



CITY of NOVI CITY COUNCIL

Agenda Item D
February 7, 2011

SUBJECT: Approval of City Code Amendment 11-100.40 in order to include definitions and standards to permit promotional wall signs in the EXO District. **SECOND READING**

SUBMITTING DEPARTMENT: Community Development Department - Planning

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

The applicant is proposing modifications to Chapter 28, "Signs" of the City of Novi City Code to allow promotional signs in the EXO District along freeways. This would be in addition to the ground and/or wall signs already permitted in that district. Staff has reviewed the amendment and recommends approval with some revisions, most of which the applicant has agreed to. The Planning Commission held the public hearing for and reviewed the proposed amendment on January 12, 2011 and recommended approval.

The City Council considered the first reading of the amendment on January 24, 2011 and approved the applicant and Planning Commission version of the amendment with some minor changes. Draft meeting minutes are attached. The proposed amendment, including the revisions recommended by the City Council at the first reading, includes the following:

- *Permitted Districts and Uses:* Promotional wall signs would be added to Section 28-1, "Definitions" and permitted for exposition facilities only, in the EXO, Exposition Overlay District. Promotional wall signs could advertise upcoming or ongoing events only.
- *Sign Size:* Allowable signs could be up to 360 square feet.
- *Number of Signs:* Exposition facilities 150,000 square feet and larger would be allowed up to four signs. Promotional signs would not be permitted on facilities less than 150,000 square feet.
- *Placement:* Promotional wall signs could only be placed on those sides of a building without an existing wall sign, thereby allowing more than one promotional wall sign on a building side, and could only be placed on the side of a building adjacent to an interstate freeway.

A revised version of the amendment incorporating the changes from the approval of the first reading is attached. Changes are denoted in blue text. The most substantial of the changes since the First Reading include the following:

- Further clarification that promotional wall signs shall be exclusively for the identification of on-premises events and that those signs shall not contain any information other than that specifically related to the event being promoted. The definition goes on to indicate that an event sponsor may be identified on the sign in a manner ancillary to the identification of the event.
- The ordinance now indicates that the placement of the promotional wall sign shall only be located on a building side that is adjacent to an interstate freeway.
- The ordinance specifies that the promotional wall sign shall be removed within a reasonable period of time, and not to exceed two weeks after the conclusion of the event being promoted.
- The unnecessary reference to buildings no less than 75,000 square feet in size has now been removed from the proposed ordinance changes.

RECOMMENDED ACTION: Approval of City Code Amendment 11-100.40 in order to include definitions and standards to permit promotional wall signs in the EXO District. **SECOND READING**

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Fischer				
Council Member Margolis				

	1	2	Y	N
Council Member Mutch				
Council Member Staudt				
Council Member Wrobel				

IA & IB

COMING SOON
NOVI BOAT SHOW
FALL REMODELING EXPO



J.A. & J.B.



NOW SHOWING

SE MICHIGAN
**GOLF
SHOW**

automotive
testing EXPO 2010
north america

Temporary Demonstration Sign



Proposed Signage Locations

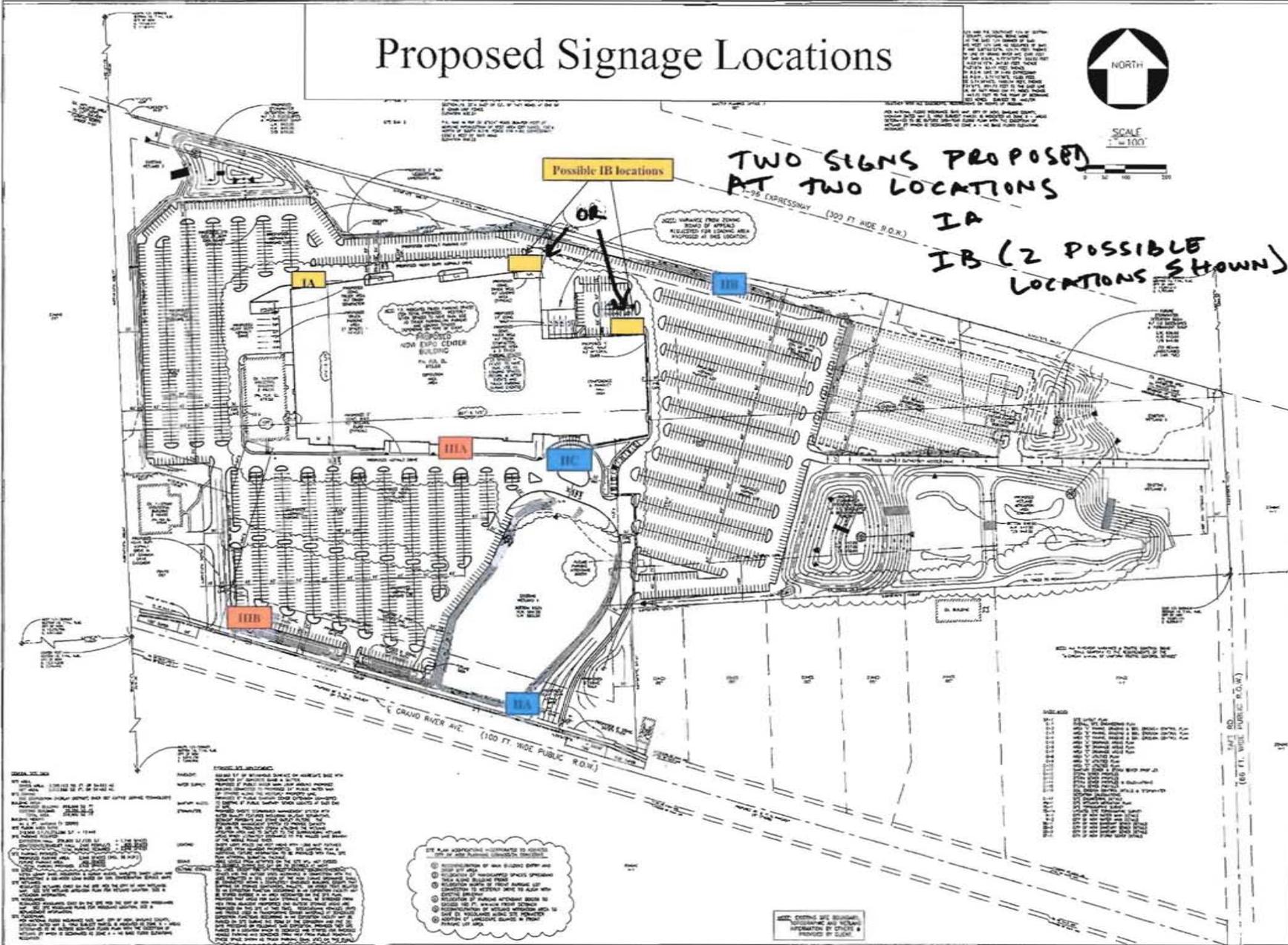


SCALE
1" = 100'

TWO SIGNS PROPOSED AT TWO LOCATIONS
IA
IB (2 POSSIBLE LOCATIONS SHOWN)

Possible IB locations

MIN. SPACING FROM ZONING BOARD OF APPEALS REQUIRED FOR SIGNING AREA SHOWN AT THIS LOCATION



GENERAL NOTES

1. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.
2. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.
3. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.
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9. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.
10. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.

IF A SIGN IS PROPOSED TO BE INSTALLED IN A SIGNING AREA, THE SIGNING AREA SHALL BE MAINTAINED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.

ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE CITY OF NOVI, MICHIGAN.

ENVIRONMENTAL ENGINEERS, INC.

PROJECT NO. 15-000000-0000
 SHEET NO. SP-1

Title: **Exposition, Convention and Conference Center**
 North side of Grand River, between Taft and Beck Roads
 Section 16
 City of Novi, Oakland County, Michigan

NO.	DESCRIPTION	DATE
1	DESIGNED BY	
2	CHECKED BY	
3	APPROVED BY	
4	DATE	

SIT
 LAYOUT PLAN
 SP-1

**PROPOSED ORDINANCE AMENDMENTS –
STRIKE VERSION**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 11-100.40

AN ORDINANCE TO AMEND CHAPTER 28, "SIGNS," OF THE CITY OF NOVI CODE, AT SECTION 28-1, "DEFINITIONS" AND AT SECTION 28-5, "PERMITTED ACCORDING TO DISTRICT" IN ORDER TO INCLUDE DEFINITIONS AND STANDARDS FOR A PROMOTIONAL WALL SIGN.

THE CITY OF NOVI ORDAINS:

Part I. That Chapter 28, "Signs," of the City of Novi Code, at Section 28-1, "Definitions" and at Section 28-5, "Permitted according to district" is hereby amended to read as follows:

Sec. 28-1. Definitions.

(25) Promotional wall sign means a sign which that is attached directly to a building wall which and that does not project more than eighteen (18) inches therefrom, and including the entire surface excluding any frame, of which sign is intended to change on a regular basis in order to promote specific events to be held for a short, set period of time at the building on which the sign is displayed. A promotional wall sign shall be exclusively for the identification of on-premises events and shall not contain any information other than that specifically advertising related to the event being promoted; provided, however, that an event sponsor may be identified in the sign in a manner ancillary to the identification of the event. The exposed face of the sign shall must be in a plane parallel to the wall of the building. The sign shall not extend above the height of the wall on which it is placed. A promotional wall sign shall may not be an animated sign, changeable copy sign, and/or flashing sign. Promotional wall signs are only permitted in the EXO district subject to the standards of Sec. 28-5.

Sec. 28-5. Permitted according to district.

The following types of signs, illuminated or unilluminated, shall be permitted in the following districts and in limited number, in accordance with the following regulations:

(1) *Types of signs permitted in each district:*

- a. [unchanged].
- b. [unchanged].
- c. [unchanged].
- d. In B-1, B-2, B-3, FS, RC, NCC, C, and EXPO ~~, and EXO,~~ on-premises advertising signs as follows:

- 1.- 4. [unchanged].
- e. [unchanged].
- f. In any parking district (P1):
 - 1. [unchanged].
 - 2. Signs as noted in section 28-7;
- g. In any ~~EXPO and~~ EXO district on-premises advertising signs as follows:
 - 1. Business sign: Ground signs, wall sign or canopy sign;
 - 2. Business center sign: Ground sign only;
 - 3. Temporary signs as noted in section 28-6;
 - 4. Signs as noted in section 28-7;
 - 5. Promotional wall sign (s) as noted in section (2) g., below.

(2) *Area height and placement regulations:*

a.- f. [unchanged].

g. Promotional wall sign:

1. Area:

(a) Exposition facilities within the EXO District: Promotional wall signs shall be permitted up to three-hundred and sixty (360) square feet when displayed on a building operating as an exposition facility within the EXO District.

2. Height: A promotional wall sign shall not extend above the height of the wall on which the sign is located.

3. Placement: A promotional wall sign shall be placed as provided in the definition of "promotional wall sign" in section 28-1. A promotional wall sign shall only be located a building side adjacent to an interstate freeway and shall not be located on the same side of the building as an existing wall sign. The sign shall be removed within a reasonable period of time, not to exceed two (2) weeks, after the conclusion of the event being promoted.

(3) *Number of on-premises advertising signs permitted: No building or parcel of land shall be allowed more than one (1) sign permitted under this section, except as follows:*

a.- .l [unchanged].

m. Promotional wall signs are not permitted except on approved exposition facilities in the EXO district of one-hundred fifty thousand (150,000) square feet in size or larger. Up to four (4) promotional wall signs are permitted. One promotional wall sign shall be permitted if the building is no less than seventy-five thousand (75,000) square feet in size. Four promotional wall

~~signs shall be permitted if the building is no less than one hundred fifty thousand (150,000) square feet in size.~~

(4) – (5) [Unchanged.]

PART II.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV.

Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V.

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ___ DAY OF _____, 2011.

DAVID LANDRY, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent:

**PROPOSED ORDINANCE AMENDMENTS –
CLEAN VERSION**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 11-100.40

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The following types of signs, illuminated or unilluminated, shall be permitted in the following districts and in limited number, in accordance with the following regulations:

(1) *Types of signs permitted in each district:*

- a. [unchanged].
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- d. In B-1, B-2, B-3, FS, RC, NCC, C, and EXPO on-premises advertising signs as follows:

1. – 4. [unchanged].

e. [unchanged].

f. In any parking district (P1):

1. [unchanged].
2. Signs as noted in section 28-7;

g. In any EXO district on-premises advertising signs as follows:

1. Business sign: Ground signs, wall sign or canopy sign;
2. Business center sign: Ground sign only;
3. Temporary signs as noted in section 28-6;
4. Signs as noted in section 28-7;
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(4) – (5) [Unchanged.]

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Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

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Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V.

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ___ DAY OF _____, 2011.

DAVID LANDRY, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent:

**CITY COUNCIL
DRAFT MEETING MINUTES – EXCERPT
JANUARY 24, 2011**

DRAFT EXCERPT FROM
REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JANUARY 24, 2011 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD

Mayor Landry called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry, Mayor Pro Tem Gatt, Council Members Fischer, Margolis, Mutch, Staudt, Wrobel

ALSO PRESENT: Clay Pearson, City Manager
Victor Cardenas, Assistant City Manager
Tom Schultz, City Attorney
Rob Hayes, Public Services Director
Brian Coburn, Engineering Manager

4. Consideration of City Code Amendment 11-100.40 in order to include definitions and standards to permit promotional wall signs in the EXO District. First Reading

CM-11-01-014 Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY: To approve the Consideration of City Code Amendment 11-100.40 in order to include definitions and standards to permit promotional wall signs in the EXO District. First Reading.

DISCUSSION

Mr. Pearson said this was at the request of the property owner who wanted consideration of the temporary promotional signs. He said it was presented to the Planning Commission who gave it a positive recommendation.

Member Mutch wanted to clarify with Blair Bowman, the applicant, whether he wanted 2 large signs or 4 smaller signs. Mr. Bowman said the question posed to him what if he was ok with 2 signs or 4 signs. He said he was not ok with having 2 of the smaller size. He said he believed 4 signs would help them disseminate information, especially when more than one show was going on. He said if he only had 2 signs, he wouldn't be able to help promote upcoming events. He said because they have multiple events at multiple times, having the ability to rotate them in on 4 panels was critical. Member Mutch asked if 4 was his minimum amount. Mr. Bowman said that would be sufficient. He said it would allow them to give the general public information safely and effectively about what's happening at the event. Member Mutch said another item referenced in the minutes was that Mr. Bowman was looking to have the signs on the freeway side of the building. He said they were seeing, in the mockups, on several sides of the building. Mr. Bowman said their intent on the mockups that were

submitted was a grouping of 2 on the east side and a grouping of 2 on the west side of the expressway face of the building. He said the only difference was there were two possibilities on the east side, one which was the easterly most face of the bump out which was the showplace show halls or the easterly most edge of the Diamond center portion of the facility which would be the furthest east edge, and was further away from the expressway. He said one was more blocked by trees and the other was further from the expressway. Member Mutch said one of the concerns he had was that the language didn't limit the sign locations to the expressway side. Mr. Bowman said he would be ok with some type of limitation in the language. Member Mutch said he was concerned about having the signs turn up all the way around the perimeter of the building. Mr. Bowman said he would be fine with that limitation particularly for that component. He said the other signage issues they were going to ask the City to consider were that they would like to have something on the Grand River face of the building that differentiates between the 2 components of the building. Member Mutch wanted to clarify how many sign requests the applicant had. Mr. Bowman said he had submitted a map which proposed to expand the current marquis with a panel that would include the Diamond Center as it currently has no signage. There would also be a panel that would be dedicated for the future hotel. The far west entrance had nothing but was the larger entrance, though wasn't frequently used because the public travels to the signalized entrance. He said it didn't help them disperse the traffic flow and they would like to capture as many of the eastern bound travelers by adding a sign indicating it was the west entrance. He said for each of the two components inside the building, one would be on the portico shared main entrance and conference center and an identification sign over the main entrance to the showplace. He said it was just enough to provide the motoring public the indication on where they were going and then when they came in either entrance, they would know which way to go. Member Mutch said some of the proposals weren't in the scope of what they were discussing for the ordinance amendment, but appreciated knowing what the overall signage package would evolve into if they go along the lines of what Mr. Bowman had talked about. He said the last question he had was how frequently the signs would be changing. Mr. Bowman said it would depend on the time of year and the amount of events that were occurring. Member Mutch said one of the concerns was having the signs up there for a significant amount of time. Mr. Bowman said the material had about a 3 year life span and if they were only having them up for a month or 5 weeks, they would be able to re-use the signage. Member Mutch asked in terms of the current language, are the signs limited to the shows that were associated at the site. He wanted to know if they would get into a situation for example where Coca-Cola wanted a sponsorship opportunity and it was financially enticing to the applicant. Mr. Schultz said the definition of promotional signs indicated they had to be tied to a particular event. Member Mutch said he was more concerned with off-site sponsor advertising. Mr. Schultz said they could look at the outer length and make sure there was a closer connection to a particular event. He said it currently said it had to be tied to a particular event. Member Mutch said he would be less concerned as long as there was a connection to the center and activities going on versus it turning into a mini billboard. He said they were open to some alternatives but were not looking for a proliferation of advertising separate from the center. Mr. Schultz said the intent was for it to be for the center and related to the event.

Member Margolis said the language allowed for promotional signs but not on the same side as an existing wall sign. She said that was saying they could have 4 signs on the whole building

as long it was not on the same side where there was a wall sign. She said one of the pictures they saw was of two signs side by side on both sides of the building. Mr. Bowman said they would be positioned that way for the look. Member Margolis said there was nothing in the ordinance to stop them having 4 signs across the building. Mr. Schultz said that was correct as there was not a location indication. Mr. Bowman said that was a good point to bring up because he could say they were looking to put them in frames and identify the positioning, but because of the experience they had with the temporary mockup clearly demonstrated they needed to be formally affixed. He said he would be willing to say it would only be on the expressway side of the building because it was always his intent. Member Margolis said she was ok with it, but wanted to be sure she understood the intent. She said she was ok with going ahead with the first reading.

Member Wrobel said he had no issue with the 4 promotional signs, especially if they could say they were on the expressway side, as long as they were for an event related signage, and as long as they were taken down in a timely manner. Mr. Bowman wanted to clarify there would be instances where a show would have sponsors. Mr. Wrobel said he understood as that was part of the event.

Member Fischer asked if it was his intent to have any type of advertisement other than discussed. Mr. Bowman said they are a Pepsi facility and were talking about the extension of that arrangement. He said their intent was to deliver a simple, clear, concise message on a particular event and no general advertisement. Member Fischer said as far as the sides of the building, he would prefer not to see anything on the Grand River thoroughfare. He said he would support the reading as presented.

Member Mutch wanted to clarify the language in Subsection M that talked about the building size and allowing a certain amount of size based on the square footage. He said he wasn't clear why that section was there because there is only one EXO district and one significant building in that district. Mr. Schultz said he couldn't speak to the intent behind it as to how it was originally drafted like that. He said clearly the four signs would apply.

Roll call vote on CM-11-01-014

**Yeas: Staudt, Wrobel, Landry, Gatt, Fischer,
Margolis, Mutch**

Nays: None