

# Exhibit C

## Chapter 3.5 - Other Standards

### Sections:

3.5.1 Density Transfer

3.5.2 Signs

3.5.3 Recreational Vehicles

3.5.4 Open Camping

3.5.5 **Mobile Food Units**

### 3.5.2 Signs

- A. **Purpose.** The purpose of these sign regulations is to provide equitable signage rights, reduce signage conflicts, promote traffic and pedestrian safety, increase the aesthetic value and economic viability of the city, all by classifying and regulating the location, size, type and number of signs and related matters, in a content-neutral manner.
- B. **Definitions.** See Definitions, Chapter 1.3.
- C. **Design, Construction and Maintenance.** All signs shall be designed, constructed and maintained according to the following standards
1. All signs shall comply with the applicable provisions of the Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations.
  2. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
  3. All signs shall be maintained in a good structural condition and readable at all times.
  4. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- D. **Signs Generally Permitted.** The following signs and sign work are permitted in all zones. These signs shall not be included when determining compliance with total allowed area:
1. Painting, change of sign face or copy and maintenance of signs legally existing on the effective date of this Code. If structural changes are made, or there is a change of use, the sign shall conform in all respects with these regulations.
  2. Temporary signs that do not exceed 16 square feet in area. No lot may display temporary signs for more than 90 days in any 365-day period. Only one (1) temporary sign per lot may be displayed at a time.
  3. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency and signs related to public services or safety.

4. One (1) sign not over 32 square feet for a residential development or subdivision, and located at each street entrance to the development.
5. Incidental signs that do not exceed six (6) square feet.
6. Flags on permanent flagpoles which are designed to allow raising and lowering of the flags.
7. Signs within a building.
8. In the CG zone, signs painted or hung on the inside of windows.

E. **Prohibited Signs.** The following signs are prohibited:

1. Billboards
2. Roof signs that exceed the roof's maximum height.
3. Signs that emit odor, visible matter, or sound; however an intercom system for customers remaining in their vehicles, such as used in banks and "drive thru" restaurants, shall be allowed.
4. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
5. Signs closer than ten (10) feet horizontally or vertically from all overhead power line or public utility guy wire.
6. No vehicle or trailer shall be parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision applies where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle which is primarily used for business purposes, other than advertising.
7. Rotating/revolving signs except by conditional use permit and except as allowed in Section D.
8. Flashing signs, except by conditional use permit, and except as allowed in Section D.
9. Private signs that project into or over driveways and public right-of-ways, except signs under a canopy that project over a public sidewalk and the sign is not less than eight (8) feet above the sidewalk.
10. Signs that obstruct required vision clearance area or obstruct a vehicle driver's view of official traffic control signs and approaching or merging traffic, or which present a traffic hazard.
11. Signs that interfere with, imitate, or resemble any official traffic control sign, signal or device, emergency lights, or appears to direct traffic, such as a beacon light.
12. Signs attached to any pole, post, and utility pole or placed on its own stake and placed into the ground in the public right-of-way.
13. Message Signs, except by conditional use permit.
14. Projecting Signs.

15. Any sign on unimproved property, unless allowed as a temporary sign.

**F. Signs in Non-Commercial Zones.** The following regulations apply to signs in the Residential Single Family, Residential Multi Family, and Public Zones.

1. Sign Types: The following sign types are allowed:

- a. Wall, canopy and window signs subject to the limitations in Section 3.
- b. Free-standing signs subject to the limitations in Section 3.

2. Maximum number. Any combination of wall, canopy or free-standing signs not exceeding the sign area and height limitations of this Section; plus signs allowed in Section 5.

3. Maximum total sign area for property on which the building or buildings are located:

- a. Single family and two-family (duplex) dwelling – six (6) square feet provided total sign area on a free-standing sign shall be limited to a maximum of four (4) square feet.
- b. Multiple family dwelling - 32 square feet provided total sign area on a free-standing sign shall be limited to a maximum of 24 square feet.
- c. Public and semi-public – 64 square feet provided total sign area on a free-standing sign shall be limited to a maximum of 48 square feet.
- d. The sign area for a free-standing sign may be increased up to the maximum total sign area permitted in sections 1, 2 and 3 above, with a conditional use permit consistent with the decision criteria in Section 9.

4. Maximum sign height:

- a. Wall, canopy or window sign – eight (8) feet.
- b. Free-standing sign - six (6) feet.

5. Location:

- a. Wall, canopy or window signs shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted use; provided that wall signs may project into the required setback space up to 1.5 feet.
- b. Free-standing signs are permitted where fences are allowed.

6. Illumination. Signs may only be indirectly illuminated by a concealed light source, shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m., and shall not flash, blink, fluctuate or produce glare.

**G. Signs in Commercial and Industrial Zones.**

1. Total allowed area. One and one-half (1½) square feet of total allowed sign area for each lineal foot of building frontage.

2. Type, maximum number and size of signs. Within the total allowed area, one (1) free-standing sign per street frontage. Regardless of total allowed area, each freestanding sign shall be limited to a maximum of 100 square feet in area.
3. Maximum sign height:
  - a. Wall and canopy signs shall not project above the parapet or roof eaves.
  - b. Freestanding signs - maximum total height of 35 feet.
4. Location:
  - a. Wall signs may project horizontally up to ~~1.5 feet~~ **one (1) foot** from the building.
  - b. Free-standing sign - no limitation except it shall not project over the street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks.
5. Appearance and Construction:
  - a. Signs must be built of such materials as to be consistent with the age, appearance and purpose of the building(s) adjacent to it.
  - b. The design and appearance of all signs must reflect and be consistent with the appearance, design, architecture and historical character of adjacent buildings and uses.
6. Additional Signs. Within the limitations of this subsection, the signs below do not require a permit and are not included in calculating allowed area and number of signs:
  - a. When a business has two (2) public entrances, each on a separate building wall, there is a permitted one (1) additional wall sign not to exceed ten (10) square feet in area for the wall where the entrance is not the primary entrance.
  - b. Directional signs, such as “Exit” or “Entrance”, are allowed either as wall or free-standing signs. Such signs shall be limited to three (3) square feet in area and two (2) per driveway. Free-standing directional signs shall be limited to a height of six (6) feet.
  - c. Order signs describing products and/or order instructions to a customer, such as menu boards on the exterior of a drive-thru restaurant are allowed as follows: One (1) per business limited to 40 square feet in area and a maximum height of eight (8) feet. Any order sign greater than ten (10) square feet in area and/or six (6) feet in height must be screened from adjacent streets by a sight obscuring fence, wall or hedge.
7. Signs for temporary businesses. Temporary businesses may display temporary or portable signs, other than trailer mounted reader boards or any sign that includes flashing or rotating lights or moving parts. The cumulative size of all such signs may not exceed 32 square feet. All temporary signs must be placed within ten (10) feet of the structure or vehicle used for the temporary business and may not be placed within any public right-of-way.
8. **Signs for the Detroit Avenue Corridor overlay zone. Within the limitations of this subsection, additional standards below apply to the Detroit Avenue Corridor overlay zone subject to Chapter 2.3.7.**

- a. Free-standing signs are not permitted.
- b. Projecting signs are permitted to provide pedestrian-oriented signage. One (1) projecting sign with a maximum of 12 square feet or six (6) square feet of sign area per sign face is permitted per building entrance. Projecting signs shall be a minimum of eight (8) feet above the sidewalk, and a maximum of 12 feet above the sidewalk, projecting a maximum of four (4) feet from the building. Projecting signs are not included in calculating allowed area and number of signs.
- c. As a form of portable signs, one (1) A-frame sign per business is permitted with a maximum display area of 12 square feet or six (6) square feet per sign face and a maximum height of three (3) feet. A-frame signs are not included in calculating allowed area and number of signs.
- d. Murals are permitted, and are not included in calculating allowed area and number of signs.

H. **Non-conforming signs.**

- 1. Alteration of Non-conforming Sign Faces. Alteration or replacement of non-conforming signs are subject to the provisions of Chapter 5.1 of the Detroit Development Code.
- 2. Abandoned Signs. All signs for a business shall be removed within 30 days after that business ceases to operate on a regular basis, and the entire sign structure or structures shall be removed within 12 months of such cessation of operation.

I. **Conditional Use Permits – Signs.**

1. Signs permits shall be reviewed according to a Type I process, subject to Section 4.1.3, unless a conditional use permit or variance is required.

2. Applications for Conditional use permits shall be required for residential free-standing signs, flashing signs, rotating/revolving signs, or message signs and shall be processed according to the procedure set forth in this Code. The criteria to be reviewed and applied in conditional use permit proceedings are set forth in this Section.

a. The following criteria shall be used to review and decide conditional use permit applications for flashing signs, rotating/revolving signs, or message signs:

- i. The proposed sign is located in the CG zone.
- ii. The proposed sign, when conditioned, will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area.
- iii. The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.
- iv. The proposed sign will not present a traffic or safety hazard.
- v. If the application is for a flashing and/or message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effect

consisting of external lights, lamps, bulbs or neon tubes is allowed. Only flashing effects by way of internal illuminations are allowed.

vi. If the application is for a rotating/revolving sign, such sign cannot flash or be illuminated by intermittent light. Rotating/revolving signs shall revolve at a speed no greater than five (5) revolutions per minute.

vii. The total allowed sign area for a business shall be reduced by 25 percent if the business has a flashing, rotating/revolving, or message sign.

viii. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions.

b. The following criteria shall be used to review and decide conditional use permit applications for residential freestanding signs:

i. The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.

ii. The proposed sign will not present a traffic or safety hazard.

iii. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions.

iv. The proposed sign is incidental to the permitted or valid non-conforming use of the property.

J. **Variance - Signs** Any allowance for signs not complying with the standards set forth in these regulations shall be by variance. Variances to Section I or ~~Section J~~ will be processed according to the procedures in Chapter 5.1 of the Detroit Development Code. However, the criteria in Chapter 5.1 of the Detroit Development Code shall not be used; instead the following criteria shall be used to review and decide sign variance applications:

1. There are unique circumstances of conditions of the lot, building or traffic pattern such that the existing sign regulations create an undue hardship.
2. The requested variance is consistent with the purpose of the chapter as stated in Section J.
3. The granting of the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any other business. The variance requested shall be the minimum necessary to compensate for those conditions and achieve the purpose of this Code.
4. The granting of the variance shall not decrease traffic safety nor detrimentally affect any other identified items or public welfare.
5. The variance shall not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a variance.
6. The variance shall not be the result of a self-imposed condition or hardship.

[...]

### **3.5.5 Mobile Food Units**

**A. Purpose. The purpose of these mobile food unit regulations is to allow flexibility to site food and beverage carts individually and in groups on commercial properties to create flexible dining opportunities while addressing any potential nuisances.**

#### **B. Uses Permitted.**

- 1. Individual mobile food units are permitted on commercial properties.**
- 2. Groups of two or more mobile food units are permitted as mobile food unit pods on commercial properties.**

#### **C. Development Standards.**

- 1. All units shall be placed within required setbacks for the zone where located.**
- 2. A minimum of ten (10) feet of clearance shall be maintained between each unit and between such units and existing buildings.**
- 3. Units shall maintain a minimum five (5)-foot separation from the right-of way.**
- 4. Drive-throughs shall be prohibited with mobile food units.**
- 5. Electrical connections shall be placed on the ground and covered with a cable protection ramp or equivalent.**
- 6. Generators shall be prohibited.**

#### **D. Site Improvements.**

- 1. Trash and recycling receptacles shall be provided on site, and must be emptied and maintained.**
- 2. Access to restrooms with handwashing facilities must be provided on site or within 500 feet, such as at a neighboring business. If located off-site, the restroom must be available during the proposed hours of operation and the applicant shall submit written permission from the business owner where the facility is located.**
- 3. Mobile food unit pods shall provide site improvements totaling a minimum of 100 square feet per unit or a minimum of 500 square feet total, whichever is less. Site improvements may consist of any combination of the following:**
  - a. Planters or landscaping areas.**
  - b. Seating areas.**
  - c. Covered areas, not including awnings attached to individual units.**
  - d. Other site amenities such as play areas, fire pits, water fountains, and similar.**

4. Accessory items not used by customers, including but not limited to, tanks, barrels, supplies, etc. by screening with a site-obscuring fence or landscaping, or containing them within a small storage shed.
5. Areas where mobile food units are placed and areas for vehicle travel must be surfaced with gravel or crushed rock, or paved. Surface Water Management standards of Chapter 3.6 and/or Grading and Erosion Control standards of Chapter 3.9 may apply.
6. Off-street parking is not required for mobile food units, but if proposed, shall meet the standards of Chapter 3.1. Off-street parking areas shall be located to the side or rear of the lot, and shall not exceed 50 percent of the lot width or 50 percent of the lot area.

E. Maintenance. Mobile food units shall be maintained and any code violations will be subject to the standards of Chapter 1.4, Enforcement.

1. The exterior surfaces of all mobile food units shall be clean and free from dents, rust, peeling paint and deterioration, and windows shall not be cracked or broken.
2. Tents, canopies or others shelters shall not have tears, mold, or broken or non-functioning supports and shall be securely anchored.
3. Landscaping shall be maintained in good condition. If plantings fail to survive, they shall be replaced with equivalent plants.
4. Seating and other furnishings shall be maintained in good condition.
5. The property and all things placed there shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit and shown in the site plan may be stored on the property.

F. Permit Required.

1. Individual mobile food units are permitted outright with no land use review.
2. Mobile food unit pods are permitted subject to Chapter 4.2, Site Design Review. The application shall include the materials required for a Site Design Review, and the following materials:
  - a. Site plan drawn to scale including:
    - Site dimensions
    - Relationship of the site to adjoining properties, streets, alleys, structures, public utilities and drainage ways.
    - Number, location and size of temporary units on the site.
    - Accessible pedestrian route clearances.
    - Size location and clearances of customer seating areas.
    - Any proposed parking, maneuvering and loading areas.
    - Location and design elevation of all structures.



Location and specifications of landscaping, seating, covered areas and other site amenities.

Location and design of any fences and walls.

Number and location of trash and recycling areas.

Location and type of auxiliary storage.

b. Location of bathroom and handwashing facilities and written permission, if applicable.

c. Disposal plan for wastewater and grey water.

d. Exterior lighting plan, if proposed.

e. Any additional information that may be required by the Director to properly evaluate the proposed site plan.

3. Mobile food units shall obtain and maintain current all other applicable licenses, including a City of Detroit Business License and Marion County Mobile Food Unit Permit if required.