

**CITY OF FLAT ROCK**  
**WAYNE COUNTY, MICHIGAN**

**Ordinance No. 294C-128A-153-05/06**

**AN ORDINANCE TO AMEND THE ZONING CODE OF  
THE CITY OF FLAT ROCK BY AMENDING AND  
RESTATING IN ITS ENTIRETY THE SIGN ORDINANCE,  
BEING SECTIONS 1.01 THROUGH 8.01.**

**SECTION I.** Sections 1.01 through 8.01 of the Sign Ordinance for the City of Flat Rock are hereby amended and restated as follows:

**SIGN ORDINANCE  
CITY OF FLAT ROCK  
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## SIGN ORDINANCE CITY OF FLAT ROCK, MICHIGAN

### Section 1.01 -- PURPOSE

The purpose of this ordinance is to establish requirements for signs and other displays that are needed for identification or advertising, subject to the following objectives:

- (a) **Safety.** The requirements with regard to placement, installation, maintenance, size and location of signs are intended to minimize unnecessary distractions to motorists, maintain unobstructed vision for motorists, protect pedestrians, and otherwise minimize any threat to public health or safety.
- (b) **Aesthetics.** Signs should enhance the aesthetic appeal of the City. Thus, this ordinance is intended to: 1) regulate oversized signs that are out-of-scale with surrounding buildings and structures, 2) prevent an excessive accumulation of signs which cause visual clutter, and 3) encourage signs that enhance the appearance and value of the business districts.
- (c) **Equal protection and fairness.** This ordinance is designed to be fair to each property owner by establishing uniform standards that provide adequate exposure to the public for all property owners.
- (d) **Land use planning objectives.** The placement and design of signs should further the land use planning objectives of the City. Signs should protect neighborhood character and the value of surrounding properties.

This sign ordinance is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the adopted zoning ordinance.

## Section 2.01 -- SCOPE OF REQUIREMENTS

A sign may be erected, constructed, painted, or altered in the city only in conformance with the standards and procedures set forth in this ordinance, subject to issuance of a permit except as otherwise provided herein.

## Section 3.01 --DEFINITIONS

Words and phrases used in this ordinance shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the zoning ordinance shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

**Animated Sign:** A sign that uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

**Accessory Sign:** A sign which pertains to the use of the premises on which it is located.

**Awning Sign:** A sign which is painted on, printed on, or attached flat against the surface of an awning.

**Banner Sign:** A sign made of fabric, cloth, paper, or other non-rigid material that is typically not enclosed in a frame.

**Bulletin Board:** A type of "changeable copy" sign which displays the name of an institution, school, library, community center, fraternal lodge, golf course, country club, park or other recreational facility, and which displays announcements of its services and activities upon the premises.

**Changeable Copy Sign (Automatic):** A sign on which the message changes automatically (for example, electronic or electric time and temperature signs).

**Changeable Copy Sign (Manual):** A sign on which the message is changed manually (for example, by physically replacing the letters).

**Community Special Event Sign:** Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal or school activities.

**Construction Sign:** A temporary sign identifying the designer, contractors and sub-contractors, and material suppliers participating in construction on the property on which the sign is located.

**Directional Sign:** A sign which is intended to direct the flow of vehicular and pedestrian traffic to, from, and within a development site.

**Festoon:** A string of ribbons, tinsel, small flags, pinwheels or lights, typically strung overhead in loops.

**Flashing Sign:** A sign that contains an intermittent or sequential flashing light source.

**Freestanding Sign:** A sign which is erected upon or supported by the ground, including "pole signs" and "pedestal signs."

**Gasoline Price Sign:** A sign which is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign.

**Ground Sign:** See "Pedestal Sign."

**Illegal Sign:** A sign that does not meet the requirements of this ordinance and which has not received legal nonconforming status.

**Incidental Sign:** A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, signs advertising copy services (i.e. "Copies 5 cents"), no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

**Mansard:** A sloped roof or roof-like facade. Signs mounted on the face of a mansard roof shall be considered wall signs.

**Marquee:** A permanent roof-like structure or canopy, supported by and extending from the face of the building.

**Marquee Sign:** A sign attached to or supported by a marquee structure.

**Moving Sign:** A sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" is a type of moving sign. Such motion does not refer to the method of changing the message on the sign.

**Mural:** A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

**Nameplate:** A non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

**Neon Sign:** See "Outline Tubing Sign."

**Noncommercial Message Sign:** A sign that is not related to or connected with trade and traffic or commerce in general and includes an election (political) sign or a sign expressing an opinion or other point of view.

**Nonconforming Sign:** (1) A sign which is prohibited under the terms of this Ordinance, but was erected lawfully and was in use on the date of enactment of this Ordinance, or amendment thereto. (2) A sign which does not conform to the requirements of this Ordinance, but for which a variance has been granted.

**Non-motorized Pathway:** A minimum 10 foot wide paved pathway, designated by the City on the non-Motorized Pathway Master Plan, for the purposes of accommodating transient bicyclists, pedestrians, and other forms of non-motorized transportation throughout the City. The pathway shall be constructed to City Engineering standards.

**Obsolete Sign:** A sign that advertises a product that is no longer made or that advertises a business that has closed.

**Off-Premise Advertising Sign:** A sign which contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such sign is located.

**On-Premise Advertising Sign:** A sign which contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where the sign is located.

**Outline Tubing Sign:** A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it.

**Parapet:** The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

**Pedestal Sign:** A three-dimensional, self-supporting, base-mounted freestanding sign, consisting of two (2) or more sides extending up from the base, and upon which a message is painted or posted. A pedestal sign may also consist of a base-mounted cylindrical structure upon which a message is painted or posted.

**Pole Sign:** A type of freestanding sign that is elevated above the ground on a pole.

**Poster Panel:** A type of temporary sign that is used to draw attention to matters that are temporary in nature, such as price changes or sales. "A" frame or sandwich signs are types of poster panel signs.

**Political Sign:** A temporary sign relating matters to be voted on in a local, state, or national election or referendum.

**Portable Sign:** A sign designed to be moved easily and not permanently affixed to the ground or to a structure.

**Projecting Sign:** A sign, other than a flat wall sign, that projects more than twelve (12) inches from the face of the building or structure upon which it is located. A projecting roof sign is one that projects beyond the face or exterior wall surface of the building upon which the roof sign is mounted.

**Public Sign:** A sign erected in the public interest by or upon orders from a local, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

**Real Estate Sign:** A temporary sign which makes it known that real estate upon which the sign is located is for sale, lease, or rent.

**Real Estate Development Sign:** A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

**Residential Entranceway Sign:** A sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

**Roof Line:** The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

**Roof Sign:** Any sign that extends above the roof line or is erected over the surface of the roof.

**Rotating Sign:** See "Moving Sign."

**Sandwich Sign:** A sign that consists of two boards upon which a message is posted, and which are hinges at the top and are open at the bottom so that the boards can lean against each other when placed on the ground.

**Sign:** Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, illumination, logos or trademarks for the purpose of informing or attracting the attention of persons.

**Temporary Sign:** A sign not constructed or intended for long term use. Examples of temporary signs include signs which announce a coming attraction, a new building under construction, a community or civic project, or other special events that occur for a limited period of time.

**Time and Temperature Signs:** Signs which display the current time and/or temperature.

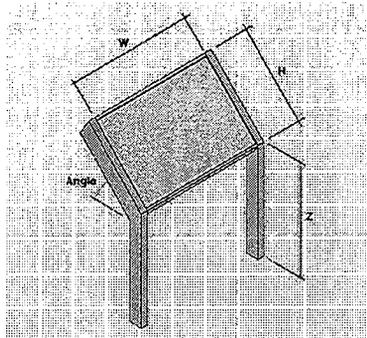
**Underhanging Signs:** Signs which are located on the underside of a roof structure which extends out over a sidewalk adjacent to a building.

**Vehicle Signs:** Signs painted or mounted on the side of a vehicle, including signs on the face of a truck trailer.

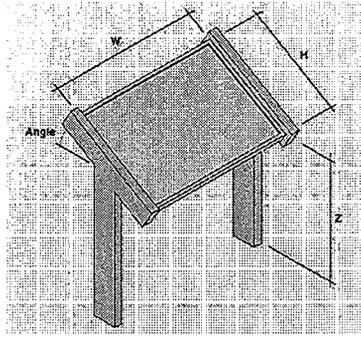
**Wall Sign:** A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof shall be considered wall signs. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside, shall also be considered wall signs.

**Wayside Exhibit:** A freestanding sign with single or multiple faces for the purposes of relaying directional, historical, environmental, cultural, or educational information to persons utilizing designated non-motorized pathways and are subject to design regulations as noted in this Ordinance. Wayside exhibits include: Upright (kiosk); Low Profile; and Trail Side signs (See Exhibit 1).

**Window Sign:** A sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside, shall be considered wall signs.



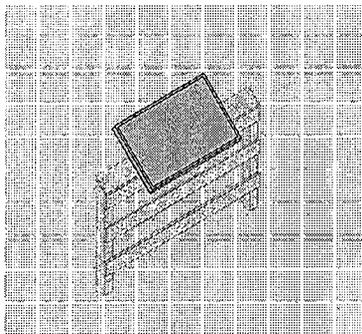
Low Profile



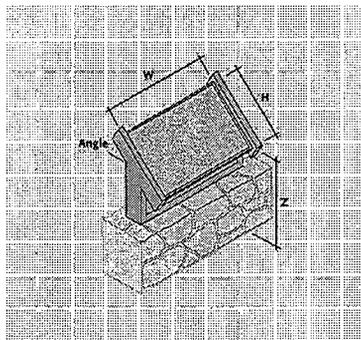
Low Profile



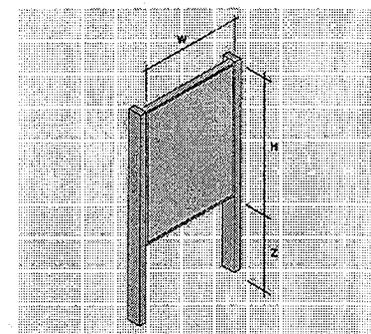
Kiosk



Low Profile



Low Profile



Upright

### Exhibit 1

## Section 4.01 -- ENFORCEMENT

### A. Plans, Specifications, and Permits

#### 1. Permits

It shall be unlawful for any person to erect, alter, relocate, or structurally change a sign or other advertising structure, unless specifically exempted by the Section, without first obtaining a permit in accordance with the provisions set forth herein. A permit shall require payment of a fee, which shall be established by the City Council.

#### 2. Applications

Application for a sign permit shall be made upon forms provided by the Building Official. The following information shall be required:

- a. Name, address, and telephone number of the applicant.
- b. Location of the building, structure, or lot on which the sign is to be attached or erected.
- c. Position of the sign in relation to nearby buildings, structures, and property lines.
- d. Plans and specifications showing the dimensions, materials, method of construction, and attachment to the building or in the ground.

- e. Copies of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.
- f. Name and address of the person, firm, or corporation owning, erecting, and maintaining the sign.
- g. Information concerning required electrical connections.
- h. Insurance policy or bond, as required in this Article.
- i. Written consent of the owner or lessee of the premises upon which the sign is to be erected.
- j. Other information required by the Building Official to make the determination that the sign is in compliance with all applicable laws and regulations.

### 3. Review of Application

#### a. Planning Commission Review

Sign permit applications submitted in conjunction with the proposed construction of a new building or addition to an existing building shall be reviewed by the Planning Commission as a part of the required site plan review. Proposed signs shall be shown on the site plan.

#### b. Building Official Review

The Building Official shall review the sign permit application for any sign proposed on a site or existing building where no other new construction is proposed.

#### c. Issuance of a Permit

Following review and approval of a sign application by the Planning Commission or Building Official, as appropriate, the Building Official shall have the authority to issue a sign permit.

### 4. Exceptions

A sign shall not be enlarged or relocated except in conformity with the provisions set forth herein for new signs, nor until a proper permit has been secured. However, a new permit shall not be required for ordinary servicing or repainting of an existing sign message, cleaning of a sign, or changing of the message on the sign where the sign is designed for such changes (such as lettering on a marquee or numbers on a gasoline price sign). Furthermore, a permit shall not be required for certain exempt signs listed in Section 5.01, sub-section A.

## B. Inspection and Maintenance

### 1. Inspection of New Signs

All signs for which a permit has been issued shall be inspected by the Building Official when erected. Approval shall be granted only if the sign has been constructed in compliance with the approved plans and applicable Zoning Ordinance and Building Code standards.

In cases where fastenings or anchorages are to be eventually bricked in or otherwise enclosed, the sign erector shall advise the Building Official when such fastenings are to be installed so that inspection may be completed before enclosure.

2. **Inspection of Existing Signs**

The Building Official shall have the authority to routinely enter onto property to inspect existing signs. In conducting such inspections, the Building Official shall determine whether the sign is adequately supported, painted to prevent corrosion, and so secured to the building or other support as to safely bear the weight of the sign and pressure created by the wind.

3. **Correction of Defects**

If the Building Official finds that any sign is unsafe, insecure, improperly constructed, or poorly maintained, the sign erector, owner of the sign, or owner of the land shall make the sign safe and secure by completing any necessary re-construction or repairs, or entirely remove the sign in accordance with the timetable established by the Building Official.

**C. Removal of Obsolete Signs**

Any sign that no longer identifies a business that is in operation, or that identifies an activity or event that has already occurred shall be considered abandoned and shall be removed by the owner, agent, or person having use of the building or structure. Upon vacating a commercial or industrial establishment, the proprietor shall be responsible for removal of all signs used in conjunction with the business.

However, where a conforming sign structure and frame are typically reused by a current occupant in a leased or rented building, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied, provided that the sign structure and frame are maintained in good condition.

**D. Nonconforming Signs**

No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with Section 3.05 of the Zoning Ordinance, except that nonconforming signs shall comply with the following regulations:

1. **Repairs and Maintenance**

Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than fifty percent (50%) of the sign's pre-catastrophe fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or, repair or replacement of electrical wiring or electrical devices.

2. **Nonconforming Changeable Copy Signs**

The message on a nonconforming changeable copy sign or nonconforming bulletin board sign may be changed provided that the change does not create any greater nonconformity.

3. **Substitution**

No nonconforming sign shall be replaced with another nonconforming sign.

4. **Modifications to the Principal Building**

Whenever the principal building on a site on which a nonconforming sign is located is modified to the extent that site plan review and approval is required, the nonconforming sign shall be removed.

**E. Appeal to the Zoning Board of Appeals**

Any party who has been refused a sign permit for a proposed sign may file an appeal with the Zoning Board of Appeals, in accordance with Section 24.05 of the Zoning Ordinance. In determining whether a variance is appropriate, the Zoning Board of Appeals shall study the sign proposal, giving

consideration to any extraordinary circumstances, such as those listed below, that would cause practical difficulty in complying with the sign standards. The presence of any of the circumstances listed may be sufficient to justify granting a variance; however, the Zoning Board of Appeals may decline to grant a variance even if certain of the circumstances are present.

1. Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions.
2. Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances exist, the Zoning Board of Appeals shall consider the width of the road, the number of moving lanes, the volume of traffic, and speed limits.
3. Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
4. Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to: removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.
5. Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.
6. Variance from certain sign regulations would be offset by increased building setback, increased landscaping, or other such enhancements, so that the net effect is an improvement in appearance of the parcel, compared to the result that would be otherwise achieved with construction of a conforming sign.
7. A sign which exceeds the permitted height or area standards of the Ordinance would be more appropriate in scale because of the large size or frontage of the parcel or building.

## Section 5.01 -- GENERAL PROVISIONS

### A. Permitted Exempt Signs

A sign permit shall not be required for the following signs, which shall be permitted subject to applicable provisions herein:

1. Address numbers with a numeral height no greater than six (6) inches for residences and eighteen (18) inches for businesses.
2. Nameplates identifying the occupants of the building, not to exceed two (2) square feet.
3. Memorial signs or tablets.
4. Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the primary use of the vehicle displaying the sign shall not be for the purpose of advertising a business on the premises where the vehicle is parked.
5. Public signs, including the authorized signs of a government body or public utility, including traffic signs, legal notices, railroad crossing signs, warnings of a hazard, and similar signs.

6. Flags bearing the official design of a nation, state, municipality, educational institution, or noncommercial organization.
7. Incidental signs, provided that total of all such signs shall not exceed two (2) square feet.
8. Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
9. One (1) private parking lot and driveway identification sign, not to exceed three (3) square feet per sign and six (6) feet in height.
10. Permanent signs on vending machines, gas pumps, or ice containers indicating only the contents of such devices, provided that the sign area of each device shall not exceed six (6) square feet.
11. Real estate signs which advertise the rental, sale or lease of the property on which they are located, subject to the requirements in Section 5.01, sub-section C.
12. Portable real estate "open house" signs with an area no greater than four (4) square feet.
13. "Help wanted" signs soliciting employees for the place of business where posted, provided that the maximum area for all such signs shall be six (6) square feet.
14. Any sign which is located completely within an enclosed building, and which is not visible from outside the building.
15. Plaques or signs designating a building as a historic structure.
16. "No Trespassing," "No Hunting," and "No Dumping" signs.
17. Signs used to direct vehicular or pedestrian traffic to parking areas, loading areas, or to certain buildings or locations on the site, subject to the following conditions:
  - a. Directional signs shall not contain logos or other forms of advertising.
  - b. Directional signs shall not exceed four (4) square feet in area, or four (4) feet in height.
  - c. Directional signs may be located in the front setback area.
18. Temporary window signs, subject to the requirements in Section 5.01, sub-section C.
19. Temporary sandwich signs, subject to the requirements in Section 5.01, sub-section C.

## **B. Prohibited Signs**

The following signs are prohibited in all districts:

1. Any sign not expressly permitted.
2. Signs which incorporate flashing or moving lights; however, time and temperature or stock market signs shall be permitted.

3. Banners, pennants, festoons, spinners, and streamers, except where specifically permitted elsewhere in this Ordinance (see Temporary Sign Standards).
4. String lights used for commercial purposes, other than holiday decorations and as otherwise permitted elsewhere in this Ordinance (see Temporary Sign Standards).
5. Moving signs, including any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current.
6. Any sign or sign structure which:
  - a. Is structurally unsafe;
  - b. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;
  - c. Is capable of causing electric shock to person who come in contact with it; or
  - d. Is not kept in good repair, such that it has broken parts, missing letters, or non-operational lights.
7. Any sign erected on a tree or utility pole, except signs of a government or utility.
8. Obsolete signs, as specified in Section 3.01.
9. Portable signs, except where expressly permitted in this Ordinance.
10. Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes, rather than for transportation purposes.
11. Any sign which obstructs free access to or egress from a required door, window, fire escape, or other required exit.
12. Any sign which makes use of the words "Stop", "Look", or "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
13. Any sign containing obscene, indecent, or immoral matter.
14. Any sign unlawfully installed, erected, or maintained.
15. Roof signs.
16. Projecting signs.
17. Real estate signs no longer valid due to the sale, rental, or lease of the property.

### **C. Temporary Signs**

Temporary signs may be erected in accordance with the use, size, height, number, and placement regulations of Section 5.01, sub-section C. Permits for such signs shall be required and shall specify a maximum length of time such sign may be used.

## TEMPORARY SIGN STANDARDS- PERMIT REQUIRED (Section 5.01, sub-section C)

Type of Sign	Districts Permitted	Type of Sign Permitted	Total Maximum Size to Include All Signs	Maximum Height	Maximum Number per Parcel	Permit Required	Required Setback	Permitted Duration
Construction Sign	All	Freestanding or Wall	64 sq. ft.	15 ft.	1	Yes	[a]	From: issuance of building permit To: issuance of C. of O.
Real Estate- sale or lease of unplatted vacant land	All	Portable Freestanding	64 sq. ft.	10 ft.	1 [b]	Yes	[a]	Remove within 30 days of sale or lease.
Real Estate Development Sign	All	Portable Freestanding	64 sq. ft.	10 ft.	1 [b]	Yes	[a] [h]	Remove within 30 days after all units or lots are sold or leased.
Community Special Event	All	[e]	[e]	[e]	[e]	Yes	[a]	Duration of the event.
Pennants or Banners	Commercial	Plastic or Fabric	Banners: 32 sq. ft.	15 ft.	Banners: 2 per parcel	Yes	[d]	Not to exceed 4 weeks in any 6 month period.
String Lights	Commercial	Not Applicable	Not Applicable	15 ft.	Not Applicable	Yes	[a]	Not to exceed 4 weeks in any 6 month period.
Balloon Signs or Inflated Devices with or without a structural frame	Commercial	Freestanding or roof mounted	Not Applicable	30 ft.	1	Yes	[a]	Not to exceed 14 consecutive days in any consecutive 90 day period.
Sandwich	Commercial	Portable Freestanding	12 sq. ft. each side	4 ft.	1 [b]	Yes	[d]	1 year- then new permit required.

C:of O. = Certificate of Occupancy

## TEMPORARY SIGN STANDARDS- PERMIT NOT REQUIRED (Section 5.01, sub-section C)

Type of Sign	Districts Permitted	Type of Sign Permitted	Total Maximum Size to Include All Signs	Maximum Height	Maximum Number per Parcel	Permit Required	Required Setback	Permitted Duration
Real Estate- sale or lease of individual home or residential lot	Residential	Portable Freestanding	10 sq. ft.	5 ft.	1 [b]	No	[a]	Remove within 30 days of sale or lease.
Real Estate- sale or lease of individual business or vacant lot	Office, Commercial, Industrial	Portable Freestanding or Wall	10 sq. ft.	5 ft.	1 [b]	No	[a]	Remove within 30 days of sale or lease.
Grand Opening Sign	Commercial	Freestanding or Wall	10 sq. ft.	5 ft.	1	No	[a]	60 consecutive days.
Garage Sale Sign	Residential	Freestanding or Wall	10 sq. ft.	5 ft.	2	No [i]	[d]	3 consecutive days.
Noncommercial Message Sign	All	Portable Freestanding or Wall	10 sq. ft.	5 ft.	Unlimited	No	[d]	60 consecutive days.
Temporary Window	Commercial	Paper or Fabric	[f]	Not Applicable	[f]	No	--	Maximum display period: 30 days [g].

**Footnotes**

[a] The temporary sign shall comply with the setback requirements for the district in which it is located.

[b] On a corner parcel two (2) signs, one (1) facing each street, shall be permitted.

[c] One sign shall be permitted for each frontage on a secondary or major thoroughfare.

- [d] The temporary sign may be located in the required setback area, but shall not be located within the road right-of-way. Sandwich signs may not be located within the public right-of-way, and must be located within the required setback area, except, sandwich signs may have a zero setback if located within the boundaries of the Downtown Development Area. In no event shall a sign be located so as to obstruct a motorist's view.
- [e] Community special event signs may include ground or wall signs, banners, pennants, or similar displays; the number, size and height of such signs shall be subject to Planning Commission approval.
- [f] The total of all window signs, temporary and permanent, shall not exceed one-third (1/3) of the total window area. The area of permanent window signs shall also be counted in determining compliance with standards for total area of wall signs.
- [g] Temporary window signs that are faded, yellowed, ripped or otherwise damaged shall be removed immediately.
- [h] Real estate development signs shall not be erected within one hundred (100) feet of any occupied dwelling unit.
- [i] A permit shall be required for garage sales, in accordance with Chapter 80 of the City Code, the Garage Sales Ordinance.

## D. Off-Premise Advertising Signs

Freestanding off-premise advertising signs shall be permitted in the M-2, General Manufacturing District, subject to the following:

1. **Maximum Size**  
No such sign shall exceed three hundred (300) square feet in area per sign face.
2. **Maximum Height**  
The maximum height for such signs shall be twenty-five (25) feet.
3. **Minimum Setbacks**
  - a. Off-premise accessory signs shall comply with the setback requirement for the district in which they are located.
  - b. No part of any such sign shall be located closer than 300 hundred feet to any park, school, church, hospital, cemetery, convention center, or government building.
4. **Distance from Other Signs**
  - a. There shall be a minimum of 1,500 feet between off-premise advertising signs along an interstate freeway and a minimum of 1,000 feet between off-premise advertising signs along any other public road or highway.
  - b. No off-premise advertising sign shall be located closer than one thousand (1,000) feet to another off-premise advertising sign, measured on a direct line from sign to sign.

## E. Non-Motorized Pathway Signs

**Purpose.** These regulations are intended to permit signs and other displays that are needed for the purposes of providing identification, historical information, directional and mapping along designated non-motorized pathway systems, subject to the following:

By reason of their size, location, spacing, construction or manner of display, non-motorized pathway signs shall not endanger life or limb, confuse or mislead traffic, obstruct vision necessary for traffic safety, or otherwise endanger the public health or safety;

Non-motorized pathway signs shall enhance the aesthetic appeal of the designated non-motorized pathways within the City. Thus, these regulations are intended to regulate trailside, low profile, upright, informational kiosks, and historical signs. These regulations are also intended to prevent excessive accumulation of signs, which cause visual clutter;

The placement and design of signs should further the land use planning objectives of the City. Signs should protect neighborhood character and the value of surrounding property.

- A. **Permitted Placement**  
Non-motorized pathway signs shall not be permitted in all zoning districts, which contain a non-motorized pathway as indicated on the Official Non-Motorized Pathway Master Plan Map, as amended.
- B. **Number**  
The number of non-motorized pathway signs shall not exceed one (1) Upright (Kiosk) sign for every one-half (½) mile of linear path and no more than two (2) Low Profile signs on privately owned property. The location and spacing of Low Profile signs shall be determined by the

Planning Commission. The number of signs permitted within publicly owned parks and property shall be determined by the Planning Commission.

**C. Size**

The maximum size of each such sign shall be as follows:

**Upright:**

Single or Multiple Faced Kiosk-Style Exhibits:

- Shall not exceed twelve (12) feet in height;
- Panel sizes shall be no larger than twelve (12) square feet (24" x 36" or 36" x 48");
- Shall be limited to a maximum of three (3) panels for each exhibit;
- Shall be constructed to approved industry standards;
- Shall be setback a minimum of five (5) feet from the edge of the designated trail. Roof edges shall be a minimum of three (3) feet from the trail edge;
- Shall be placed on an accessible pad.

**Vertical Angle:**

Low Profile Exhibits:

- Shall not exceed five (5) feet in height;
- Panel sizes shall be no larger than six (6) square feet;
- Shall be limited to one (1) panel for each exhibit;
- Shall be constructed to approved industry standards;
- Shall be a minimum of thirty-two (32) inches in height (z) from the bottom of the exhibit panel to the finished grade;
- Shall be angled at thirty (30) degrees or forty-five (45) degrees;
- Shall be accessible.

**Trail-side:**

- Panel sizes shall be five and one-half (5 ½) inches in width and eleven and one-half (11 ½) inches in height;
- Shall be setback a minimum of three (3) feet from the trail edge;
- Shall be constructed to adopted standards;
- Shall be a minimum of thirty-two (32) inches in height from the bottom of the exhibit panel to the finished grade;
- Shall be angled at thirty (30) degrees;
- Shall be accessible.

**D. Location**

Signs shall comply with the setback requirements as noted above and shall not endanger life or limb, confuse or mislead traffic, obstruct vision necessary for traffic safety, or otherwise endanger the public health or safety. Wayside exhibits shall accessible hard-surfaced pads.

**E. Panels**

Panels shall be constructed of porcelain enamel, fiberglass embedded or digital print, subject to Planning Commission approval.

**F. Advertising**

Non-motorized pathway signs shall not be permitted on a parcel for the purposes of advertising events, the sale of merchandise, commercial business establishments, or any other form of public or private promotion.

# Section 6.01 -- SIGN DESIGN STANDARDS

## A. Construction Standards

### 1. General Requirements

All signs shall be designed and constructed in a safe and stable manner in accordance with the City's adopted building code and electrical code. All electrical wiring associated with a freestanding sign shall be installed underground.

### 2. Building Code

All signs shall be designed to comply with minimum wind pressure and other requirements set forth in the adopted building code. Sandwich signs shall be designed to collapse upon being struck by a vehicle or with excessive wind pressure.

### 3. Framework

All signs shall be designed so that the supporting framework, other than the supporting poles on a freestanding sign, is contained within or behind the face of the sign or within the building to which it is attached so as to be totally screened from view.

## B. Illumination

### 1. General Requirements

Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it.

### 2. Non-Glare, Shielded Lighting

Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded so as not to project onto adjoining properties or streets.

### 3. Traffic Hazards

Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited.

### 4. Bare Bulb Illumination

Illumination by bare bulbs or flames is prohibited, except that bare bulbs are permitted on changeable copy signs and theatre marquees.

### 5. Sandwich Signs

Sandwich signs shall not be illuminated.

## C. Location

### 1. Within a Public Right-of-Way

No sign shall be located within, project into, or overhang a public right-of-way, except as otherwise permitted herein.

### 2. Compliance with Setback Requirements

All signs shall comply with the setback requirements for the district in which they are located, except as otherwise permitted herein.

### 3. Sight Lines for Motorists

Signs shall comply with the requirements for unobstructed motorist visibility in Section 2.09 of the Zoning Ordinance.

4. **Sandwich Signs**

Sandwich signs shall not be mounted on a motor vehicle.

## D. Measurement

1. **Sign Area**

Sign area shall be computed as follows:

a. General Requirements

Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.

b. Individual Letters

Where a sign consists of individual letters and logo affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.

c. Freestanding Sign

The area of a double-faced freestanding sign shall be computed using only one (1) face of the sign provided that: 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible at any given time.

d. Pedestal Sign

The area of a pedestal sign shall be computed by measuring the entire vertical surface of a face upon which the letters and logo are attached. In the case of a multi-faced ground sign, the area of the sign shall be computed using only one face of the sign.

e. Cylindrical Sign

The area of a cylindrical ground sign shall be computed by multiplying the diameter of the cylinder by its height.

2. **Setback and Distance Measurements**

The following guidelines shall be used to determine compliance with setback and distance measurements:

a. The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.

b. The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the outer edge of the parking lot or building.

c. The distance between a sign and a building or property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the building.

## Section 7.01 -- RESIDENTIAL DISTRICT SIGNS

The following signs shall be permitted in all districts zoned for residential use (see Generalized Schedule of Sign Standards):

### A. Nameplate and Street Address

A nameplate sign an street address shall be permitted in accordance with Section 5.01, sub-section A.

### B. Real Estate Signs

Real estate signs shall be permitted in accordance with Section 5.01, sub-section C.

### C. Garage Sale Signs

Garage sale signs shall be permitted in accordance with Section 5.01, sub-section C.

### D. Residential Entranceway or Identification Signs

Permanent residential entranceway or identification signs shall be permitted in accordance with Section 5.10, sub-section B. There shall be no more than one (1) such sign located at each entrance to a subdivision or other residential development.

### E. Signs for Nonconforming Uses

Each nonconforming nonresidential use in a residential district shall be permitted one wall-mounted sign, subject to the following requirements:

1. The maximum size for such a sign shall be two (2) square feet.
2. No such sign shall be intentionally lighted.

### F. Signs for Special Approval Uses

Except as otherwise noted, all uses which are permitted subject to special approval in residential districts shall comply with the following sign standards:

1. **Number**  
There shall be no more than one (1) sign per parcel, except on a corner parcel, two (2) signs, one (1) facing each street shall be permitted.
2. **Size**  
The maximum size of each such sign shall be thirty-six (36) square feet.
3. **Location**  
Freestanding signs shall be located no closer than twenty-five (25) feet from any right-of-way line, and at least fifteen (15) feet from all other property lines, driveways, and approaches.
4. **Height**  
The maximum height of any freestanding sign shall be eight (8) feet.
5. **Churches**  
Churches and other religious institutions shall be permitted one (1) additional sign for each school, parsonage, or other related facility. The maximum sign size for a parsonage, convent, or other similar residential facility shall be sixteen (16) square feet.

One (1) additional sign shall also be permitted per parcel for the purposes of advertising special church events, such as bingo or church picnics. Any such sign shall conform to the standards for area, location, and height for church signs as outlined in this section.

**6. Residential Uses**

Residential uses permitted subject to special approval which are located in a single family dwelling shall be permitted one wall-mounted sign, not to exceed two (2) square feet in area.

**Section 8.01 - - NONRESIDENTIAL DISTRICT SIGNS**

The following signs shall be permitted in districts zoned for nonresidential use (see Generalized Schedule of Sign Standards):

**A. Signs for Residential District Uses in a Nonresidential District**

Signs for nonconforming residential district uses in a nonresidential district shall be governed by the sign regulations for residential district uses set forth in Section 7.01.

**B. Signs for Nonconforming Nonresidential Uses**

Signs for nonconforming nonresidential uses in an office, commercial or industrial district (for example, a nonconforming commercial use in an industrial district) shall be governed by the sign regulations which are appropriate for the type of use, as specified in this Section.

**C. Wall Signs**

Wall signs shall be permitted in office, commercial and industrial districts subject to the following regulations:

**1. Number**

One (1) wall sign shall be permitted per street frontage on each parcel. However, in the case of a multi-tenant building or shopping center, one (1) wall sign shall be permitted for each tenant having an individual means of public access. Tenants who occupy a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each side of the building. Where several tenants use a common entrance in a multi-tenant structure, only one (1) wall sign shall be permitted, but the total sign area should be allocated on an equal basis to all tenants.

**2. Size**

The total area of a wall signage shall not exceed one and one-half (1 1/2) square feet per lineal foot of building frontage, not to exceed the limits specified in the following table:

Zoning District in which Sign is Located	Maximum Sign Area
O-1	64 sq. ft.
C-1, C-2	90 sq. ft.
C-3, HR, M-1, M-2, M-3, RE, PUD	125 sq. ft.

In the case of a multi-tenant building or shopping center, these size requirements shall apply to each business individually.

**3. Location**

One wall sign may be located on each side of a building that faces a street.

4. **Vertical Dimensions**  
The maximum vertical dimension of any wall sign shall not exceed one third (1/3) of the building height.
5. **Horizontal Dimensions**  
The maximum horizontal dimension of any wall-mounted sign shall not exceed three-fourths (3/4) of the width of the building.
6. **Height**  
The top of a wall sign shall not be higher than whichever is lowest:
  - a. The maximum height specified for the district in which the sign is located.
  - b. The top of the sills at the first level on windows above the first story.
  - c. The height of the building facing the street on which the sign is located.

#### D. **Freestanding Signs**

Freestanding pedestal or pole signs shall be permitted in office, commercial, and industrial districts subject to the following regulations:

1. **Number**  
One (1) freestanding sign shall be permitted per street frontage on each parcel. In multi-tenant buildings or shopping centers the sign area may be allocated for use by individual tenants.
2. **Size**  
The total area of the freestanding sign shall not exceed one-half (1/2) of a square foot per lineal foot of lot frontage, not to exceed the limits in the following table:

Zoning District in which Sign is Located	Maximum Sign Area
O-1	64 sq. ft.
C-1, C-2	90 sq. ft.
HR, M-1, M-2, M-3, RE	125 sq. ft.
C-3, PUD	150 sq. ft.

The size standards specified above may be increased by twenty-five (25) square feet for pedestal signs.

3. **Setback from the Right-of-Way**
  - a. Freestanding signs may be located in the required front yard, provided that no portion of any such sign shall be located closer than fifteen (15) feet to the existing or planned right-of-way line, except as noted in item 3. b. If a parcel is served by a private road or service road, no portion of a freestanding sign shall be closer than five (5) feet to the edge of the road.
  - b. Signs may be located closer than fifteen (15) feet to the existing or planned right-of-way line, provided that any such sign shall not exceed thirty-two square feet in size.
4. **Setback from Residential Districts**

Freestanding signs shall be located no closer to any residential district than indicated in the following table:

Zoning District in which Sign is Located	Required Setback from Residential District
O-1, C-1, C-2	50 ft.
C-3, M-1, M-2, M-3, RE	100 ft.

**5. Height**

The height of a freestanding sign shall not exceed twenty (20) feet, except that freestanding signs shall not exceed twenty-seven (27) feet the C-3 and M-2 districts.

**E. Marquee Signs**

Marquee signs shall be permitted for theaters located in commercial districts subject to the following requirements:

**1. Construction**

Marquee signs shall consist of hard incombustible materials. The written message shall be affixed flat to the vertical face of the marquee.

**2. Vertical Clearance**

A minimum vertical clearance of ten (10) feet shall be provided beneath any marquee.

**3. Projection**

Limitations imposed by this Ordinance concerning projection of signs from the face of a wall or building shall not apply to marquee signs, provided that marquee signs shall comply with the setback requirements for the district in which they are located.

**4. Number**

One (1) marquee shall be permitted per street frontage.

**5. Size**

The total size of a marquee sign shall not exceed one and one-half (1 1/2) square feet per lineal foot of building frontage.

**6. Compliance with Size Requirements for Wall Signs**

The area of permanent lettering on a marquee sign shall be counted in determining compliance with the standards for total area of wall signs permitted on the parcel.

**F. Awnings and Canopies**

Signs on awnings and canopies in commercial, office, and industrial districts shall be permitted, subject to the following standards:

**1. Coverage**

The total area of the lettering and logo shall not exceed twenty-five percent (25%) of the total area of the awning or canopy that is visible from the street.

**2. Compliance with Size Requirements for Wall Signs**

The area of signs on awnings or canopies shall be counted in determining compliance with the standards for total area of wall signs permitted on the parcel.

3. **Projection**

Limitations imposed by this Ordinance concerning projection of signs from the face of a wall or building shall not apply to awning and canopy signs, provided that such signs shall comply with the setback requirements for the district in which they are located.

**G. Gasoline Price Signs**

Gasoline price signs shall be permitted subject to the following standards:

1. **Number**

One (1) gasoline price sign shall be permitted for each gas station.

2. **Size**

The area of the gasoline price sign shall be counted toward the total sign area permitted under this section (Section 8.01).

3. **Setback**

Gasoline price signs shall comply with the setback and height requirements specified for freestanding signs in the district in which the signs are located.

**H. Temporary Signs**

Temporary signs shall be permitted in accordance with Section 5.01, sub-section C. Banners and pennants shall be permitted in the commercial districts only.

**I. Window Signs**

Temporary and permanent window signs shall be permitted on the inside in commercial and office districts provided that the total combined area of such signs (including incidental signs) shall not exceed one-quarter (1/4) of the total window area. The area of permanent window signs shall be counted in determining compliance with standards for total area of wall signs on the parcel. Temporary window signs shall comply with the requirements in Section 5.01, sub-section C.

**J. Time/Temperature/Stock Market Signs**

Time, temperature, and stock market signs shall be permitted in commercial and office districts, subject to the following conditions:

1. **Frequency of Message Change**

The message change shall not be more frequent than once every ten (10) seconds.

2. **Size**

The area of these types of signs shall be included within the maximum sign area permitted on the site.

3. **Number**

One (1) such sign shall be permitted per street frontage.

**K. Underhanging Signs**

One (1) underhanging sign shall be permitted for each business, subject to the following conditions:

1. **Vertical Clearance**

A minimum vertical clearance of eight (8) feet shall be provided between the bottom edge of the sign and the surface of the sidewalk.

2. **Orientation**  
Underhanging signs shall be designed to serve pedestrians rather than vehicular traffic.
3. **Size**  
Underhanging signs shall not exceed ten (10) square feet in area.

## GENERALIZED SCHEDULE OF SIGN STANDARDS FOR RESIDENTIAL USES\*

Type of Sign	Number	Area
Nameplate	1 [a]	2 sq. ft.
Street Address	1	6 in. height
Church	1	36 sq. ft.
Real Estate Signs	1	10 sq. ft.
Garage Sale Signs	2	10 sq. ft.
Residential Entranceway Signs	1 [b]	24 sq. ft.
Wall Sign for Nonconforming Uses	1	2 sq. ft.
Noncommercial Message Sign	Unlimited	10 sq. ft.

\* Specific sections in this Ordinance should be consulted for details.

### Footnotes

[a] One (1) additional sign shall be permitted for each school, parsonage, or other related facility.

[b] One (1) sign is permitted at each entrance to a subdivision or residential development.

# GENERALIZED SCHEDULE OF SIGN STANDARDS FOR NONRESIDENTIAL USES\*

Type of Sign	Office Uses In the O-1 District		Commercial Uses in the C-2 or C-2 District		Commercial or Industrial Uses in the C-3, HR, M-1, M-2, M-3, RE, and PUD Districts	
	Number	Maximum Area	Number	Maximum Area	Number	Maximum Area
Wall	1 [a]	1 ½ sq. ft. per foot of building front, up to 64 sq. ft.	1 [a]	1 ½ sq. ft. per foot of building front, up to 90 sq. ft.	1 [a]	1 ½ sq. ft. per foot of building front, up to 125 sq. ft.
Freestanding	1 [b]	1 ½ sq. ft. per foot of building front, up to 64 sq. ft.	1 [b]	1 ½ sq. ft. per foot of building front, up to 90 sq. ft.	1 [b]	1 ½ sq. ft. per foot of building front, up to 125 sq. ft. [c] [g]
Window Sign	N.A.	¼ of window area [d]	N.A.	¼ of window area [d]	N.A.	¼ of window area [d]
Awning or Canopy Sign	1	25% of awning area [d]	1	25% of awning area [d]	1	25% of awning area [d]
Gasoline Price Sign	1	20 sq. ft.	1	20 sq. ft.	1	20 sq. ft.
Marquee Sign	N.P.	--	1 [e]	½ sq. ft. per foot of building front	1 [e]	½ sq. ft. per foot of building front
Time/Temperature/Stock Market Sign	1	Based on max. permitted sign area on site	1	Based on max. permitted sign area on site	1	Based on max. permitted sign area on site
Real Estate	1	10 sq. ft. [f]	1	10 sq. ft. [f]	1	10 sq. ft. [f]

\* Specific sections in this Ordinance should be consulted for details.

N.A. = Not Applicable

N.P. = Not Permitted

## Footnotes

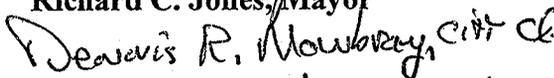
[a] In the case of a multi-tenant building, one (1) wall sign shall be permitted for each tenant having an individual means of public access. Tenants who occupy a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each side of the building. Where several tenants use a common entrance in a multi-tenant building, only one (1) wall sign shall be permitted, but the total sign area should be allocated on an equal basis to all tenants.

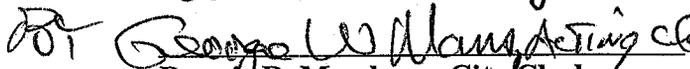
- [b] Only one (1) freestanding sign shall be permitted for multi-tenant buildings or shopping centers, but the sign area may be allocated for use by individual tenants.
- [c] The maximum size for a freestanding sign in the C-3 and PUD Districts is 200 sq. ft.
- [d] The area of permanent window signs and awnings and canopy signs shall be counted in determining compliance with the standards for total area of wall signs.
- [e] Marquee signs shall be permitted for theaters located in commercial districts. The area of permanent lettering on a marquee sign shall be counted in determining compliance with the standards for total area of wall signs.
- [f] Real estate signs offering unplatted vacant land for sale or lease may be up to sixty-four square feet in area.
- [g] The maximum size standards may be increased by 25 square feet for pedestal signs.

**SECTION II.** That all ordinances or parts of ordinances, Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.

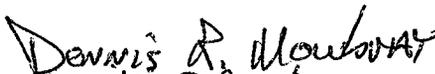
**SECTION III.** This ordinance shall be published in the News Herald newspaper as required by Charter on the 1st day of October, 2006, but in no event shall be effective earlier than ten (10) days after enactment.

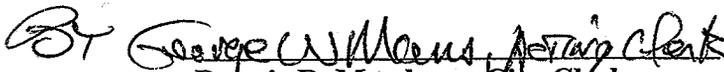
  
Richard C. Jones, Mayor

  
Dennis R. Mowbray, City Clerk

  
George W. Mowbray, Acting City Clerk  
Dennis R. Mowbray, City Clerk

I hereby certify that the foregoing is a true copy of the ordinance adopted by the Council of the City of Flat Rock at a meeting thereof on September 18, 2006, the original of which proceedings is on file in my office.

  
Dennis R. Mowbray  
CITY CLERK

  
George W. Mowbray, Acting City Clerk  
Dennis R. Mowbray, City Clerk