

OWOSSO

Planning Commission



Regular Meeting
6:30pm, Monday, May 22, 2017
Owosso City Council Chambers



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: May 18, 2017
TO: Chairman Wascher and the Owosso Planning Commission
FROM: Susan Montenegro, asst. city manager/director of community development
RE: Regular Planning Commission Meeting: May 22, 2017

The planning commission shall convene at 6:30 pm on Monday, May 22, 2017 in the city council chambers of city hall.

On the schedule is a site plan review for RWI Manufacturing at their 705 McMillan site. Additionally, we have a public workshop for viewing and discussion of the proposed sign ordinance. I have included a document on the ability for a municipality to prohibit offensive signs...it's a pretty interesting read!

Please **RSVP for the meeting.** Feel free to contact me at 989.725.0544 if you have questions.

Sue

AGENDA
Owosso Planning Commission
Regular Meeting
Monday, May 22, 2017 at 6:30 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

CALL MEETING TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA: May 22, 2017

APPROVAL OF MINUTES: April 24, 2017

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes from April 24, 2017.
3. Site plan application and materials for 705 McMillian Street (RWI).
4. Sign ordinance – revised language.
5. Public workshop notice to repeal and replace the current sign ordinance.

COMMISSIONER/PUBLIC COMMENTS:

PUBLIC WORKSHOP:

1. Current sign ordinance repeal and replacement.

SITE PLAN REVIEW:

1. 745 McMillian Street – Tri-Mer Corporation

BUSINESS ITEMS:

1. Sign ordinance revisions. Determine if the proposed sign ordinance is complete in its revisions and is ready to go to city council.

ITEMS OF DISCUSSION:

None.

COMMISSIONER/PUBLIC COMMENTS:

ADJOURNMENT: **Next meeting will be Monday, June 26, 2017**

Commissioners, please call Sue at 725-0544 if you will be unable to attend the meeting on Monday, May 22, 2017.

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500]. The City of Owosso website is: www.ci.owosso.mi.us

Affirmative Resolutions
Owosso Planning Commission
Regular Meeting
Monday, April 24, 2017 at 6:30 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

Resolution 170522-01

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the agenda of May 22, 2017 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 170522-02

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the minutes of April 24, 2017 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 170522-03

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the application for site plan review for 705 McMillan Street, parcel # 050-010-008-002-00 as applied and attached hereto in plans dated April 27, 2017 based on the following criteria:

-

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OR

The Owosso Planning Commission hereby denies the application for site plan review for 705 McMillan Street, parcel # 050-010-008-002-00 as applied and attached hereto in plans dated April 27, 2017 based on the following criteria:

-

-

Ayes: _____

Nays: _____

Approved: ____

Denied:____

Resolution 170522-04

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves/denies changes repealing and replacing Chapter 26, Signs, of the *Owosso Code of Ordinances* and moves to send the ordinance amendment recommendation to the Owosso City Council.

Ayes: _____

Nays: _____

Approved: ____

Denied:____

Resolution 170522-05

Motion: _____

Support: _____

The Owosso Planning Commission hereby adjourns the May 22, 2017 meeting, effective at _____pm.

Ayes: _____

Nays: _____

Approved: ____

Denied:____

**MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
MONDAY, APRIL 24, 2017 – 6:30 P.M.**

CALL TO ORDER: Chairperson Bill Wascher called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Recited.

ROLL CALL: Tanya Buckelew, Recording Secretary.

MEMBERS PRESENT: Chairperson Bill Wascher, Commissioners Tom Cook, Dan Law, Frank Livingston, Brent Smith and Tom Taylor.

MEMBERS ABSENT: Vice-Chair Craig Weaver, Secretary Jane Fear, Commissioner Michelle Collison

OTHERS PRESENT: Scott Perrin, Mark Perrin (Perrin Construction), Susan Montenegro, Assistant City Manager/Director of Community Development.

APPROVAL OF AGENDA:
MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER COOK TO APPROVE THE AGENDA FOR APRIL 24, 2017.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY COMMISSIONER LIVINGSTON SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE MINUTES FOR THE MARCH 27, 2017 MEETING.

YEAS ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes from March 27, 2017.
3. Site plan application and materials for 745 McMillan Street (Tri-Mer)
4. Sign Ordinance – revised language

COMMISSIONER/PUBLIC COMMENTS

None.

PUBLIC HEARINGS:

None.

SITE PLAN REVIEW:

1. 745 McMillan Street – Tri-Mer Corporation Parcel # 050-010-008-001-00
Perrin Construction present to discuss the addition of a 9,600 square foot addition to the current location. This addition will be mainly used for storage of pollution control equipment manufactured in adjacent buildings. This new addition will be connected to the current structure; the existing wall between the proposed building and original building will be removed. Additional parking to the north will be added increasing the spaces from 14 to 34. Retention pond will be expanded. Roof water travels through underground pipe to retention pond to the creek/ditch.

Site Plan meets all requirements of the code for an I-2 district.

Building – no concerns with site plan as presented. Full construction review will take place when construction drawings are received.

Utilities – No conflicts, no issues to address at this time. Storm detention volume is more than 2.5 times 10-year storm event, appears adequate.

Engineering – No concerns with site plan as presented.

MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER SMITH TO APPROVE THE SITE PLAN AT 745 MCMILLAN STREET, PARCEL # 050-010-008-001-00 AS APPLIED AND ATTACHED HERETO IN PLANS DATED MARCH 30, 2017.

ROLL CALL VOTE:

AYES: COMMISSIONERS COOK, LAW, LIVINGSTON, SMITH, TAYLOR AND CHAIRPERSON WASCHER.

NAYS: NONE

MOTION PASSED

Ms. Montenegro informed the Commissioners of possibly needing a special meeting on May 8, 2017. Perrin Construction is also working on plans for the RWI building (next to Tri Mer). Time did not allow for the plan to be presented at tonight’s meeting.

BUSINESS ITEMS:

None.

ITEMS OF DISCUSSION:

Continuation of Sign Ordinance Updating

Ms. Montenegro included a draft version of the proposed new Sign Ordinance.

Items highlighted in yellow, are still in progress.

Diagram added to the last page, showing the various types of signs.

Sec. 26-20 Off-Premise Signs added.

Sec. 26-1 Added wording regarding this ordinance follows the current Michigan Building Code.

Sec. 26-21 page 14 c - Added wording on the Downtown Historic District so customers are aware of the district and the additional approval is needed. And change the word repair to modification of existing signage.

Sec. 26-21 page 13 (8) delete Electronic changeable message signs and gasoline price signs shall use only one color of lighting or bulbs to prevent nuisances and distractions upon adjoining properties and thoroughfares.

Sec. 26-21 page 12 Add Home Occupations: Allow 1 sign per house. Not to exceed 2' x 3' wall sign that is flush to the building and cannot be in the yard. If it is illuminated, follow Sec. 26-20 – Off-Premise signs #4 Illumination.

Sec. 26-20 page 11 B – 4: Discussion held regarding flashing, fade in or out or scroll and message shall remain readable for at least six (6) seconds. Need language to be sure to cover if a sign gets to be too “flashy.” Ms. Montenegro to look for additional language to regulate signs for inappropriateness, distracting.

Changes will be made to the draft version of the Sign Ordinance and presented at the May 22, 2017 meeting for a Public Workshop, after which it is presented to Council.

COMMISSIONER/PUBLIC COMMENT: Chairperson Wascher spoke of the Holland Tulip Festival Parade and how they changed it so people cannot hold spots/set up chairs before 6AM on the day of parade. Does Owosso have anything like this? Ms. Montenegro stated not in the ordinances, public safety may have rules regarding it.

ADJOURNMENT:

MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO ADJOURN AT 7:20 P.M. UNTIL THE NEXT MEETING ON MAY 22, 2017.

YEAS ALL, MOTION CARRIED.

Janae L. Fear, Secretary

tsb

OFFICIAL NOTICE OF CITY OF OWOSSO

ORDINANCE AMENDMENT WORKSHOP

A public workshop will be held on Monday, May 22, 2017 at or about 6:30 pm to receive citizen comment regarding the proposal to repeal and replace Chapter 26, Signs, of the Code of the City of Owosso. The proposed ordinance is intended to replace Chapter 26 bring the sign ordinance into compliance with the U.S. Supreme Court decision in *Reed et al. v. The Town of Gilbert, AZ*. A complete copy of both ordinances is available in the city clerk's office, located at 301 W. Main Street.

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday, May 22, 2017. The meeting will be held in the lower level of the Owosso City Hall at or soon after 6:30 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the city clerk's office at city hall or to Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time prior to the meeting.

Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager / Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy K. Kirkland, City Clerk, 301 West Main Street, Owosso, MI 48867 or at (989) 725-0500. The City of Owosso Website address is www.ci.owosso.mi.us.

ARTICLE XXII. - SIGNS

Chapter 26 - SIGNS

ARTICLE I. – MICHIGAN BUILDING CODE

Sec. 26-1. - Adoption of Michigan Building Code.

The current edition of the Michigan Building Code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

Secs. 26-2, 26-4. - Reserved.

ARTICLE II. - IN GENERAL

Sec. 26-5. – Short title.

This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

Sec. 26-6. - Purpose.

The purpose of this article is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this article; and enhance the aesthetic appearance and quality of life within the city. The standards contained herein are intended to be content neutral.

These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the city so as to:

- a. Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
- b. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- c. Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values and quality of life.
- d. Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.
- e. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
- f. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- g. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- h. The regulations and standards of this article are considered the minimum necessary to achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.

- i. Prevent off-premises signs from conflicting with other allowed land uses.
- j. Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- k. Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
- l. Preserve and enhance the image of the city's Central Business District.

Sec. 26-7. - Applicability; effect and scope.

A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

The effect of the chapter as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter.
- (2) To allow signs that are small unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits.
- (3) To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way.
- (4) To prohibit all signs not expressly permitted by this chapter.
- (5) To provide for the enforcement of the provisions of this chapter.

Sec. 26-8. - Reserved.

ARTICLE III. - DEFINITIONS

Sec. 26-9. - Sign definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

Abandoned sign. Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Administrator. The building official or his designated representative within the building department.

Alteration. Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

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

Animated sign: A sign which 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.

Awning or canopy sign: A non-rigid fabric marquee or awning-type structure which is attached to the building by supporting framework, which includes a business identification message, symbol and/or logo. See "wall sign."

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Billboard: A sign separate from a premises erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located. Permitted off-premises

directional signs shall not be considered billboards for the purpose of this article.

Building marker. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Business center: A grouping of two or more business establishments on one or more parcels of property which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of businesses. A business center shall be considered one use for the purposes of determining the maximum number of ground signs. An automobile or vehicle dealership shall be considered a business center regardless of the number or type of models or makes available, however, used vehicle sales shall be considered a separate use in determining the maximum number of signs, provided that the used vehicle sales section of the lot includes at least 25 percent of the available sales area.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually, including time/temperature signs; also called menu board, reader board or bulletin board.

Combination sign. Any sign which combines the characteristics of two (2) or more signs.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs. Business identification or logo on such a sign is considered and calculated as part of the allowable square footage for a ground sign.

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

Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other entity.

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Freestanding sign: A sign which is erected upon or supported by the ground, including "pole or pylon signs" and "ground 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 or monument sign: A three-dimensional, self-supporting, base-mounted freestanding identification sign, consisting of two or more sides extending up from the base, and upon which a message, business, group of businesses or center name is affixed.

Identification sign. Also a "nameplate" sign or "information" sign with only name and address of occupant on the sign bearing no advertising message or logo.

Illegal sign: A sign which does not meet the requirements of this article and does not have legal nonconforming status.

Illuminated sign. Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

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, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

Integral sign: A memorial sign or commemorative tablet which contains names of buildings, dates of erection, and monumental citations.

Luminous tube: See "neon" and "outline tubing sign."

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

Maintenance. For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent roof-like structure or canopy, supported by and extending from the face of the building. A marquee sign is a sign attached to or supported by a marquee structure.

Menu board, reader board, or bulletin board: See "changeable message sign."

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. This definition does not include "changeable message signs."

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 nonelectric, on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Neon sign: See "outline tubing sign."

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this article, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

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

Off-premises sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g. billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

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. See "neon" and "luminous tube".

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

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.

Pennant. Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Permanent sign: A sign designed to be installed permanently in the ground a minimum of 42 inches deep by use of a steel post, wood post or other appropriate materials.

Political sign: A temporary sign used in connection with local, state, or national elections or referendums.

Portable sign: A sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas-filled balloons, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, nongovernment flags, and searchlights; but excludes political signs, real estate signs, construction signs, permanent changeable message signs, and regulatory/government signs.

Poster panel sign: 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.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Programmable display sign. An animated sign, including LED's, made up of a field of individual electronic elements or mechanical grids that, when programmed and activated, create still or moving images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than 12 inches beyond such building or wall.

Public sign: A sign erected in the public interest by or upon orders from a city, 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.

Pylon or pole sign: A sign supported on the ground by a pole, braces, or monument, and not attached to any building or other structure.

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.

Real estate open house sign: Temporary signs which advertise and direct the public to an open house for a building which is available for sale or lease, with the event held on a specific day.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

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 roofline or is erected over the surface of the roof.

Rotating sign: See "moving sign."

Sign: Any device, structure, fixture, figure, symbol, banner, pennant, flag, balloon, logo, or placard consisting of written copy, symbols, logos and/or graphics, designed for the purpose of bringing attention to, identifying or advertising an establishment, product, goods, services, or other message to the general public. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk, alley, park, or public property, but not signs which are primarily visible to and directed at persons within the premises upon which the sign is located.

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 such as a garage or estate sale.

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

Vehicle sign: Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes, rather than for transportation purposes.

Wall sign: A sign attached parallel to and extending not more than 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.

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.

Sec. 26-10. - Reserved.

ARTICLE IV. - GENERAL PROVISIONS

Sec. 26-11. – Permits required and fees.

It shall be unlawful for any person to erect, re-erect, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.

Sec. 26-12. – Sign erector qualifications.

The administrator shall evaluate, authorize or deny as a part of the permit the person assigned to the installing of, erecting, maintaining, repairing or altering a sign. The authorization of the erector shall be based on the administrator's evaluation of the direct experience of the person specified for the sign work. Notwithstanding the previous sentences, a person does not undergo evaluation to install a nonelectrical sign, provided the sign does not exceed an area of thirty-two (32) fee, a height of seven (7) fee above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

Sec. 26-13. - Application.

Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.

Sec. 26-14. - Completeness.

Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.

Sec. 26-15. - Issuance and denial.

The administrator shall issue a permit and permit sticker or tag for the erection, structural alteration, or relocation of a sign within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.

Sec. 26-16. - Inspection.

A person conducting or performing work covered by a permit required by this chapter shall notify the administrator when such work has commenced. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month or at such earlier date as the owner may request. If the construction is not substantially complete at the time of a six month inspection, the permit shall lapse and become void. If the construction is complete, the administrator shall issue a certificate of completion to the owner and the

erector.

Sec. 26-17. - Signs exempt from regulation.

The following signs shall be exempt from regulation under this ordinance:

- (1) Any sign of a governmental unit required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (2) Holiday lights and decorations on residential zone lots with no commercial message.
- (3) Works of art of a noncommercial nature.
- (4) Flags of any country, state, or unit of local government not causing a vision obstruction at intersections or flown at the top of a pole over thirty-five (35) feet in height. Any flag not meeting these conditions shall be subject to regulation as such.

Sec. 26-18. - Prohibited signs.

The following signs are prohibited in all districts:

- a. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters.
- b. Moving signs and signs having moving members or parts, excluding barber poles, and electronic poles.
- c. Signs using high intensity or flashing lights, festoons, spinners or other animated devices.
- d. Signs which in any way simulate or could be confused with the lighting of emergency vehicles or traffic signals; there shall be no flashing, oscillating or intermittent, or red, yellow, or green illumination on any sign located in the same line of vision as a traffic control system, nor interference with vision clearance along any highway, street, or road or at any intersection of two or more streets.
- e. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
- f. Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
- g. Roof signs unless specifically permitted elsewhere in this article.
- h. Portable signs, as defined, not provided for in this article.
- i. Pylon or pole signs not provided for in this article.
- j. Any sign or sign structure which:
 1. Is structurally unsafe.
 2. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment.
 3. Is capable of causing electric shock to person who come in contact with it.
 4. Is not kept in good repair, such that it has broken parts, missing letters, or nonoperational lights.
- k. 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.

Sec. 26-19. - General standards for permitted signs.

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this article; provided, that no such sign shall be erected or altered until approved by the building official/zoning administrator and until a sign permit has been issued

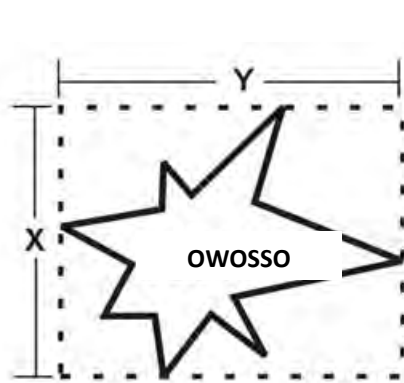
pursuant to chapter 26 of the City of Owosso Code of Ordinances.

- a. Sign setbacks.
 - 1. All signs, unless otherwise provided for, shall be set back a minimum of ten feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
 - 2. Side yard setbacks for signs shall be the same as that required for the main structure or building, provided that all nonresidential signs shall be set back at least 100 feet from any residential district.
- b. Location. Sign location to assure adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- c. Design and construction. Signs, as permitted in the various zoning districts, shall be designed to be compatible with the character of building materials and landscaping to promote an overall unified and aesthetic effect in accordance with the standards set forth herein. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose. New box sign panels with a white or tan background must be blackened internally so only the letters show when illuminated.
- d. Illumination.
 - 1. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to it.
 - 2. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
 - 3. Lighting shall be shielded and/or pointed downward so as not to project onto adjoining properties or thoroughfares.
 - 4. Underground wiring shall be required for all illuminated signs not attached to a building.
- e. Maintenance and construction.
 - 1. Every sign shall be constructed and maintained in a manner consistent with the Michigan Building Code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
 - 2. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure of at least 20 pounds per square foot or 75 mph.
 - 3. All signs, including any cables, guy wires, or supports shall have a minimum clearance of four feet from any electric fixture, street light, or other public utility pole or standard.
- f. Measurement. Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).
 - 1. The allowable area for signs shall be measured by calculating the square footage of the sign face and any frame or base of other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed as measured by enclosing the most protruding points or edges of a sign within a parallelogram or rectangle.
 - 2. When a sign has two or more faces, the area of all faces shall be included in calculating the area of the sign except that where two such faces are placed back to back, only larger face shall be considered, provided that both faces are part of the same structure, contain the same message and are separated by no more than two feet.
 - 3. For purposes of calculating sign area allowed as a wall sign, the wall sign square footage

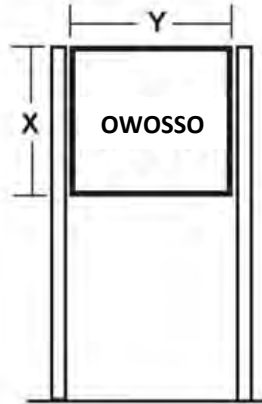
shall be determined by measuring a parallelogram (box) which includes the portion of the canopy which contains a message, symbol and/or logo (examples are shown on the attached figures).

4. When a sign consists solely of lettering or other sign elements printed, painted or mounted on a wall of a building without any distinguishing border, panel or background, the calculation for sign area shall be measured by enclosing the most protruding edges of the sign elements within a parallelogram or rectangle.

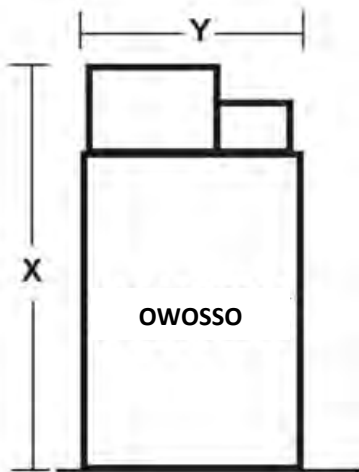
Guidelines for Measuring Sign Face Square Footage
Figure 26.1



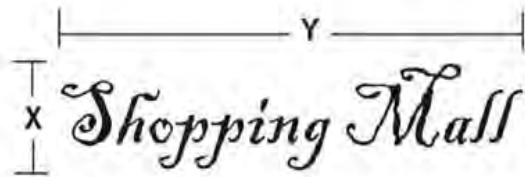
ALL SIGNS
 Measurements taken from the outermost points of the panel



DIRECTIONAL SIGNS
 Post are not included in the measurement of a sign face



GROUND SIGNS
 Measurements taken from the outermost points of the sign face



WALL, CANOPY, or PROJECTING SIGNS
 Measurements taken from the outermost points of the copy

Sec. 26-20. – Off-Premise Signs.

A. OFF-PREMISE ADVERTISING

The regulation of off-premise signs is intended to enhance and protect community character and image by minimizing visual blight and pollution, and to minimize traffic safety hazards due to diversion of the driver's attention and blockage of sight distances. Off-premise sign regulations address the location, size, height and related characteristics of such signs.

1. Area and Height Limitations: No off-premise sign may be erected or maintained of a greater surface area than three hundred (300) square feet for each side of such sign. The top of the sign shall be no more than twenty-five (25) feet above the ground and the bottom of the sign shall be at least ten (10) feet above the ground. Double faced off-premise sign structures (i.e., structures having back-to-back faces) and V-type structures having only one face visible to traffic proceeding from any given direction on a street or highway shall be considered as one off-premise sign.
2. Location: Static and digital off-premise signs may be erected only in the Industrial District. No off-premise sign may be erected or maintained within fifty (50) feet of street lines at any street intersection and shall have a minimum setback from the front property line of twenty-five (25) feet. No off-premise sign shall be installed or placed on top of, cantilevered or otherwise suspended above the roof of any building.
3. Spacing: Off-premise signs shall be located no closer to one another than five hundred (500) feet.
4. Illumination: An off-premise sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any off-premise sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
5. Digital Off-Premise Signs:
 - a) Rate of Change: The rate of change between static messages or images shall not exceed more than one (1) change per six (6) seconds. Each change shall be complete in one (1) second or less.
 - b) Luminance: The maximum daylight sign luminance level shall not exceed 62,000 candelas per meter squared at 40,000 lux illumination beginning ½ hour after sunrise and continuing until 1/2 hour before sunset and does not exceed 375 candelas per meter squared at 4 lux illumination at all other times.
 - c) Digital off-premise signs shall be configured to default to a static display in the event of mechanical failure.
6. An off-premise sign must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. An off-premise sign must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of the message(s).
7. An off-premise sign established within an industrial area, as defined in the Highway Advertising Act of 1972 (1972 PA 106, as amended) bordering interstate highways, freeways or primary

highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of said Act and the regulations promulgated thereunder.

B. COMBINATION OFF-PREMISE & ON-PREMISE ELECTRONIC MESSAGE BOARDS

Digital signs which are used to advertise both on-premise and off-premise establishments shall comply with the following regulations:

1. A permanent, static on-premise primary sign must be in existence totaling at least twenty-five (25) percent of the allowable sign size in the district. The balance of the total allowable sign area may consist of the Combination Off-Premise/On-Premise Sign.
2. The Combination Off-Premise/On-Premise Sign shall adhere to the regulations contained in.
3. Digital messages may advertise the on-premise establishment. The balance of the messages may advertise off-premise establishments under the same ownership and/or public service announcements.
4. Each message shall remain readable for at least six (6) seconds.
5. Combination Off-Premise & On-Premise Digital Signs shall be spaced at least five hundred (500) feet apart in all Districts.
6. Combination Off-Premise & On-Premise Digital Signs shall be allowed in the B-2, B-3, B-4, I-1 and I-2 Districts.
7. Combination Off-Premise/On-Premise Signs shall count toward the total sign area allowed for the property.

C. OFF-PREMISE DIRECTIONAL SIGNS

1. Private Off-Premise Directional Signs: Private off-premise directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the city of Owosso.
 - a) Off-premise directional signs shall be no greater than twelve (12) square feet.
 - b) Sign lettering may display the off-premise business name, address, and an arrow indicating direction.
 - c) Off-premise directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 Districts.
 - d) One (1) off-premise direction sign is permitted per industrial zoning lot.
2. Public Off-Premise Directional Signs: Public off-premise directional signs erected by the City, State of Michigan, or the Downtown Development Authority shall be permitted in the street right-of-way.

D. OFF-PREMISE PRIVATE SIGNS IN THE PUBLIC RIGHT-OF-WAY: Private A-frame signs may be allowed in the public right-of-way. The following regulations shall apply:

1. Signs shall be approved by the city council.

2. Signs shall be removed each night.
3. Maximum size 2' wide by 4' in total height for each panel with a maximum of 2 panels per sign. Maximum spread between the two panels at the base shall be 2'6".
4. The owner of the property abutting the right-of-way on which the sign is placed shall be notified, prior to city council approval, that the sign is being requested.

Sec. 26-21. - Specific sign standards.

The number, display area, and height of signs within the various zoning districts are provided in the sign dimensional standards and regulations table and its accompanying footnotes. Additional standards for specific types of signs are given below.

SIGN DIMENSIONAL STANDARDS AND REGULATIONS								
	Wall, Canopy or Projecting Sign (c)		Ground Sign (c)			Temporary Signs (d)		
District	Number Allowed	Max. Size	Number (b)	Max. Size Per Sign Face	Max. Height	Max. Size Per Sign	Total Area Per Parcel	Max. Height
R-1, R-2, RM-1, RM-2, R-T	-	10% of front façade for all uses other than single family homes, duplexes, and attached condominiums	1	24 square feet	6 feet	6 square feet	14 square feet	4 feet
Home Occupations	1	Not to exceed a size of 2' x 3' mounted flush to the building *	-	-	-	-	-	-
B1, B-2, B-3, B-4 PUD	1 per businesses (a)	10% of front façade or 100 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet
I-1 and I-2	1 per businesses (a)	20% of front façade or 200 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet

* Illumination: home occupation sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

Footnotes to the Sign Dimensional Standards and Regulations Table

- (a) One wall sign shall be allowed per business, in addition to any other allowed ground signs. Businesses located on a corner lot shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building (any façade which faces a public or approved private street), per use or business

establishment. However, for a commercial structure containing one use or business establishment, as determined by the planning commission, the size of the wall sign may be increased up to the maximum square footage as follows:

201 - 400 linear feet of building frontage facing a public street and having a public entrance	150 square feet
Greater than 400 linear feet of building frontage facing a public street and having a public entrance	200 square feet

- (b) Only one ground sign is permitted per use, including uses which occupy more than one parcel and business centers containing more than one business or use, with additional signs permitted according to the following table, however, no site shall have more than two ground signs, regardless of the number of street frontages or the amount of frontage. Single uses on a single parcel do not qualify for this consideration:

Frontage along 2 or more rights-of-way	1 sign up to the maximum sign face area shall be allowed along 2 frontages
300 feet of frontage along 1 right-of-way	1 ground sign along that frontage
Greater than 300 feet of frontage along 1 right-of-way	2 ground signs

- (c) Changeable message signs and gasoline price signs may be permitted as part of a monument sign in the Business Districts and Industrial Districts, and when associated with a commercial in accordance with the following:

- (1) One changeable message sign or one gasoline price sign shall be permitted per premises, but not both.
- (2) Message or gasoline price changes may occur electronically or manually.
- (3) The area of a changeable message sign or gasoline price sign shall not exceed one-third the total area of the sign.
- (4) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
- (5) Electronic messages or gasoline prices shall not flash, fade in or out, or scroll.
- (6) Any voids or burned out bulb in an electronic display shall be replaced.
- (7) Electronic changeable message signs and gasoline price signs shall be at least 100 feet from any residential district or use, except as modified in subsection 10 below.
- (8) One gasoline price sign is permitted for an overhead gas pump canopy with an area not to exceed ten percent of the canopy façade and when this is the only changeable message sign on the property.
- (9) One electronic message sign, meeting the above requirements, may be approved by the planning commission for institutional uses, meaning a use by public or quasi-public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital, located in a residential district when meeting the following requirements:
 - i. The institutional use is located on a minor arterial or collector road, as designated in the City of Owosso Master Plan;
 - ii. That the sign will not create a nuisance for residential properties in the immediate vicinity of the sign, as determined by the planning commission and subject to any conditions;
 - iii. The appropriate size of the sign shall be determined by the planning commission but

shall be no greater than 50 square feet in area.

(d) Signs for temporary uses.

- (1) Temporary signs include, but are not limited to the following:
 - i. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.
 - ii. An on-site sign advertising an on-going garage, estate or yard sale.
 - iii. Noncommercial signs which contain noncommercial information or directional messages.
 - iv. Political signs.
 - v. Holiday or other seasonal signs.
 - vi. Construction signs for buildings under construction.
 - vii. All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.
 - (2) Location of temporary signs shall comply with the following:
 - i. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
 - ii. Temporary signs shall not be located closer than 20 feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.
 - iii. Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
 - iv. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 - v. Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
 - vi. Signs shall not be located within any clear vision triangle, as described in section 38-388 Corner Clearance.
 - (3) Time limitations for temporary signs. Each temporary sign shall be removed within 60 days of placement. Furthermore, no sign may be erected on a single parcel for more than 60 calendar days out of every 120 calendar days.
- A. Directional signs. No more than one directional sign shall be permitted for each approved driveway, with a maximum sign area of four square feet per sign, and a maximum height of four feet. Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage, as specified in the sign dimensional standards and regulations table.
- B. Projecting and canopy signs. Projecting signs and canopy signs may be used as an alternative to wall signs listed in the sign dimensional standards and regulations table, provided that they meet the following standards.
1. Any sign area on a canopy shall be included in calculations of maximum wall sign square footage.
 2. Projecting or canopy signs in the central business district shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground.
 3. Projecting or canopy signs, in the B-1, B-2, B-4, I-1 and I-2, districts shall have a minimum ground clearance of ten feet, shall be set back at least six feet from any adjacent public right-of-way, and shall not project over an alley or private access lane. A projecting sign shall not extend for more than two feet from the building to which it is attached.

4. No wall, canopy or projecting sign shall extend above the roof or parapet of the structure to which it is attached by more than one foot.
 5. Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 6. Projecting signs shall not exceed sixteen square feet in area.
 7. Canopy signs shall not be internally illuminated.
- B. Downtown Historic District. Any signs within the Downtown Historic District shall meet all requirements of the Owosso Historic District Commission prior to installation of new signage or modification of existing signage.
- C. Entranceway signs. One permanent sign per vehicular entrance identifying developments such as subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, office and industrial parks and similar uses, provided that the sign is set back a minimum of 15 feet from any property line or public right-of-way is permitted.
- D. Portable A-frame signs. Portable A-frame or sandwich board signs are permitted in the B-1, B-2, B-3, and B-4 districts at the public building entrances to businesses subject to the following requirements:
1. One sign per customer entrance shall be permitted regardless of the number of tenants on the premises.
 2. The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
 3. Each sign shall not exceed an overall height of 42 inches and an overall width of 24 inches.
 4. No sign shall be located in such a manner as to interfere with vehicular or pedestrian traffic flow or visibility.
 5. All signs must be constructed of weather-proof, durable material and kept in good repair.

Sec. 26-22. - Nonconforming signs.

Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this article to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this article. Therefore, the purpose of this article is to remove illegal nonconforming signs while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this article, however, the following alterations are regulated:

- a. A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
- b. A nonconforming sign shall not be replaced by another nonconforming sign.
- c. A nonconforming sign shall not be reestablished after abandonment as defined in section 26-23, dangerous, unsafe, abandoned, and illegally erected signs.
- d. A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the building official/zoning administrator or if 50 percent or more of the face of the sign is damaged or destroyed.

Sec. 26-23. - Dangerous, unsafe, abandoned, and illegally erected signs.

- a. Dangerous signs. Any sign constituting an immediate hazard to health or safety shall be

deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.

- b. Unsafe signs. Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in paragraph e. below.
- c. Abandoned signs. Any sign that advertises a business that has been discontinued for at least 90 days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in paragraph e. below.
- d. Illegally erected signs. The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this article, according to the process outlined in paragraph e. below.
- e. Process for enforcing violations of section 26-7, dangerous, unsafe, abandoned, and illegally signs. For violations of section 26-7 b. through d., the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first class mail shall be sufficient notice. Where a sign erected in violation of this article is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

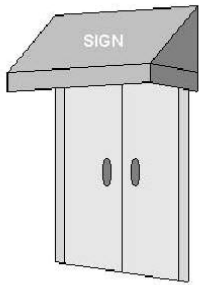
Sec. 26-23. - Changes to permitted signs.

No physical, structural or electrical changes can be made to existing permitted signs without first obtaining a new sign permit. Individual sign panels can be replaced on existing box signs but a permit must still be obtained.

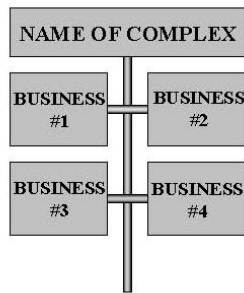
Sec. 26-24. - Administration and appeals of sign ordinance standards.

- a. Generally. The regulations of this article shall be administered and enforced by building official/zoning administrator.
- b. Violations. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this article. Any such violation, including the failure to remove a sign when directed under the authority of this article, shall constitute a misdemeanor punishable in accordance with section 1-8 of the Owosso Code of Ordinances.

SIGN DIAGRAMS Figure 26.2



Awning Sign



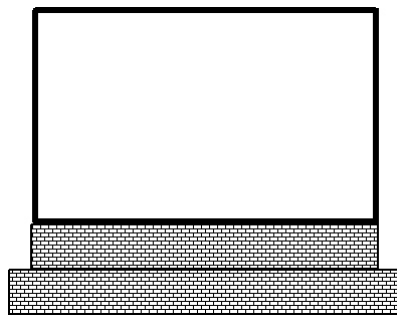
Business Center Sign



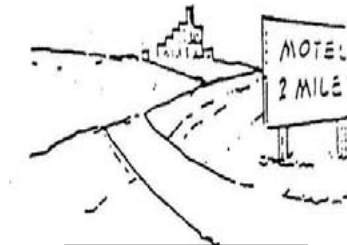
Free Standing Sign



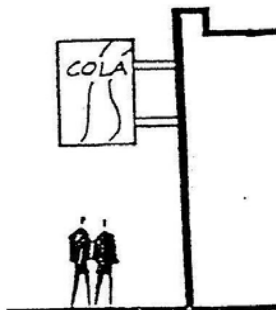
Message Board Sign



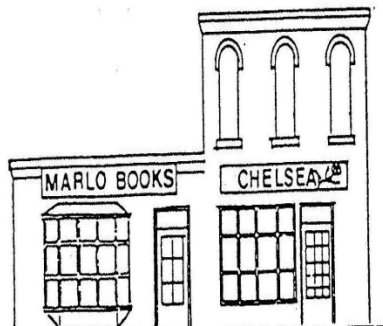
Monument Sign (Freestanding)



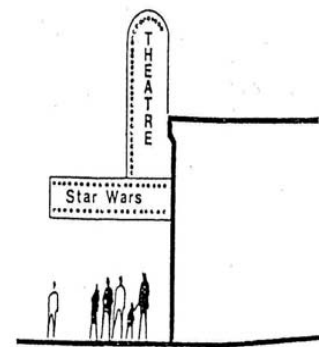
Off-Premise Sign



Projecting Sign



Wall Sign



Marquee Sign

CITY OF OWOSSO PLANNING COMMISSION STAFF REPORT

MEETING DATE: May 22, 2017

TO: Planning commission

FROM: Susan Montenegro, Asst. City Manager/Director of Community Development

SUBJECT: Site plan approval

PETITIONER’S REQUEST AND BACKGROUND MATERIALS

Location: 705 McMillan Street
Parcel # 050-010-008-002-00

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
North	Heavy Industrial	I-2
East	Owosso Township	
South	Owosso Township	
West	Light Industrial	I-1

COMPARISON CHART

	EXISTING	PROPOSED
Zoning	I-2	I-2
Gross lot area	206.85’ X 441.94’	same
Setbacks-		
Front yard	135’	135’
Side yard	30’	16’
Rear yard	50’	50’
Max building height	36.7’	36.7’
Parking	14	28 (includes 2 barrier free)

Planning and Zoning

RWI Manufacturing continues to expand and is looking to build their next addition on the south side of their existing building on this site. The new addition will be attached to the current structure and the existing wall between the proposed building and original building will be removed.

Site plan meets all requirements of the code for an I-2 district.

RWI applied to the Owosso Zoning Board of Appeals (ZBA) for a dimensional variance to reduce the required 30' side yard setback to 15' to allow for the expansion citing hardship due to the size of the lot. The variance was approved by the ZBA at their May 16, 2017 meeting.

Building

1. New reinforced concrete parking area to include (1) one Barrier Free Space at entry.
2. Site plan/building elevation drawings does not include information as to show how the roof water or foundation drain water is to be handled, most likely will be drained through means of underground drains with connection to underground storm. This information is needed at this time and should be shown on the site plan. And will be further necessary as part of the Building Permit Application.

Utilities & Engineering

1. No new utility needs are identified; no comment.
2. Proposed internal storm sewer system is satisfactory.
3. Observation: Proposed building drawing is simple; does not identify roof drains; if plans include roof drainage, then should be controlled and connected underground to the proposed storm sewer: final comment regarding need for roof drains are left with the building official.
4. Observation: The plans do not show foundation drains: again, final comment left with the building official.
5. Proposed driveway culvert is satisfactory for given situation. Any ditch cleanout necessary to accommodate this change should be done by the developer.



CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867
Phone (989)725-0535 Fax (989)725-0546
E-mail: building@ci.owosso.mi.us

ZONING COMPLIANCE APPLICATION

Please fill out the application completely, sign and date below, and return to the City of Owosso Building & Zoning Department at the address above.

I. APPLICANT INFORMATION: Applicant Name: PERRIN CONSTRUCTION Co., INC.
Address: 8888 E. LANSING RD
City: DURAND State: MI Zip Code: 48429
Phone#: (989) 288-6046 Mobile #: (989) 239-1723

Hereby make application to the City of Owosso Zoning Administrator under the City of Owosso, Code of Ordinances, CHAPTER 38 – ZONING, to construct as detailed below:

II. Property Tax ID Number(s): (e.g., 050-470-000-005-00): 050- 010- 008- 002- 00
Property Address: 705 McMILLAN
Property Owners Name (if not applicant): RWI MANUFACTURING
Phone #: ()

III. List all existing buildings on property (i.e. dwelling, shed, garage): MANUF. FACILITY

IV. PROPOSED USE: MANUFACTURING BLDG. DIMENSIONS: _____
TYPE OF STRUCTURE: PRE-ENGINEERED STEEL

V. PROPOSED BUILDING SETBACK FROM LOT LINES: _____
FRONT: 135 ft.
REAR: 50 ft.
SIDE: 34 ft. and 16 ft. (REQUESTING VARIANCE)
BLDG. HEIGHT: 38'-3" ft. to peak and 36'-7" ft. to the eaves.

FOR OFFICIAL USE: (DIMENSIONAL REQUIREMENTS)
MIN. FRONT SETBACK: _____ ft.
MIN. REAR SETBACK: _____ ft.
MIN. SIDE SETBACK: _____ ft.
MAX BLDG. HEIGHT: _____
ZONING: _____

VI. SITE OR PLOT PLAN – MUST BE COMPLETED BY APPLICANT (Site Plan on Next Page)
INSTRUCTIONS: SHOW SHAPE & SIZE OF PROPERTY, ALL STREETS OR ROADS, DRIVEWAYS, PARKING AREA, ALL BUILDINGS NOW ON SITE, INCLUDING PROPOSED STRUCTURES. SHOW DISTANCE PROPOSED STRUCTURE WILL BE FROM ALL LOT LINES, ROAD R/W, RIVER AND NORTH ARROW. Note: The burden of proof of the exact location of all lot lines shall rest with the property owner.

Owner/Agent: _____
Signature signifies full knowledge of Requirements

Date: 4/27/17

APPROVED DENIED

Zoning Administrator

CITY OF OWOSSO, MICHIGAN

SITE PLAN REVIEW APPLICATION AND CHECKLIST

Approval of the site plan is hereby requested for the following parcel(s) of land in the City of Owosso. This application is submitted with three (3) copies of the complete site plan and payment of the appropriate review fees. Applicant shall also submit a digital version of the site plan to the community development director. Application must be filed least 25 days prior to a scheduled planning commission meeting for staff review and proper notices.

Accompanying any site plan required hereunder, the applicant shall provide from a licensed engineer soil borings at the proposed construction site to ascertain bearing capacity of foundations soils at the time of footing excavation to certify such soil conditions meet or exceed design capacity of the foundation to support the proposed structure. These requirements shall comply with policies of the City of Owosso, copies of which can be obtained from the Building Department.

The attached checklist has been completed to certify the data contained on the site plan. If the required data has not been provided, the appropriate box has been checked with a statement of explanation on why the data has not been provided. I understand that if my site plan is deemed to be incomplete, it may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until such time as the requirements have been adequately met. By signing this application, the applicant hereby grants full authority to the City of Owosso, its agents, employees, representatives and/or appointees to enter upon the undersigned lands/parcel(s) for the purposes of inspection and examination.

Application Filed On: _____

Application Transmitted by City On: _____

Property Details:

1. Name of Proposed Development: RWI MANUFACTURING
2. Property Street Address: 705 McMILLAN
3. Location of Property: On the (north, south, east west side) of McMILLAN Street, between MONROE and SOUTH ST. Streets.
4. Legal Description of Property: ATTACHED
5. Site Area (in acres and square feet): 2.10 ACRES (91,476 SQ FT)
6. Zoning Designation of Property: I-2

Ownership:

1. Name of Title/Deed Holder: RUESS WINCHESTER, INC.
2. Address: P.O. Box 847, OWOSSO, MI 48867
3. Telephone No: _____
4. Fax No: _____
5. Email address: _____

Applicant:

1. Applicant (If different from owner above): PERRIN CONSTRUCTION CO, INC.
2. Address: 8888 E. LANSING RD, DURAND, MI 48429
3. Telephone No: 989-288-6046
4. Fax No: 989-288-2731

SITE PLAN REVIEW CHECKLIST

Check the appropriate line. If item is marked as 'not provided', attach detailed explanation.

Item	Provided	Not Provided
1. Site location Map.	<u>X</u>	_____
2. North arrow, scale (one (1) inch equals fifty (50) feet if the subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more.	<u>X</u>	_____
3. Revision dates.	<u>X</u>	_____
4. Signature and Seal of Architect/Surveyor/Engineer.	<u>X</u>	_____
5. Area of site (in acres and square feet).	<u>X</u>	_____
6. Boundary of the property outlined in solid line.	<u>X</u>	_____
7. Names, centerline and right-of-way widths of adjacent streets.	<u>X</u>	_____
8. Zoning designation of property.	<u>X</u>	_____
9. Zoning designation and use of adjacent properties.	<u>X</u>	_____
10. Existing and proposed elevations for building(s) parking lot areas and drives.	<u>X</u>	_____
11. Direction of surface water drainage and grading plan and any plans for storm water retention/detention on site.	<u>X</u>	_____
12. Required setbacks from property lines and adjacent parcels.	<u>X</u>	_____
13. Location and height of existing structures on site and within 100 feet of the property.	<u>X</u>	_____
14. Location and width of existing easements, alleys and drives.	<u>X</u>	_____
15. Location and width of all public sidewalks along the fronting street right-of-way and on the site, with details.	<u>X</u>	_____
16. Layout of existing/proposed parking lot, with space and aisle dimensions.	<u>X</u>	_____
17. Parking calculations per ordinance.	<u>X</u>	_____
18. Location of all utilities, including but not limited to gas, water, sanitary sewer, electricity, telephone.	<u>X</u>	_____
19. Soil erosion and sedimentation control measures during construction.	<u>X</u>	_____
20. Location and height of all existing/proposed fences, screens, walls or other barriers.	<u>X</u>	_____
21. Location and details of dumpster enclosure and trash removal plan.	—	_____
22. Landscape plan indicating existing/proposed trees and plantings along frontage and on the site.	—	_____
23. Notation of landscape maintenance agreement.	—	_____
24. Notation of method of irrigation.	—	_____
25. Lighting plan indicating existing/proposed light poles on site, along site's frontage and any wall mounted lights.	<u>X</u>	_____
a. Cut-sheet detail of all proposed light fixtures.	<u>X</u>	_____
26. Architectural elevations of building (all facades). Identifying height, Materials used and colors.	<u>X</u>	_____
27. Existing/proposed floor plans.	<u>X</u>	_____
28. Roof mounted equipment and screening.	N/A	_____
29. Location and type of existing/proposed on-site signage.	—	_____
30. Notation of prior variances, if any.	—	_____
31. Notation of required local, state and federal permits, if any.	<u>X</u>	_____

32. Additional information or special data (for some sites only)

- a. Environmental Assessment Study. _____
- b. Traffic Study. Trip Generation. _____
- c. Hazardous Waste Management Plan. _____

33. For residential development: a schedule indicating number of dwelling units, number of bedrooms, gross and usable floor area, parking provided, total area of paved and unpaved surfaces. _____

34. LLC establishments must have a current Plan of Operation. _____

35. Is property in the floodplain? NO _____

36. Will this require MDEQ permitting? NO _____

37. Performance Bond – when required. _____

*Additional data deemed necessary to enable to completion of an adequate review may be required by the Planning Commission, City and/or its consultants.

Site Plan Review Application Deadline Dates

Deadline Date	Planning Commission
December 30, 2016	January 23, 2017
February 2, 2017	February 27, 2017
March 2, 2017	March 27, 2017
March 30, 2017	April 24, 2017
April 28, 2017	May 22, 2017
June 1, 2017	June 26, 2017
June 30, 2017	July 24, 2017
August 3, 2017	August 28, 2017
September 1, 2017	September 25, 2017
September 29, 2017	October 23, 2017
November 2, 2017	November 27, 2017
November 17, 2017	December 11, 2017

ALLOWABLE DISCHARGE AND STORAGE DETERMINATION

PROJECT: RWI/Owosso
PROJECT #: 124598SG2017
DATE: 4/11/2017
COMMENTS: Combined Site
ENGINEER: RAB

DETERMINE ALLOWABLE DISCHARGE:

Receiving Drain/ Storm Sewer/ Etc.:	drainage ditch	
Contributing Drainage Area =	2.3	Acres
Impervious Factor (IF) =	0.00%	%
Time of Concentration (Tc) =	20	Minutes
Allowable Discharge Pervious Area (Ap) =	2.30	Acres
Allowable Discharge Impervious Area (Ai) =	0.00	Acres
Intensity (I) =	175/(25+Tc)	Tc>30 Min.
Intensity (I) =	136/(20+Tc)	Tc<=30 Min.
Intensity (I) =	3.40	Inches/ Hour
Pervious Area Runoff Coefficient (Cp) =	0.1	Tc>30 Min.
Pervious Area Runoff Coefficient (Cp) =	Tc/(80+4Tc)	Tc<=30 Min.
Pervious Area Runoff Coefficient (Cp) =	0.125	
Impervious Area Runoff Coefficient (Ci) =	0.7	Tc>30 Min.
Impervious Area Runoff Coefficient (Ci) =	Tc/(8+Tc)	Tc<=30 Min.
Impervious Area Runoff Coefficient (Ci) =	0.714	
Allowable Discharge (Qa) =	(Ci)(I)(Ai)+(Cp)(I)(Ap)	
Allowable Discharge (Qa) =	0.98	CFS
Allowable Discharge SMALL SITE TRIMER (Qa) =	0.57	CFS
TOTAL Qa =	1.55	CFS

DETERMINE REQUIRED STORAGE:

Proposed Impervious Area (Ai) =	2.3	Acres
Maximum Outflow per Impervious Acre (Qo) =	Qa/ Ai	
Maximum Outflow per Impervious Acre (Qo) =	0.425	CFS/ Ai
Storage Time (T) =	(4080/Qo) ^{1/2} -20	
Storage Time (T) =	78	Minutes
Max. Vol.of Storage per Impervious Acre (Vs) =	[(8160xT)/(T+20)]-(40xQoxT)	
Max. Vol.of Storage per Impervious Acre (Vs) =	5,169	CFT/ Ai
Total Volume of Storage Required for the Site (Vt) =	Vs x Ai	
	11,888	CFT

ALLOWABLE DISCHARGE AND STORAGE DETERMINATION

DETERMINE RESTRICTOR AREA BASED ON ORIFICE EQUATION

Head Differential (dH) = (Center of Orifice to Maximum Ponding Elevation)	2.5	Feet
Area of orifice (a) =	$Qa/[0.62(64.4(dH))^{1/2}]$	
Area of orifice (a) =	0.1967	Square Feet
Maximum Circular Orifice Diameter =	6.01	Inches

DETERMINE ACTUAL RESTRICTED DISCHARGE (ORIFICE EQUATION)

Diameter of Orifice =	6	Inches
Area of Orifice =	0.1963	Square Feet
Head Differential (dH) = (Center of Orifice to Maximum Ponding Elevation)	2.5	Feet
Actual Restricted Discharge (Qr) =	$0.62 * A * (2 * g * H)^{1/2}$	
Actual Restricted Discharge (Qr) =	1.54	CFS

DETERMINE ACTUAL RESTRICTED DISCHARGE (METERING LINE)

Diameter of Line (D) =	0.0	Inches
Diameter of Line (D) =	0.00	Feet
Manning's roughness coefficient (n) =	0.012	
Slope of Hydraulic Grade Line =	0.00%	%
Actual Restricted Discharge (Qr) =	$((\pi/4) * D^2) (1.486/n) (D/4)^{2/3} (s^{1/2})$	
Actual Restricted Discharge (Qr) =	0.00	CFS

DETERMINE REQUIRED STORAGE BASED ON ACTUAL RESTRICTED DISCHARGE

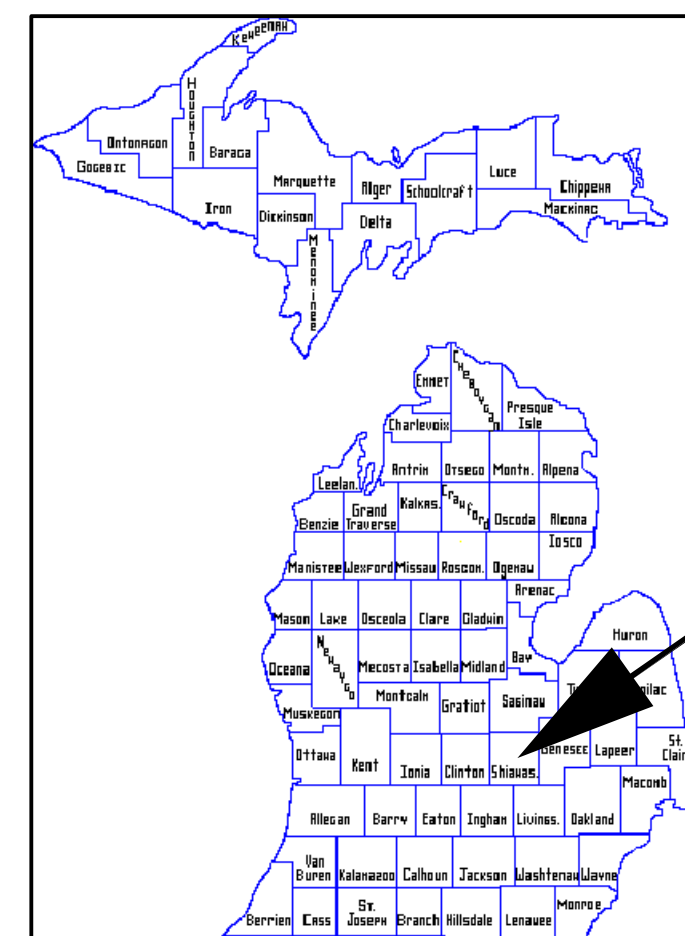
Actual Restr. Disch., Orifice or Metering Line (Qr):	1.54	CFS
Proposed Impervious Area (Ai) =	2.3	Acres
Maximum Outflow per Impervious Acre (Qo) =	Qr / Ai	
Maximum Outflow per Impervious Acre (Qo) =	0.670	CFS/ Ai
Storage Time (T) =	$(4080/Qo)^{1/2} - 20$	
Storage Time (T) =	58	Minutes
Max. Vol. of Storage per Impervious Acre (Vs) =	$[(8160 * T) / (T + 20)] - (40 * Qo * T)$	
Max. Vol. of Storage per Impervious Acre (Vs) =	4,514	CFT/ Ai
Total Volume of Storage Required for the Site (Vt) = (Based on Actual Restricted Discharge)	$Vs * Ai$	
	10,383	CFT
Volume of Storage Provided =	11,056	CFT

Tri-Mer Site - Owosso

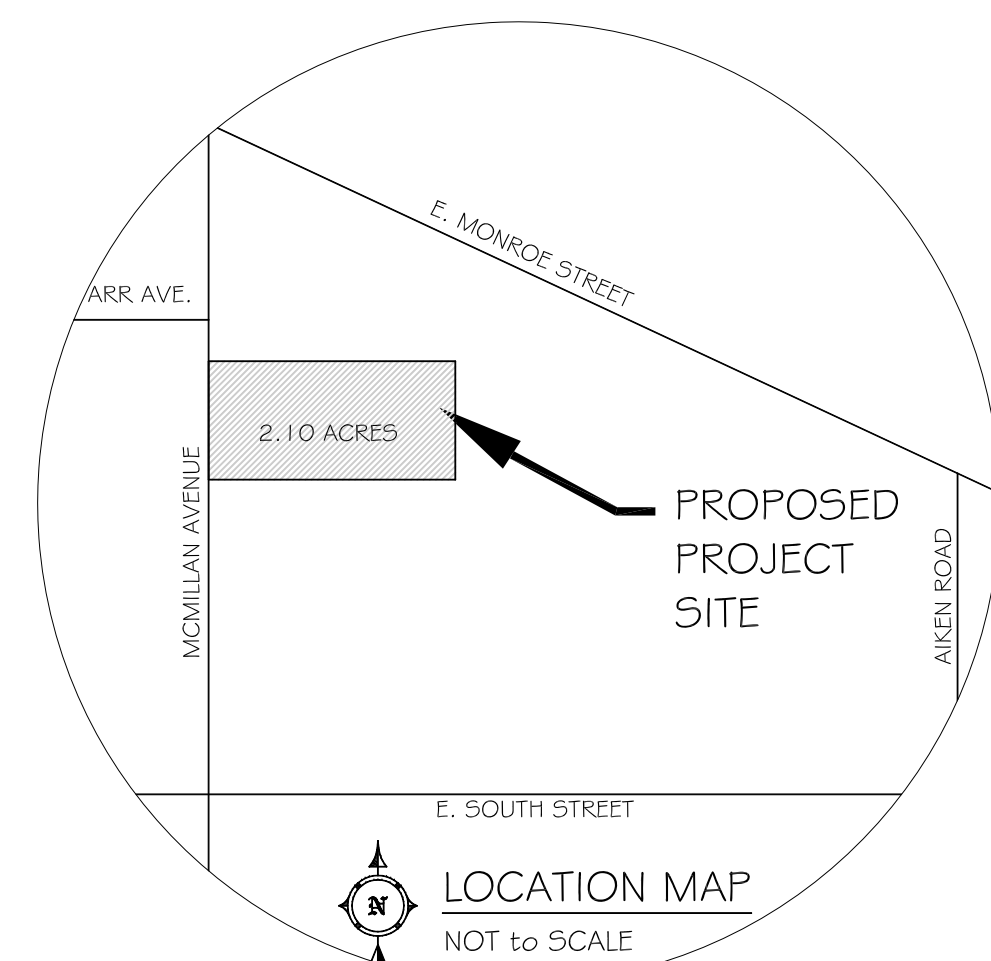
Detention Volume Calculation					13,904	= Basin Volume (cubic feet)	
Elevation (ft)	Area (sq.ft.)	Avg Area	Volume (cu.ft.)	Cummulative Volume (cu.ft.)			
743.5	80						
744.0	7,422	3,751	1,876	1,876			
745.0	16,635	12,029	12,029	13,904			
		Sum =	13,904				
			Volume of 10yr storm =	10,383			
Runoff Storage Elevation							
744.00	-		745.00	=	(x)	Storage Elevation	- 745.00
1876	-		13904		10383	-	13904
		x =	744.71	Feet			

FACILITY ADDITION FOR RWI MANUFACTURING

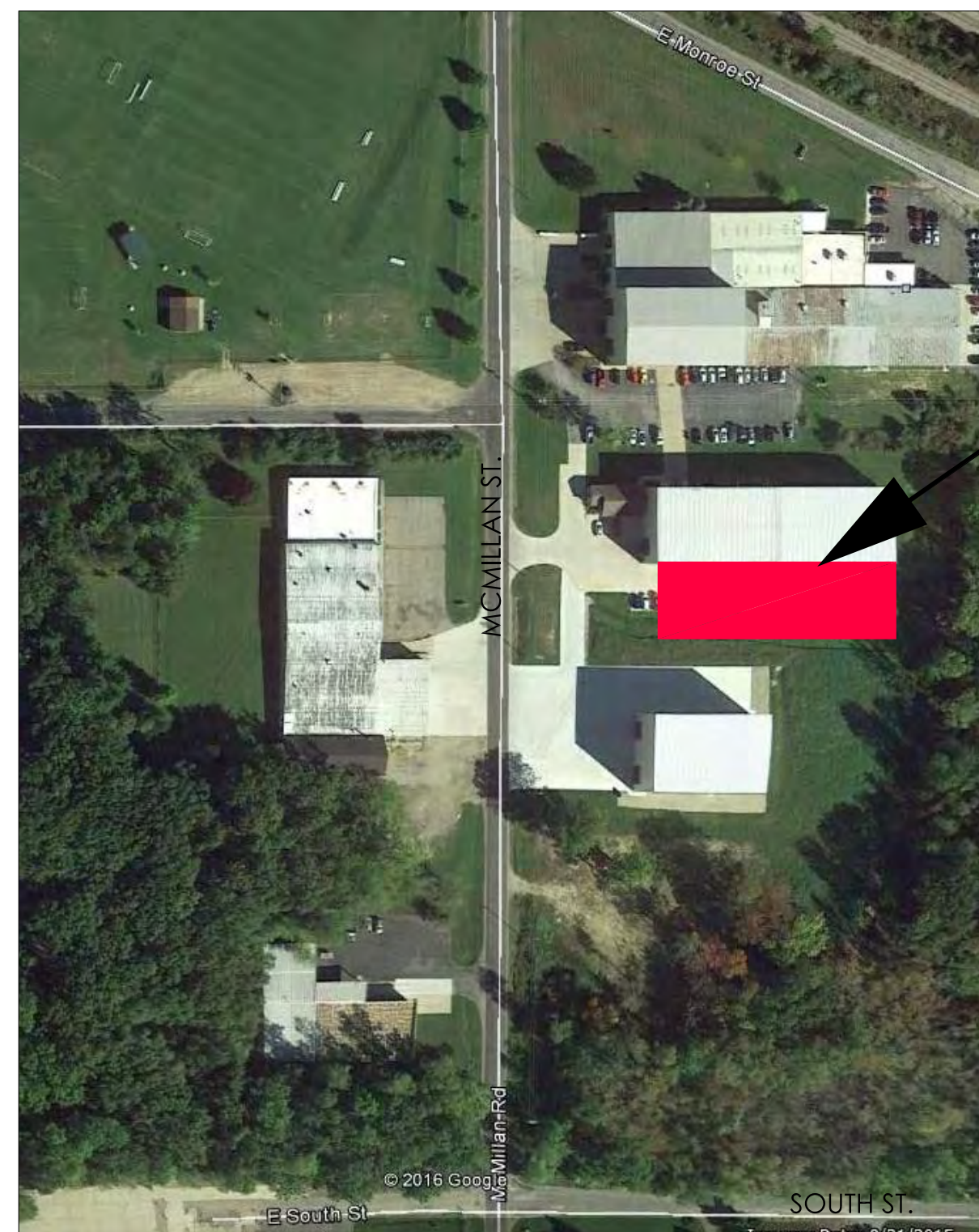
705 MCMILLAN STREET, OWOSSO, MI 48867



LOCATION MAP
NO SCALE



CITY of OWOSSO
SHIAWASSEE COUNTY, MICHIGAN
SECTION 19, T.7 N. - R.3 E.



PROJECT LOCATION
SITE
Not to Scale

SCHEDULE OF DRAWINGS

A0	COVER/TITLE SHEET	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C1	SITE DEMOLITION PLAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C2	SITE GRADING PLAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C3	SITE DETAILS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C4	SOIL EROSION & SEDIMENTATION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C5	ENLARGED SITE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A1	FOUNDATION & FLOOR PLAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A2	EXTERIOR ELEVATIONS & BUILDING SECTION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A3	SCHEDULES AND DETAILS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M1	MECHANICAL PLAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E1	ELECTRICAL LIGHTING PLAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ZONING BOARD OF APPEALS
4-27-2017

GENERAL CODE REVIEW

FIRE RESISTANCE RATINGS:
TABLE 601: TYPE II-B =
STRUCTURAL FRAMING - 0 HR. REQUIRED
BEARING WALLS - 0 HR. REQUIRED
NONBEARING WALLS (INT.) - 0 HR. REQUIRED
NONBEARING WALLS (EXT) - 0 HR. REQUIRED
FLOOR CONSTRUCTION - 0 HR. REQUIRED
ROOF CONSTRUCTION - 0 HR. REQUIRED

FIRE PROTECTION:
SECTION 903.2.4 - GROUP "F-1"
PROVIDED AUTOMATIC SPRINKLER SYSTEM PER NFPA13

MEANS OF EGRESS:
EGRESS WIDTH (SECTION 1005.1): 0.2' / PERSON (GREATEST LOAD 19' / DOOR * 0.2) = 3.8' / EXIT
PROVIDED: 36" MIN.
PANIC HARDWARE (SECTION 1008.1.10): NOT REQUIRED.
LIGHTING / SIGNAGE (SECTION 1011): PROVIDED.
COMMON PATH EGRESS TRAVEL DIST. (SECTION 1014.3): 100' MAX.; PROVIDED: 75' MAX., ALL EXITS ARE AT GRADE LEVEL.
EXIT ACCESS TRAVEL DIST. (TABLE 1014): 250' MAX.; PROVIDED: 75' MAX.
MIN. NUMBER REQUIRED (SECTION 1021): 2 REQUIRED; PROVIDED: 4.

ACCESSIBILITY: SECTION 1101
ROUTE (SECTION 1104): PROVIDED
ENTRANCE (SECTION 1105.1): PROVIDED
PARKING (TABLE 1106.1): 1 PER 25 SPACES: 35 SPACES; PROVIDED: 2 H.C.
TOILET/SINKS/FIXTURES (SECTION 1109.2): PROVIDED.
SIGNAGE (SECTION 1110): PROVIDED.

PLUMBING FIXTURES: EXISTING
LAVATORIES (MPC-TABLE 403.1): MALE/FEMALE: 1 PER 200; PROVIDED: (1) MEN'S & (1) WOMEN'S
TOILETS: (MPC-TABLE 403.1): MALE: 1 PER 75; FEMALE: 1 PER 75; PROVIDED: (1) MEN'S & (1) WOMEN'S
BARRIER-FREE (MBC-SECTION 1109): PROVIDED.

BUILDING DATA

USE GROUP: "F-1" FACTORY
TYPE OF CONSTRUCTION: II-B - FULLY SUPPRESSED
SQUARE FOOTAGE: 20,000 S.F. + 20,000 S.F. = 40,000 S.F.
OCCUPANT LOAD: PER CODE - 1 per 500 gross = 80
ACTUAL: 15 Employees

BUILDING CODES

- MICHIGAN BUILDING CODE - 2015
- BARRIER FREE - ICC/ANSI A 117.1 - 2009
- MICHIGAN MECHANICAL CODE - 2015
- MICHIGAN PLUMBING CODE - 2015
- MICHIGAN ELECTRICAL CODE - 2014 & PART 8 of STATE CONSTRUCTION CODE
- NFPA 101 / NFPA 13 - 2007

UTILITY WARNING

UNDERGROUND UTILITY LOCATIONS, AS SHOWN, ARE APPROXIMATE AND HAVE NOT BEEN FIELD LOCATED.

3-WORKING DAYS BEFORE YOU DIG, CALL MISS DIG **811** Know what's below. Call before you dig.

TOLL FREE: 800.482.7171

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF AND/OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION.

APPROVAL AGENCIES

COMMUNITY DEVELOPMENT
CITY OF OWOSSO BUILDING DEPARTMENT
301 W. Main Street
Owosso, Michigan 48867
Phone: (989) 725-0544
Fax: (989) 725-0526
Director: Ms Susan Montenegro

BUILDING DEPARTMENT
CITY OF OWOSSO BUILDING DEPARTMENT
301 W. Main Street
Owosso, Michigan 48867
Phone: (989) 725-0535
Fax: (989) 725-0546
Bldg. Admin: Mr. Brad Hissong

FIRE DEPARTMENT
CITY OF OWOSSO FIRE DEPT.
202 South Water Street
Owosso, Michigan 48867
Phone: (989) 725-0594
Public Safety: Mr. Rick Brubaker

PROJECT TEAM

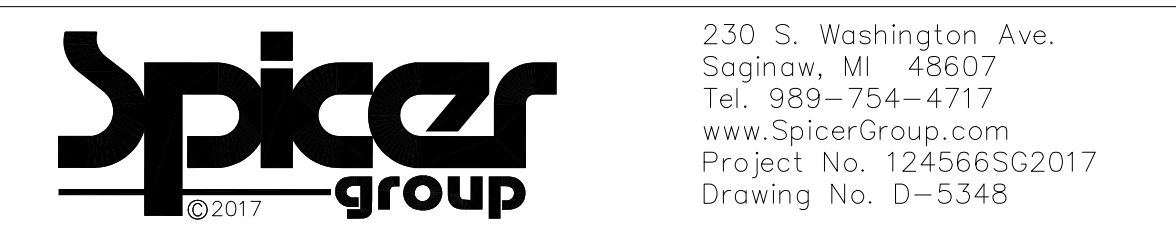
OWNER
TRI-MER CORPORATION
1400 E. Monroe, Owosso, Michigan 48867
Contact: Mr. Brett Ruess
Phone: (989) 723-7838

CONTRACTOR
PERRIN CONSTRUCTION CO., INC.
8888 E. Lansing Rd., Durand, MI 48429
Contact: Mr. Scott Perrin
Phone: (989) 288-6046
e-mail: info@perrinconstruction.us

CIVIL ENGINEER
SPICER GROUP
230 S. Washington Ave., Saginaw, MI 48607
Contact: Mr. Craig Rudnick
Phone: 989-754-4717
e-mail: craigr@spicergroup.com

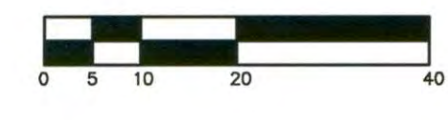
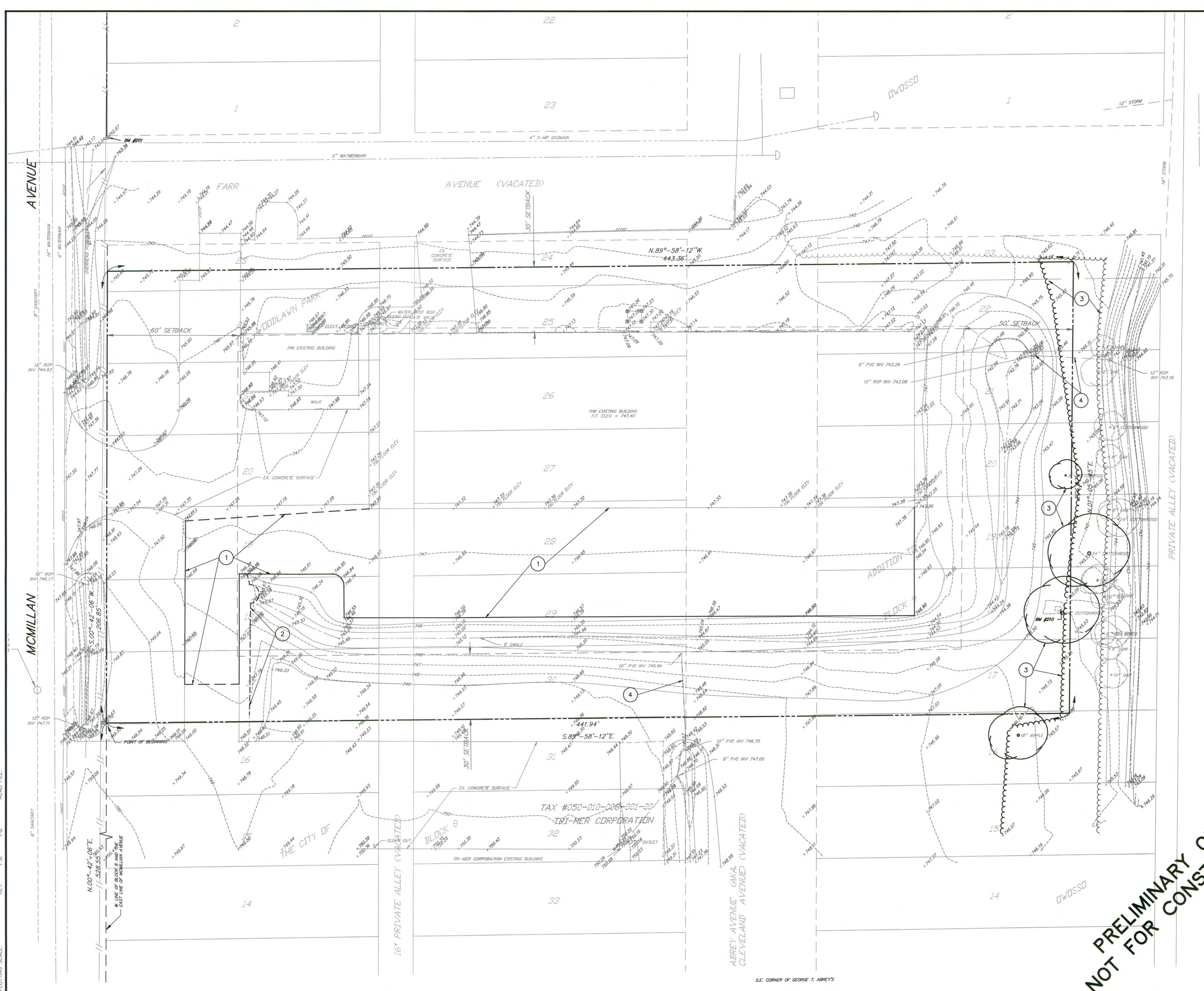
STRUCTURAL ENGINEER
CONN ENGINEERING CONSULTANTS, INC.
16360 Trotter Lane, Linden, Michigan 48451
Contact: Mr. Jason Conn
Phone: (810) 458-4350
e-mail: jason@connengineering.com

PRE-ENGINEERED BUILDING
KIRBY BUILDING SYSTEMS
124 Kirby Drive, Portland, TN 37148
Contact: Mr. Tony Linderman
Phone: 615-325-4165
e-mail: tlinderman@kirbybuildingsystems.com



COVER / TITLE	
RWI MANUFACTURING 705 MCMILLAN ST. OWOSSO, MI 48867	
PERRIN CONSTRUCTION CO., INC. 8888 EAST LANSING RD. DURAND, MI 48429	REV DATE: APRIL 27, 2017
PERRIN CONSTRUCTION	
COPYRIGHT 2017 ©	JOB NO. 3688 DRAWING NUMBER
DRAWN BY: JW FILE LOCATION: WPFFiles	SCALE: as noted
A0	





DEMOLITION NOTES

1. PROTECT TREES, PLANT GROWTH, AND FEATURES DESIGNATED TO REMAIN, AS FINAL LANDSCAPING.
2. CONTRACTOR SHALL COORDINATE WITH OWNER'S REPRESENTATIVE THE TAGGING OF SPECIFIC TREES/SHRUBS TO BE PRESERVED PRIOR TO BEGINNING DEMOLITION.
3. REMOVE TREES AND SHRUBS WITHIN LIMITS OF CONSTRUCTION AS NOTED. REMOVE STUMPS, MAIN ROOT BALL, ROOT SYSTEM TO A DEPTH OF 12 INCHES AND SURFACE ROCK.
4. CLEAR AREAS REQUIRED FOR ACCESS TO SITE AND EXECUTION OF WORK.
5. REMOVE NOTED WALLS, FOUNDATIONS, PAVING, CURBS, AND SIDEWALKS.
6. SAWCUT ALL PAVEMENT, CURBS AND WALKS NOTED FOR REMOVAL FOR A CLEAN EDGE.
7. REMOVE ALL CLEARED ITEMS FROM SITE AND PROPERLY DISPOSE OF.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING ALL DISTURBED AREAS.

DEMOLITION ITEMS

- ① REMOVE CONCRETE PAVEMENT.
- ② REMOVE/REGRADE GRAVEL.
- ③ REMOVE EXISTING TREE/SHRUB.
- ④ REMOVE STORM PIPE.

BENCHMARKS

- #201 - GEAR SPIKE IN EAST FACE OF POWER POLE, 30'± SOUTH OF DRIVE. **ELEV. = 743.44**
- #210 - SET GEAR SPIKE IN NORTH FACE OF 24" COTTONWOOD TREE. **ELEV. = 747.51**

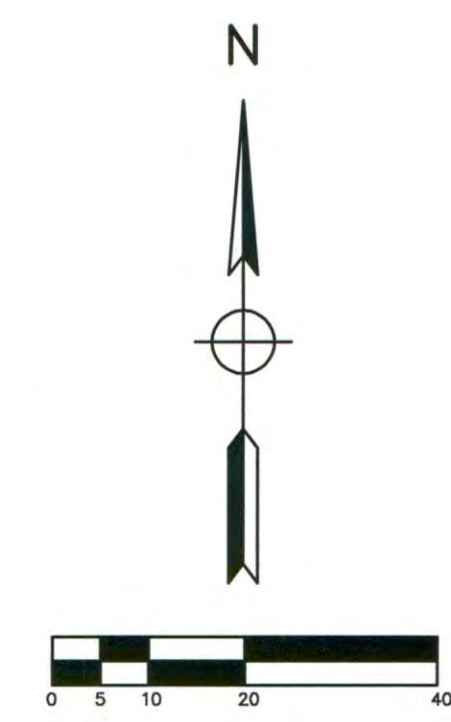


**PRELIMINARY ONLY
NOT FOR CONSTRUCTION**

BY	MARK	REVISIONS	DATE
<p>THE WORK REPRESENTED BY THIS DRAWING WAS DESIGNED BY THE ENGINEER FOR THIS SPECIFIC APPLICATION AND SPECIFIC LOCATION DESCRIBED HEREIN IN ACCORDANCE WITH THE CONDITIONS PREVALENT AT THE TIME THE DESIGN WAS DONE. THE ENGINEER DOES NOT GUARANTEE AND WILL NOT BE LIABLE FOR ANY OTHER LOCATION, CONDITION, DESIGN OR PURPOSE.</p>			
<p>PERRIN CONSTRUCTION COMPANY, INC. 8888 EAST LANSING ROAD DURAND, MI 48429</p>			
<p>DEMOLITION PLAN RWI MANUFACTURING BUILDING & SITE ADDITIONS OWOSSO, MI 48867</p>			
		<p>SAGINAW OFFICE 230 S. Washington Ave. Saginaw, MI 48807 Tel. 989-754-4717 Fax. 989-754-4440 www.SpicerGroup.com</p>	
DE. BY: CAR	CH. BY: MGN	PROJECT NO.	
DR. BY: CAR	APP. BY: JEW	1245985G2017	
STDS.	SHEET 1 OF 3	C	
DATE: APRIL 21, 2017	FILE NO.	D-5390-1	1
SCALE: 1" = 20'			

PLOTING SCALE: RET. F.B. PG. ACAD FILE:

S.E. CORNER OF GEORGE I. ABREY'S



CONSTRUCTION NOTES

- 1 STORM SEWER - REINFORCED CONC. PIPE (CLASS III), TONGUE AND GROOVE PIPE W/PREMIUM WATER PROOF JOINTS USING A NEOPRENE "O" RING, ASTM C-443.
- 2 STORM SEWER - SDR-35, PVC, BELL END W/ RUBBER RINGS, ASTM D3034.
- 3 CATCH BASIN.
- 4 FLARED END SECTION W/RODENT GUARD.
- 5 RIP-RAP STONE.

DETENTION BASIN

REQUIRED DETENTION FOR RM AND TRI-MER SITES COMBINED 10,383 C.F.
 PROVIDED DETENTION FOR RM AND TRI-MER SITES COMBINED 11,065 C.F.

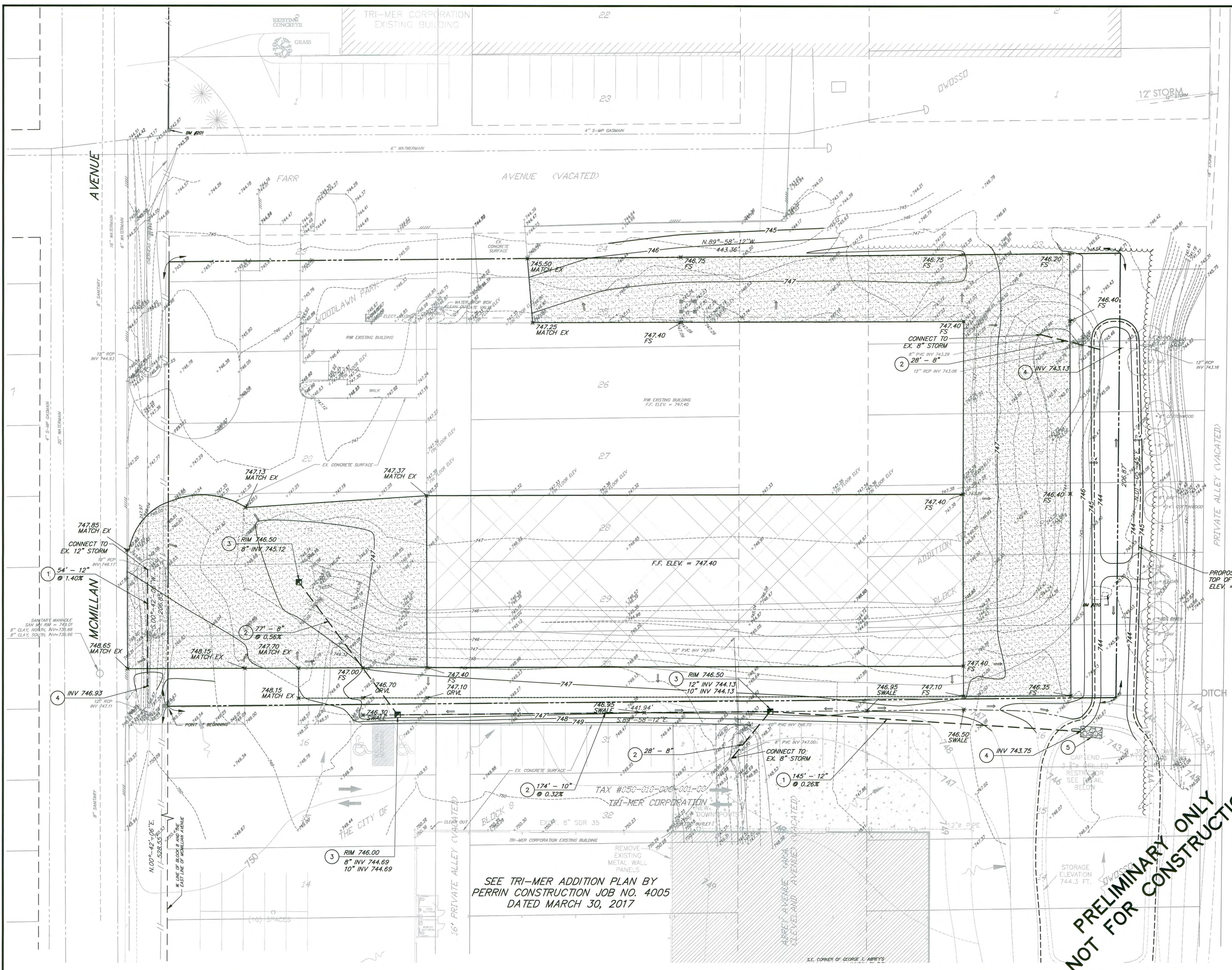
BENCHMARKS

- #201 - GEAR SPIKE IN EAST FACE OF POWER POLE, 30'± SOUTH OF DRIVE. ELEV. = 743.44
- #210 - SET GEAR SPIKE IN NORTH FACE OF 24" COTTONWOOD TREE. ELEV. = 742.51



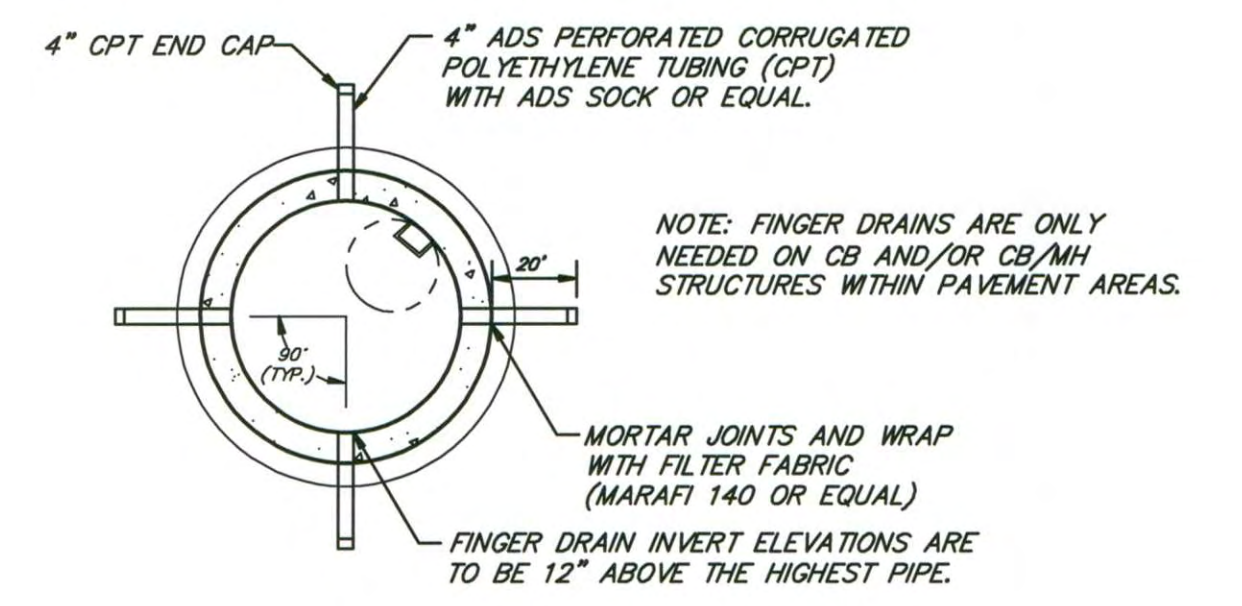
BY	MARK	REVISIONS	DATE
<p>THE WORK REPRESENTED BY THIS DRAWING WAS DESIGNED BY THE ENGINEER FOR THIS SPECIFIC APPLICATION AND SPECIFIC LOCATION DESCRIBED HEREIN IN ACCORDANCE WITH THE CONDITIONS PREVALENT AT THE TIME THE DESIGN WAS DONE. THE ENGINEER DOES NOT GUARANTEE AND WILL NOT BE LIABLE FOR ANY OTHER LOCATION, CONDITION, DESIGN OR PURPOSE.</p>			
<p>PERRIN CONSTRUCTION COMPANY, INC. 8888 EAST LANSING ROAD DURAND, MI 48429</p>			
<p>GRADING PLAN RM MANUFACTURING BUILDING & SITE ADDITIONS OWOSSO, MI 48867</p>			
<p>DE. BY: CAR DR. BY: CAR</p>		<p>CH. BY: MGV APP. BY: JEW</p>	
<p>STDS.</p>		<p>PROJECT NO. 124598SG2017</p>	
<p>DATE: APRIL 21, 2017 SCALE: 1" = 20'</p>		<p>SHEET 1 OF 3 FILE NO. D-5390-1</p>	

**PRELIMINARY ONLY
NOT FOR CONSTRUCTION**

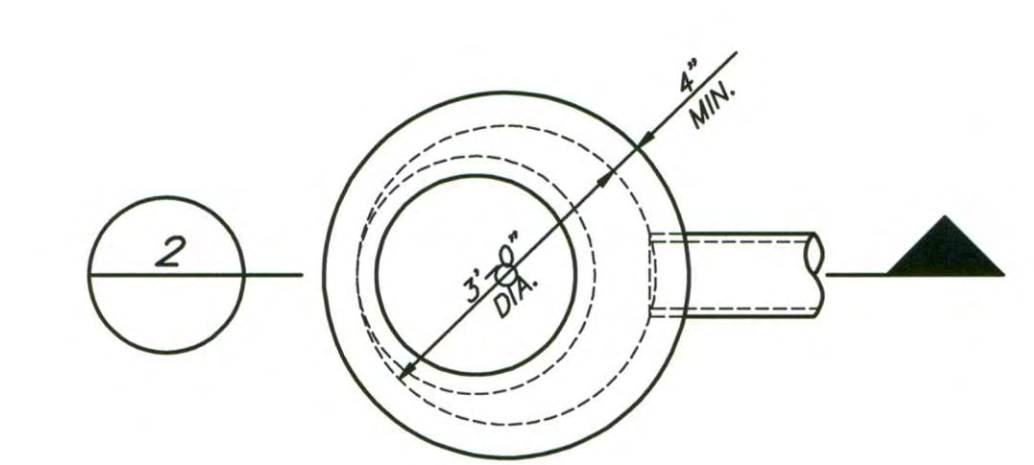


SEE TRI-MER ADDITION PLAN BY PERRIN CONSTRUCTION JOB NO. 4005 DATED MARCH 30, 2017

PLOTING SCALE: RET. F.B. PG. ACAD FILE:



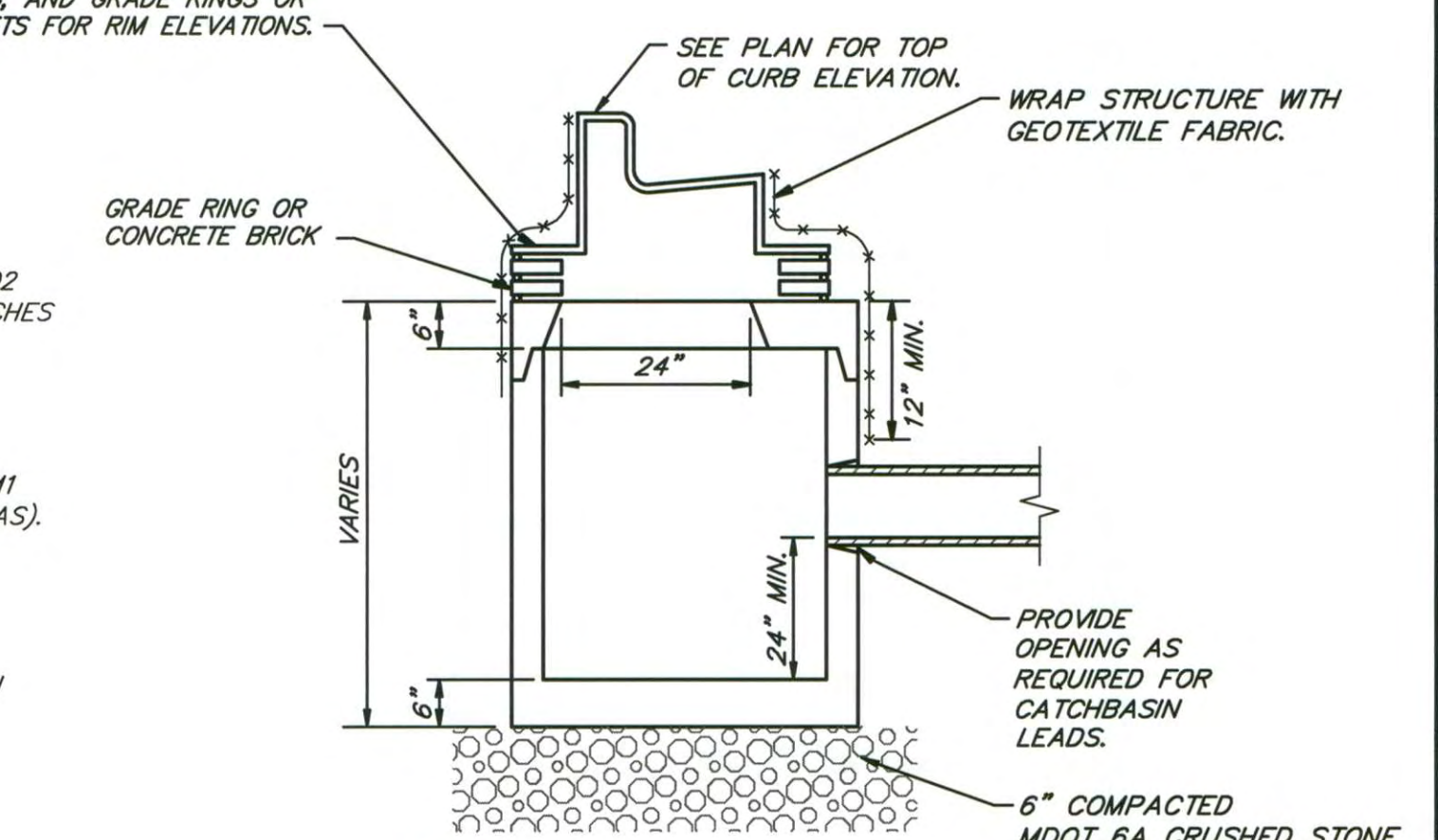
FINGER DRAIN DETAIL
NOT TO SCALE



TOP VIEW
NOT TO SCALE

PLACE FRAME AND COVER. THE TOP OF THE STRUCTURE SHALL BE CLEANED, DAMPENED, AND A MINIMUM OF 1/2" BEAD OF NON-SHRINK MORTAR SHALL BE PLACED BETWEEN THE STRUCTURE, CASTING, AND GRADE RINGS OR CONCRETE BRICK. SEE PLAN SHEETS FOR RIM ELEVATIONS.

- E.J.I.W. #1047 FRAME AND TYPE O2 BEEHIVE GRATE. (FOR USE IN DITCHES AND DETENTION BASINS).
- E.J.I.W. #1047 FRAME AND TYPE M1 GRATE. (FOR USE IN PAVED AREAS).
- E.J.I.W. #1047 FRAME AND TYPE N GRATE. (FOR USE IN REAR LOT DRAINAGE AND SWALES).
- E.J.I.W. #7045 FRAME W/ TYPE M1 GRATE. (FOR USE IN CURB & GUTTER)



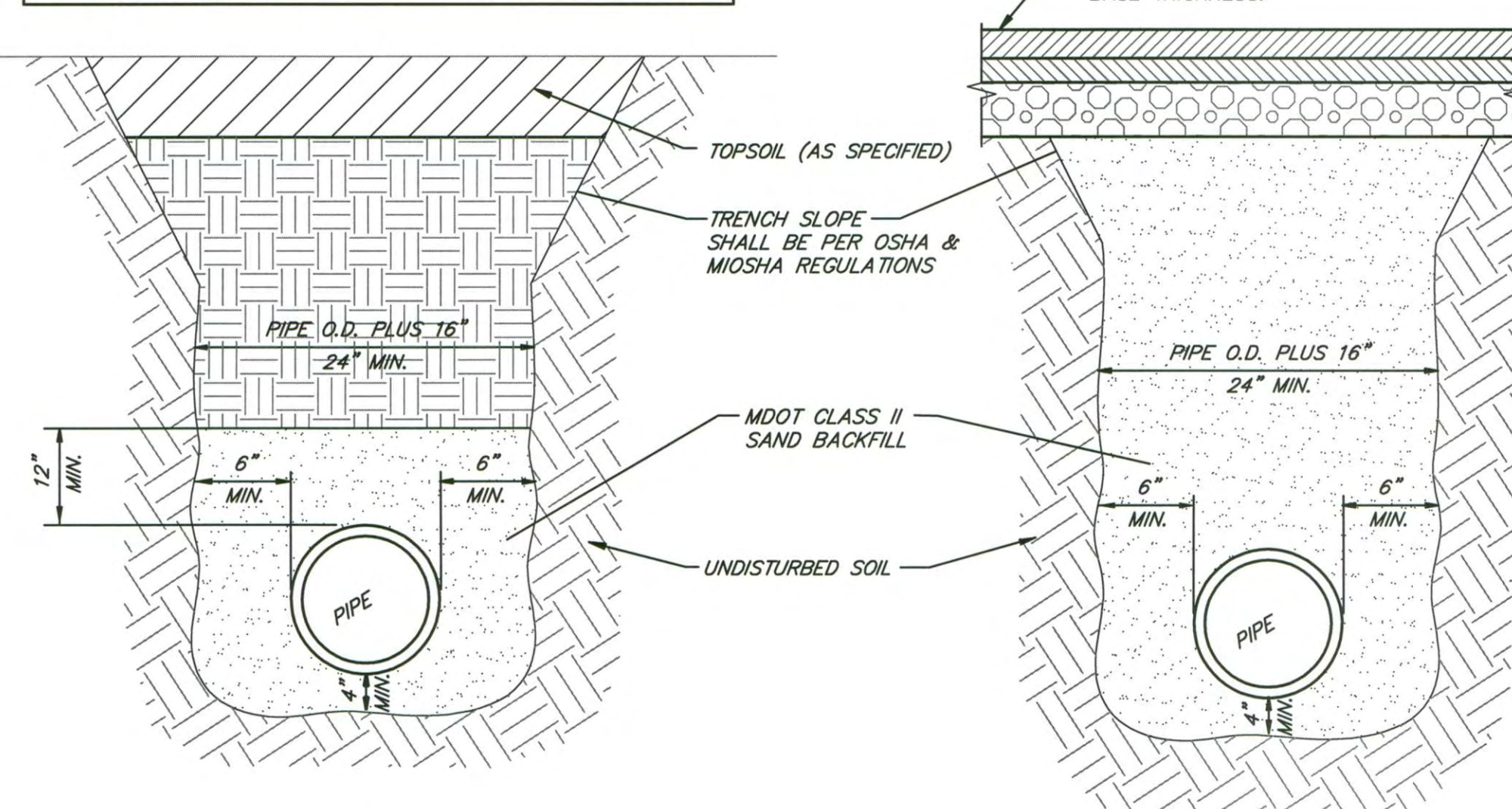
SECTION
NOT TO SCALE

3" DIA. CATCH BASIN DETAIL

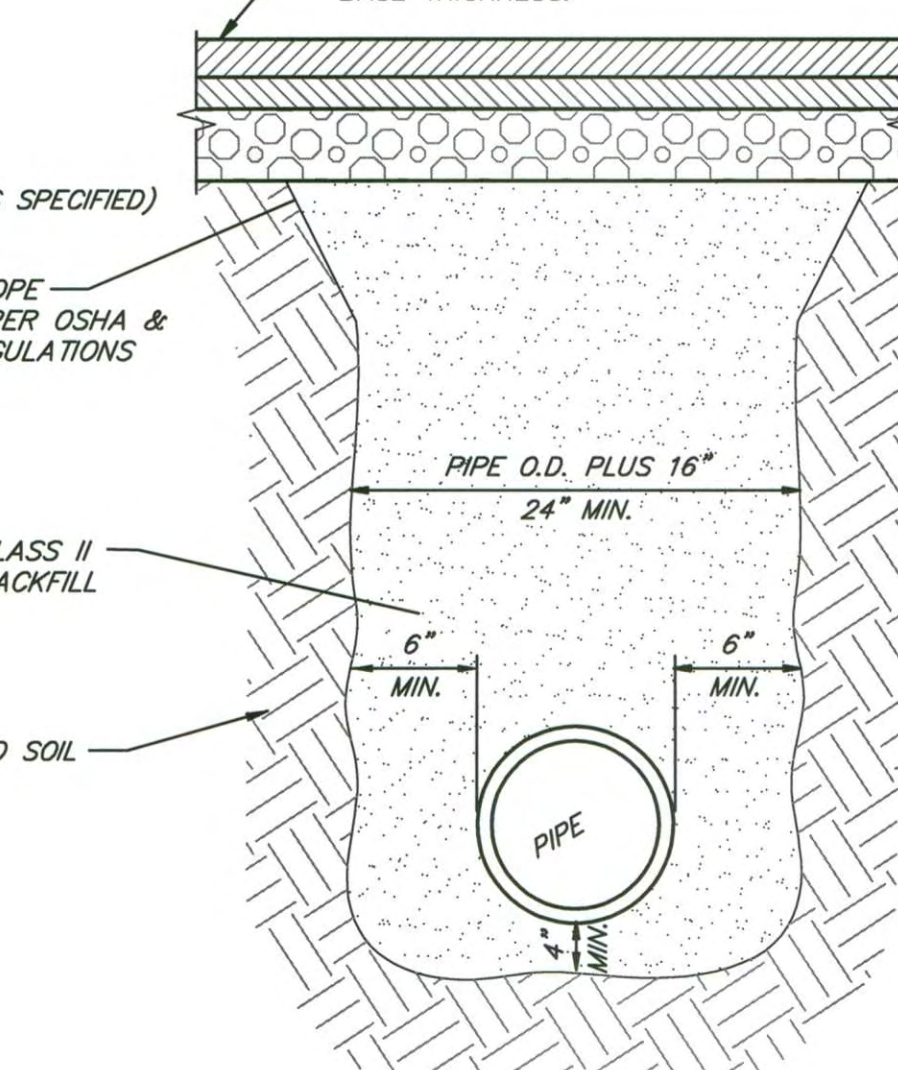


STORM SEWER TRENCH WIDTH CHART

PIPE SIZE	TRENCH WIDTH	
	MINIMUM	MAXIMUM
6"	18"	24"
8" & 10"	24"	30"
12" & 15"	30"	36"
18"	34"	40"
21"	38"	42"
24"	42"	46"
27"	45"	49"
30"	49"	53"
36"	56"	60"
LARGER THAN 36"	I.D.+20"	I.D.+24"

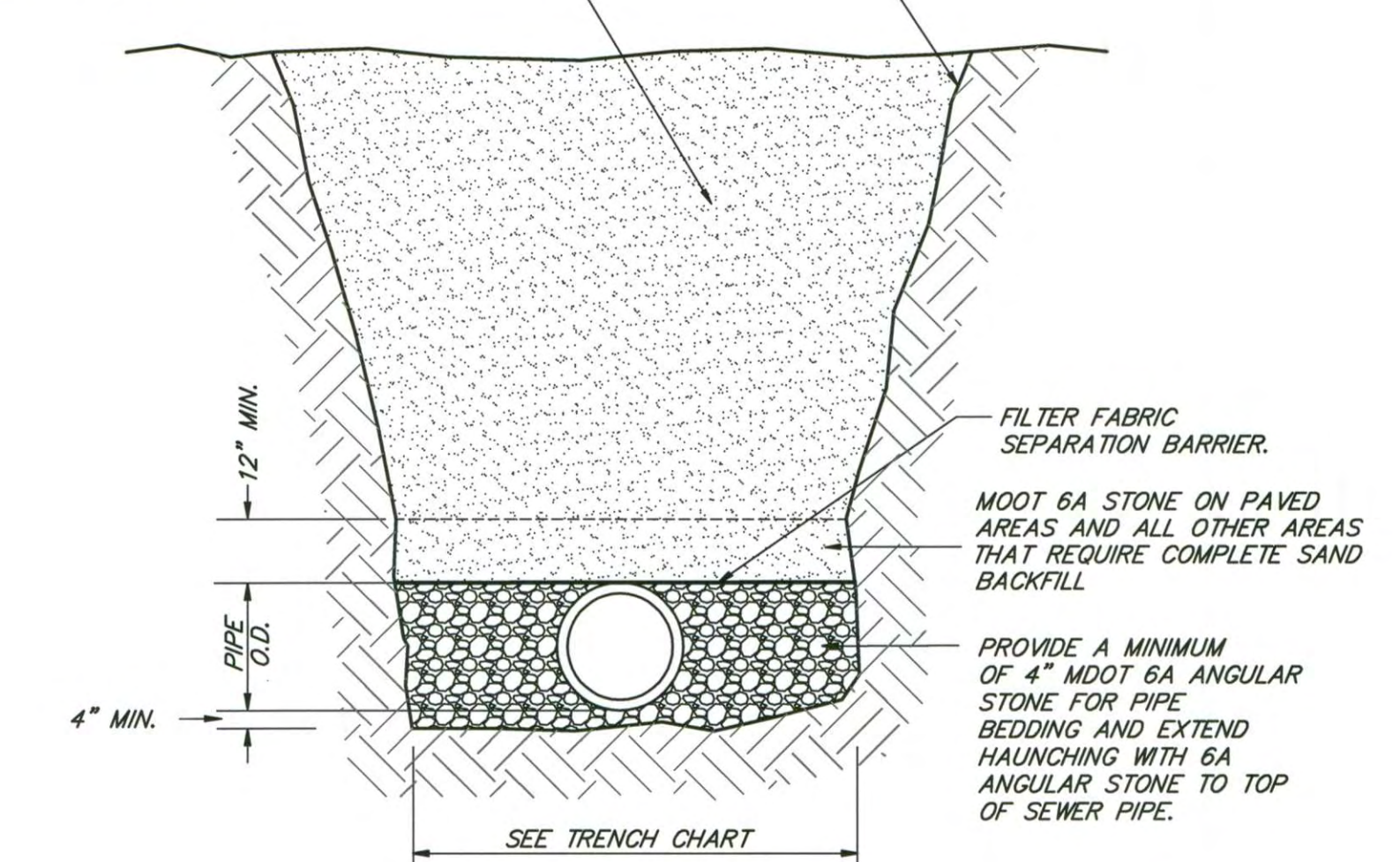


TYPICAL CONCRETE STORM SEWER TRENCH IN LANDSCAPED AREAS DETAIL
NOT TO SCALE



TYPICAL CONCRETE STORM SEWER TRENCH UNDER PAVED AREAS DETAIL
NOT TO SCALE

UNDER PAVED AREAS TRENCH SHALL BE BACKFILLED COMPLETELY AS SPECIFIED WITH APPROVED GRANULAR MATERIAL AND COMPACTED AS SPECIFIED. UNPAVED AREAS TRENCHES MAY BE BACKFILLED WITH NATIVE EXCAVATED MATERIAL (AS SPECIFIED) AND COMPACTED AS SPECIFIED.



TRENCH DETAIL FOR PVC/HDPE PIPE
NOT TO SCALE

**PRELIMINARY ONLY
NOT FOR CONSTRUCTION**

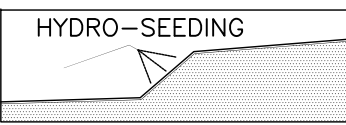
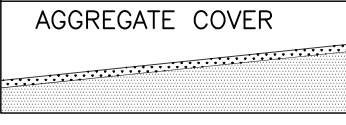
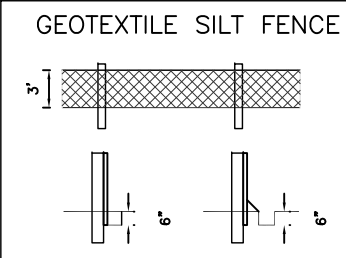
BY	MARK	REVISIONS	DATE
<p>THE WORK REPRESENTED BY THIS DRAWING WAS DESIGNED BY THE ENGINEER FOR THIS SPECIFIC APPLICATION AND SPECIFIC LOCATION DESCRIBED HEREON IN ACCORDANCE WITH THE CONDITIONS PREVALENT AT THE TIME THE DESIGN WAS DONE. THE ENGINEER DOES NOT GUARANTEE AND WILL NOT BE LIABLE FOR ANY OTHER LOCATION, CONDITION, DESIGN OR PURPOSE.</p>			
<p>PERRIN CONSTRUCTION COMPANY, INC. 8888 EAST LANSING ROAD DURAND, MI 48429</p>			
<p>SITE STORM DETAILS RWI MANUFACTURING BUILDING & SITE ADDITIONS OWOSSO, MI 48867</p>			
<p>Spicer group</p>		<p>SAGINAW OFFICE 230 S. Washington Ave. Saginaw, MI 48607 Tel. 989-754-4717 Fax. 989-754-4440 www.SpicerGroup.com</p>	
DE. BY:	CAR	CH. BY:	MGN
DR. BY:	CAR	APP. BY:	JEW
<p>PROJECT NO. 1245985G2017</p>		<p>SHEET 3 OF 3</p>	
DATE SCALE:	APRIL 21, 2017 AS NOTED	FILE NO.:	D-5390-3
			3

RET. F.B. PG. ACAD FILE. PLOTTING SCALE:

SOIL EROSION CONTROL NOTES

- ALL SOIL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF OWOSSO PUBLIC WORKS AND ENGINEERING REQUIREMENTS AND PROJECT SPECIFICATIONS.
- ANY EROSION OR SEDIMENT FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT BE ALLOWED TO COLLECT ON ANY OFF-SITE AREAS OR IN WATERWAYS; WATERWAYS INCLUDE BOTH NATURAL AND MANMADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES AND PONDS.
- USE DESIGNATED ENTRANCE FOR TEMPORARY CONSTRUCTION ENTRANCE/EXIT.
- DUST CONTROL SHALL BE EXERCISED AT ALL TIMES WITHIN THE PROJECT BY THE CONTRACTORS. SPRINKLING TANK TRUCKS SHALL BE AVAILABLE AT ALL TIMES TO BE USED ON HAUL ROUTES OR OTHER PLACES WHERE DUST BECOMES A PROBLEM.
- SEDIMENT AT CATCH BASINS SHALL BE REMOVED AFTER EVERY STORM.
- SEEDING OF EXPOSED AREAS SHALL BE COMPLETED WITHIN 5 DAYS OF FINAL GRADING.
- ALL DISTURBED AREAS WILL RECEIVE PERMANENT EROSION CONTROL WITHIN 5 DAYS OF FINAL GRADING. AREAS NOT STABILIZED SHALL BE DIVERTED TOWARD TEMPORARY SEDIMENT BASINS.
- WEATHER AND UNFORESEEN DELAYS MAY RESULT IN EXTENSION OF CONSTRUCTION SCHEDULE.
- SITE DEVELOPMENT CONTRACTOR SHALL INSPECT SOIL EROSION CONTROL MEASURES ON A DAILY BASIS. MORE OFTEN IF NECESSARY. ANY NEEDED REPAIRS SHALL BE PROMPTLY MADE.
- SITE DEVELOPMENT CONTRACTOR SHALL MEET WITH SOIL EROSION ENFORCEMENT OFFICER PRIOR TO START OF WORK.
- ALL TEMPORARY SEDIMENT CONTROL MEASURES ARE TO BE INSTALLED PRIOR TO EACH EARTH DISTURBANCE ACTIVITY. CHECK DAILY FOR EFFECTIVENESS AND REPAIR AS NEEDED. A MUNICIPAL INSPECTOR IS TO VERIFY PROPER INSTALLATION OF APPROVED SESS MEASURES PRIOR TO COMMENCEMENT OF EARTH DISTURBANCE ON SITE.
- ROLLED EROSION CONTROL MATTING SHALL BE INSTALLED AS MULCH.

SOIL EROSION & SEDIMENTATION CONTROL

KEY	DETAIL	CHARACTERISTICS
7	 HYDRO-SEEDING	EFFECTIVE ON LARGE AREAS MULCH TACKING AGENT USED TO PROVIDE IMMEDIATE PROTECTION UNTIL GRASS IS ROOTED SHOULD INCLUDE PREPARED TOPSOIL BED.
14	 AGGREGATE COVER	STABILIZES SOIL SURFACE, THUS MINIMIZING EROSION PERMITS CONSTRUCTION TRAFFIC IN ADVERSE WEATHER MAY BE USED AS PART OF PERMANENT BASE CONSTRUCTION OF PAVED AREAS.
54	 GEOTEXTILE SILT FENCE	CONTROLS AND CONTAINS SEDIMENT FROM SHEET FLOW CONDITIONS. FABRIC MUST BE "TOED" INTO THE SOIL 6" OR MORE TO PREVENT UNDERFLOW. MUST BE CONSTRUCTED OF ADEQUATE STRENGTH FILTER FABRIC AND STAKES.

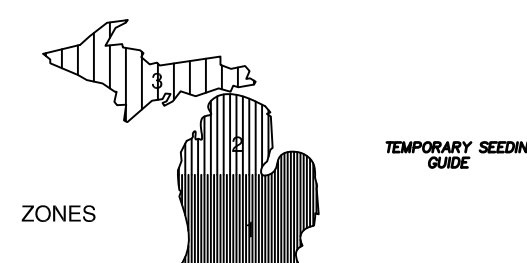
CONTRACTOR SHALL CONFORM TO SOIL EROSION AND SEDIMENTATION CONTROL ACT, PART 91 OF PUBLIC ACT 451 OF 1994, AS AMENDED. ALL CATCH BASINS, ON THE SITE AND ADJACENT TO THE SITE, SHALL BE COVERED WITH CLOTH FILTERS FOR SOIL EROSION AND SEDIMENTATION CONTROL.

TOTAL DISTURBED AREA FOR THIS PROJECT IS APPROX. 39,777 SQ. FT. = 0.91 ACRES

ALL EXISTING UTILITY LOCATIONS AND SIZES SHALL BE VERIFIED PRIOR TO CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES FOR FINAL LOCATIONS.

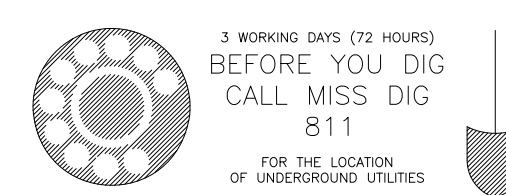
RWI MANUF. OWOSSO - 705 MCMILLAN AVE.

SOIL EROSION / SEDIMENTATION CONTROL OPERATION TIME SCHEDULE		2018											
CONSTRUCTION SEQUENCE	APR	MAY	JUN	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	
STRIP & STOCKPILE TOPSOIL													
ROUGH GRADE / SEDIMENT CONTROL													
TEMP. CONTROL MEASURES													
STORM FACILITIES													
TEMP. CONSTRUCTION ROADS													
FOUNDATION / BLDG. CONSTRUCTION													
SITE CONSTRUCTION													
PERM. CONTROL MEASURES													
FINISH GRADING													
LANDSCAPING													

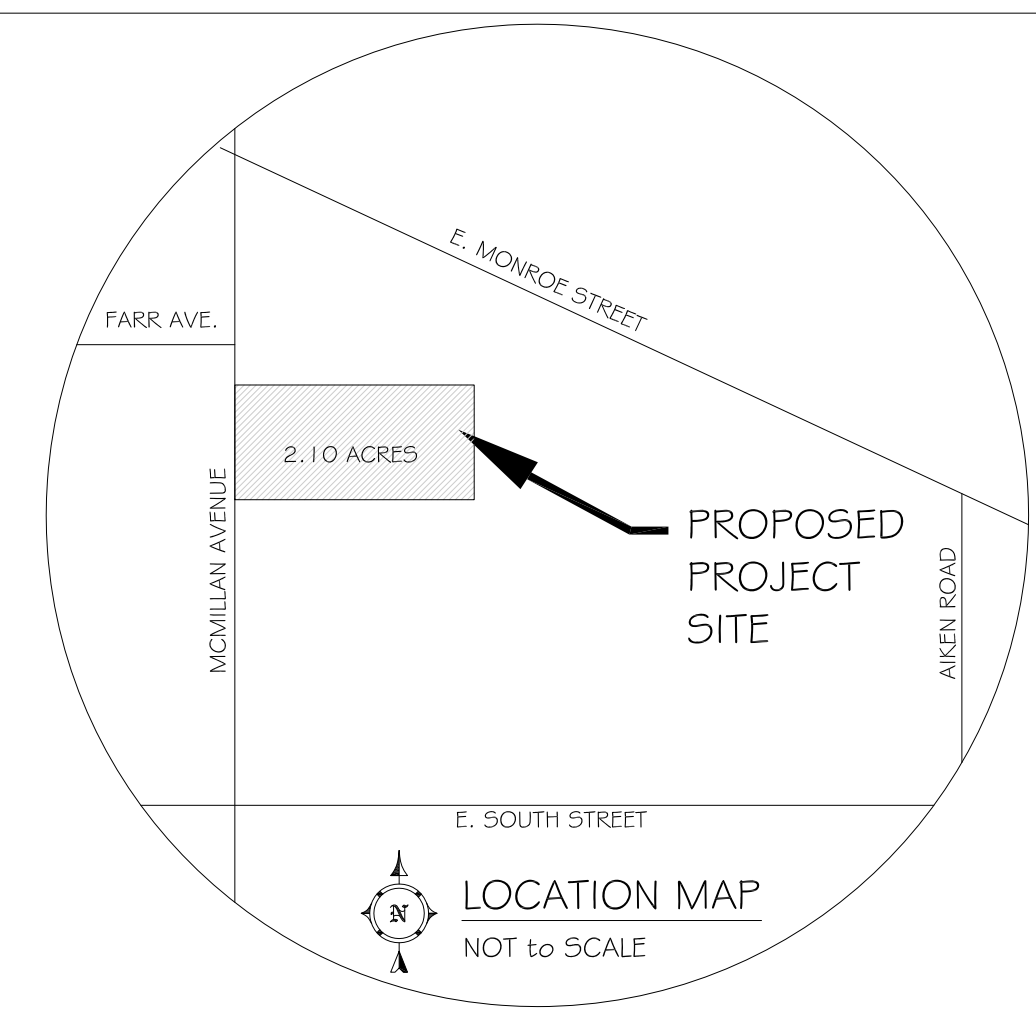
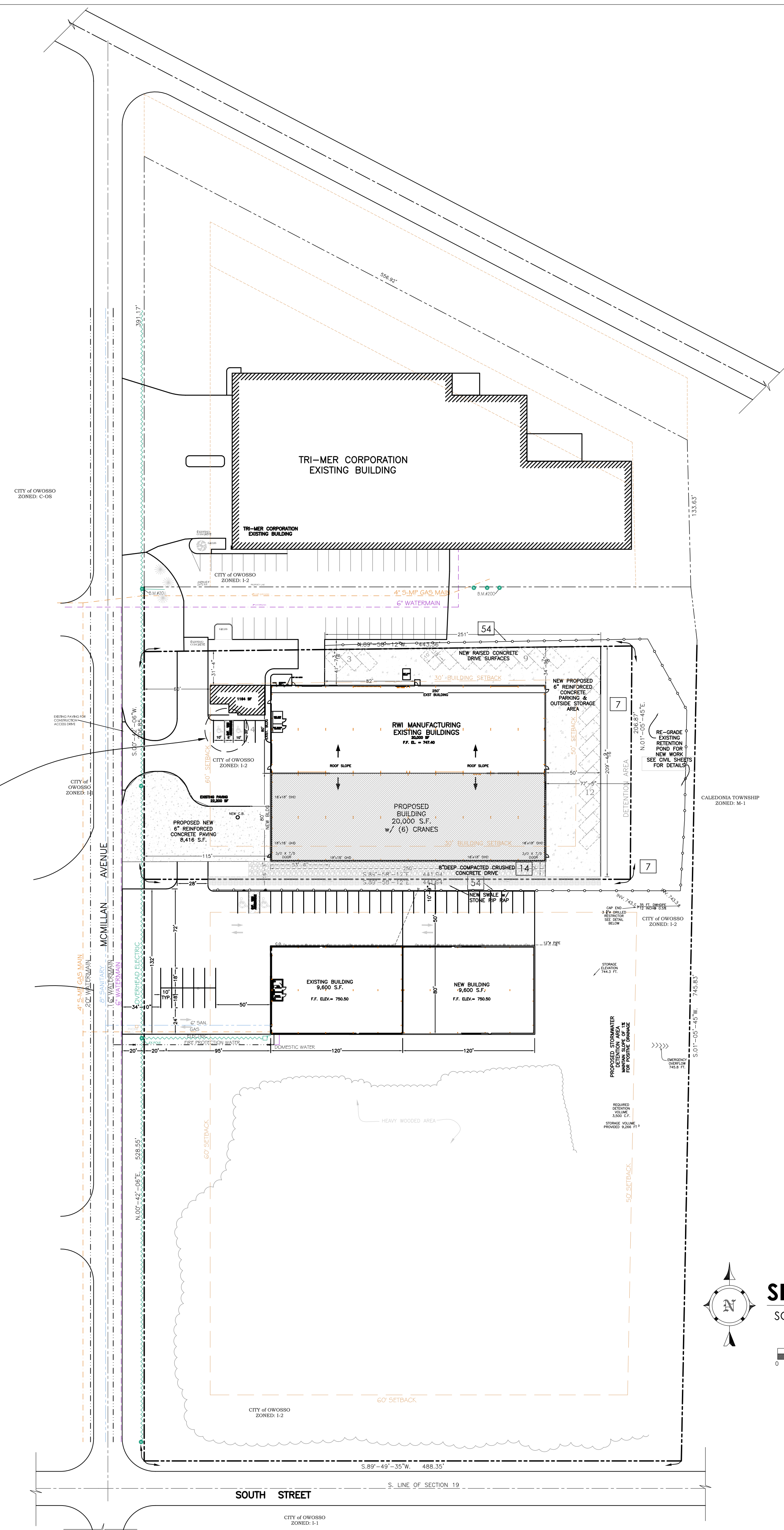


TEMPORARY SEEDING GUIDE

TYPE OF SEED	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	PERIODS OF PER ACRE
SPRING CEREAL RYE								2 LBS. 7.00
DOWNY BLUE GRASS								10 LBS. 30.00 LBS.
BROMEGRASS								1 LB. 30.00 LBS.
RYE								2 LB. 2.00
PERENNIAL RYE								10 LB. 30.00 LBS.
WHEAT								10 LB. 2.00



ALL DIMENSIONS MUST BE VERIFIED IN FIELD BEFORE CONSTRUCTION



ZONING

THE SUBJECT PROPERTY IS ZONED "I-2, GENERAL INDUSTRIAL":

Minimum Lot Area	N/A
Minimum Lot Width	N/A
Front Yard Setback	60 feet
Side Yard Setback	30 feet
Rear Yard Setback	30 feet
Maximum Building Height	60 feet

LEGAL DESCRIPTION

TAX I.D. # 050 - 010 - 008 - 002 - 00

A PARCEL OF LAND BEING PART OF THE SOUTHEAST 1/4 OF SECTION 19, T.7 N-R.3 E., CITY OF OWOSSO, SHAWASSEE COUNTY, MICHIGAN, BEING PART OF BLOCKS EIGHT (8) AND NINE (9) OF GEO. T. ABREY'S WOODLAWN PARK ADDITION TO THE CITY OF OWOSSO, INCLUDING PART OF VACATED CLEVELAND AVENUE LYING BETWEEN BLOCKS EIGHT (8) AND NINE (9), INCLUDING PART OF THE VACATED ALLEY RUNNING THROUGH BLOCK EIGHT (8). MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT WHICH IS THE FOLLOWING FOUR (4) COURSES FROM THE SOUTHEAST CORNER OF SAID SECTION 19:

- 1) S.89°-49'-35"W., 1322.04 FEET;
- 2) N.01°-05'-45"E., 25.99 FEET TO A FOUND CONCRETE MONUMENT BEING THE SOUTHEAST CORNER OF THE PLAT OF GEORGE T. ABREY'S WOODLAWN PARK ADDITION TO THE CITY OF OWOSSO;
- 3) S.89°-49'-35"W., ALONG THE SOUTH LINE OF BLOCKS NINE (9) AND EIGHT (8) OF SAID PLAT, 488.35 FEET TO THE SOUTHWEST CORNER OF BLOCK EIGHT (8) OF SAID PLAT;
- 4) N.00°-42'-06"E., ALONG THE MONUMENTED WEST LINE OF SAID BLOCK EIGHT (8) AND THE EAST LINE OF MCMILLAN AVENUE, 528.55 FEET TO THE POINT OF BEGINNING; THENCE S. 89°-58'-12"E., 441.94 FEET; THENCE N.01°-05'-45"E., 206.87 FEET; THENCE N.89°-58'-12"W., 443.36 FEET TO A POINT ON SAID MONUMENTED WEST LINE OF BLOCK EIGHT (8) AND SAID EAST LINE OF MCMILLAN AVENUE; THENCE N.00°-42'-06"E., ALONG SAID MONUMENTED WEST LINE OF BLOCK EIGHT (8) AND SAID EAST LINE MCMILLAN AVENUE, 206.85 FEET TO THE POINT OF BEGINNING. CONTAINING 2.10 ACRES OF LAND AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RIGHT-OF-WAY RECORD.

LOT COVERAGE

PROPERTY AREA = 91,476 S.F. = 2.10 ACRES
 EXISTING IMPERVIOUS SURFACE = 44,555 S.F.
 PROPOSED NEW IMPERVIOUS SURFACE = 45,411 S.F.
 TOTAL COVERAGE = 89,966 (2.07 ACRES) = 98 %

PARKING REQUIREMENTS

MANUFACTURING BUILDING
 FIVE (5) PLUS ONE (1) FOR EACH 2.3 FACTORY EMPLOYEES
 5 SPACES + (20 FACTORY EMPLOYEES)/ 2.3 = 13 SPACES
 OR
 ONE (1) FOR EVERY 550 SQ.FT. OF USABLE FLOOR SPACE (65%)
 26,000 SQ.FT./550 = 47 SPACES

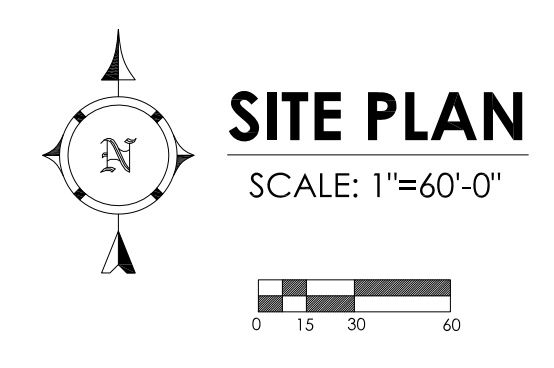
TOTAL PARKING SPACES PROVIDED = 26 SPACES + 2 H.C. SPACE

BENCH MARK

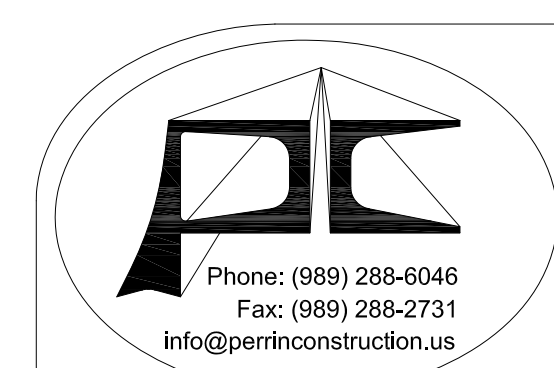
- BM #200 - SPIKE IN S.W. FACE OF POWER POLE AT THE EAST END OF BIT PARKING EL. 744.02
- BM #201 - SPIKE IN EAST FACE OF POWER POLE 30'-3/4" SOUTH OF DRIVE TO BUILDING EL. 743.44

SYMBOLS LEGEND

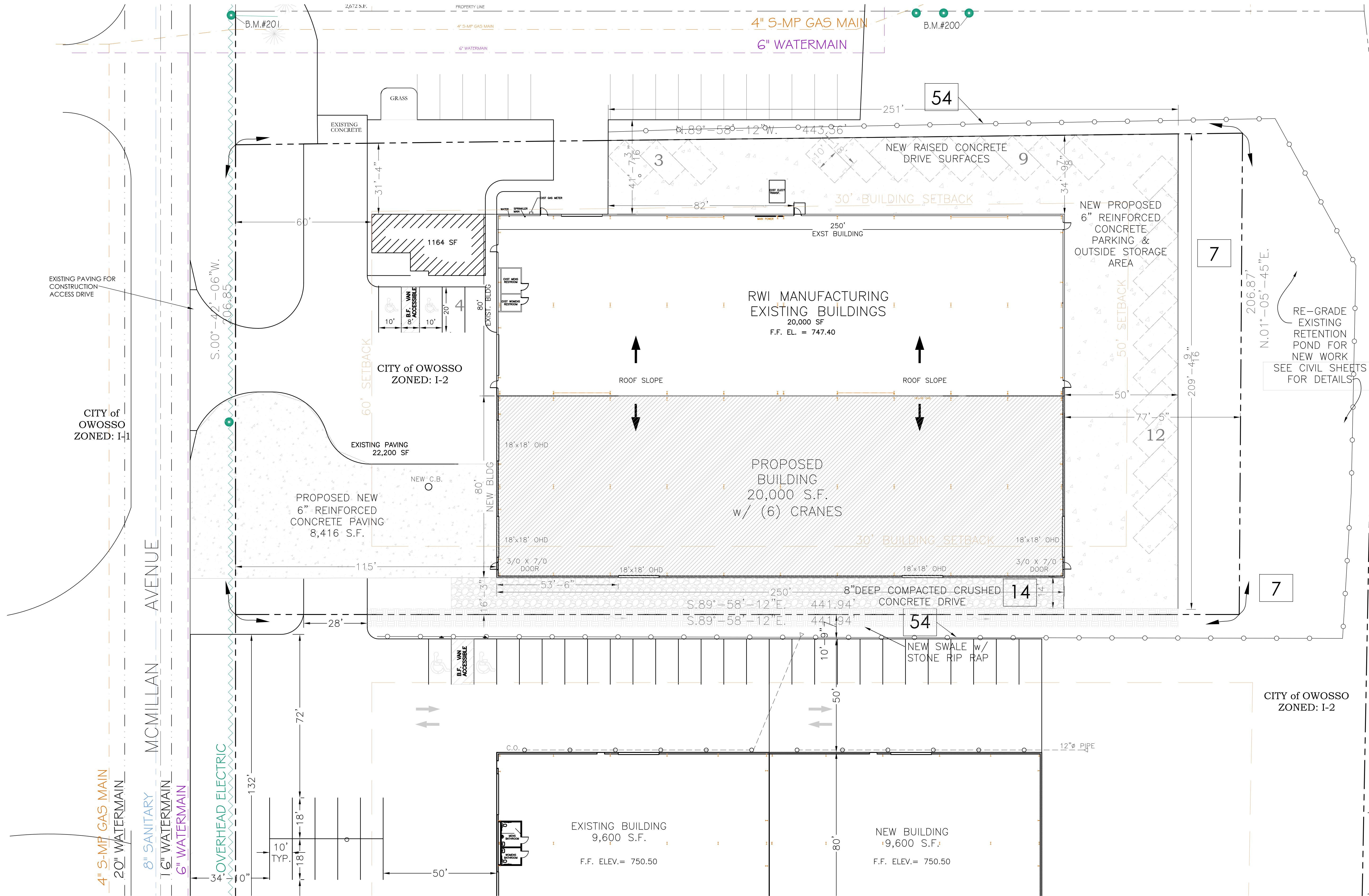
- 4" 5-MP GAS MAIN
- 8" SANITARY
- 16" WATERMAIN
- 6" WATERMAIN
- OVERHEAD ELECTRIC # P.P.
- PROPERTY LINES
- SETBACKS
- PROPOSED BUILDING
- PROPOSED DETENTION
- SILT FENCE
- EXIST. WOODED AREA



SOIL EROSION PLAN

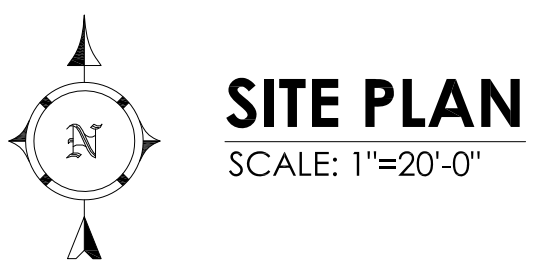


RWI MANUFACTURING 705 MCMILLAN ST. OWOSSO, MI 48867		REV	DATE: APRIL 27, 2017
PERRIN CONSTRUCTION CO., INC. 8888 EAST LANSING RD. DURAND, MI 48429		REVISED:	
PERRIN CONSTRUCTION		JOB NO. 3688	DRAWING NUMBER: C4
COPYRIGHT 2017 ©	FILE LOCATION: WPFfiles	SCALE: as noted	
DRAWN BY: JW			

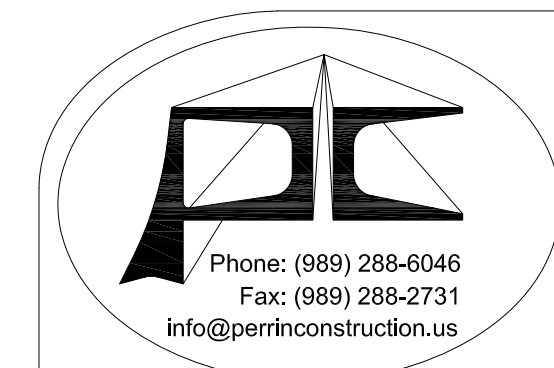


SYMBOLS LEGEND

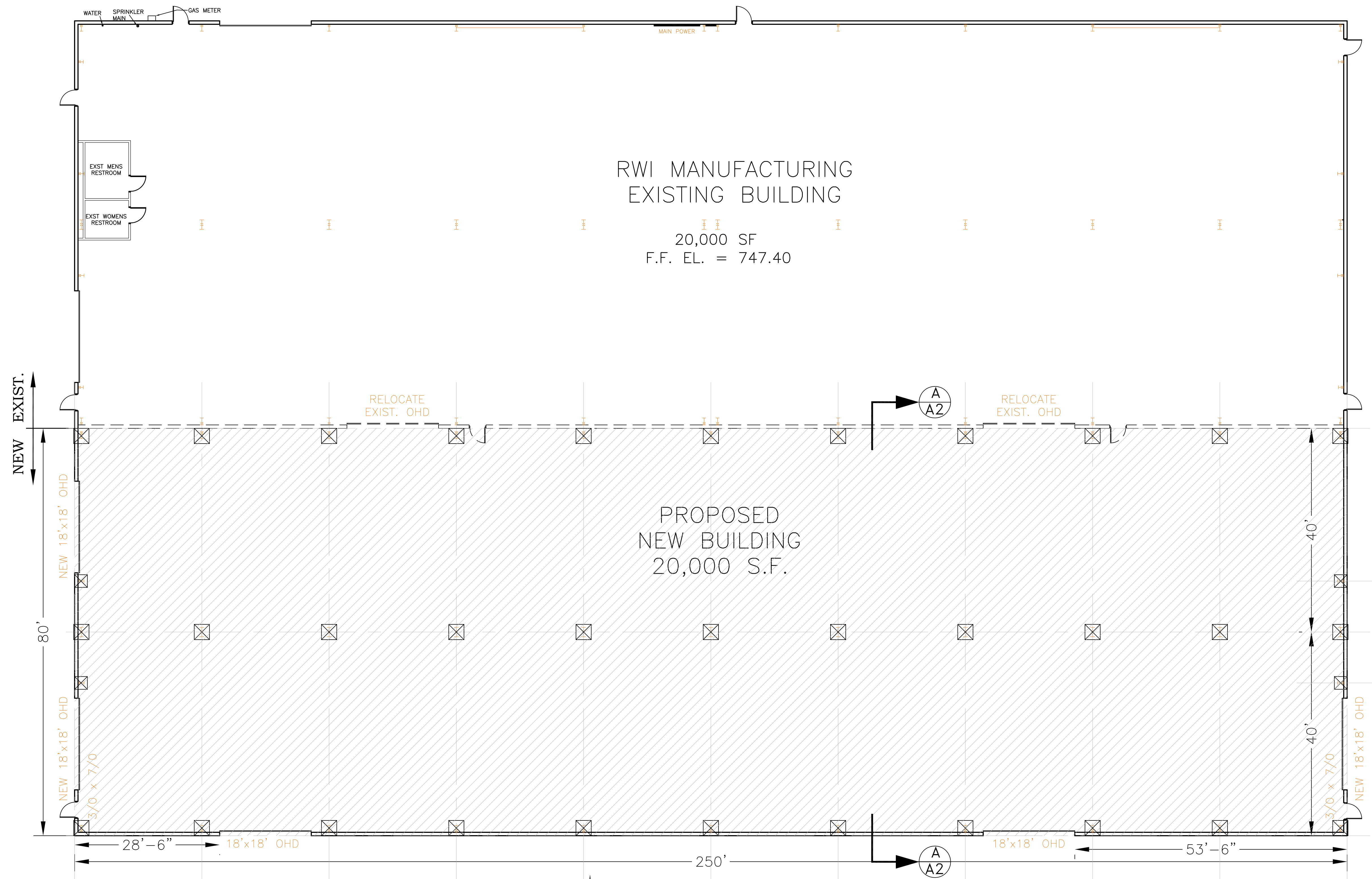
- 4" S-MP GAS MAIN
- 8" SANITARY
- 6" WATERMAIN
- OVERHEAD ELECTRIC & P.P.
- PROPERTY LINES
- SETBACKS
- PROPOSED BUILDING
- PROPOSED DETENTION
- SILT FENCE
- EXIST. WOODED AREA



ALL DIMENSIONS MUST BE VERIFIED IN FIELD BEFORE CONSTRUCTION



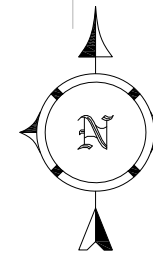
PROPOSED SITE	
RWI MANUFACTURING 705 MCMILLAN ST. OWOSSO, MI 48867	
PERRIN CONSTRUCTION CO., INC. 8888 EAST LANSING RD. DURAND, MI 48429	REV: _____ DATE: APRIL 27, 2017 REVISED: _____
PERRINCONSTRUCTION	
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DRAWN BY: JW FILE LOCATION: WPFfiles	SCALE: as noted



RWI MANUFACTURING
EXISTING BUILDING

20,000 SF
F.F. EL. = 747.40

PROPOSED
NEW BUILDING
20,000 S.F.



FLOOR PLAN
SCALE: 3/32"=1'-0"

BUILDING DATA

USE GROUP: "F-1" FACTORY
TYPE OF CONSTRUCTION: II-B - FULLY SUPPRESSED
SQUARE FOOTAGE: 20,000 S.F. + 20,000 S.F. = 40,000 S.F.
OCCUPANT LOAD: PER CODE -1 per 500 gross = 80
ACTUAL: 15 Employees

FOOTING SIZES TO BE DETERMINED BY STRUCTURAL ENGINEER
PRIOR TO CONSTRUCTION.

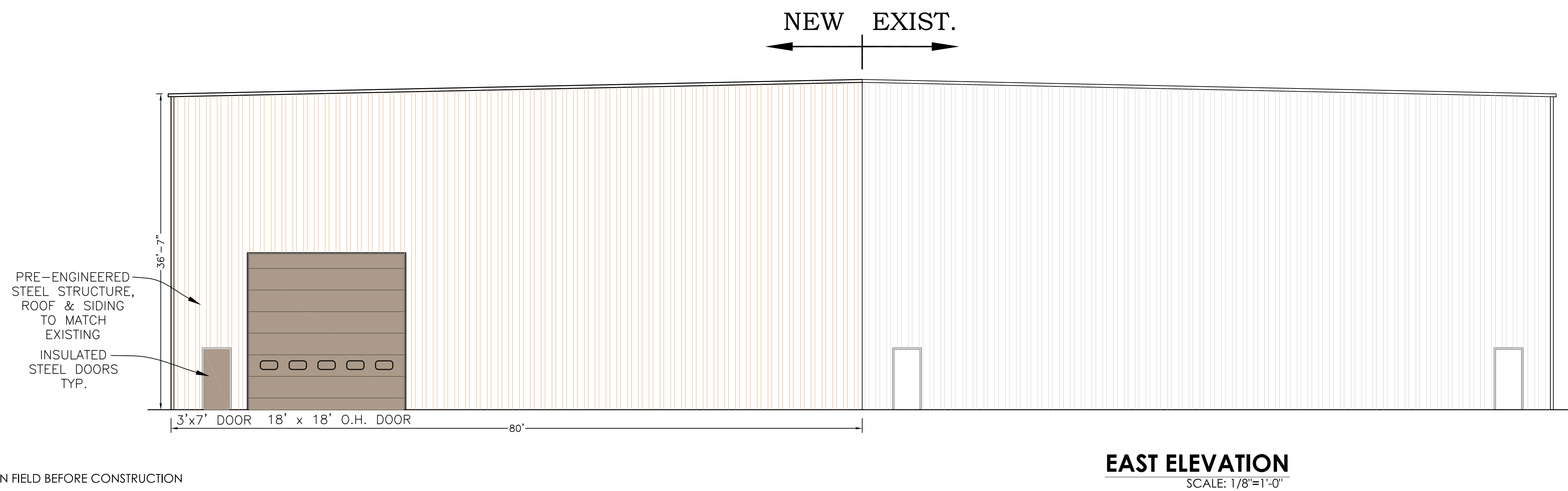
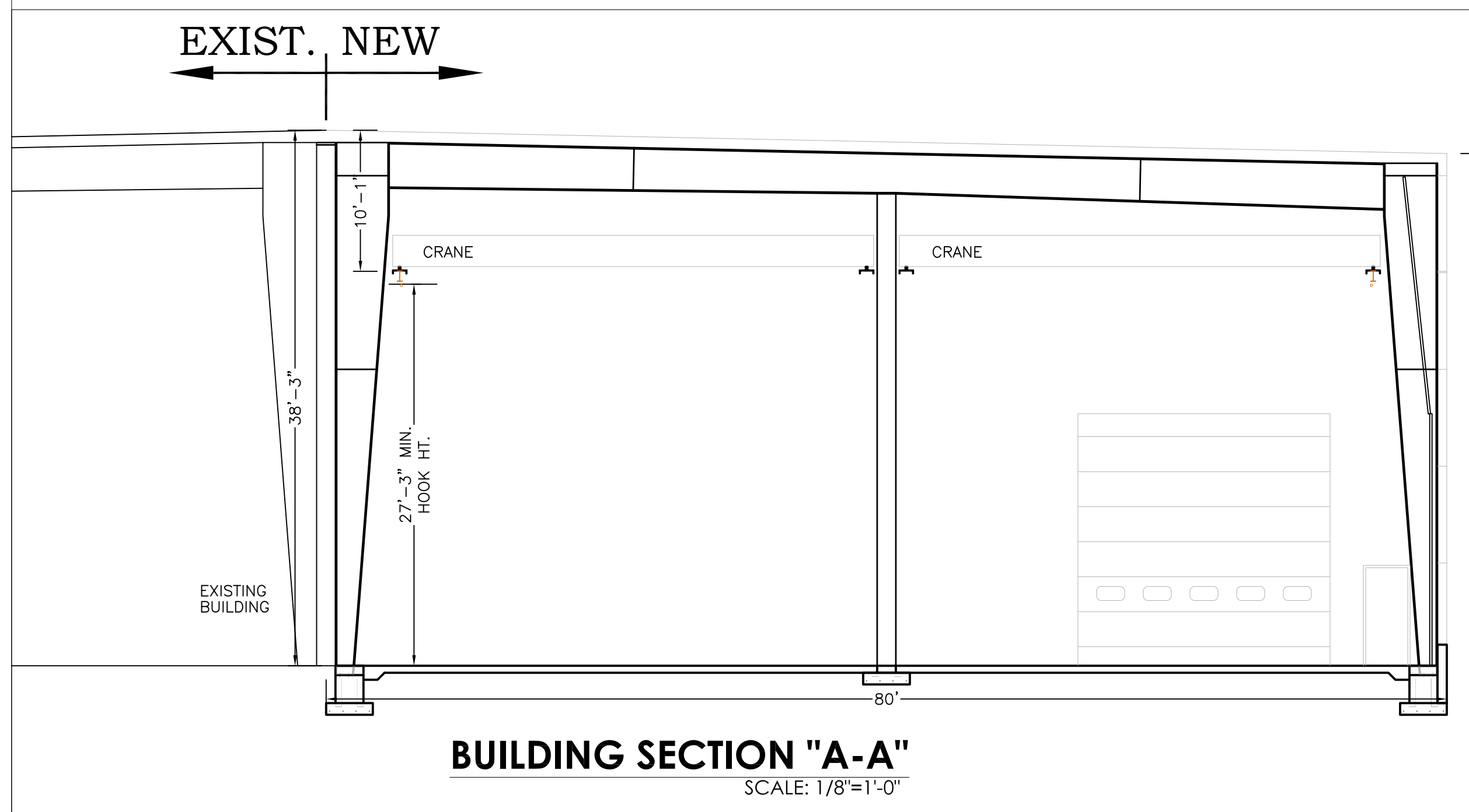
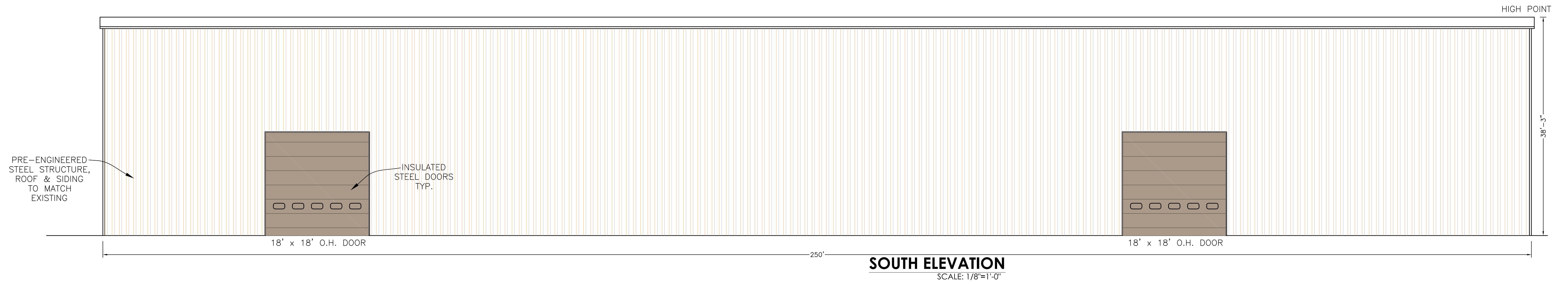
PRE-ENGINEERED BUILDING STRUCTURE BY KIRBY BUILDING
SYSTEMS

ALL CONSTRUCTION SHALL COMPLY WITH LOCAL,
STATE & NATIONAL CODES AS REQUIRED.

ALL DIMENSIONS MUST BE VERIFIED IN FIELD BEFORE CONSTRUCTION



FLOOR PLAN	
RWI MANUFACTURING 705 MCMILLAN ST. OWOSSO, MI 48867	
PERRIN CONSTRUCTION CO., INC. 8888 EAST LANSING RD. DURAND, MI 48429	REV: _____ DATE: APRIL 27, 2017 REVISED: _____
PERRIN CONSTRUCTION	
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DRAWN BY: JW	SCALE: as noted



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SECTION & ELEVATIONS			
RWI MANUFACTURING 705 MCMILLAN ST. OWOSSO, MI 48867			
PERRIN CONSTRUCTION CO., INC. 8888 EAST LANSING RD. DURAND, MI 48429		REV	DATE: APRIL 27, 2017
PERRINCONSTRUCTION			
COPYRIGHT 2017 ©		JOB NO: 3688	DRAWING NUMBER: A2
DRAWN BY: JW	FILE LOCATION: WPFfiles	SCALE: as noted	



Coates' Canons Blog: Can We Prohibit Offensive Signs?

By David Owens

Article: <https://canons.sog.unc.edu/can-we-prohibit-offensive-signs/>

This entry was posted on November 09, 2011 and is filed under Land Use & Code Enforcement

Malcolm Tucker runs a small nightclub. He recently put up a billboard advertising his business on the main road leading into town. The billboard is garish to say the least. It is bright orange and uses suggestive language and photos to advertise the entertainment offered at his club — drinking, dancing, and video sweepstakes games. A number of citizens raised objections to the sign at the public comment period at the last meeting of the town council. Many contended this sign was tasteless, offensive, tawdry, and just plain ugly. Others felt it sent an inappropriate message to children. Still others noted that the sign harmed the community's image and would impair future economic development efforts. All urged the board to amend the sign ordinance to prohibit this type of offensive commercial advertisement. Can the town do that?

The town can certainly regulate signs. But there are limits on the authority of the town to regulate the content of signs. The U.S. Supreme Court has held that advertisements have some protection as free speech under the First Amendment. In order to determine whether the town can limit offensive commercial signs, the town attorney is going to have to dig into a considerable body of constitutional law.

An initial principle that must be considered is that for the most part sign regulations need to be “content neutral.” If the regulation is not content neutral, a compelling governmental interest is needed to justify the sign restriction, a standard most typical sign restrictions cannot meet. In *Discovery Network, Inc. v. City of Cincinnati*, 507 U.S. 410 (1993), the Supreme Court invalidated a regulation that distinguished among the types of papers inside of regulated news racks. In *Consolidated Edison Co. v. Public Service Commission*, 447 U.S. 530 (1980), the Court invalidated as impermissible content-based discrimination a regulation prohibiting electric bill inserts promoting nuclear power while allowing other inserts. On the other hand, reasonable “time, place, and manner” restrictions (such as where the sign can be located, size limits, and the like) are permissible if applied without regard to the actual wording or message on the sign.

The courts do allow some distinctions while still considering the regulation content neutral for First Amendment purposes. It is permissible, for example, to distinguish between commercial and noncommercial signs and between on-premise and off-premise outdoor advertisements. But here the town is interested in restricting the content of Tucker's commercial sign, so those distinctions do not apply.

In addition to consideration of content neutrality, the town must address the general standard for regulation of commercial speech as set forth in *Central Hudson Gas & Electric Corp. v. Public Service Commission of New York*, 447 U.S. 557 (1987) (invalidating a total ban of promotional advertising by electric utilities). *Central Hudson* established the following four-part test for assessing restrictions on commercial speech:

1. To be protected, the speech must concern lawful activity and not be misleading.
2. The asserted governmental interest in the restriction must be substantial.
3. The regulation must directly advance the governmental interest.
4. The regulation must be no more extensive than necessary.

On the first test, all of the activity advertised on Tucker's new sign are legal, so that could not be the basis for prohibiting it. If he used obscene language or photos, that could be prohibited. But the fact that an advertisement is offensive to many does not remove its First Amendment protection.

On the second test, the town does have a substantial government interest that would support some degree of regulation. The government interest most often cited to support sign regulations is protection of community aesthetic values and promoting traffic safety. In the leading case on billboard regulations, *Metromedia, Inc. v. City of San Diego*, 453 U.S. 490

(1981), the Supreme Court held that there are substantial state interests in traffic safety and aesthetics and that sign regulations are a legitimate means of serving those objectives. Also, the courts have held that aesthetics alone may serve as a sufficient justification for sign regulation. See, for example, *National Advertising Co. v. City of Raleigh*, 947 F.2d 1158, 1168 (4th Cir. 1991).

The third and fourth tests, however, pose some problems the town will have to address if it want to limit signs like Mr. Tucker's. The town must address whether the limits would directly advance the government's legitimate interests and be no more extensive than necessary.

An example of the need for this careful analysis is provided by *Sandhills Ass'n of Realtors v. Village of Pinehurst*, a recent federal district court case (No. 1:98CV00303, 1999 WL 1129624, M.D.N.C. Nov. 8, 1999). The village adopted regulations on temporary signs that had differing size and content rules depending on the type of sign. The rules limited the size of real estate signs, limited the colors that could be used, limited the duration the sign could be displayed, and limited the content that could be included on the sign. The court held this to be a content based restriction that failed both as a reasonable time, place, and manner restriction and as commercial speech regulation under *Central Hudson*. The court noted that while aesthetic concerns were a substantial governmental interest, they were not a compelling interest and the regulation was not narrowly tailored. The fact that different rules were applied to different types of temporary signs was also a significant issue. The court pointed out that aesthetic concerns could potentially justify uniform regulations, but singling out particular commercial messages for more restrictive regulation is a content-based regulation that casts doubt on the alleged governmental interest supporting the regulation.



Michigan recently adopted legislation limiting signs for adult businesses to display of words and numbers only, no photos allowed.

One approach local governments have taken is to argue that the content can be considered in order to prevent adverse secondary impacts, much as is the case with regulation restricting the location of adult entertainment. For example, in *Excalibur Group, Inc. v. City of Minneapolis*, 116 F.3d 1216 (8th Cir. 1997), the court upheld limitations on the signs that could be displayed by an adult establishment. The ordinance prohibited signs displaying pictures of products or entertainment offered in the establishment. In *Basiardanes v. City of Galveston*, 682 F.2d 1203 (5th Cir. 1982), the court held the city could prohibit display of provocative, lurid, sexually explicit posters by an adult theater. The courts allowed these sign restrictions as a narrowly tailored means of reducing adverse secondary impacts of the adult businesses.

But while Tucker's sign advertises adult products, it does not deal with sexually explicit forms of protected speech and the secondary impacts argument is rarely successful outside of the adult entertainment area. The facts that Tucker's sign deals with alcohol and gambling thus provide only modest support for regulation. In *44 Liquormart, Inc. v. Rhode Island*, 517 U.S. 484 (1996) (striking down restrictions on advertising retail prices of alcoholic beverages), the Court held that the authority to regulate alcohol does not reduce the protections afforded by the First Amendment. Limitations on advertisements of legal gaming were similarly invalidated by the Court in *Greater New Orleans Broadcasting Ass'n, Inc. v. United States*, 527 U.S. 173 (1999) (invalidating restrictions on broadcast advertisements for lawful casino gambling). Some limitation short of a total prohibition of advertisements of legal gambling may be permissible. See, for example, *WV Assoc. of Club Owners and Fraternal Services, Inc. v. Musgrave*, 553 F.3d 292 (4th Cir. 2009), upholding some advertising restrictions for legalized video gaming machines. But such a restriction must be carefully tailored and the

rationale for the restriction well documented.

This need for careful tailoring is illustrated by the judicial review of limits on tobacco advertisements. Application of the *Central Hudson* requirements that restrictions on commercial speech be no more extensive than necessary led the Supreme Court to invalidate Massachusetts restrictions on tobacco advertisements in *Lorillard Tobacco Co. v. Reilly*, 533 U.S. 525 (2001). The Court invalidated a prohibition of billboards advertising smokeless tobacco and cigars within 1,000 feet of schools and playgrounds. The Court found that while preventing underage tobacco use was a substantial government interest and restrictions on targeted advertisements were substantially related to that interest, the regulation was not sufficiently tailored. The government must carefully calculate the costs and benefits associated with the burden on free speech, and the Court found that the state had not done a sufficient calculation of those factors in this case.

When the speech is indiscriminately available to minors, as is the case with most signs, some restrictions are permissible. Restrictions on outdoor advertisements carefully targeted at protection of minors have been upheld. The Fourth Circuit has been particularly receptive to these considerations. In *Anheuser-Busch, Inc. v. Schmoke I*, 63 F.3d 1305 (4th Cir. 1995) and *Anheuser-Busch, Inc. v. Schmoke II*, 101 F.3d 325 (4th Cir. 1996), the court upheld a Baltimore ordinance prohibiting alcohol advertising near schools as a reasonable time, place, and manner restriction that satisfied the four-part test of *Central Hudson*. This might provide some basis for the town to limit placement of a sign like Tucker's near a school or playground, but is unlikely to allow a broader limit.

So, where does this leave the town? The town can limit where commercial advertising signs are located. The town can limit the size and height of the sign. It can limit features such as changeable copy or flashing lights. It can prohibit obscenity. It may even impose limits on advertisement of adult products to minors if the limits are narrowly tailored and carefully supported by an analysis of the way the restriction will advance a substantial governmental interest. But the town cannot prohibit the content of the sign on the grounds that it is objectionable or tasteless. Any limit on the content of the commercial advertisement is going to need thorough study and detailed legal support.

Links

- sogweb.sog.unc.edu/blogs/localgovt/?attachment_id=5954