

Owosso Planning Commission



*Regular Meeting
7:00pm, Monday, March 28, 2016
Owosso City Council Chambers*



MEMORANDUM

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

DATE: March 24, 2016
TO: Chairman Wascher and the Owosso Planning Commission
FROM: Susan Montenegro, asst. city manager/director of community development
RE: Regular Planning Commission Meeting: March 28, 2016

The planning commission shall convene at 7:00pm on Monday, March 28, 2016 in the city council chambers of city hall.

The purpose of the meeting will be to discuss potential changes to the current sign ordinance.

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, March 28, 2016 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

CALL MEETING TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA: March 28, 2016

APPROVAL OF MINUTES: February 2, 2016

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes from February 2, 2016.
3. ROWE seminar invite
4. Current sign ordinance
5. City of New Baltimore, MI sign ordinance

COMMISSIONER/PUBLIC COMMENTS:

PUBLIC HEARINGS:

None

SITE PLAN REVIEW:

None

BUSINESS ITEMS:

None.

ITEMS OF DISCUSSION:

1. Sign ordinance updating

COMMISSIONER/PUBLIC COMMENTS:

ADJOURNMENT: **Next meeting will be Monday, April 25, 2016***

Commissioners, please call Sue at 725-0544 if you will be unable to attend the meeting on Monday, March 28, 2016.

[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, March 28, 2016 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

Resolution 160328-01

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the agenda of March 28, 2016 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 160328-02

Motion: _____

Support: _____

The Owosso Planning Commission hereby approves the minutes of February 2, 2016 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 160328-03

Motion: _____

Support: _____

The Owosso Planning Commission hereby adjourns the March 28, 2016 meeting, effective at _____pm.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

MINUTES
SPECIAL MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
TUESDAY, FEBRUARY 2, 2016 – 7:00 P.M.

CALL TO ORDER: Commissioner Bill Wascher called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Was recited.

ROLL CALL: Roll call was taken by Recording Secretary Roxane Cramer.

MEMBERS PRESENT: Chairman Bill Wascher, Vice-Chair Weaver, Commissioners, Tom Taylor, Michelle Collison, Janae Fear, Frank Livingston, Michael O’Leary, Brent Smith and Garfield Warren.

MEMBERS ABSENT: None.

OTHERS PRESENT: Jody Whitmore, Sales Manager of Cargill Inc., Doug Scott of Rowe Engineering
Susan Montenegro, Assistant City Manager/ Community Development Director

APPROVAL OF AGENDA:
MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE AGENDA FOR FEBRUARY 2, 2016.
YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE MINUTES FOR DECEMBER 14, 2015.
YEAS ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes from December 14, 2015.
3. Site plan application.
4. Site plan for 1509 W. Oliver.
5. Staff review of site plan.
6. Construction standard detail sheet (utility).
7. Detention volume and discharge calculations.
8. Aerial site map.

COMMISSIONER/PUBLIC COMMENTS: Ms. Montenegro thanked everyone for attending the meeting tonight and allowing for one meeting rather than having one on January 25th and one February 2nd.

PUBLIC HEARINGS:

None.

SITE PLAN REVIEW:

1. 1509 W. Oliver Street – parcel 050-537-000-048-00. Jody Whitmore Sales Manager for Cargill gave a brief overview of Cargill. He explained that Cargill started with two brothers buying a grain elevator and now employs 150,000 and just celebrated their 150th year. Cargill's purpose is to be the global leader in nourishing people. The four areas that Cargill works in are food, agriculture, financial and industrial. They are a privately held company that believes in sustainable agriculture. He stated the operation in Owosso would be a bulk dairy facility similar to the one they have in Pennsylvania only this one will be bigger.

Doug Scott of Rowe Engineering presented the site plan. He stated the 76,000 square foot warehouse would be built on the 19.1 acres. The office space is 1,900 square feet. The facility in Owosso would operate in the beginning from 7:30 a.m. – 5 p.m. employing 11 persons and eventually would operate 3 shifts per day doubling the work force. The initial operation would begin with 18 trucks per day and could add up to 45 per day. The route, off Chipman Street, would be the drive now used by Sonoco and they are in favor of this development. Vice-Chair Weaver asked if the city would have to incur the cost of the street, sewer, and the water main. Ms. Montenegro explained that because of the Brownfield District that is in place that there is money to help with the expense. Chairman Wascher questioned the easement that was noted on the plan. He said he would like that easement addressed in the plan.

There was discussion about the retention pond. Chairman Wascher asked if there was going to be a fence around the retention pond for safety. Doug Scott explained that the pond will dry out within 24 hours and the facility will be a secured facility. The projected plan is for the facility to fully operational by May of 2017.

MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER O'LEARY THAT THE OWOSSO PLANNING COMMISSION HEREBY APPROVES THE APPLICATION FOR SITE PLAN REVIEW FOR CARGILL, INC., 1509 W. OLIVER STREET PARCEL # 050-537-000-048-00 AS APPLIED IN PLANS DATED JANUARY 2016, SUBJECT TO THE CHANGE OF EASEMENT ON SITE PLAN.

YEAS ALL. MOTION CARRIED.

BUSINESS ITEM:

1. None

ITEMS OF DISCUSSION:

1. None

COMMISSIONER/PUBLIC COMMENTS:

Vice chair Weaver asked Ms. Montenegro if the planning commission would have any input on the location of the Disc Golf Course. She told him they would not. He questioned why Hopkins Lake. She explained the first location, at Roseaver Park would not work because the course would have participants crossing cemetery property and the cemetery owners would not agree to allow that. She also explained that Harmon Partridge Park wasn't large enough.

Commissioner Fear asked if the Medical Marijuana Dispensary was open. Ms. Montenegro explained that it was. Commissioner Fear questioned the legality of it. Ms. Montenegro explained she is not speaking for law enforcement but that the law is open to interpretation and the state is working on changing the Medical Marijuana Law.

ADJOURNMENT:

**MOTION BY COMMISSIONER O'LEARY, SUPPORTED BY COMMISSIONER LIVINGSTON TO ADJOURN AT 7:08 P.M. UNTIL THE NEXT MEETING ON FEBRUARY 22, 2016.
YEAS ALL, MOTION CARRIED.**

Janae Fear, Secretary

rc

Chapter 26 - SIGNS

FOOTNOTE(S):

--- (1) ---

Editor's note—Ord. No. 500, adopted Feb. 16, 1993, amended Ch. 26 to read as herein set out in Arts. I—VII, §§ 26-1, 26-2, 26-5—26-7, 26-9, 26-11—26-21, 26-23, 26-24, 26-26—26-33, 26-35—26-38. Prior to inclusion of said ordinance, Ch. 26, § 26-1 pertained to similar subject matter and derived from the Code of 1917, §§ 8.51—8.132.

Cross reference— Signs for bed and breakfast operations, § 7-7; destruction of official notices, § 19-26; planning, Ch. 23; streets, sidewalks and other public places, Ch. 29; subdivision regulations, Ch. 30; traffic and motor vehicles, Ch. 33; zoning, Ch. 38; zoning regulations of signs, § 38-385.

State Law reference— Highway advertising act, MCL 252.301 et seq., MSA 9.391(101) et seq.

ARTICLE I. - UNIFORM SIGN CODE

Sec. 26-1. - Adoption of Uniform Sign Code.

There is hereby adopted by reference the 1991 Edition of the Uniform Sign Code, as published by the International Conference of Building Officials which 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.

(Ord. No. 500, 2-16-93)

Sec. 26-2. - Changes in code.

The following section of the sign code adopted by the provisions of this article is hereby amended as indicated:

Section 1401. Temporary signs shall not exceed one hundred (100) square feet in area. Temporary signs if rigid material shall not exceed twenty-four (24) square feet in area, or six (6) feet in height, nor shall any such sign be fastened to the ground.

(Ord. No. 500, 2-16-93)

Secs. 26-3, 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.

(Ord. No. 500, 2-16-93)

Sec. 26-6. - Purposes.

The purposes of this chapter are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety and public health; to minimize the possible adverse effect of signs on nearby public and private property; to keep

signs within a reasonable scale with respect to the buildings and property to which they relate, and; to enable the fair and consistent enforcement of these sign restrictions. It is determined that the regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purposes. It is also determined that restrictions in this chapter on the size of signs, as well as their height and placement on real estate, are the minimum amount necessary to achieve this chapter's purposes.

(Ord. No. 500, 2-16-93)

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 certain 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.
- (6) This chapter shall not relate to building design. Nor shall this chapter regulate: official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point-of-purchase displays; scoreboards on athletic fields; flags of any nation, government or noncommercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

(Ord. No. 500, 2-16-93)

Sec. 26-8. - Reserved.

ARTICLE III. - DEFINITIONS

Sec. 26-9. - Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in chapter 38, zoning, of this Code, or in the Uniform Sign Code shall be given the meanings set forth in such chapter and code. Principles for computing sign area and sign height are contained in section 26-24. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

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.

Animated sign. Any sign that uses movement or change of lighting, either natural or artificial, to depict action or create a special effect or scene. For the purposes of this chapter, this term does not refer to flashing, changeable copy signs or programmable message centers.

Awning sign. A sign painted on, printed on, or attached flat against the surface of an awning, which is a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework. An awning is not a marquee.

Banner sign. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one (1) or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Beacon. Any light with one (1) or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one (1) or more beams that rotate or move.

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.

Canopy. A rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one (1) or more points or extremities and by columns or posts embedded in the ground at other points or extremities.

Canopy sign. A sign displayed and affixed flat on the surface of a canopy which does not extend vertically or horizontally beyond the limits of the canopy.

Central business district. That area defined by the boundary of the B-3 zoning district on the zoning map of chapter 38, zoning and that area defined by those properties fronting Main Street between State Street and Cedar Street and those contiguous properties zoned commercial at or near the intersection of Stewart Street and South Chipman Street. For the purposes of these chapter regulations, the central business district is symbolized by the B-3 zoning district title.

Changeable copy sign. Any sign designed or constructed whereby the lettering or message usually contained thereon is capable of being changed by rearranging or installing new letters or messages without removing, replacing or resurfacing the face of such sign.

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

Construction sign. Any sign identifying the names of the project developers, contractors, engineers, architects and financial institutions, which is located on a site being developed or improved.

Directional sign. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo, said logo not comprising more than twenty (20) percent of the total sign area, of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced sign. Any sign containing two (2) sign surfaces.

Election sign. A temporary sign which refers only to a political candidate, political party, or the issues involved in an upcoming political election.

Facade. The front of a building, including a parapet, facing a right-of-way line. In the case of a corner lot, or in the case of a building covering an entire block, a building may have more than one (1) facade.

Festoon sign. Any sign consisting of strings of exposed incandescent light bulbs, balloons, or strings of pennants hung overhead to draw attention to items on display or a particular business establishment.

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. Any sign which contains an intermittent or flashing, scintillating, blinking or traveling light source which includes signs that give the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

Freestanding sign. A sign structure supported permanently upon the ground by poles or braces and not attached to any building. This definition shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Frontage, street. The length of the property line of any one (1) premise along a public right-of-way on which it borders.

Garage sale sign. Any sign denoting a private sale of personal property used to dispose of personal household possessions.

Ground sign. Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

Height of sign. The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the sign, excluding decorative embellishments.

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.

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.

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.

Mansard. A sloped roof or rooflike facade architecturally comparable to a building wall.

Marquee. Any permanent rooflike structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign. Any sign which is attached to a marquee. These signs shall be treated as wall signs.

Moving message board. An electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

Multi-faced sign. Any sign containing three (3) or more signed surfaces so that such messages as contained on the sign face are visible to persons viewing such signs from two (2) or more directions.

Nonconforming sign. Any sign which lawfully occupied a building or land at the effective date of chapter 38, zoning of this Code, or any amendment thereto, that does not conform to the regulations of the district or premises where it is located.

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

Parapet. That part of any wall entirely above the roofline of a building.

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.

Person. Any individual, corporation, association, firm, partnership, or similarly defined interest.

Portable sign. A mobile temporary sign mounted on a trailer type frame with wheels or skids and not permanently attached to the ground or designed to be permanently attached to the ground or a building.

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 flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

Roof sign. Any sign erected over or on the roof of a building.

Roof sign, integral. Any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Rotating sign. Any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purposes of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. This section shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Suspended sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign. A sign not constructed or intended for longterm use and not permanently mounted.

Vacant land. A lot of record on which there are no principal uses and for which no nonconformity exists for the minimum required street frontage of the applicable zoning district.

Wall sign. Any sign attached to, and/or affixed to, the face of the wall of any building structure or part thereof, provided that no part of any such sign extends more than twenty-four (24) inches from the face of the exterior wall.

Window sign. Any paper, cardboard, or painted graphics or other material conveying an advertising message which is designed for or placed behind any window visible to the public.

(Ord. No. 500, 2-16-93; Ord. No. 579, § 1, 5-3-99; Ord. No. 627, § 1, 5-19-03; Ord. No. 661, § 1, 10-18-04; Ord. No. 673, § 1, 6-19-06)

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, except as provided in section 26-17, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. A separate permit shall be required for each sign. Electrical signs shall, in addition, require an electrical permit.

(Ord. No. 500, 2-16-93)

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) feet, a height of seven (7) feet above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

(Ord. No. 500, 2-16-93)

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.

(Ord. No. 500, 2-16-93)

Sec. 26-14. - Completeness.

Within five (5) 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 five (5) 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.

(Ord. No. 500, 2-16-93)

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 five (5) 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 five (5) 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.

(Ord. No. 500, 2-16-93)

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.

(Ord. No. 500, 2-16-93)

Sec. 26-17. - Signs not requiring a permit.

The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- (1) Signs used by a governmental agency and a franchised public utility company if the sign of the utility company is for public safety purposes.
- (2) Construction signs of sixteen (16) square feet or less.
- (3) Holiday or special events decorations.
- (4) Nameplates of two (2) square feet or less.
- (5) Election signs.
- (6) Temporary real estate signs advertising the premises for rent, sale, or lease, under the following conditions:
 - a. One (1) sign not more than six (6) square feet in area for a single-dwelling or building or vacant land for residentially zoned premises less than one (1) acre. For vacant residential parcels larger than one (1) acre, one sign not more than fifteen (15) square feet in area.

Development signs advertising the availability of lots or living units within a subdivision, a planned development or complex may be placed at an entrance to the subdivision, planned unit development or complex, with a maximum height of seven feet and a maximum area of forty (40) square feet. The sign shall be permitted for three (3) years or until eighty (80) percent of the development is sold-out or leased, whichever comes first.
 - b. One (1) sign not more than thirty-two (32) square feet in area for vacant commercial or industrially zoned premises less than one (1) acre.
 - c. On corner lots pertaining to subsections a. and b. above, an additional equivalent sign is permitted if separated by seventy-five (75) lineal feet of road frontage.
 - d. For commercial and industrial premises larger than one (1) acre, one (1) sign per acre to a maximum of four (4) signs, not to exceed thirty-two (32) square feet per sign and not closer together than two hundred (200) lineal feet of road frontage.
 - e. For occupied industrial and commercial premises, one (1) sign not more than fifteen (15) square feet with an allowance for an additional sign not more than fifteen (15) square feet for corner lots if separated by seventy-five (75) lineal feet of road frontage.
 - f. A real estate sign not to exceed six (6) square feet in area for the purposes of direction may be located on private property with an owner's permission on a successive Friday, Saturday and Sunday only. The sign height shall not exceed forty-eight (48) inches. Signs higher than thirty (30) inches shall not be located in a corner clearance described in section 26-23(2).
- (7) Interior building signs which are not designed for visibility of the public as in the case of a window sign.
- (8) Directional signs less than six (6) square feet.
- (9) Garage sale signs as provided for in Chapter 25-101 of the Owosso City Code.
- (10) Bed and breakfast signs as provided for in Chapter 7 of the Owosso City Code.
- (11) Other signs less than six (6) square feet.

(Ord. No. 500, 2-16-93; Ord. No. 571, § 1, 9-6-98; Ord. No. 760, § 1, 2-2-15)

Sec. 26-18. - 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.

(Ord. No. 500, 2-16-93)

Sec. 26-19. - Construction and maintenance.

All signs shall be designed and constructed in conformity to the provisions for materials, loads, stresses, and safety of the latest adopted edition of the Uniform Sign Code, Article I of this chapter. Nothing contained in the Uniform Sign Code shall be construed to permit any sign prohibited by the Owosso Sign Ordinance or to reduce any standard established by said ordinance.

Every sign in the city, including those signs for which permits are required, or exempt signs for which no permits are required shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including metal parts and supports. The administrator shall, from time to time, inspect and have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or abandoned, or which constitute a physical hazard to public safety.

(Ord. No. 500, 2-16-93)

Sec. 26-20. - Removal of certain signs.

In the event a sign is abandoned for a period of time in excess of six (6) months, the sign owner shall immediately remove any sign identifying the abandoned use or purpose announced thereby. Upon failure of a sign owner to comply with this section, the administrator shall issue a written notice to the sign owner, which notice shall state that such sign shall be removed within fourteen (14) days. If the sign owner fails to comply with such written notice to remove, the administrator is hereby authorized to cause removal of such sign, and any expense incidental to such removal shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property. For the purpose of this section, the word "remove" shall mean:

- (1) The sign face, along with posts, columns, or supports of freestanding signs, shall be taken down and removed from the property.
- (2) The sign face and supporting structures of "projecting", "roof", or "wall" signs shall be taken down and removed from the property.
- (3) The sign face of "painted wall signs" shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question. This provision shall not apply to signs fifty (50) years old or over that are historical landmarks of the city's past and are attached to a building that is maintained and preserved as an architectural landmark. The historic criteria adopted by the planning commission shall serve to distinguish these signs.

(Ord. No. 500, 2-16-93)

Sec. 26-21. - Other signs forfeited.

Any sign installed or placed on public property, except in conformance with the requirements of this chapter, shall be forfeited to the public and subject to confiscation. In addition to other remedies of the City Code, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

(Ord. No. 500, 2-16-93)

Sec. 26-22. - Reserved.

ARTICLE V. - SPECIFIC CONTROL PROVISIONS.

Sec. 26-23. - Specific control provisions.

The following provisions shall apply to all signs erected or located in any zoning district or to the specific situations described herein:

- (1) Signs in the right-of-way. No sign except those established and maintained by the city, county, state, or federal governments, and except those projecting canopy and marquee signs mounted on building walls in the B-3 Zoning District where no front yard setback is required shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- (2) Signs at intersections. Signs shall be located such that there is at every street intersection or entranceway a clear view between heights of three (3) feet and ten (10) feet in a triangle formed by the corner and points on the curb twenty-five (25) feet from the intersection or entranceway. A support structure six (6) inches in diameter or less or six (6) inches per side or less shall not be considered an obstruction to a clear view.
- (3) Construction signs. A building under construction may have one sign on the site of construction. The sign may not exceed ten (10) percent of the square foot area of the front of the structure with a maximum size of two hundred (200) square feet.
- (4) Vacant land signs.
 - a. One sign not to exceed six (6) square feet in area on lots of record of vacant land two (2) acres in size or less.
 - b. Signs on lots of record of vacant land exceeding two (2) acres shall not exceed fifteen (15) square feet of sign area per acre of land or fifteen (15) square feet of sign area per one hundred (100) lineal feet of thoroughfare frontage with total sign area not to exceed one hundred (100) square feet. Signs shall be spaced two hundred (200) feet or more apart.
- (5) Traffic interference. No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other work, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
- (6) Responsibility of compliance. The owner of any property on which a sign is placed, and the person maintaining said sign, are equally responsible for the condition of the sign and the area in the vicinity thereof.
- (7) Obstructions to doors, windows, sidewalks, and fire escapes. No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window, sidewalk or fire escape.
- (8) Temporary signs. A limit of two temporary signs shall be permitted per parcel unless otherwise regulated in section 26-23.
- (9) Gasoline price signs. A gasoline service station shall be permitted signs on each pump island indicating the prices and types of gasoline and the type of service. The area of such signs shall not exceed ten (10) square feet per pump island. One freestanding sign to include a changeable

copy sign or reader board is allowed. The size of the freestanding sign shall not exceed forty-eight (48) square feet.

- (10) Light glare. No direct light or significant glare from a sign shall be cast onto any zone lot that is zoned and used for residential purposes or onto any public way so as to cause interference with traffic safety.
- (11) Election signs. Signs relating to elections shall be removed within ten (10) days following the election or within sixty (60) days of installation whichever occurs first.
- (12) Adjoining sign interference. Signs shall not interfere with the noticeability, visibility, and legibility of existing conforming signs on adjoining zoning lots.
- (13) Festoon signs, balloons, and inflated objects used as signs. Said signs are regulated as a temporary sign with the further restrictions that they may be placed in the front yard for a period not to exceed one (1) fourteen-day period per year or in a side or rear yard for one (1) sixty-day period per year unless the adjoining land use is residential, in which case the signs are prohibited from placement in the side or rear yard.
- (14) Subdivision signs. Subdivisions of single- and two-family homes and housing complexes of more than one (1) apartment or town house building are permitted ground signs identifying the subdivisions or housing complex. Such sign structures shall have a gross area of not more than thirty (30) square feet, a sign face area of not more than fifteen (15) square feet, and a height of not more than four (4) feet. A subdivision or housing complex shall not have a total of more than two (2) such signs nor more than one (1) per entrance. The setback for subdivision signs three (3) feet high shall be eight (8) feet and ten (10) feet for a sign height above three (3) feet. At intersections and drive entrances, the setback standard must also comply with the provisions of section 26-23(2).

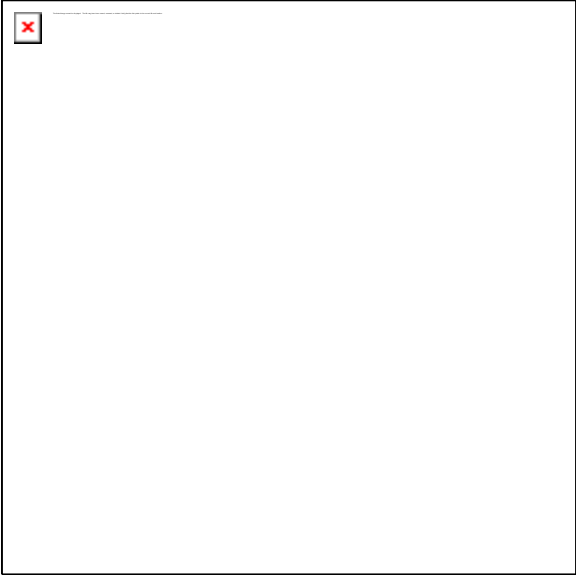
(Ord. No. 500, 2-16-93; Ord. No. 661, § 1, 10-18-04)

Sec. 26-24. - Calculation of sign area.

The following principles shall control the calculation of sign area:

- (1) Computation of area of individual signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which is placed, but not including any supporting framework, bracing, or decorative fence, embellishment or wall when such fence, wall, or embellishment otherwise meets Chapter 38, Zoning requirements and is clearly incidental to the display itself.

Chart I provides examples of measurement of sign area and measurement of a sign with



embellishment.

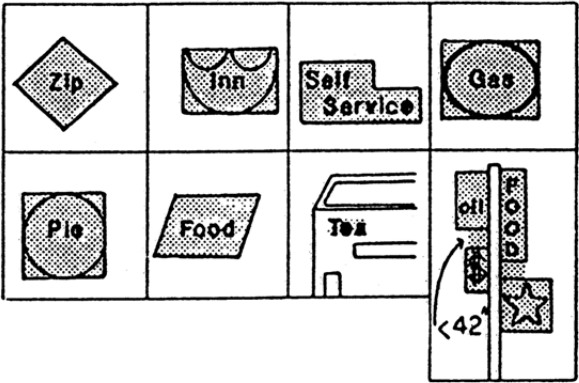


Chart I. Examples of Measurement of Sign Area and Sign Embellishment Not Counting As A Sign

- (2) Computation of area of multifaced signs. The sign area of a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of the largest face.
- (3) Computation of maximum total permitted sign area for a zoning lot. The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the directions in Chart III of section 26-27 of this chapter.

(Ord. No. 500, 2-16-93)

Sec. 26-25. - Reserved.

ARTICLE VI. - SCHEDULE OF SIGN REGULATIONS

Sec. 26-26. - Signs allowed on private property with and without permits.

**PERMITTED SIGNS BY TYPE AND ZONING DISTRICT
CHART II**

Sign Type	ZONE DISTRICT (a)									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS(b)
Freestanding - Residential(c)	P	P	N	N	N	N	N	N	N	N
Other	N	N	S	S	S	S	S	S	S	S
Directional	N	P(c)	P	P	P	P	P	P	P	P(c)
Building - Banner	N	N	S	S	S	S	S	S	S	N
Building marker	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	S	S	S	S	S	S	S	N
Identification	P	P	P	P	P	P	P	P	P	P
Directional	N	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	S	S	S	S	S	N
Projecting(e)(f)	N	N	S	S	S	S	S	S	S	S
Roof integral	N	N	N	N	S	S	S	N	N	N
Suspended	N	N	N	N	S	S	S	N	N	S
Temporary	N	N	N	S	S	S	S	S	S	N
Wall	N	N	S	S	S	S	S	S	S	P
Window	N	N	N	P	P	P	P	P	P	N
Miscellaneous - Banner(g)	N	N	S	S	S	S	S	N	N	N
Flag	P	P	P	P	P	P	P	P	P	P

P—Allowed without sign permit
S—Allowed only with sign permit
N—Not allowed

- (a) The zoning ordinance provides for a parking district (P-1) for which no signs other than directional and identification signs are permitted.
- (b) This column does not represent a zoning district. It applies to institutional and nonresidential uses permitted under the zoning ordinance in residential zone districts.
- (c) No commercial message allowed on sign. Sign is for building or development identification.
- (d) Only allowed when a freestanding sign cannot be used.
- (e) If projecting over public right-of-way, lot must be in B-3 district, issuance and continuation conditioned on owner having liability insurance policy of at least \$500,000 per occurrence, per sign.
- (f) No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.

(Ord. No. 500, 2-16-93)

Sec. 26-27. - Maximum total sign area per zone lot by zoning district.

CHART III

The maximum total area of all signs on a zone lot except directional, building marker, and identification signs and flags shall not exceed the lesser of the standards listed within this chart.

	ZONE DISTRICT									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Maximum number of total square feet	6	200	100	100	300	300	300	300	400	100
Percentage of ground floor area of principal building	NA	NA	2%	4%	8%	10%	10%	2%	2%	NA
Square feet of signage per lineal foot of street frontage	NA	NA	2	2	3	3	3	NA	NA	0.5

(Ord. No. 500, 2-16-93)

Sec. 26-28. - Number, dimensions, and location of individual signs by zoning district.

CHART IV

Individual signs shall not exceed the applicable maximum number, dimensions, or setback shown in this chart and in section 26-29, Chart V.

Sign Type	ZONE DISTRICT									
	R-1, R-2, R-T	RM-1, RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Freestanding area (square feet)	6	6	40	40	80	40	160	80(e)	80(e)	48
Height (feet)	5	5	12(a)	12(a)	24(c)	12(b)	30(b)	12	12	12
Setback (feet)(c)	2	2	5	5	5	2	10	10	10	1
Number Permitted										
—Per zone lot	NA	NA	NA	NA	NA	NA	NA	NA	NA	1
—Per feet of street frontage(d)	NA	1/200	1/132	1/132	1/200	1/100	1/200	1/200(e)	1/800(e)	NA
Building area (max. sq. ft.)	2	2	NA	NA	NA	NA	NA	NA	NA	10
Wall area (%) (f)	NA	NA	10%	10%	15%	10%	15%	5%	5%	NA

- (a) Maximum sign height is twelve (12) feet and minimum setback is five (5) feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back seven feet from such a lot, it may be no more than seven (7) feet high.
- (b) In no case shall the actual sign height exceed the actual sign setback from any lot that is zoned and used for residential purposes.
- (c) See section 26-23(2) for corner clearance at intersections and section 26-23(14) for the setback requirements of subdivision signs.
- (d) Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.
- (e) An additional freestanding sign may be permitted provided:
 - (1) The sign is approved under the provisions of the site plan review at section 38-390 of this Code.
 - (2) The sign is set back the same distance as the zone district setback in which it is placed. When adjacent to a residential zone, residential use or the Shiawassee River, the sign setback may be increased by the planning commission to one hundred (100) feet when it is found that the zone district setback is insufficient to protect the property value and enjoyment of the residential use, zone district, or the river.
 - (3) The sign is located at least five hundred (500) feet from any sign exceeding two hundred (200) square feet in area.
 - (4) The sign does not exceed three hundred (300) square feet in area.
 - (5) The sign does not exceed twenty-five (25) feet in height.
 - (6) Except for the above provisions of this section, no sign shall be installed unless it is also in compliance with the rules and standards promulgated under P.A. 106 of 1972, the Highway Advertising Act.
- (f) The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

(Ord. No. 500, 2-16-93; Ord. No. 578, § 1, 5-3-99; Ord. No. 628, § 1, 5-19-03; Ord. No. 661, § 3, 10-18-04)

Sec. 26-29. - Number and dimensions of certain individual signs by sign type.

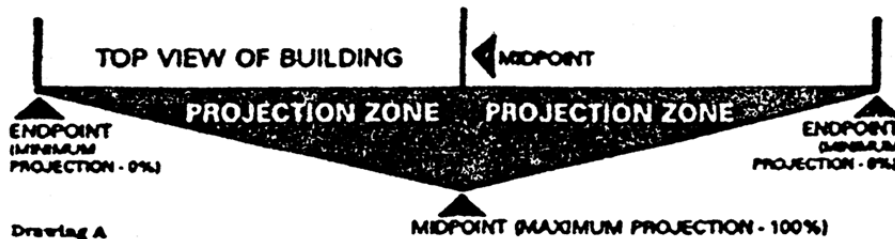
CHART V

No sign shall exceed any applicable maximum numbers or dimensions, or encroach on any applicable minimum clearance shown on this table.

Sign Type	Number Allowed	Maximum sign area	Vertical Clearance	
			From Sidewalk	Private Drive or Parking
Freestanding Residential	See Chart IV	See Chart IV	NA	NA
Other	See Chart IV	See Chart IV	See Sec. 26-23(2)	See Sec. 26-23(2)
Directional	See Chart IV	See Chart IV	See Sec. 26-23(2)	See Sec. 26-23(2)
Building Banner	NA	NA	9 ft.	10 ft.
Building marker	1 per bldg.	4 sq. ft.	NA	NA
Canopy (a)	1 per bldg.	25% of vertical surface	8 ft.	10 ft.
Identification	1 per bldg.	4 sq. ft.	NA	NA
Directional	NA	NA	NA	NA
			From Sidewalk	Private Drive or Parking
Marquee	1 per bldg.	NA	9 ft.	10 ft.
Projecting (b)	1 per bldg.	40 sq. ft.	9 ft.	10 ft.
Roof, Integral	2 per principal bldg.	NA	NA	NA
Suspended	1 per entrance	NA	8 ft.	10 ft.
Temporary	2 per zoning lot	See Uniform Sign Code & Section 26-28	NA	NA
Wall	NA	NA	NA	NA
Window	NA	25% of total window area	NA	NA
Miscellaneous Banner	NA	NA	9 ft.	10 ft.
Flag	NA	60 sq. ft.	9 ft.	12 ft.

(a) Canopy signs shall not project more than 4 feet from a building.

- (b) Allowable projection of a projecting sign at the point of sign placement will be calculated as a percentage of the total allowable projection—which is 5 feet at the center point—expressed in decreasing percentage increments from 100% at the building midpoint to 0% at the building and points equal to the percentage of the distance remaining from the midpoint (100%) to either endpoint (0%) expressed in feet. See drawing below.



Sign Projection

(Ord. No. 500, 2-16-93)

Sec. 26-30. - Permitted sign characteristics by zoning district.

CHART VI

CHARACTERISTIC	ZONE DISTRICT											
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	C-OS	PUD	INS
Animated	N	N	N	N	N	S	N	N	N	N	N	N
Changeable copy	N	N	N	S	S	S	S	S	S	N	S	S
Illumination, internal (a)	N	N	S	S	S	S	S	S	S	N	S	S

Illumination, external (a)	N	N	S	S	S	S	S	S	S	N	S	S
Illumination, exposed bulbs	N	N	N	N	N	S	N	N	N	N	N	N
Programmable display sign(a), (e)	N	N	S(b), (d)	S(b)	S	S	S	S	S	N	S(c)	S(b), (d)

S—Allowed only with sign permit

N—Not allowed

- (a) No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.
- (b) Except for an unanimated, fixed message, the sign functions shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. for all locations other than state highways. On state highways the hours of restricted lighting are between 10:00 p.m. and 5:00 a.m.
- (c) A programmable display sign is subject to approval and standards established within the site plan review provisions of chapter 38, zoning, section 38-390.
- (d) A programmable display sign shall have a seventy-five-foot setback from a residentially zoned and occupied structure.
- (e) The message interval shall be three seconds and the flashing background feature behind changeable copy shall not be activated.

Signs shall be allowed on private property in the city in accordance with, and only in accordance with Chart II of this section. This schedule and all schedules within this chapter that reference zoning districts applies to the districts described in Chapter 38, Zoning of the City Code. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by an "S" or "P" in Chart II shall be allowed only if:

- (1) The sum of the area of all building and freestanding signs on the zone lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in section 26-27.
- (2) The size, location, and number of signs on the lot conform with the requirements of sections 26-28 and 26-29, which establish permitted sign dimensions by sign type, and with any additional limitations listed in this section.
- (3) The characteristics of the sign conform with the limitations of section 26-30 permitted sign characteristics, and with any additional limitations on characteristics listed in this section.

**CITY OF OWOSSO ZONING USE DISTRICTS:
A KEY TO CHARTS II THROUGH VI, BEING
SECTIONS 26-26 THROUGH 26-30**

R-1	Residential Single-Family	OS-1	Office Service
R-2	Residential Two-Family	B-1	Local Business
RM-1	Multiple-Family Residential	B-2	Planned Shopping Center
RM-1	Multiple-Family Residential(High Rise)	B-3	Central Business
R-T	Attached One-Family	I-1	Light Industrial
		I-2	General Industrial

(Ord. No. 500, 2-16-93; Ord. No. 673, § 1, 6-19-06)

Sec. 26-31. - Prohibited signs.

Signs not specifically permitted by this chapter are prohibited in the city. Such signs include, but are not limited to:

- (1) Abandoned signs.
- (2) Banner signs extending over public property, except as authorized by the city.
- (3) Roof signs, except mansard roof signs which are regulated as wall signs.
- (4) Signs with flashing, blinking, moving or exposed incandescent lights, except moving message boards and moving lights in the B-3, Central Business District.
- (5) Search lights and beacons, except as authorized by the city.
- (6) Signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property, or public right-of-way, except signs of any political subdivision of the state.
- (7) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
- (8) Portable signs.
- (9) Any sign structure or frame no longer containing a sign and classified as abandoned.
- (10) Signs indicating a home occupation, including child care.

(Ord. No. 500, 2-16-93)

Sec. 26-32. - Nonconforming signs.

It is the intent of this chapter to encourage eventual elimination of signs that, as a result of the adoption of this chapter, become nonconforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this chapter. It is the intent, therefore, to administer this chapter to realize the removal of illegal nonconforming signs and to avoid any unreasonable invasion of established private property rights.

A nonconforming sign may be continued, and shall be maintained in good condition, but shall not be:

- (1) Replaced by another nonconforming sign.
- (2) Structurally altered so as to prolong the life of the sign.
- (3) Expanded.
- (4) Reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the estimated replacement cost.

(Ord. No. 500, 2-16-93)

Sec. 26-33. - Bonuses.

The standards of this chapter may be exceeded for certain provisions when exceptional sign treatment related to the objectives listed in section 26-6, "purposes", are achieved. These standards are:

- (1) Bonus for symbolic presentation. Projecting signs using symbolic rather than alphabetic or numerical message presentation are permitted an additional size allowance of up to twenty (20) percent over the maximum size allowances provided that the total symbolic presentation comprises at least seventy-five (75) percent of the total sign area used.
- (2) Bonus for use of upper and lower case letters. In the case of signs composed of individual letters or words mounted upon a wall or other architectural surface not in itself a sign, the calculation of overall square footage shall be the product of the overall height of the letterforms and the overall length. In the case of signs consisting of upper and lower case letterforms, calculation of overall square footage shall be the product of the height of the lower case letterforms only and the overall length. See Chart VII below:

CHART VII. LETTER CASE BONUS

(Ord. No. 500, 2-16-93)

Sec. 26-34. - Reserved.

ARTICLE VII. - APPEALS, ENFORCEMENT, VIOLATIONS PENALTIES, SEVERANCE, AMENDMENT AND ADOPTION.

Sec. 26-35. - Appeals.

Any person aggrieved by any decision, ruling or order from the administrator, may appeal to the zoning board of appeals. The board of appeals may grant a variance after a public hearing and procedures for a hearing and decision outlined for said Board in Chapter 38, Zoning. In addition to those variance powers of the zoning board of appeals outlined in Chapter 38, the following provisions shall also apply:

- (1) The board shall not permit as a variance any sign the erection of which or the continuance of which is prohibited by this chapter.
- (2) Duration of variance. No variance shall be given for a period greater than fifteen (15) years. All variances shall terminate upon alteration or reconstruction of more than fifty (50) percent of the sign or at the date set by the board of appeals, whichever occurs first.

(Ord. No. 500, 2-16-93)

Sec. 26-36. - Enforcement.

This chapter shall be administered and enforced by the Administrator as provided for in Part I of the City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-37. - Violations and penalties.

- (a) Violations. Any of the following shall, be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning ordinance, and by related chapters of the Owosso City Code:
- (1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
 - (2) To install, create, erect or maintain any sign requiring a permit without such a permit;
 - (3) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which sign is located;
 - (4) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed; or
 - (5) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

- (b) Penalties. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction of any such violation, shall be punishable according to the terms of Chapter I, General Provisions of the Owosso City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-38. - Severability.

Sections of this chapter shall be deemed to be severable and should any section, paragraph or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this chapter as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

(Ord. No. 500, 2-16-93)

CITY OF NEW BALTIMORE, MI

SIGNS

ARTICLE II. - PERMITTING

Sec. 42-31. - Submission and permit requirements.

No person shall alter, relocate, erect, reerect or construct any sign, except those which are exempted in this chapter, unless a permit for sign has been issued by the city pursuant to this article. Signs which are approved as part of an overall development site plan do not require a separate application and sign fees.

(Ord. No. 100, § 3.00, 2-11-2002)

Sec. 42-32. - Exempt signs, signs with no permit required.

- (a) The following signs are exempt from the site plan and building permit requirements of this chapter. The signs shall, however, conform to all applicable regulations specified within this chapter:
- (1) Home improvement signs.
 - (2) Family celebration signs.
 - (3) Disabled person signs.
 - (4) Historical marker signs.
 - (5) Identification signs or nameplates.
 - (6) Lost and found signs.
 - (7) No trespassing/keep out signs.
 - (8) Political signs.
 - (9) Real estate signs for existing homes and lots.
 - (10) Warning signs and other nonadvertising signs.
 - (11) Window signs.
 - (12) A-frame signs.
- (b) Any sign erected by the city or a board/commission created by the city, school district signage and road/traffic control directional signage erected by the county, state or federal government shall be exempt from this chapter.
- (c) Flags of the United States, the state, any political subdivision of the state, other flags specifically approved by the city council, or flags or banners on residences used as decoration and not advertising homes or items for sale are exempt from this chapter, as long as the size or number of such flags or banners are not of such nature that it would be commonly understood that their display was intended to be a commercial advertisement to attract the attention of the general public.
- (d) City, county, state, or federal identification signs shall be exempt from this chapter.

(Ord. No. 100, § 3.01, 2-11-2002; Ord. No. 146, § 2, 9-10-2007; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-33. - Signs requiring permit only.

Signs requiring only a permit are as follows:

- (1) Identification or nameplate signs for bed and breakfasts or home occupations approved or licensed by the city.
- (2) Temporary signs.
- (3) Model home signs.

(Ord. No. 100, § 3.02, 2-11-2002)

Sec. 42-34. - Signs requiring permit and site plan.

The following signs require a permit and a site plan:

- (1) Monument signs.
- (2) Wall signs.
- (3) Projecting signs.
- (4) Off-site signs.
- (5) Subdivision entrance signs.
- (6) Developer signs, except model home signs.
- (7) Announcement or bulletin reader boards.
- (8) Awning signs.

(Ord. No. 100, § 3.03, 2-11-2002)

Sec. 42-35. - Prohibited signs.

Unless otherwise specifically permitted under this chapter or any other applicable law, the following signs shall not be permitted or erected in the city:

- (1) Cloth signs, balloon signs or displays, streamers, windblown devices, spinners, banners and pennants, unless otherwise permitted or exempted under this chapter.
- (2) Flashing, animated, moving or bare-bulb-type signs or displays.
- (3) Signs affixed to or painted on street furniture. This shall not apply to memorial or donation plaques which are less than three inches by seven inches.

(Ord. No. 100, § 3.04, 2-11-2002)

Sec. 42-36. - Application for permit.

- (a) Written application for a permit required by this article shall be made on forms provided by the city.
- (b) Such application shall be accompanied by a site plan, sign drawing and sign data presented in accordance with the following and showing the required information:
 - (1) The site plan shall be drawn to a scale (for example, one inch equals 50 feet or one inch equals ten feet).
 - (2) The site plan shall show the location of all existing and proposed signs on the site.

- (3) The site plan shall show the location of existing and proposed streets, roadways, parking areas, entrances and exits within 100 feet of the proposed sign.
- (4) Drawings of the proposed sign to be erected or installed on the site shall be submitted with the site plan and shall include all of the following detailed information:
 - a. Height of the sign above the ground.
 - b. Surface of the sign (material, color and dimensions).
 - c. Area of the sign surface.
 - d. Lettering of the sign drawn as it will appear on the erected sign. It need not be in the style of the finished sign, but must be neatly printed in the size and of a weight approximating that of the final constructed sign.
 - e. Method and color of illumination, if any.
 - f. Logos, emblems or additional features.
 - g. Such additional information as deemed necessary and/or pertinent to the application by the reviewing agent at the city.
 - h. A drawing of the total building wall upon whose face the sign is to be displayed at a reasonable scale, preferably one-fourth inch equals one foot.
- (c) Copies of the application and all plans and supplemental statements of information required therewith shall be filed with the city clerk, together with the fee therefor as shall be established by resolution of the city council and which shall be sufficient to cover the cost of administration and the reasonable expenses incurred by and for inspection and review by the city and its consultants.

(Ord. No. 100, § 3.05, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-37. - Granting and issuance of permit.

- (a) Resurfacing of existing signs or changes to wall signs shall be reviewed and approved by the building inspector, provided such meet all of the requirements of this chapter.
- (b) All new signs which are not exempt shall be reviewed by the building official, unless otherwise indicated in this chapter. Signs may be and are encourage to be reviewed and approved by the planning commission as part of the site plan review process. The building official, at his discretion, may order any sign to be reviewed by the planning commission. The following signs shall require planning commission review and approval:
 - (1) Monument or ground signs.
 - (2) Specialty lighting as regulated in subsection 42-98(b).
 - (3) A billboard sign as regulated by section 42-138.
- (c) Upon receipt of all necessary submissions required by this article, the building inspector shall review the application for conformity with the requirements of the building code and this chapter. The building inspector and the city's consultants as necessary shall report their findings to the planning commission for those signs which the commission reviews. The planning commission shall either recommend approval or disapproval of the application to the city council within a reasonable time. Any approvals may be conditioned upon compliance with reasonable regulations or limitations, having regard to the character of the sign, the surroundings in which it is to be displayed, and the intent of this chapter. If the application conforms to city code requirements, the building inspector shall issue a permit.

(Ord. No. 100, § 3.06, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

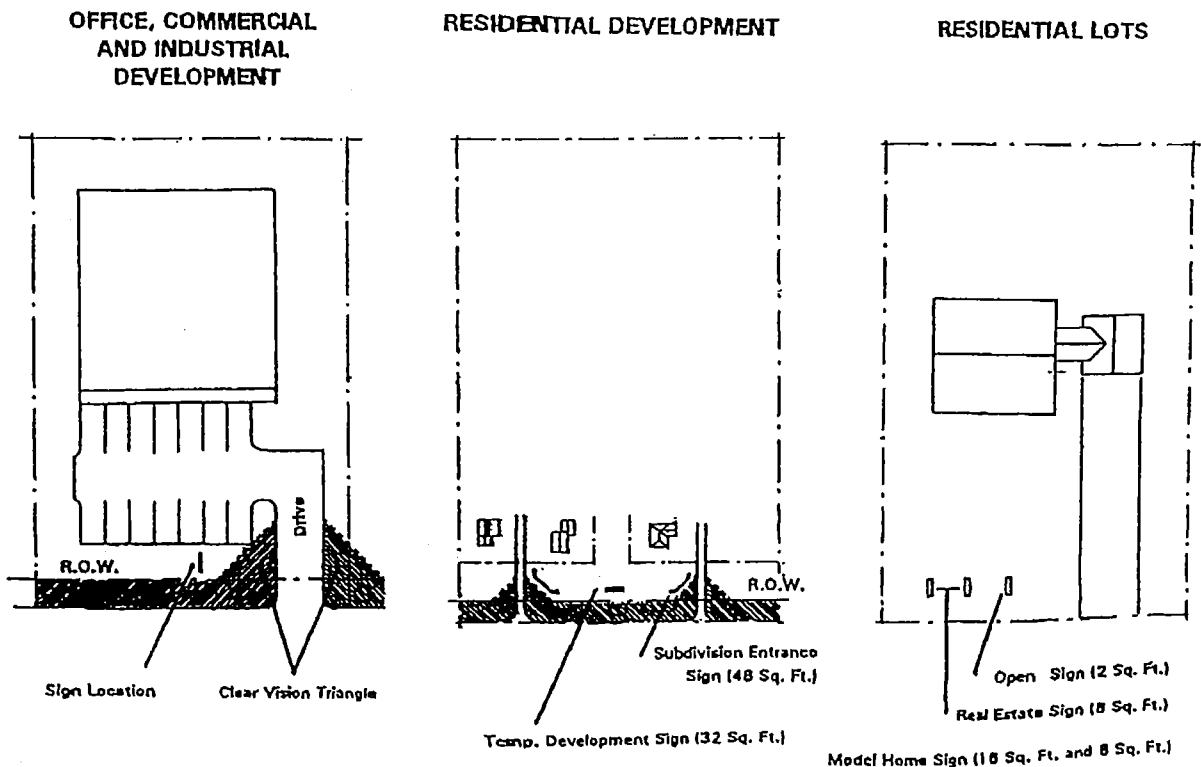
Sec. 42-38. - Sign approval procedures.

All applications that require planning commission review shall be submitted 20 city business days prior to the regular meeting of the planning commission and shall be accompanied by a sign drawing and site plan illustrating the location of the sign on the site. Each application shall be submitted with the proper number of copies and the fees as established by the city. The following information must be provided as part of a sign submittal:

- (1) All submittals. Scaled drawings of the proposed sign, specifying the location, the height of the sign above the ground, the surface area and material of the sign, the lettering as it will appear on the sign, method of illumination, and any other information as the building inspector or planning commission deems necessary to the understanding of the application, shall be submitted.
- (2) Wall signs. A scaled plan showing the location of the sign on all facades of the structure shall be submitted. It shall be apparent on which facade the sign is to be located in relation to the street.
- (3) Ground monument signs. The location of the sign in relation to all existing and proposed streets and rights-of-way, buildings and structures, parking areas and site entrances within 100 feet shall be submitted.

(Ord. No. 100, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

TYPICAL EXAMPLES OF REAL ESTATE AND DEVELOPMENT SIGNS



TYPICAL EXAMPLES OF REAL ESTATE AND DEVELOPMENT SIGNS

Secs. 42-39—42-65. - Reserved.

ARTICLE III. - ZONING DISTRICT REGULATIONS

FOOTNOTE(S):

--- (2) ---

Cross reference— Zoning, ch. 60.

Sec. 42-66. - Definitions.

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

Site means all land in a development which is necessary or indicated as part of the development proposal to meet parking requirements, setback requirements, landscape requirements, drainage requirements (i.e., retention or detention basin), and lot coverage requirements.

(Ord. No. 100, § 4.00, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Cross reference— Definitions generally, § 1-2.

Sec. 42-67. - Signs permitted for residential uses of land.

Signs permitted for all residential uses of land are regulated as follows:

- (1) One identification sign or nameplate is permitted for each site approved as a permitted home occupation or bed and breakfast.
- (2) For subdivision entrances, one double-faced subdivision entrance sign, parallel to the entrance road right-of-way, or two single-faced signs, which are perpendicular to or within a 45-degree angle of the entrance road right-of-way, may be permitted. In no case shall the total square footage of all signs exceed 48 square feet.
- (3) Real estate signage may be permitted as provided in section 42-144.

(Ord. No. 100, § 4.01, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-68. - Business transitional zoning districts.

Signs permitted in business transitional (BT) zoning districts are as follows:

- (1) One identification sign or nameplate is permitted for each dwelling unit with a permitted home occupation.
- (2) One monument sign, not to exceed 16 square feet, shall be permitted for each site.
- (3) One wall sign shall be permitted for each tenant having an individual public entrance to a building. When multiple tenants share an entrance, one wall sign or one projecting sign shall be permitted to include all tenants.
- (4) One announcement or bulletin board sign is permitted for each approved institutional, educational and religious building site. The total signage shall not exceed 16 square feet.

(Ord. No. 100, § 4.02, 2-11-2002)

Sec. 42-69. - Signs permitted for non-residential uses of land.

Signs permitted for commercial, office, industrial, institutional or any other nonresidential use of land are as follows:

- (1) One freestanding monument sign shall be permitted for each site.
- (2) One wall sign or one projecting sign shall be permitted for each tenant having an individual public entrance to a building. Where multiple tenants share an entrance, one wall sign or one projecting sign shall be permitted to include all tenants.
- (3) When a structure or planned group of structures is developed adjacent to more than one street or alley, one wall sign shall be permitted on each wall fronting such street or alley.
- (4) Retail establishments with over 50,000 square feet of gross floor area and over 250 feet of road frontage on a single thoroughfare shall be permitted two ground signs with 50 square feet of sign area each. The signs shall be evenly spaced along the frontage of the site and shall not, in any case, abut each other.
- (5) One announcement or bulletin board sign is permitted for each approved institutional, educational and religious building site. The total signage shall not exceed 16 square feet.
- (6) Retail establishments with over 500 feet of road frontage on a single thoroughfare shall be permitted two matching ground signs. The signs shall be spaced a minimum of 100 feet from each other along the frontage of the site.

(Ord. No. 100, § 4.03, 2-11-2002; Ord. No. 163, § 2, 5-11-2009; Ord. No. 202, § 2, 3-23-2015)

Sec. 42-70. - Industrial zoning districts.

Signs permitted in industrial zoning districts are as follows:

- (1) One monument sign shall be permitted for each site.
- (2) One wall sign shall be permitted for each business.
- (3) For subdivision entrances, one double-faced subdivision entrance sign, parallel to the entrance road right-of-way, or two single-faced subdivision entrance signs, which are perpendicular to or within a 45-degree angle of the entrance road right-of-way, may be permitted. In no case shall the total square footage of all signs exceed 48 square feet.

(Ord. No. 100, § 4.04, 2-11-2002)

Secs. 42-71—42-95. - Reserved.

ARTICLE IV. - GENERAL SIGN REGULATIONS

Sec. 42-96. - Applicability of article.

No sign may be erected, displayed or substantially altered or reconstructed, except in conformance with this chapter. The conditions in this article shall apply to all signs, regardless of use district, unless otherwise specified in this chapter.

(Ord. No. 100, § 5.00, 2-11-2002)

Sec. 42-97. - Location requirements.

- (a) No sign, except as otherwise permitted in this chapter, shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- (b) No sign, except those established and maintained by the city, school district, county, state or federal government shall be located within the triangle formed by the intersection of any road right-of-way and/or access drive at points 30 feet distant from the point of their intersection.
- (c) No sign shall be located so as to impede pedestrian or vehicular traffic.

(Ord. No. 100, § 5.01, 2-11-2002)

Sec. 42-98. - Illumination.

- (a) Illumination of signs shall be positioned and/or shielded so that the light shines away from adjoining properties and the eyes of motorists or pedestrians. The light source of such illumination shall be shielded from public view.
- (b) Specialty lighting, such as neon accent lighting or an "open" sign, may be permitted by the planning commission subject to city council approval on a finding that the proposal is in character with the use and not detrimental to other uses in the vicinity.
- (c) A lighted display of time, temperature, or other public information shall be permitted as part of a sign, subject to approval by the city.

(Ord. No. 100, § 5.02, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-99. - Width/length-to-height ratio.

In no case shall any sign exceed a maximum width/length-to-height ratio of eight feet in width/length to one foot in height, unless otherwise provided for within this chapter.

(Ord. No. 100, § 5.03, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-100. - Maintenance.

If, upon inspection by the building inspector, a sign is found to be unsafe, insecure, corroded, subject to corrosion, or otherwise poorly maintained, the owner shall make the sign safe and secure by completing any necessary reconstruction, repairs, painting or other improvements in accordance with the following timetable, unless the sign is required to be removed by section 42-101 which pertains to nonconforming signs:

- (1) If the building inspector determines that the sign is an immediate threat to the safety of persons or property nearby, all required action to correct the defect shall be taken within 48 hours (two working days) from the time of notification in writing from the city, provided that the sign can be cordoned off or adequately secured during the intervening time so as to remove any immediate threat to safety. If such sign cannot be cordoned off or secured so as to eliminate any immediate threat to the safety of persons or property, all required action to correct the defect shall be made forthwith.
- (2) If the building inspector determines that the sign is not an immediate threat to the safety of persons or property, all required action to correct the defect shall be made within 30 days after notification in writing from the city. The building inspector may extend the 30-day timetable if

temperatures below 25 degrees Fahrenheit prevent painting or if the defects involved are minor, not generally noticeable to the public, and not a hazard to public safety, such as replacement of burned out lightbulbs.

- (3) If defects are not corrected within the specified time limits, the city may remove or cause to be removed such sign at the expense of the sign owner or tenant to whom the sign applies. Such expenses shall be paid by the owner or tenant to whom the sign applies within 30 days after receiving notification of such expense from the city. Such notification shall be made by first class mail.

(Ord. No. 100, § 5.04, 2-11-2002)

Sec. 42-101. - Nonconforming signs.

Any sign already established by the effective date of the ordinance from which this chapter is derived which is rendered nonconforming by this chapter and any sign which is rendered nonconforming as a result of subsequent amendments to this chapter shall be subject to the regulations concerning nonconforming signs as follows:

- (1) Any sign on a residentially used property which is a nonconforming sign shall be taken down and removed by the owner, agent, or person within 30 days after written notice from the city.
- (2) Any sign which advertises a business or industry no longer being conducted or a product no longer being manufactured or sold on the property shall be considered nonconforming. Such signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or land within one month from the date of written notice from the city. However, where such a sign structure and frame are typically reused by the current occupant or business in leased or rented buildings, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied, provided that the sign structure and frame are maintained in accordance with this chapter and other relevant city ordinances and codes and provided, further, that the time period of nonuse does not exceed 90 days.
- (3) Any sign which advertises a bonafide business or industry being conducted or a product being manufactured or sold on the property but which is nonconforming as to size, projection, location, number of signs, position, material or construction shall be taken down, removed, repaired, rebuilt or replaced in such manner as to bring the sign into compliance by the owner, agent or person having the beneficial use of the building, structure or land whenever the site or any portion including any buildings or out buildings are remodeled, or whenever there is a change in ownership of the subject property, or a change in majority ownership within any entity that is the owner of the subject property. Each of the foregoing parties shall be jointly and severally responsible for compliance.

(Ord. No. 100, § 5.05, 2-11-2002; Ord. No. 163, § 2, 5-11-2009; Ord. No. 166, § 2, 11-9-2009; Ord. No. 171, § 2, 12-27-2010)

Sec. 42-102. - Removal.

Whenever a sign is removed or is required to be removed by this chapter or by order of the building inspector, the entire sign structure, including fastenings and anchorages, shall be removed. The city shall have the authority to remove the entire sign structure, including fastenings and anchorages, if the owner or person in possession of the sign fails to comply with the building inspector's order. The cost of removal shall then be charged to the landowner and/or person in possession of the sign.

(Ord. No. 100, § 5.06, 2-11-2002)

Secs. 42-103—42-130. - Reserved.

ARTICLE V. - SPECIFIC SIGN REGULATIONS

Sec. 42-131. - Applicability of article.

In addition to the general regulations in article IV of this chapter, the specific sign regulations in this article shall apply.

(Ord. No. 100, § 6.00, 2-11-2002)

Sec. 42-132. - Announcement signs.

- (a) An announcement sign shall not exceed 16 square feet in area.
- (b) An announcement sign shall not exceed four feet in height from grade.

(Ord. No. 100, § 6.01, 2-11-2002)

Sec. 42-133. - Awning or canopy signs.

- (a) An awning or canopy sign may be used to display the name of the firm, the address or a symbol, or type of business and shall be placed only on the principal front of the building.
- (b) An awning or canopy sign shall be permitted in lieu of a permitted wall sign.
- (c) An awning or canopy sign shall not exceed 20 square feet in display area.
- (d) A minimum vertical clearance of 14 feet shall be provided beneath any awning or canopy sign which projects over a parking area or driveway. In all other areas, a minimum vertical clearance of eight feet shall be provided beneath an awning or canopy.

(Ord. No. 100, § 6.02, 2-11-2002)

Sec. 42-134. - Home improvement signs.

- (a) A home improvement sign shall not exceed four square feet in size and must be placed on the parcel for which work is in progress or has been completed.
- (b) A home improvement sign shall be removed within seven days of the completion of the work performed.
- (c) No more than two home improvement signs may be placed on any one property at any time.

(Ord. No. 100, § 6.03, 2-11-2002)

Sec. 42-135. - Directional signs.

- (a) Above-grade directional signs shall not exceed two square feet in area and shall not exceed three feet in height. Not more than two per driveway shall be permitted.
- (b) At-grade directional signs painted on or adhered to the surface of paved areas are not regulated as to area.

(Ord. No. 100, § 6.04, 2-11-2002)

Sec. 42-136. - Identification signs.

Identification signs shall be limited to the following:

- (1) One unlit freestanding or wall-mounted sign shall be permitted for a permitted home occupation.
- (2) One unlit wall-mounted identification sign shall be permitted for each approved professional office.
- (3) An identification sign shall not exceed two square feet in display area. Wall-mounted signs shall not extend outward more than two inches from the surface of a wall on the subject structure. Freestanding identification signs shall not exceed three feet in height.

(Ord. No. 100, § 6.05, 2-11-2002)

Sec. 42-137. - Monument signs.

- (a) Monument signs shall not exceed 60 square feet in display area. If the planning commission determines that architectural features of the sign, such as wood, rock or brick framing, are in harmony with the surrounding area and the principal structure, the architectural features of the sign shall not count as part of the display area.
- (b) Monument signs, including the architectural features, shall not exceed six feet in height.
- (c) The city requires the erection of monument signs, rather than pylon signs which are prohibited under this chapter.

(Ord. No. 100, § 6.06, 2-11-2002)

Sec. 42-138. - Off-site signs, including billboards.

- (a) The maximum size of a billboard sign shall not exceed 150 square feet in display area. The height-to-width or width-to-height ratio of the sign display area shall not exceed 2:1.
- (b) The maximum height of a billboard sign shall not exceed 20 feet.
- (c) A billboard sign shall only be permitted on land located within the general commercial and industrial zoning districts, when any such district abuts a state highway.
- (d) A billboard shall not be located closer than 1,000 feet to any other billboard sign.
- (e) All other off-site signs shall be subject to a public hearing. Notification of such hearing shall be given no more than 15 days and no less than five days prior to the meeting date. All such off-site signs shall not exceed 32 square feet and shall be subject to the following seven general planning standards:
 - (1) The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
 - (2) The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements, routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access to off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle conflicts.

- (3) The proposed use will be designed so that the location, size, intensity, site layout and periods of operation of the proposed use eliminate any possible nuisance emanating therefrom which might be objectionable to the occupants of any other nearby uses.
- (4) The proposed use will be designed so that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
- (5) The proposed use will relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.
- (6) The proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
- (7) The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

(Ord. No. 100, § 6.07, 2-11-2002)

Sec. 42-139. - Political signs.

Political signs may be located in any district, provided that permission has been obtained from the property owner.

(Ord. No. 100, § 6.08, 2-11-2002)

Sec. 42-140. - Portable signs.

Portable signs are hereby prohibited, regardless of form, size, character or placement, unless otherwise specifically permitted within this chapter.

(Ord. No. 100, § 6.09, 2-11-2002)

Sec. 42-141. - Private sale signs.

Unless otherwise regulated by other sections of this Code or city ordinance, the following conditions shall apply to private sale signs:

- (1) The total sign area shall not exceed four square feet.
- (2) Private sale signs shall only be permitted at the principal residence of the owner of the sale items.
- (3) No sales shall take place within the road right-of-way.
- (4) Private sale signs shall be immediately removed upon final sale of all items.
- (5) Garage sale signs shall be subject to section 40-30.

(Ord. No. 100, § 6.10, 2-11-2002)

Sec. 42-142. - Projecting signs.

- (a) The sign display area for a projecting sign shall not exceed 12 square feet. A bracket or mount for a projecting sign shall not extend further than 48 inches from the wall. The face of such sign shall not project more than 48 inches from the wall upon which the sign is mounted and 36 inches in height. In no case shall any part of such sign project above the roofline.
- (b) A minimum vertical clearance of 14 feet shall be provided beneath any projecting sign which projects over a parking area or driveway. In all other areas, an eight-foot minimum vertical clearance, measured from the ground to the bottom of the sign, shall be provided.
- (c) Projecting signs may be permitted to extend into the airspace of publicly owned rights-of-way, provided that such extension does not interfere with the use of such rights-of-way or adversely impact upon the health, safety or welfare of the public.

(Ord. No. 100, § 6.11, 2-11-2002)

Sec. 42-143. - Pylon signs.

Pylon signs are hereby prohibited.

(Ord. No. 100, § 6.12, 2-11-2002)

Sec. 42-144. - Real estate signage.

- (a) Real estate signs for existing homes and vacant lots. Real estate signs for existing homes and vacant lots are permitted in accordance with the following:
 - (1) One unlit real estate sign shall be permitted which advertises the sale, rental, or lease of the premises or property upon which the sign is located.
 - (2) In residential districts, no such sign shall exceed eight square feet in display area and four feet in height, as measured from the established grade.
 - (3) One unlit sign, not exceeding two square feet, indicating that a building is "open" for inspection, shall be permitted while the salesperson is on site.
 - (4) Off-site real estate signs, not exceeding four square feet, may be permitted on Fridays, Saturdays and Sundays during the hours of the open house, provided such does not obstruct pedestrian movement or drivers' vision.
 - (5) In nonresidential zoning districts, such signs shall not exceed 32 square feet in display area.
 - (6) All such signs shall be removed within seven days after the property has been rented, leased or sold or the title is otherwise transferred, whichever event is first to occur.
- (b) Development signs. Development signs are permitted in accordance with the following:
 - (1) One development sign shall be permitted for each development in which lots are still available. No such sign shall exceed 32 square feet in sign area and eight feet in height, as measured from the established grade.
 - (2) Such sign shall be removed within seven days after all of the units or lots on that site have been sold or leased for occupancy.
 - (3) A development sign shall not be allowed to occupy the property for more than two years, except when an extension is granted. Extensions up to one year may be granted by the city council.
- (c) Subdivision or apartment entrance signs. Subdivision or apartment entrance signs are permitted in accordance with the following:
 - (1) A subdivision or apartment entrance sign shall not exceed 48 square feet in sign display area. This total shall include both sign faces. If the planning commission determines that architectural

features of the sign are in harmony with the surrounding area and the principal structure, the architectural features of the sign shall not count as part of the display area.

- (2) A subdivision or apartment entrance sign shall not exceed a height of six feet. If the planning commission determines that architectural features of the sign, such as wood, rock, ornate columns, or brick framing, are in harmony with the surrounding area, the architectural features of the sign shall not count as part of the total height of the sign.
 - (3) A subdivision or apartment entrance sign may be located in a traffic island at the entrance of a subdivision if the planning commission determines that the sign will not obstruct motorist vision.
- (d) Model home signs. Model home signs are permitted in accordance with the following:
- (1) One model home sign, not exceeding 16 square feet and four feet in height, as measured from the established grade, shall be permitted for each builder in a subdivision. This sign may be placed on the lot of any model unit. For each additional model unit, one real estate sign, not exceeding eight square feet in area and four feet in height as measured from the established grade, is permitted. If a model home sign is erected on a lot, a real estate sign is not permitted.
 - (2) One "open" sign, not exceeding two square feet, may be permitted on each lot for each model unit during the times that the model is open for business.
 - (3) The sign shall not be located within the road right-of-way, nor shall it encroach into the clear vision triangle.
 - (4) The sign shall not be internally or externally illuminated.
 - (5) All such signs shall be removed within seven days of the closing of the sale of the final lot for that model within that subdivision.
 - (6) Model home signs shall be approved by the building inspector for one year. If the sign is necessary for longer than one year, the approval for the sign may be extended by the building inspector for a maximum of two one-year extensions.

(Ord. No. 100, § 6.13, 2-11-2002)

Sec. 42-145. - Temporary signs.

- (a) A temporary sign shall not exceed 24 square feet in display area. Freestanding temporary signs shall not exceed six feet in height.
- (b) The building inspector may issue a permit to a person or other legal entity having ownership or control over a location to display a temporary sign for a specific cause, function, or activity. A maximum of two temporary sign permits may be issued for any one location, including either any multi-occupant location or shopping center (notwithstanding the number of occupants, whether occupants have separate addresses, or whether occupants involve common walls or free standing sites for each such multi-occupant location or shopping center). The combined permitted display time for up to the two temporary sign permits shall not exceed 30 days. This section shall not apply to political signs. No more than one sign location and one cause, function or activity shall be permitted for each sign permit.
- (c) Banners, pennants, spinners, streamers, balloons and other windblown signs or displays are permitted only for nonprofit, institutional or community activities or events when specifically approved by the city council. These displays or signs are also permitted for new businesses for a period of time not to exceed 30 days. The displays or signs must be erected no sooner than 30 days prior to the opening of the business and removed no later than 30 days after the opening of the business.
- (d) No trespassing and keep out signs shall not exceed two square feet and shall be permitted in all districts.

- (e) Signs giving notice of pets that have been lost or found shall not exceed two square feet, shall be permitted in all districts, provided that permission has been obtained from the owner of the property on which the sign is posted, and such sign shall be removed not later than 30 days after posting by the individual posting such signs or the owner of the property.

(Ord. No. 100, § 6.14, 2-11-2002; Ord. No. 112, § 1, 3-10-2003)

Sec. 42-146. - Vehicle business signs.

Vehicle business signs are prohibited within the city.

(Ord. No. 100, § 6.15, 2-11-2002)

Sec. 42-147. - Wall signs.

- (a) A wall sign shall not project more than 12 inches horizontally beyond the wall of a building.
- (b) A wall sign shall be used to display the name of the firm, the address or a symbol, or type of business.
- (c) Wall signs shall not project above the highest point used to measure the height of the building or structure.
- (d) Wall signs shall not exceed one square foot for each linear foot of storefront on which the sign is to be placed or 20 square feet, whichever is greater. In no case shall a wall sign exceed 60 square feet.
- (e) Large, multidepartment stores and big box uses with over 50,000 square feet of floor area may be permitted a wall sign area equal to one square foot for each linear foot of store frontage up to a maximum of 150 square feet.

(Ord. No. 100, § 6.16, 2-11-2002)

Sec. 42-148. - Window signs.

Window signs shall be counted towards the total wall sign area which is permitted for any particular structure as noted in this article.

(Ord. No. 100, § 6.17, 2-11-2002)

Sec. 42-149. - Nonvisible signs.

Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare or right-of-way shall not be counted toward the maximum number of signs permitted on the subject lot or parcel. Such signs shall also be exempt from display area regulations. Such signs shall remain subject to sign approval, permit requirements, inspections, and height and setback requirements.

(Ord. No. 100, § 6.18, 2-11-2002)

Sec. 42-150. - A-frame signs.

- (a) Each commercial business within the city may be permitted one A-frame sign.
- (b) The A-frame sign shall maintain a maximum size of four feet high and three feet wide.

- (c) A-frame signs must be placed adjacent to the business store front utilizing the A-frame sign. The A-frame sign shall not interfere with pedestrian or vehicular circulation. A minimum of five feet of unobstructed sidewalk shall be maintained along the entire frontage of any business that maintains an A-frame sign.
- (d) A-frame signs shall be constructed of durable materials. Changeable copy signs shall not be permitted as A-frame signs. Plastic shall not be considered a durable material for the purposes of this section.
- (e) A-frame signs shall not be placed outside of the business between dusk and dawn.
- (f) A-frame signs shall be secured from movement or falling by means determined acceptable by the building administrator or code enforcement officer.
- (g) Any business not in compliance with existing sign requirements shall not be permitted an A-frame sign.
- (h) A sign permit shall be required for an a-frame sign from the building department.

(Ord. No. 146, § 2, 9-10-2007; Ord. No. 201, § 2, 3-23-2015)

Editor's note— Section 2 of Ord. No. 201, adopted March 23, 2015, changed the title of § 42-150 from "A-frame signs within central business district" to read as herein set out.

Secs. 42-151—42-175. - Reserved.

ARTICLE VI. - HISTORIC DISTRICT REGULATIONS

FOOTNOTE(S):

--- (3) ---

Cross reference— Historic preservation, ch. 26.

Sec. 42-176. - Applicability of article.

If the proposed sign is located within an historic district as created and adopted by the city council, this article shall apply.

(Ord. No. 100, § 7.00, 2-11-2002)

Sec. 42-177. - Intent.

The intent of this article is to preserve and enhance the cultural, social, economic and architectural character of the duly established historic district of the city by ensuring that signs:

- (1) Are in scale with the building on the site and surrounding buildings.
- (2) Are in character with the architecture of the building and surrounding buildings and meet the established historic theme of the district.

(Ord. No. 100, § 7.01, 2-11-2002)

Sec. 42-178. - Review of signs in the historic district.

- (a) Application. A completed sign application shall be submitted to the city clerk as required in section 42-36. The city clerk, or the clerk's designee, shall make a determination whether a proposed sign is situated within the historic district.
- (b) Review by building department, planner. If the proposed sign is situated in the historic district, the application shall be reviewed by the city building department and city planner, or the planner's designee, in order to determine whether the proposed sign complies with this chapter. Written confirmation of compliance or noncompliance shall be received from the building department and city planner.
- (c) Review by historic district commission. If the sign is compliant, ten copies of the complete submission shall be furnished to the historic district commission for its review.
- (d) Written notice of decision. The historic district commission shall approve or disapprove the proposed sign compliant with the applicable state statute, federal regulations and rules and procedures of the historic district commission. Written notice of its decision shall be furnished to the city clerk within five business days following its decision. In addition to its approval or disapproval, the historic district commission may also in writing advise the city clerk if it has determined that the proposed sign is outside of a historic district.
- (e) Penalty. Any violation of this section shall be a misdemeanor and, upon conviction thereof, punishable by a sentence of not more than 93 days or by a fine of not more than \$500.00, or both.

(Ord. No. 100, § 7.02, 2-11-2002; Ord. No. 112, §§ 2, 3, 3-10-2003)

Sec. 42-179. - Design standards.

- (a) Size of signs permitted. The size of signs permitted in the historic district shall be in accordance with the following:
 - (1) The total sign area for any business shall not exceed 48 square feet.
 - (2) A bracket or mount for a projecting sign shall not extend further than 48 inches from the wall. The face of such sign shall not extend more than 48 inches from the wall upon which it is mounted and 36 inches in height.
 - (3) Window signs are permitted in commercial buildings as provided in section 42-148.
 - (4) If a sign replicates an original historic sign or is a restored historic sign for that building and does not meet the requirements of this chapter, such sign may be permitted by the zoning board of appeals under section 42-4.
- (b) Number of signs permitted. No more than two signs shall be allowed for each business, and no more than one of the two permitted signs may be a projecting sign. For businesses that coexist in a building and share an access door, the planning commission may limit the number of projecting signs to one total. The sign may advertise each business.
- (c) Maximum height of signs. The minimum height from the ground to the bottom of a projecting sign shall not be less than seven feet, nor shall the highest point of the sign, sign bracket or sign mount exceed 20 feet in height from grade. In no case may any part of a sign project above the roofline.
- (d) Materials and types of signs permitted. Materials and types of signs permitted are as follows:
 - (1) Signs which are painted or engraved and painted on windows or boards are preferred; other materials may be acceptable, if the treatment is compatible with the historic district.
 - (2) Projecting signs shall be permitted in the historic district.

- (3) Signs may be affixed to or painted on buildings, windows, awnings or canopies, if such sign is consistent with the architecture and design of the building and surrounding area.
 - (4) Monument signs with a substantial brick and/or stone base shall be permitted, subject to size restrictions of this section and this chapter, and subject to being compatible with the historic district provisions.
 - (5) Pylon signs are prohibited in the historic district.
 - (6) Signs which advertise businesses or business products or services shall not be painted on street furniture, such as but not limited to benches and trash receptacles.
- (e) Style. The style of lettering, choice of paints, and other aesthetic features are a matter of individual preference; however, they shall be consistent with the architecture and style of the building or structure. The guideline is for simplicity. Symbols or pictures or objects may be more appropriate than words.
- (f) Illumination. Illumination shall be in accordance with the following:
- (1) Externally lit signs are preferred over internally lit signs.
 - (2) The historic district commission may approve signs with flashing, intermittent or moving lights or with moving or revolving parts or with internal lighting, if it is determined by the commission that such sign is:
 - a. Historically appropriate for the business it is intended to serve; and
 - b. Required to maintain the historic authenticity of the sign and business, either as a restored sign or an accurate reproduction.

(Ord. No. 100, § 7.03, 2-11-2002; Ord. No. 163, § 2, 5-11-2009)

Sec. 42-180. - Historical marker signs.

Historical markers, for the purpose of this chapter, shall be defined as plaques or signs describing state or national designation as a historic site or structure and/or containing narrative, not to exceed 12 square feet in display area. These signs shall not be included in the total sign area, nor shall they be included in the number of signs.

(Ord. No. 100, § 7.04, 2-11-2002)



You are Invited to a **FREE** Seminar: **Emerging Issues – Signs, Wedding Barns, Changes to the Right to Farm Act, and Adaptive Reuse of Obsolete Buildings**

As the Greek philosopher Heraclitus noted, “The only thing that is constant is change.” The 2016 Spring Community Education Series is here to help communities address some of the changes they face.

Signs

We will look at the meaning of the U.S. Supreme Court decision in *Reed et al. v. The Town of Gilbert, AZ* (relating to content-neutral signs) and explore techniques communities can use to bring their sign regulations in line with the court’s ruling.

Wedding Barns

We will discuss the various implications of the increasing interest in converting agricultural structures into venues for social gatherings.

The Michigan Right to Farm Act, P.A. 93

We will review the Michigan State University Extension report “Sample Zoning for Agriculture-Like and Urban Agriculture” and discuss its application for local communities that have encountered difficulties regulating agricultural activities.

Adaptive Re-Use

We will discuss strategies that municipalities can use to prevent vacant buildings like churches, schools, auto plants, and big-box stores from creating blight in their community.

- o **For:** Local officials, planning commissions, local government administrators
- o **When:** 7-9 p.m. Wednesday, May 4 (*note the new month*)
- o **Where:** The Rowe Building, 540 S. Saginaw Street, Suite 200, Flint, MI (driving/parking directions: www.rowepsc.com/location/HQ)
- o **RSVP:** By noon on Friday, April 29, to Rachel at (800) 837-9131 or RYankee@rowepsc.com; *seating is limited to 50*

Presented by:



**ROWE PROFESSIONAL
SERVICES COMPANY**