



## MEMORANDUM

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

**DATE:** March 29, 2018

**TO:** Mayor Eveleth and the Owosso City Council

**FROM:** Planning Commission

**SUBJECT:** Setting a public hearing to amend Section 26-19(1)a, Sign setbacks, of the *Owosso Code of Ordinances*.

### RECOMMENDATION:

The Planning Commission hereby recommends setting a public hearing on Monday, May 7 , 2018 to amend Section 26-19(1)a, Sign setbacks, of the *Owosso Code of Ordinances*.

### BACKGROUND:

A public workshop was held by the Owosso Planning Commission on Monday, March 26, 2018 at its regularly scheduled meeting to receive citizen comment regarding the proposal to amend subsection (1)a, *Sign setbacks*, of Section 26-19, General standards for permitted signs, of the Code of the city of Owosso. The proposed ordinance amendment will reduce the setback requirement of ten (10) feet from any public right-of-way to five (5) feet. The previous sign ordinance, repealed and replaced in its entirety in June of 2017, had a setback requirement of five (5) feet from any public right-of-way. The current ordinance inadvertently set that requirement at ten (10) feet. The proposed amendment will help prevent future hardships on businesses wishing to replace their current signage and will work to keep the established distance of their current signage in compliance.

### FISCAL IMPACTS:

n/a

**RESOLUTION NO.**

**TO AMEND SECTION 26-19(1)a  
OF THE CODE OF THE CITY OF OWOSSO  
TO REDUCE SIGN SETBACKS**

WHEREAS, subsection *1a. Sign setbacks*, of Section 26-19, General standards for permitted signs, outlines specific regulations regarding signage and setback requirements; and

WHEREAS, the setback requirements pertaining to public right-of-ways require modification to correct an error made when the ordinance was repealed and replaced in May 2017; and

WHEREAS, the planning commission held a public workshop at their March 26, 2018 regularly scheduled meeting regarding the proposed amendment to Section 26-19, General standards for permitted signs, subsection *1a. Sign setbacks* in which no citizen comments were voiced or received; and

WHEREAS, the planning commission recommends amending Section 26-19 (1)a to correct the error.

NOW THEREFORE BE IT RESOLVED, THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. AMENDMENT. That subsection *a. Sign setbacks* of Section 26-19(1). General standards for permitted signs of the Owosso City Code be amended to read:

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

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this article; provided, that no such sign shall be erected or altered until approved by the building official/zoning administrator and until a sign permit has been issued pursuant to chapter 26 of the City of Owosso Code of Ordinances.

(1) Sign setbacks.

- a. All signs, unless otherwise provided for, shall be set back a minimum of ~~ten feet~~ **five (5) feet** from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

SECTION 2. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 3. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, May 7, 2018 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendment to Chapter 26, Signs, of the Code of Ordinances of the City of Owosso.

SECTION 4. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

SECTION 5. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.