

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

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PLANNING COMMISSION MEETING

DATE: FEBRUARY 8, 2010

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Mark J. Newman, Chair

Richard Buell

Jerome Doyle, Vice Chair

John Cuddeback

Eric Swanson, Secretary

Ronald Flowers

Mark Purkey, Board of Trustee Representative

Julia A. Morford, Recording Secretary

PRESENT: Newman, Doyle, Cuddeback, Flowers, Purkey, and Morford

ABSENT: Swanson and Buell

OTHERS PRESENT: No other individuals were present

I. MEETING CALLED TO ORDER at 7:03 p.m. by Planning Commission Chair

MARK NEWMAN with Roll Call and the Pledge to the American Flag.

II. ADOPTION OF AGENDA: FLOWERS MOVED, seconded by Purkey to adopt the Agenda as submitted. **MOTION CARRIED.**

III. APPROVAL OF MINUTES OF JANUARY 11, 2010: FLOWERS MOVED, seconded by **PURKEY** to approve the January 11, 2010 Meeting Minutes as amended. **MOTION CARRIED**

IV. UNFINISHED BUSINESS:

1. Continued Review of Sign Ordinance Concerning New Technologies

NEWMAN stated, as a refresher review, at the January 11, 2010, Planning Commission there has been discussion regarding technology changes in regards to signs. It was decided the ordinance was not up to date with the newest technologies. The issue had been brought to the attention of the Planning Commission when the Flushing Baptist Church had come to the Planning Commission regarding an electronic sign. Sample ordinances had been obtained from Michigan Townships Association (MTA), Mundy Township, and Flint Charter Township. With the help of Commissioners Buell and Purkey a detailed draft was done by the Planning

Commission. **BUELL** redrafted the issued that had been reviewed at the January Meeting and came up with the below listed:

* * * * *

Charter Township of Flushing
Draft of Proposed Changes to Sign Ordinance
January 12, 2010

Add to “definitions” of current ordinance and insert between “Copy” and “Flag” (page 700):

Electronic Sign: means any sign which is composed of light emitting diodes or similar devices which can be programmed to create text or images.

Add to 13.5-36. Permits to construct or modify signs.

(3) Existing Signs: Any existing sign on the effective date of this Ordinance or any amendment hereto which does not at that time comply with all of the provisions, hereto, including any amendment:

- (a) Shall not have any changes made in the words or symbols used or the message displayed on the sign unless the sign is designed for periodic change of message.
- (b) May be structurally altered so as to prolong the life of the sign or so to change the shape, size, type or design of the sign with approved sign permit.
- (c) Shall not have its face or faces changed unless the sign is constructed to permit a face change.
- (d) Shall not be reused after the activity, business or usage to which it relates has been discontinued for a period of one (1) year or longer.
- (e) On premises signs shall not ever be placed maintained, or displayed by anyone other than the person, firm or corporation who owns and continues to own the business advertised there.

Add to 13.5-60 Residential, institutional uses permitted in residential zoning districts—Permanent signs:

(c) Electronic signs are permitted in residential areas for institutional use subject to the restrictions specified in 13.5-63 (e) AND THE FOLLOWING:

- (1) Electronic signs used by an institution in an area zoned residential may not cast light on the property of another.
- (2) Electronic signs in residential areas shall be dark from 11:00 PM to 6:00 AM EST.

Add to 13.5-63 Commercial—General provisions:

(e) Electronic Signs are permitted only as ground signs in areas of the Township which are zoned commercial.

- (1) Electronic signs are restricted to message changes which take place not less than each ten seconds..

- (2) Electronic signs shall not display any animated or flashing messages or graphics.
- (3) Electronic signs shall be maintained in good working order and shall function properly. Inoperative signs shall be turned off while awaiting repairs.
- (4) Electronic signs shall adhere to the following thresholds for luminance: Daytime: 600-1000 cd/m². Nighttime 100-350 cd/m². The day/night transition shall occur within one-half hour of the official sunrise/sunset.: Electronic signs shall automatic dimming capability that adjusts the light intensity at all times of the day and night.
- (5) No electronic sign shall, in any way interfere with traffic safety.

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COMMENTS FROM THE PLANNING COMMISSION

1. **DOYLE** felt **BUELL** had done a great job drafting the ordinance.
2. **NEWMAN** wanted to have all the amendments before a new chart was completed that detailed what was permitted in each district. If something is changed in one of the zoning districts, would the Planning Commission have to adopt an amendment to the sign ordinance?
3. **FLOWERS** felt the proposed draft would cover all the electronic signs coming down the road.
4. **PURKEY** felt the Planning Commission was going to limit the electronic signs to commercial areas; residential areas would require a special use permit. Churches would require a special use unless it was in a commercial area.
5. **DOYLE** felt the four (4) items that would be changed would be included in the draft.
6. **NEWMAN** felt the draft should be more formal by the Planning Commission holding the Public Hearing.
7. **DOYLE** wanted to know if there should be a public hearing before all the details were reviewed.
8. **NEWMAN** stated the Planning Commission could get the “formal” version of the ordinance and then for May hold the Public Hearing.
9. **NEWMAN** recommended sending the “draft” to Attorney Steve Moulton for his review for a final and then bring back to the April Planning Commission Meeting for review and then schedule a Public Hearing.

V. NEW BUSINESS:

1. Accessory Structures in Front Yard
1. **NEWMAN** read *Special Use Permits Article XVIII, Section 20-1804, Accessory Structures* which states:
 - A. Accessory Structures
Accessory Structures in front yards in RSA and RU-1 subject to the following conditions:
 1. **The lot the accessory structure shall be located on is at least 400 feet deep or adjacent to a river or lake.**

2. **The accessory structure shall conform to all minimum front and side yard setbacks required for principal structures in the district it is located in.**
3. **The accessory structure shall either be screened from view of the roadway and adjacent lots or be designed to be compatible with surrounding residential structures in size, height, style of siding and landscaping.**

COMMENTS FROM THE PLANNING COMMISSION:

1. When the home is located on the river and the driveway is a long way off the main road, the accessory structure can be placed in the front yard as long as there isn't a conflict with the neighbors.
2. The first problem addressed was the property on Seymour Road backed up to the Flint River which is approximately 400 foot from Seymour Road to the River.
3. The 400' number worked out great for the lots, but if someone is on Seymour Road or McKinley Road at 250' off the River with the same problem, are they going to be allowed to place an accessory structure in the front yard.
4. Should a minimum depth be on the part "adjacent to a river or lake".
5. A problem started with an individual on Pierson Road wanted to put a pole barn in his front yard. There was a problem with the setbacks. There was plenty of room to build in the back of his house. The barn could also have been an attachment to the house which had been recommended by the Planning Commission. .
6. 400 feet is not necessary as long as whatever is being done doesn't disrupt the compatibility of the surrounding residential structures.
7. There could be a heavily wooded lot that wasn't deep where the accessory structure could be constructed and no one would notice that it was there except for the homeowner.
8. The big problem is in the front yard and the barns are out front of the other residents homes then you have a sight problem.
9. There have been problems with neighbors when they think the neighbors think their neighbors should not build in a particular place.
10. The ordinance has to be good for everyone.
11. Glad that the accessory structure issue is listed under "special uses"; everyone has the opportunity to be heard.
12. It would be better stated if the structure was closer to the road than the neighboring homes were located. Most homes along any road in the township is further than 25 feet from the road.
13. Subdivision restrictions are 100 feet setbacks.
14. On a regular lot in the township it should be guided by the setbacks of the neighbors.
15. If out in the country, you would have to revert back to the ordinance in the first place.
16. The scenario being at one time the resident watched the animals in his front yard, but now the resident sees an accessory structure in his front yard as it would not be compatible.

17. The structure has to be built so that does not block the neighbor's view. The structure should not be a barn but designed and built similar to the home.
18. The 400 feet would not be needed as long as the other restrictions were put on the matter. It would give more people the opportunity to apply for an accessory structure with a special use permit.
19. Some subdivision by-laws states accessory structures can only be a certain percentage of the principal structure.
20. It would be unfair if a resident didn't live on a lake or their property wasn't 400' deep.
21. By being too specific would be unfair to the residents.
- 22.
- 23.

VI. PUBLIC COMMENTS:

8:37 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS

Four (4) issues were mentioned.

8:50 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS

VII. BOARD COMMENTS:

VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, APRIL 12, 2010 AT 7:00 P.M.

FUTURE REGULAR SCHEDULED MEETING DATES:

CANCELLED - REGULAR SCHEDULED MEETING – MONDAY, MARCH 8, 2010 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, APRIL 12, 2010 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, MAY 10, 2010 AT 7:00 P.M.

IX. ADJOURNMENT: Due to lack of business matters, **NEWMAN** adjourned the meeting at 8:27 p.m.

MARK J. NEWMAN, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval

Planningminutes 02/08/2010