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## ARTICLE 22. - SIGN REGULATIONS

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### Sec. 2200. - Purpose.

- (a) It is the purpose of this article 22 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; to prevent an unsafe, impeded or unpleasant condition to occur on city sidewalks where pedestrians and/or motorists are exposed to moving, distracting, cumbersome or otherwise inappropriate signage; and to promote the continued attractiveness of the City of Rochester and its traditional business district and business and office corridors. It is further determined, following an evaluation of traffic conditions, that to allow an excessive number of signs in the city would be unduly distracting to pedestrians and motorists, thereby creating a hazard for pedestrians and motorists using city streets, and may reduce the effectiveness of signs needed to direct the public on those same streets. The regulations of this article 22 are determined to be the minimum regulations necessary to achieve its purposes.

*(Ord. No. 2009-20, § 2200, 10-26-2009)*

### Sec. 2201. - Definitions.

The following words shall have the meaning set forth in this section when they are used in this article 22.

*Awning end cap sign* means a pedestrian-oriented sign that is applied to the vertical portion of an awning that projects perpendicular to the building.

*Clear vision area* is formed by two lines each 25 feet long measured along the right-of-way from the point of intersection of two streets and connected by a third line to form a triangle.

*Corner building* means a building with frontage on any two streets or a building at the corner of any street with the West Alley or the East Alley in the downtown.

*Display window* shall include any window area designed to permit customers outside the building to view merchandise inside a store or that displays store merchandise in a specially designed area immediately inside the window glass, whether or not the rest of the store interior is visible.

*Hanging sign* means a pedestrian-oriented sign that is hung beneath a canopy or awning.

*Icon sign* means a pedestrian-oriented sign that advertises a particular good or service by of a symbol associated with that good or service, i.e., a mortar and pestle to represent a pharmacy.

*Illuminated tube* means a transparent tube in which the light source is supplied by electrified gas.

*Illuminated tube band* means an illuminated tube, such as but not limited to neon, fluorescent, and the like, which is located on a window, architectural feature, or which is shaped, formed or located to outline or accent an area of a sign, window or structure. An illuminated tube band shall constitute a sign.

*Illuminated tube sign* means a sign which is illuminated wholly or in part with illuminated tube.

*Ladderboard sign* means a sign for a single tenant space or a multi-tenant building that lists goods, services, and the like on a series of separate panels which may or may not be changeable. A ladderboard sign shall also include a sign for a multi-tenant development with separate identification panels for more than three tenants.

*Master sign plan* means a drawing or set of drawings for a multi-tenant building that sets forth the general size, location, number, height, material types, illumination details, messages, and shapes of the signs capable of displaying the name of the development and the names of the individual tenants.

*Multiple street frontage (other than corner buildings)* means any building on a double frontage lot or any building with frontage on one street as well as the East Alley or West Alley in the downtown.

*Multi-tenant building* means any office, retail, or industrial building with two or more separate tenant spaces.

*Multi-tenant sign* means a sign for a multi-tenant building displaying only the names of not more than three tenants.

*Nameplate sign* means a permanent, non-illuminated, identity sign, used to direct customers to the entrance of a Main Street business in the CBD zone that is only accessible from a side of the building other than the one on which the sign has been placed.

*Pedestrian-oriented sign* mean a sign that is oriented or scaled to the pedestrian rather than the motorist, such as hanging, projecting, icon, and awning end cap signs.

*Permanent window and door signs* refers to signs affixed or painted in a manner that is visible from the exterior of the building intended to exist for the duration of time that the use or occupant is located on the premises. Any sign located within the store within four feet of the display windows shall be considered a window sign.

*Projecting sign* means a pedestrian-oriented sign that projects perpendicular from a building.

*Replacement sign* means the lawful replacement of a sign panel within an existing sign or sign structure that does not increase sign area or otherwise modify the size of the sign.

*Signable area* means the spaces on the building facade with a continuous flat surface, void of windows, doors, or architectural details and typically found between the top of the first floor windows and the bottom of the second floor windows or between the roof cornice and the top of the windows below.

*Temporary and permanent banners* refers to any plastic film, paper, cloth or similar material and its associated message area that is designed to be tied, or otherwise fastened to a building or other structure so as to constitute a sign.

*Temporary window sign* means any paper, poster board, plastic film, cloth or similar material and its associated message area that is designed to be placed on or behind a display window for 14 days or less and visible from outside a business building.

*Temporary political sign* means any sign the display surface of which is primarily constructed of cloth, canvas, fabric, paper board or other light material intended or suitable for only a temporary period of display, and advertising a candidacy for political office or a proposition to be voted upon.

*Window* means any opening in any wall of a building or structure for the admission of light, made of a transparent, translucent, or opaque material, through which or upon signage may be viewed or placed. The term shall specifically include display windows as herein defined.

(Ord. No. 2000-06, pt. 1, 7-24-2000; Ord. No. 2008-02, art. 1, 1-28-2008; Ord. No. 2009-20, § 2201, 10-26-2009)

## **Sec. 2202. - General requirements.**

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

- (1) Only on-site signs are permitted.
- (2) The calculation of sign surface area shall include: the sign frame; any sign member or support which is illuminated or bears advertising matter, symbols, logos, or similar decorations associated with the business identified thereon. For a multiple sided sign for which a total allowable sign area limitation exists, the total surface area for all sides of the sign is included when determining whether such sign is permitted.
- (3) Every sign shall be effectively attached to a building, other permanent structure, or the ground with the exception of permitted portable signs.
- (4) All illuminated signs shall be so placed as to prevent the rays and illumination therefrom from being cast upon neighboring residences within a residential district and shall be located not less than 100 feet from such residential district.
- (5) The color saturation and hue of illuminated signs shall be such as to preclude confusion with traffic signals.
- (6) 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 article 4.
- (7)

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.

- (8) 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, except as provided in [section 2207](#) for signs in CBD and B-1 districts and in [section 2211](#)(11)b. The city manager 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.
- (9) 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.
- (10) Because they are designed to attract the customer's attention, illuminated tube bands and illuminated tube signs are signs as defined herein and shall cause the entire surface area of the sign, window or other area outlined by illuminated tube to be included in calculations of sign area unless:
  - a. The illumination tube is located only along one side of a display window or opening; or
  - b. The illuminated tube is enclosed or shielded so that it serves as a light source to illuminate merchandise or an architectural feature but is not a primary attraction itself.

All illuminated tubes shall be detailed on building elevation plans for site plan review and on all plans included in any application for a sign permit.

The sign official, during the review of the site plan and proposed signage, may review any illuminated tube to ensure compatibility with the design of the proposed structure (s) and of those in the general vicinity. The sign official may require modification to the design, location, size, color or intensity of proposed illuminated tube to ensure compatibility with on-site or adjacent buildings or uses. The sign official shall adhere to the criteria in sections [2202](#)(11) and [2704](#)(2) when reviewing plans for conformance with this section.

- (11) Materials chosen and design selected for signs shall be consistent with the architectural design of the building they identify.
- (12) 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 missing or obsolete sign panels.
- (13) 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 from time to time.
- (14) Freestanding signs shall be set back at least ten feet from all lot lines except for traffic control signs in parking lots. The maximum height of all freestanding signs shall be six feet, unless otherwise provided in this article 22.
- (15) Entire awnings shall not function as signs. Awnings shall not be backlighted. Illumination of signs on awnings shall be by means of external, downward-directed light fixtures. Nothing in this article shall prohibit awnings that incorporate a logo,

- name, or panel identifying the business use, provided it conforms with all other requirements for signs contained in this ordinance.
- (16) When a sign is to be replaced, it shall thereafter conform to all requirements of the 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 and/or the sign design guidelines. The following provisions shall apply to replacement of panels and signs intended to replace nonconforming signs:
- a. The owner of a nonconforming sign may replace a panel or face of the sign in order to 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 sign official, if they conform to the city ordinances and administrative guidelines established from time to time by the planning commission. All signs located within the Downtown Development District shall also require review by the DDA director.
  - b. The replacement of a nonconforming sign or signs with a sign that conforms to the current requirements of the zoning ordinance and the sign design guidelines may be approved by the sign official, following review by the DDA director if the sign is located within the DDA district.
- (17) No sign shall be erected within the clear vision area.
- (18) 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.
- (19) 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.
- (20) The above regulations apply to signs in all districts. Where the district regulations below establish more stringent requirements, they shall apply.

*(Ord. No. 2009-20, § 2202, 10-26-2009; Ord. No. 2010-12, § 2202, 5-10-2010)*

### **Sec. 2203. - 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 200 feet, or where the illumination interferes with the visibility or readability of any traffic sign or device.
- (2) Exterior banners, pennants, strings of flags, spinners and streamers. Temporary banners for city-sponsored events are exempt from this requirement when posted 45 days or less.
- (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. Any freestanding exterior sign not permanently anchored or secured to either a building or the ground, including sandwich boards, plastic message boards on wheels, and the like, except as permitted by [section 2207\(3\)e](#). Temporary portable signs for city-sponsored events are exempt from this requirement when posted three days or less.
- (9) 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.
- (10) Roof signs or any sign which projects more than one foot above the roof line.
- (11) Any sign erected on any property, public or private, without the consent of the owner or occupant thereof.
- (12) 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.
- (13) Any sign which incorporates any open spark or flame unless specifically approved by the building department.
- (14) Phone numbers on signs, except on temporary "For Sale" or "For Lease" signs.
- (15) Backlighted awnings.
- (16) Entire awnings designed as signs.
- (17) Message board signs except as provided in [section 2209](#)
- (18) Pylon or pole-mounted signs.
- (19) Ladderboard signs.

*(Ord. No. 2006-12, 11-28-2006; Ord. No. 2009-20, § 2203, 10-26-2009)*

### **Sec. 2204. - Permitted signs in residential districts.**

In residential districts, signs are permitted as follows:

- (1) For special exception uses in one- and two-family districts: one sign not exceeding 20 square feet in area.
- (2) For principal uses in mobile home park and multiple-family districts (such as an apartment or condominium complex): one sign not exceeding 30 square feet in area.
- (3) For public buildings, churches, schools and other institutional buildings in residential districts the provisions of [section 2209](#) apply.
- (4) For subdivision developments: one permanent subdivision identification sign not exceeding 30 square feet in area. The sign official may approve additional subdivision entrance signs where it finds affirmatively to at least one of the following criteria:
  - a. The subdivision has principal entrances from two or more major arterial streets.
  - b. The subdivision has more than one boulevard street entrance from an existing arterial.
  - c. The subdivision is physically divided by an existing major arterial street.

- d. Major entrances from the same arterial street are separated by at least 330 feet.
- (5) 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 \$100.00 to guarantee removal of the sign.
- (6) One trespassing, safety, or caution sign not exceeding two square feet in area shall be permitted for each 200 lineal feet of perimeter lot line.

(Ord. No. 2009-20, § 2204, 10-26-2009; Ord. No. 2010-12, § 2204, 5-10-2010)

### **Sec. 2205. - Permitted signs in limited office (O-1) and restricted office (O-2) districts.**

In O-1 and O-2 districts, signs are permitted as follows:

- (1) One primary business identification sign per building.
- (2) Window accent signs for permitted retail businesses subject to [section 2207\(3\)c](#).
- (3) Total allowable sign area, per building, shall be 15 square feet for a one-sided sign and 30 square feet for a two-sided sign. The larger side of a two-sided sign shall not exceed 15 square feet. This requirement may only be modified by sections [2208\(b\)](#) and [2208\(c\)](#) of this ordinance.
- (4) Any illuminated sign shall have the illumination source completely enclosed within the sign, unless the lighting equipment is designed as an integral part of the display. This means that the lights themselves are not visible and will in no way interfere with driver visibility or project onto adjoining property.

(Ord. No. 2009-20, § 2205, 10-26-2009)

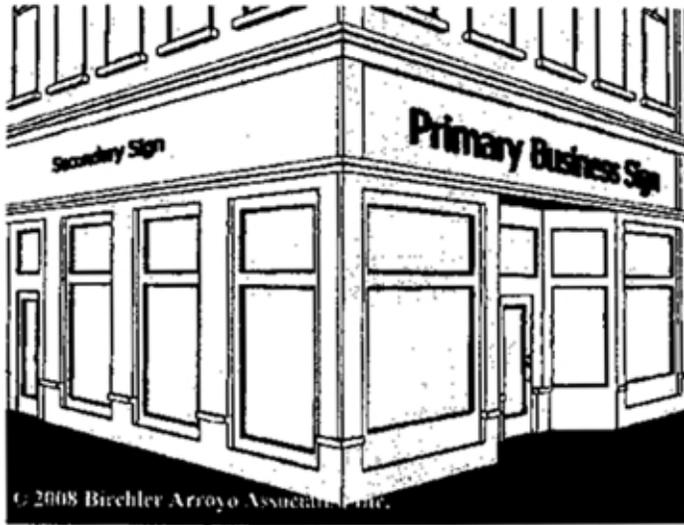
### **Sec. 2206. - Permitted signs in research park (RP) and industrial (I-1 and I-2) districts.**

In RP, I-1, and I-2 districts, signs are permitted as follows:

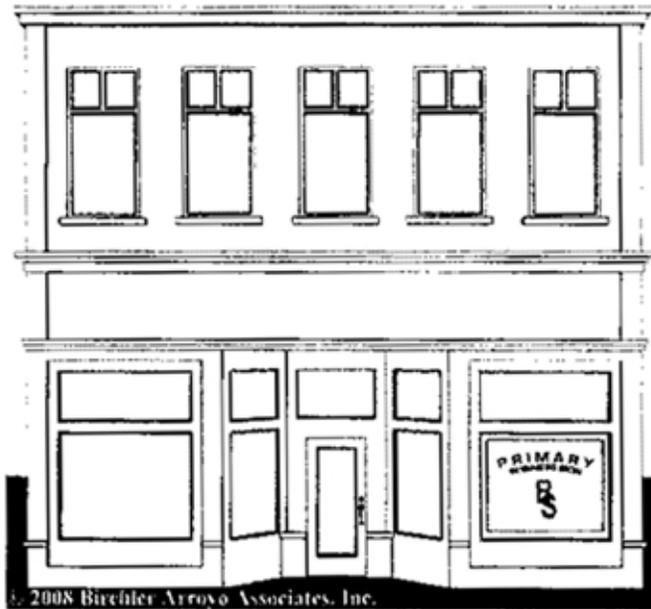
- (1) One business identification sign per building.
- (2) Window accent signs for permitted retail businesses subject to [section 2207\(3\)c](#).
- (3) The total surface area of all signs per building, including advertising signs in parking lots, shall not exceed ten percent of the wall surface area facing the front lot line or 100 square feet, whichever is less. This requirement [may only be modified by] sections [2208\(b\)](#) and [2208\(c\)](#) of this ordinance.

(Ord. No. 2009-20, § 2206, 10-26-2009)

### **Sec. 2207. - Permitted signs in general business (B-1) and central business (CBD) districts.**



**SECONDARY SIGN**



**WINDOW SIGN**



**PRIMARY & SECONDARY BUSINESS SIGNS**

In B-1 and CBD districts, signs are permitted as follows:

- (1) One primary business identification sign per building.

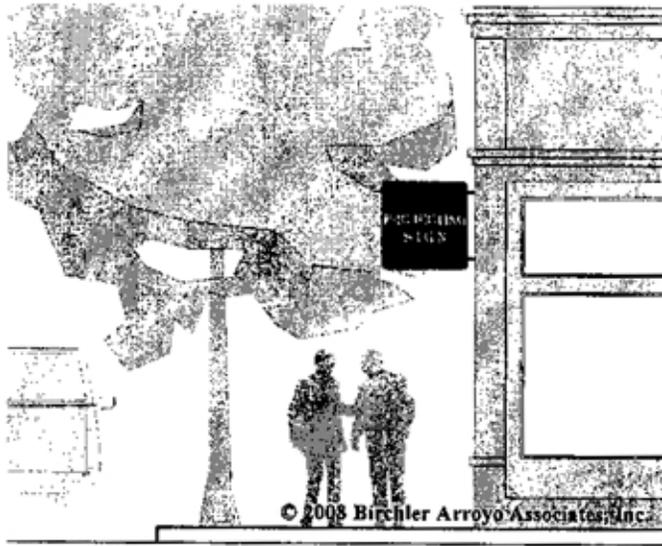
Permitted types of primary business identification sign:

<i>Sign Type</i>	<i>B-1</i>	<i>CBD</i>
Wall sign	Permitted	Permitted
Awning sign	Permitted	Permitted
Window sign	Permitted	Permitted
Freestanding sign	Permitted	Permitted

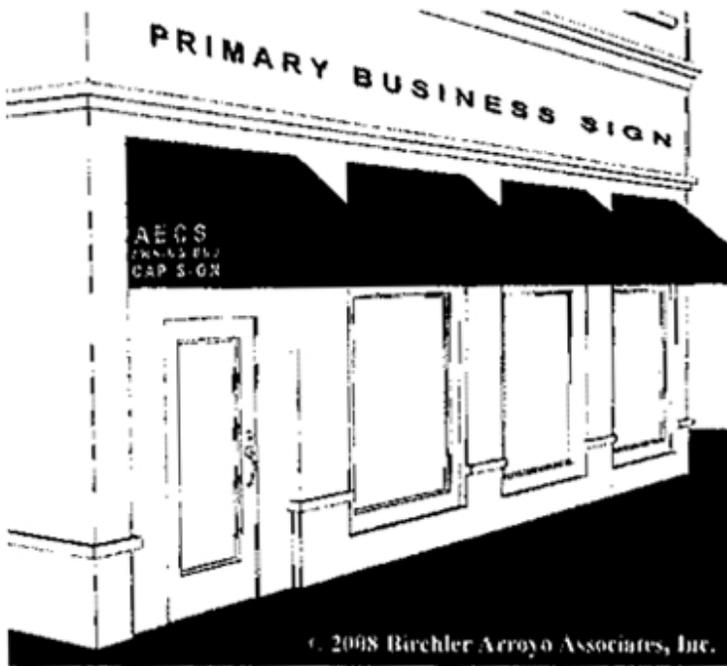
In the B-1 and CBD districts, an individual business may have a freestanding sign only if the business occupies the entire building or if it is one of three tenants displayed on an approved multi-tenant sign.

- (2) One secondary business identification sign per building with a separate side or rear customer entrance as permitted by sections 2208(b) and 2208(c) of this ordinance.
- (3) Subordinate signs as follows:

### SUBORDINATE BUSINESS IDENTIFICATION SIGNS



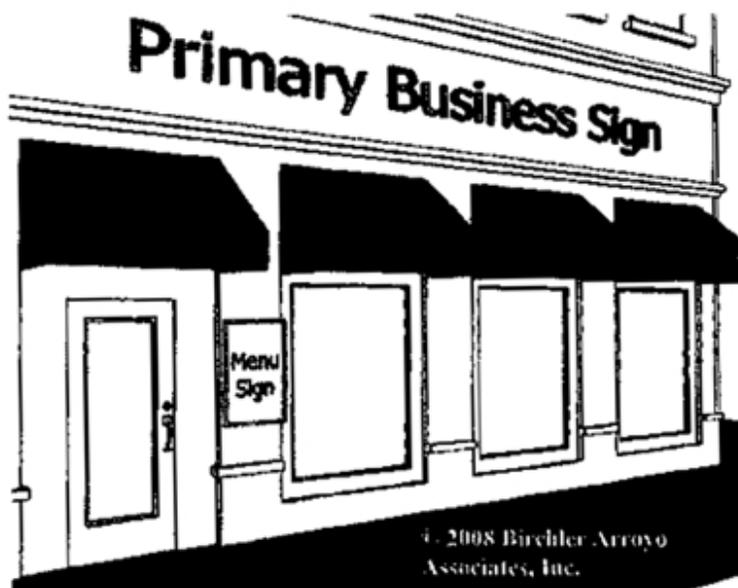
**PROJECTING SIGNS**



**AWNING END CAP SIGN**



DOOR SIGN

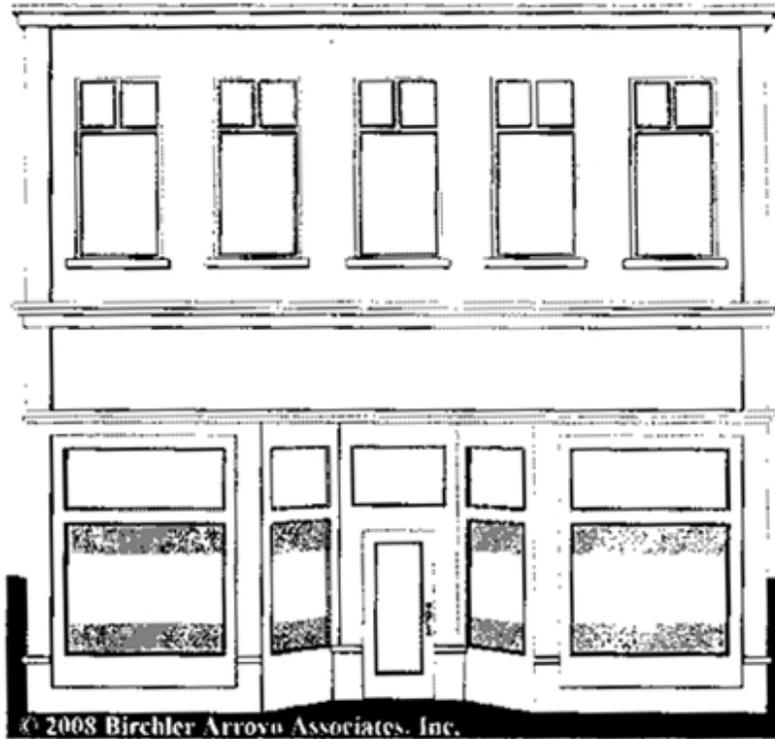


MENU SIGN

- a. One permanent pedestrian-oriented (hanging, projecting, icon, or awning end cap) sign per customer entrance. Each permanent pedestrian-oriented sign shall not exceed four square feet in area per side (maximum eight square feet total for both sides), and must be at least seven feet above the sidewalk.
- b. One door sign per customer entrance to convey the name of the premises, the name of the owner and/or the occupant of the premises, street number and address, phone number, hours of operation, credit cards accepted and similar information. Each door sign shall not exceed two square feet in area and shall be exempt from the calculation of total allowable sign area. The door sign may be lettering applied to the glass or may be a panel affixed to the door or on the wall within 12 inches of the door.

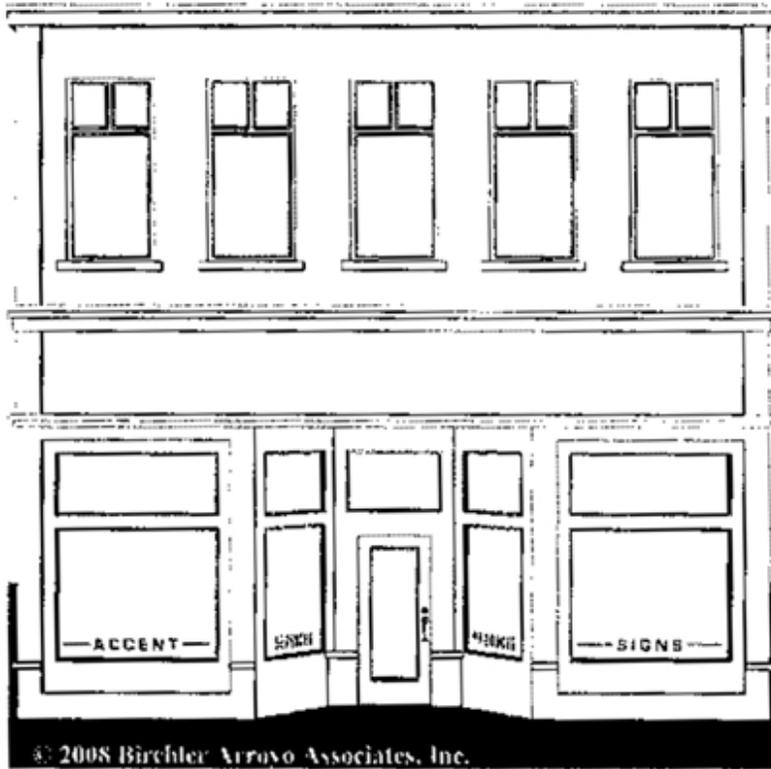
- c. Window accent signs may be permitted on the same sides of the building as the approved primary and/or secondary signs to either identify the business name, products, and services of the primary business or identify the name of a second business that is owned/operated from the same premises, as follows:
1. Window accent signs used to identify the primary business name, products, and services of the primary business shall comply with the following:
    - (i) Letter height shall not exceed eight inches.
    - (ii) The number of lettering styles should be limited and simple typefaces shall be used.
    - (iii) Message shall include not more than two lines of copy.
    - (iv) No message may be mentioned more than once per elevation. The sign official may issue a waiver to allow redundancy where it is determined that the quality of the sign is not negatively impacted.
    - (v) Message shall be placed only within the top 25 percent or bottom 25 percent of any window.
    - (vi) Window accent signs shall not exceed ten percent of each individual window up to a maximum of eight square feet per window and a total of 25 square feet per building facade.

#### **WINDOW ACCENT SIGNS**

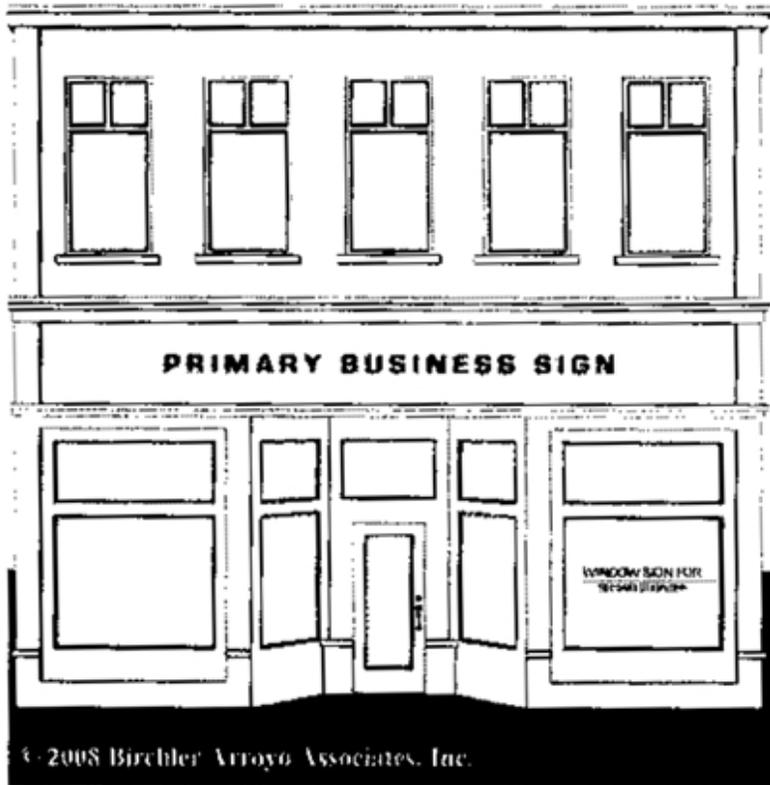


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**WINDOW ACCENT SIGN PLACEMENT  
(for primary business)**



**ACCENT WINDOW SIGN  
(for primary business)**



### **WINDOW ACCENT SIGN (for secondary business)**

2. Only one window accent sign used to identify the name of a second business that is owned/operated from the same premises by the primary business owner/operator may be permitted on the same building facade.
3. All window accent signs shall be designed and located in a manner that will enhance the appearance of the business and shall comply with the following:
  - (i) All window signs shall not exceed ten percent of the total area of all windows located on the same side of the building up to a maximum of 25 square feet per building facade.
  - (ii) Allowable colors include only black, white, gold or a combination of not more than two of these colors. Corporate logos and graphic designs using different colors shall be considered on a case by case basis. The sign official may evaluate the colors based upon compatibility with the design of the building and window displays, and visibility and legibility of the information proposed.
  - (iii) All window signs shall consist of high quality durable materials. Floating neon, applied vinyl, etched glass and painted images with appropriate design features shall be considered.
  - (iv) Window signs shall not obscure the visibility of the store interior or its merchandise displays.
  - (v) Phone numbers are prohibited.
  - (vi)

Borders around or adjacent to and backgrounds behind window sign lettering shall count toward the total sign area.

- d. One menu sign per approved restaurant with table service as follows:
    - 1. Menu signs shall be located in a permanently mounted display box on the surface of the building adjacent to the entry.
    - 2. Menu display boxes shall be constructed of high quality materials, and their size, location, and design shall be appropriate to the character and architectural detail of the building and the character of the restaurant.
    - 3. Menu signs, including display box, shall not exceed six square feet in area.
  - e. One portable pedestrian-oriented sign per building in the CBD District as follows:
    - 1. Portable pedestrian-oriented signs, such as A-frame or sandwich board signs, shall be of one of the following designs: wooden or metal A-frame signs with open bases or shaped silhouette signs made of wood, metal, or similar durable material. Glass, breakable materials, paper, laminated paper, vinyl, plastic, PVC pipe frames, and the like are not permitted materials.
    - 2. Portable pedestrian-oriented signs shall be uncluttered with minimum text. Logos and graphics are encouraged.
    - 3. Portable pedestrian-oriented signs shall not be permanently affixed to any object, structure, or the ground.
    - 4. Portable pedestrian-oriented signs shall not exceed four feet in height nor eight square feet in area.
    - 5. A minimum walking path of five feet shall be maintained on all public sidewalks.
    - 6. Portable pedestrian-oriented signs shall be taken indoors at the close of each business day.
  - f. One nameplate sign per business located in a building fronting on Main Street, including the East Alley and West Alley, within the CBD Zoning District, subject to the following:
    - 1. Nameplate signs shall be located on either the Main Street or Alley side of a building, placed between five and seven feet above the sidewalk and shall not be located on the same side of the building as the entrance to the business.
    - 2. Nameplate signs shall be used to identify only the name and location of the business. Location information may include the address, entrance in rear, entrance from Alley, entrance from Main Street, or the like.
    - 3. Nameplate signs shall be a standard size of 12 inches high by 12 inches wide, constructed of bronze relief, with standard raised black lettering and shall be ordered from a private vendor, coordinated through the Rochester Downtown Development Authority.
    - 4. Placement of more than one nameplate sign on a given building shall require approval of the city administration.
- (4) The total surface area of all signs per building, including advertising signs in parking lots, shall not exceed ten percent of the wall surface area facing the front lot line or

100 square feet, whichever is less. This requirement may only be modified by sections 2208(b) and 2208(c) of this ordinance.

- (5) A primary or secondary business sign attached to the front wall of a building may project not more than one foot into the public right-of-way. Approved pedestrian-oriented signs and approved signs located on awnings are exempt from the one-foot limit.

(Ord. No. 2000-06, pt. 2, 7-24-2000; Ord. No. 2008-02, arts. 2—4, 1-28-2008; Ord. No. 2009-20, § 2207, 10-26-2009; Ord. No. 2010-12, § 2207, 5-10-2010)

### **Sec. 2208. - Additional standards for signs in all nonresidential districts.**

- (a) *Multi-tenant buildings.* All multi-tenant buildings in nonresidential districts shall submit a master sign plan as part of their site plan approval package. The master sign plan shall demonstrate the following characteristics:
- (1) Any freestanding sign shall be designed primarily for identification purposes and shall display only the development name and/or address. The freestanding sign may display only the names of not more than three tenants. Freestanding signs are prohibited in the CBD District.
  - (2) Where individual tenants have their own front wall surface, the individual business signs shall be wall-mounted, in a consistent fashion throughout the multi-tenant building.
  - (3) Shall not include traffic-oriented signs with large amounts of information.
  - (4) Directory signs, located at common entrances to tenant spaces, are encouraged, however, they shall be included in the calculation of total sign area unless they are six square feet or less and not visible from the front lot line.
  - (5) Total sign area shall not exceed 150 square feet for multi-tenant buildings with more than 60 lineal feet on the front wall of the address side.
- (b) *Corner buildings.* Corner buildings, as defined herein, may have two times the sign area permitted for the shorter street frontage or 100 percent of the sign area permitted for the street frontage on the address side, whichever is greater, provided:
- (1) There is a second customer entrance at the side or the rear; or
  - (2) There are merchandise display windows along the side street; and
  - (3) The bonus sign area shall be used for additional identification on the side street or at a rear customer entrance, not to enlarge the primary sign; and
  - (4) Total sign area shall not exceed 100 square feet.
- (c) *Other buildings with multiple street frontage.* Other buildings with multiple street frontage, that is buildings other than corner buildings which buildings have frontage on one street and a public alley or double-frontage lots as defined in this zoning ordinance, may calculate allowable sign area as follows:
- (1) If the building has front and rear customer entrances, then 100 percent of the front street wall area may be counted plus 25 percent of the rear (secondary) street wall area; or
  - (2) If the building has front and rear customer entrances and rear display windows then 100 percent of the front street wall area may be counted plus 50 percent of the rear (secondary) street wall area; and
  - (3) The bonus sign area shall be used for additional identification at the rear customer entrance, not to enlarge the primary sign; and

- (4) Total sign area shall not exceed 100 square feet.
- (d) *Two-story business buildings.* Two-story business buildings shall reserve two-thirds of their allowable sign area for tenants on the first floor and one-third for tenants on the second floor.
- (e) *General requirements.* All business signs shall comply with the color, materials, lettering, content, legibility, and signable area requirements of the City of Rochester sign design guidelines.
- (f) *Temporary window signs.* Not more than 25 percent of the area of any window shall be occupied by temporary window signs. Temporary window signs shall be placed only within the top 25 percent or bottom 25 percent of any window. No temporary window sign shall be displayed for longer than 14 days nor shall it be used solely to display a product name nor shall the same message be displayed more than four times each year. Temporary window signs shall be permitted only for one of the following purposes:
- (1) Temporary new business announcement. Temporary new business announcements only may be displayed longer than 14 days if the business is open and while their current sign permit application is pending.
  - (2) An advance announcement of a new business, such as an "opening soon" message.
  - (3) Announcements for special sales, promotions, events or new services.
  - (4) The following shall be exempt from the requirements of this ordinance: all standard, uniform signs announcing a city-sponsored event or promotion only if distributed by the city in cooperation with the downtown development authority and/or the downtown promotions committee.

(Ord. No. 2005-05, 7-11-2005; Ord. No. 2006-12, 11-28-2006; Ord. No. 2008-03, 2-25-2008; Ord. No. 2009-20, § 2208, 10-26-2009; Ord. No. 2010-12, § 2208, 5-10-2010)

### **Sec. 2209. - Signs for churches, schools, public and institutional buildings in all districts.**

Public buildings, such as schools, city offices, libraries, community centers and other institutional uses shall comply with the following regulations in all zoning 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 a maximum of 100 square feet.
- (2) Freestanding signs and wall-mounted signs shall not exceed 30 square feet in residential zones and 50 square feet in all other districts.
- (3) Public and institutional building signs located within 100 feet of an occupied residence may be illuminated during the public building's hours of operation only with the approval of the sign official. The occupants of the residences within 100 feet of the public building site shall be notified when a request for an illuminated sign has been received.
- (4) If a public or institutional building requires a changeable message board, it shall be incorporated as part of the permanent sign.

(Ord. No. 2009-20, § 2209, 10-26-2009; Ord. No. 2010-12, § 2209, 5-10-2010)

### **Sec. 2210. - Sign permit application requirements.**

- (a) All applications for sign permits shall be made on forms provided by the sign official and shall contain the following minimum information:

- (1) A sketch indicating the location of the subject property and current zoning classification.
  - (2) A calculation of total allowable sign area and description of the methodology used.
  - (3) A scale drawing of each sign, in the colors of the finished sign, indicating the size, shape, message, lettering style, and materials of the finished sign. All required copies must also be in color.
  - (4) Building elevation sketches showing the position and size of each sign on the building and the location and size of any existing sign(s) on the same structure.
  - (5) For freestanding signs, a site plan sketch showing the sign height, location of the sign on the site, and verifying compliance with all setback requirements.
  - (6) If the sign will be illuminated, details regarding the location, type of fixture, color of the illumination, and method of shielding the lighting equipment to prevent glare.
- (b) A master sign plan is required for new development and changes in use that require site plan approval for all multi-tenant buildings, and may be submitted by the property owner and/or 51 percent or more of the tenants of an existing building. All master sign plans shall include the following minimum information:
- (1) All information required in [section 2210\(a\)](#).
  - (2) A proposal describing how and when existing tenants, whose signs are not consistent with the master sign plan, will be brought into conformance.
- (c) All signs must be approved by the sign official either in conjunction with site plan or master sign plan approval, or as a separate sign permit application, unless otherwise provided for in this zoning ordinance. All signs within the Downtown Development District boundaries must also be reviewed by the downtown development director.
- (d) The sign official may approve sign panel replacements, signs covered by an approved master sign plan, and signs with an area of six square feet or less in nonresidential districts.
- (e) The Rochester DDA director is available to meet with applicants and assist them with design review, color and material selection and explanation of design guidelines for all sign applications, among other services. The sign official will provide application materials and instructions.

*(Ord. No. 2009-20, § 2210, 10-26-2009; Ord. No. 2010-12, § 2210, 5-10-2010)*

### **Sec. 2211. - 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 of common carriers.

- (1) Signs posted by duly constituted public authorities in the performance of their public duties.
- (2) Signs located on the rolling stock of common carriers.
- (3) 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.
- (4) Portable real estate signs of six square feet or less and a maximum height of six feet, limited to one per road frontage, and advertising the sale, lease or rental of the premises on which erected.
- (5) 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.

- (6) 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; are limited to two signs per sale location; 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; and may not occupy a public right-of-way.
- (7) A single sign for each customer entry, having an area not more than two square feet, to convey only the street number and address, hours of operation, credit cards accepted and similar information shall be exempt from the calculation of total allowable sign area.
- (8) On-premises temporary window signs 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 in which they are displayed, and where the display will not last longer than 14 days.
- (9) Wall signs not exceeding six square feet and indicating only the date of erection of a building.
- (10) The flag of any nation, state political subdivision, or governmental entity respectfully displayed.
- (11) In order to ensure that temporary political signs are situated in appropriate locations and relationships, and to prevent the overcrowding and congestion of individual properties and neighborhoods with excessive numbers of signs, the following regulations shall apply:
  - a. No such signs shall be illuminated.
  - b. No such sign shall be placed in or project into a public right-of-way except on election days at polling places located on city property but not earlier than 12:00 [midnight] nor later than 11:59 p.m. after which time the sign shall be removed.
  - c. Such signs shall only be placed on private property with the prior permission of the property owner.
  - d. No such sign located in any district shall have a surface area of more than six square feet per sign, as measured on one side of two-sided sign. There shall be not more than one such sign per candidate and per position on any ballot proposal-proposition located on any parcel of property in single ownership.
  - e. Any sign advertising a candidate for political office or stating a position on a ballot proposal shall not be erected:
    1. In the case of a primary election, not more than 60 days prior to the date of said election and shall be removed within 72 hours after the primary election for both successful and unsuccessful candidates and propositions; and
    2. In the event of any general election, not more than 60 days prior to the date of said election and shall be removed within 72 hours after the general election.
  - f. No such signs 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.
  - g. The painting of any such sign on the exterior surface of any building or structure is prohibited.
  - h.

No such sign shall be placed closer than ten feet to the right-of-way of any street nor shall it extend in height more than six feet above the average grade of the front lot line.

- (12) A single, temporary construction sign is permitted during actual construction in any district subject to the following:
- a. A building permit is required prior to installation of all temporary construction signs. In nonresidential districts, all construction signs shall comply with the maximum sign area, maximum height, placement, and setback requirements for permitted accessory signs in the zoning district in question.
  - b. In residential districts, temporary construction signs for an individual residence shall not exceed a total sign area of six square feet for a one-sided sign or 12 square feet for a two-sided sign.
  - c. Temporary construction signs for a residential development of two or more units shall not exceed 12 square feet for a one-sided sign or 24 square feet for a two-sided sign.
  - d. All temporary construction signs shall be removed when construction ceases for 90 days or after a certificate of occupancy has been issued.
- (13) In nonresidential districts, signs advertising buildings for sale or for lease shall comply with the following:
- a. Buildings for sale or for lease may display one sign per street or alley upon which the building fronts; however, no building shall display more than two such signs.
  - b. Freestanding for sale or for lease signs shall comply with all setback requirements established for permanent signs.
  - c. Signs regulated by this section may include one square foot of sign area per foot of street and/or alley frontage, to a maximum of 30 square feet per sign.
  - d. Buildings with individual leasable units facing a street or alley may have one sign on the face of each leasable unit, subject to the size limitation of subsection (13)c of this section.
  - e. Freestanding signs regulated by this section shall not exceed six feet in height. Signs attached to the building shall not project above the roof by more than one foot.
  - f. Permanent signs advertising space available for lease or rent shall be displayed flat against the wall of the building and shall not exceed six square feet.
- (14) Ambulatory signs, located on or carried by a person, are permitted provided the following standards are adhered to:
- a. An ambulatory sign shall be no wider than 30 inches nor taller than 48 inches, in order to prevent it from becoming a hazard on the public sidewalk or to the person carrying the sign.
  - b. An ambulatory sign shall not be fastened to a pole or similar device designed to permit the person carrying the sign to raise it above that person's shoulder height or to wave or otherwise move the sign in a manner that might be dangerous to persons on the public sidewalk or on the public streets.
  - c. An ambulatory sign shall not be carried in a manner that effectively blocks or interferes with another person's use of a public or private sidewalk.
  - d.

An ambulatory sign shall not be carried in a manner that effectively blocks or interferes with the clear vision area at any intersection of two streets or a street and a driveway.

- e. An ambulatory sign shall not be carried in a manner that effectively blocks the entrance to or exit from any building.
- f. An ambulatory sign shall not be carried in a manner that constitutes an offense, an annoyance or causes injury to pedestrians on the public sidewalk or drivers on the public streets.

*(Ord. No. 2008-02, art. 5, 1-28-2008; Ord. No. 2008-03, § 2205, 2-25-2008; Ord. No. 2009-20, § 2211, 10-26-2009)*

### **Sec. 2212. - Review, approval and appeals.**

- (a) All signs must be approved by the sign official, who shall be appointed by the city manager. All signs within the Downtown Development District boundaries must also be reviewed by the downtown development director, who shall advise the sign official of any comments or concerns the director may have. Should an applicant wish to have the planning commission review the sign request after denial by the sign official, the applicant shall file such request with the planning commission within 15 days of the sign official's decision. Such a review by the planning commission shall be a full review of the sign application and not an appeal of the sign official's decision. All appeals from the planning commission's decision, and all requests for variances from the sign ordinance requirements, shall be made to the zoning board of appeals within 20 days of the planning commission's decision on the sign application. Such appeal or request for a variance shall be pursuant to [section 3001](#) [of the zoning ordinance].

*(Ord. No. 2010-12, § 2212, 5-10-2010)*