for the advertisement of products, sales or services are prohibited.
 - 4. Temporary banners for city-sponsored events are exempt from these requirements when posted 45 days or less prior to the event and removed promptly after said event.
 - 5. All flags and banners shall be maintained in a condition similar to that which existed at the time of their erection. Flags and banners shall be removed or replaced when they become dirty, faded, ripped or frayed.
- H. Temporary political signs, subject to the following:
 - 1. No such sign shall be illuminated.
 - 2. No such sign shall exceed 12 square feet in area, per side, nor six feet in height.
 - 3. All such signs shall be displayed only in a front yard or window and shall be set back at least five feet from the front lot line, except on a corner lot such signs may be displayed in the side yard subject to the same five-foot setback from the side street lot line.
 - 4. No such sign shall be placed in or project into a public right-of-way. Political signs shall only be placed on private property with permission of the property owner.

5. A sign advertising a candidate for political office or stating a position on a ballot proposal shall not be erected more than 45 days prior to a primary election. Signs advertising unsuccessful primary candidates and unsuccessful ballot proposals shall be removed within ten days after the primary election. Signs for successful primary candidates and ballot proposals may continue to be displayed after the primary, along with any signs advertising declared write-in candidates for political office. All temporary political signs shall be removed within ten days after the general election.
 6. No such sign shall be placed in such a manner as to obstruct the view of vehicle drivers when leaving or entering a street, driveway, or parking space.
 7. The painting of any such sign on the exterior surface of any building or structure is prohibited.
 8. The property owner shall be responsible for removing temporary political sign(s) after an election.
- I. One noncommercial opinion sign per property shall be allowed year-round, in addition to temporary election signs which are otherwise regulated in this ordinance. The one noncommercial opinion sign shall be located in the front yard, set back as required herein, or in a window, and shall not exceed 12 square feet.
 - J. Signs for garage sales, yard sales, basement sales, rummage sales, moving sales, estate sales or other similar sales, when conducted at a residence: may be erected on private property only; and limited to two signs per sale location and one additional sign at the end of the street with the permission of the property owner; may not exceed six square feet or four feet in height per sign; may not be erected for more than 12 days in any calendar year per sale location; shall not occupy a public right-of-way; and shall not be posted on any utility pole or similar fixture anywhere within the City of Oak Park.
 - K. Portable real estate signs for the sale, rental or lease of the property on which they are placed, subject to the maximum area and setback requirements of the individual district provisions. Parasite signs or messages indicating that the real estate has been "Sold" are hereby prohibited.
 - L. Portable real estate "open house" signs with an area not greater than six square feet and a maximum height of six feet, provided only one such sign may be located on the premises being sold and only during the hours of the open house.
 - M. A single, temporary construction sign is permitted during actual construction in any district, subject to the following:
 1. A building permit is required prior to installation of all temporary construction signs.
 2. In single- and two-family districts, total sign area shall not exceed six square feet per side.
 3. In multiple family districts, total sign area shall not exceed ten square feet per side.
 4. In nonresidential districts, total sign area shall not exceed 32 square feet per side.
 5. No free-standing, temporary construction sign shall exceed six feet in height
 6. Such signs shall be posted on the building or on the premises of the building under construction and shall advertise only the building under construction, its owner, contractors, and designers.

7. All temporary construction signs shall be removed: when construction ceases for 90 days; upon expiration of the building permit; or upon issuance of a certificate of occupancy, whichever occurs first.

- N. Private traffic signs that direct and guide traffic and parking on private property that do not exceed four square feet each and bear no advertising matter.

Sec. 1808. - Obsolete or abandoned signs.

All signs that are obsolete, due to discontinuance of the business or activity advertised thereon, shall be removed within 30 days of the close of said business or activity. If the sign is nonconforming, the entire sign shall be removed. If the sign is conforming, only the message shall be removed, however, in no case shall the sign be maintained with exposed lamps, lighting equipment, or other internal mechanical or structural components.

Sec. 1809. - Sign permit required.

It shall be unlawful to construct, display, install, change or cause to be constructed, displayed, installed, or changed, a sign requiring a permit upon any property within the city without first obtaining a sign permit.

Sec. 1810. - Applicability of State Construction Code.

Except as otherwise indicated in this chapter, the regulations of the State Construction Code as adopted by the city shall apply to signs. Where the provisions of this chapter are more restrictive in respect to location, setback, use, size or height of signs, the limitations of this chapter shall take precedence over the regulations of the State Construction Code.

Sec. 1811. - Temporary signs.

A. In nonresidential districts, temporary signs may be authorized by the administrative official designated by the City Manager for not more than 30 days with not more than one extension of 30 days, upon a finding by the administrative official on the basis of written information furnished by the applicant, that the proposed sign:

1. Is necessary for the direction of the public,
2. Will not create an obstruction, a traffic hazard or be incompatible to the area, and
3. Will not be contrary to the spirit and purpose of this ordinance.

B. The administrative official may consider, in determining whether a permit should be issued for a temporary sign, but not by way of limitation:

1. The absence of permanent signs,
2. Change of use or occupant,
3. Change of ownership or management, or reopening by occupant,
4. Change in basic goods or services provided by the occupant, and/or
5. Special events sponsored by one or more of the occupants.

C. Not more than two permits for temporary signs shall be issued to a single applicant in any calendar year.

D. A temporary sign permit fee, shall be posted in an amount established by resolution of the city council, for each temporary sign authorized.

E. The administrative official may impose any additional restrictions on the use of the temporary sign as it deems necessary, in order to protect the health, safety and welfare of the public.

F. The owner of any property on which a temporary sign is placed and the person maintaining said temporary sign are declared to be equally responsible for the condition of the temporary sign and the area in the vicinity thereof.

Sec. 1812. - Murals.

In all Zoning Districts, but excluding all residential uses, art murals shall be permitted subject to the restrictions set forth in this subsection. Permitted signs and murals are defined as:

Sign - is the use of any words, numerals, figures, sculpture, devices, designs, insignia, imprints or trademarks by which anything is made known, advertised, or to promote the interests of any person, firm or corporation when the same is placed in view of the general public, whether displayed on a permanent or portable structure attached or not attached to a building, including painted directly on an exterior building wall or awning.

Art Mural - is a design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.

Limited Reference Art Mural - is an original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site.

Both types of art murals are subject to the following:

- (1) Prior to installation of a Mural, the property owner or tenant shall apply for a determination of whether the proposed design or representations is a Sign, an Art Mural or a Limited Reference Art Mural by submitting an application to the Economic Development Manager. The city staff will review the proposed mural and make a determination if it is a Sign, Art Mural or a Limited Reference Art Mural.
- (2) Applying the definitions for a Sign, Art Mural and Limited Reference Art Mural the city staff shall make a determination whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.
- (3) After the determination by the city staff, Art Murals and Limited Reference Art Murals shall be presented to city council for approval. City council will determine the type of mural and whether it meets the guidelines established by city council in the Policy for Review and/or Approval of Murals.
- (4) A Limited Reference Art Mural shall be allowed if:
 - a. The graphics, words, and/or symbols referencing the establishment, product, or service are limited in scope and dominance, and not readily construed as commercial advertising. References must be subtle and integrated into the overall mural.
 - b. For purposes of this subsection, "limited in scope and dominance" shall mean not exceeding fifteen (15) percent of the wall area on which it is located, integrated

throughout the Mural and not be placed in a concentrated area or manner where it becomes, in essence, a prominent advertisement.

- c. The references to an establishment, product, or service are not to be in the form of traditional building signage. Traditional signs on the same wall will be reviewed separately under applicable sign requirements.
- (5) Where numbers of signs or maximum square footages apply to a particular location, a Mural shall not count as a Sign nor figure into the allowable Sign area.
- (6) A mural shall be kept in good condition and shall be well maintained. In the case of a mural being in disrepair, the mural must either be removed from the wall of the building or repaired within 60 days of written notice from the city.

SECTION 2. Article II, Definitions, Section 204, Signs, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Signs definitions (c) *Awning*, (d) *Awning sign*, (j) *Ground sign (free-standing sign)* and (u) in Section 204, Signs, with the following definitions:

- (c) *Awning*: A roof like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, and that project from the wall of a building for the purpose of shielding a doorway, window, or pedestrians from the elements.
- (d) *Awning sign*: A sign panel affixed to, sewn into or painted on an awning.
- (j) *Free-standing sign*: A sign supported by one or more uprights, poles or braces placed in the ground surface and not attached to any building or other structure. Free-standing signs may include monument, pylon, and pole type signs.
- (u) *Roof sign*: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the peak of the roof or below the eaves and such that no part of the sign is separated from the rest of the roof by a space of more than 12 inches.

SECTION 3. Article II, Definitions, Section 204, Signs, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following definitions to Section 204, Signs, and re-alphabetize the remaining listed definitions:

- () *Blade sign*: A sign which is oriented perpendicular to the building façade and which is suspended under a bracket, armature, or other mounting device.
- () *Human sign*: A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purpose of advertising or drawing attention to an individual, business, commodity, service or product.
- () *Inflatable advertising device*: A device which is inflated with air or another gas, or which is activated by wind, air, or propelled gas, and used for outdoor advertising purposes.

() *Art Mural* - A design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.

() *Limited Reference Art Mural* - An original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site.

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2015.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2015.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

