

CHARTER TOWNSHIP OF FLUSHING

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PLANNING COMMISSION MEETING

DATE: JANUARY 11, 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, Swanson, Buell, Cuddeback, Flowers, Purkey, and Morford

ABSENT: Doyle

OTHERS PRESENT: Two (2) other individuals

I. MEETING CALLED TO ORDER at 7:05 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 DECEMBER 14, 2009: PURKEY MOVED, seconded by Buell to approve the Minutes of December 14, 2009 as amended. **MOTION CARRIED**

IV. UNFINISHED BUSINESS:

1. Review of Sign Ordinance Concerning New Technologies

NEWMAN stated the sign ordinance issue had come up several years ago due to home occupations, road side fruit markets, etc who wanted to sell or advertise their merchandise. The issue came up several weeks ago due to a business in Flushing Township wanted to install an electronic sign.

Ordinances had been received from Michigan Townships Association (MTA) Allendale Township; Charter Township of Mundy; and Charter Township of Flint. NEWMAN stated the Charter Township of Flint ordinance was a very thorough ordinance (due to Newman owning a

business in Flint Township). By reviewing the ordinances, it would prevent re-inventing the wheel.

DISCUSSION:

- There needed to be different requirements for residential and commercial broken down into the different zoning areas.
- At first, it was felt the amendments would be a lengthy process but found out it would not be; only need to add a couple of paragraphs that would meet Flushing Township's need; cannot foresee every issue that might come up so bring up to the current state of technology for a few years and then bring the issue back for review again.
- Charter Township of Mundy Ordinance, page 15, Section E, paragraph 1 – 4 would cover about ninety (90%) percent of the way to update the Flushing Township Ordinance.

E. Electronic Reader Boards (ERB), Electronic Message Centers (EMC), and Changeable Message Signs (CMS).

1. *Such signs are permitted only on ground signs in non-residential zoned areas.*
 2. *ERB's, EMC's, and CMS's shall not exceed more than fifty percent (50%) of the total sign area except for Billboards in section 34.05(K).*
 3. *No message occurrence shall be less than ten (10) seconds in duration.*
 4. *Such signs shall not be programmed with any animated, scrolling, or flashing messages, symbols, logos, or other graphics. Only static text and static logos are permissible.*
- Charter Township of Mundy Ordinance, page 4, letter P:
"Electronic Reader Board (ERB), Electronic Message Center (EMC) or Changeable Message Sign (CMS): the portion of a sign on which copy is changed manually or electronically. Electronic reader boards are defined as a changeable message sign and further include dynamic message signs (DMS), electronic billboards (EBB), light emitting diode (LED) displays, and other similar signs."
 - Flushing Township does not have that much commercial business so wouldn't need to be in so much depth.
 - There needed to be a table showing the different zones as far as commercial/residential. (Similar to Charter Township of Mundy, page 25, Table 34.2)
 - Need to maneuver with caution that the township is protected against unpredictable signs to keep the signs what they were supposed to represent and at the same time keep the freedom of speech.
 - Churches would be a different situation since churches are in a residential area.
 - Flushing Township has its own specific table indicating what is special use in what districts. (Section 20-700).
 - Per the ordinance, signage is not allowed in residential areas.

- There are postage stamp zoned areas, C-1 and C-2, in Flushing Township and could operate under one ordinance; day care centers are controlled by the State of Michigan; churches and schools are in the RSA zoning district.
- In the past, Rowe Inc has been called to the Planning Commission to review the ordinance among the Commission.
- Need something as basic as “electronic signs” in the ordinance; sometimes more confused as there is a definition within a definition. Some language is the form of art for a particular sign. “Electronic sign” would cover all the language and would not have to be changed from time to time.
- It was recommended that **BUELL** draft the language and then bring back to the Planning Commission: main ingredients of the draft would be:
 - a. *Charter Township of Mundy, page 15, letter E, numbers 1 – 4 and 7 – 9*
 1. Number 1 – is signs are already there, they will be grandfathered.
 2. Number 2- “Electronic signs” would be used instead of ERB’s, EMC’s, and CMB’s. Huge signs are not allowed in Flushing Township. Most new signs now are one hundred percent electronic. Currently, commercial signs are allowed up to eighty (80%) percent for signage.
 3. Number 3 – stay the same as the Mundy Township Ordinance.
 4. Number 4 – the logic would be the distraction of the sign if flashing.
(Example: *Charter Township of Flint Ordinance, page 13, Section 5.01 Prohibited Signs, number 4 states:*
“Which has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations, or by action of normal wind currents (except as in 3.04(1)(b)(iii) Reader Board 3 x 6 sign).”
(Other examples: page 22-3, Section 22.05, Signs, letter B and *Zoning Issues In a Changing World* published by Rowe Inc. where drivers are distracted by not being able to see the end of the story.
BUELL will rewrite number 4 to state:
“Such signs shall not display any animated, scrolling, or flashing messages, symbols, logos, or other graphics. Only static text and static logos are permissible.”
 5. Number 5 – will be included:
“Gasoline price signs may be permitted as part of a ground sign, but the total area shall not exceed twenty (20) square feet.”
 6. Number 6 – eliminate number 6.
 7. Number 7 – number 7 will be rewritten to read:
“If any part of the message display is not functioning properly, the use of the reader board sign will be discontinued until sufficient repairs are made.”
 8. Number 8 – number 8 will be rewritten to read:

“Electronic signs must comply within the following thresholds for luminance: Day 600 – 1000 cd/m²; Night 100 – 350/m². The day/night transition shall occur within one-half hour of the official sunrise/sunset. All electronic signs are required to have automatic dimming capability that adjust the brightness to the ambient light at all times of the day and night.”

9. Number 9 – number 9 will be rewritten to read:

“Electronic signs may only operate during normal business hours or from 7:00 a.m. to 11:00 p.m., whichever is greater.”

(The issue should be separated into residential and commercial).

- **NEWMAN** requested that Charter Township of Flint Ordinance, page 14, *Section VI, Existing Signs, 6.01, Alterations to Signs* be mirrored for the Charter Township of Flushing Ordinance.
 1. Remain the same as the Flint Township Ordinance.
 2. Remain the same as the Flint Township Ordinance.
 3. Remain the same as the Flint Township Ordinance.
 4. Remain the same as the Flint Township Ordinance.
 5. Number 5 will not be in the proposed Flushing Township Ordinance.
 6. Remain the same as the Flint Township Ordinance.
- Reference was made to Charter Township of Mundy, page 25, Table 34.2:
 1. Most of Flushing Township’s commercial is C-1 and C-2.
- It is much easier to refer to the right-of-way (ROW) for setbacks.

NEWMAN made reference to the list of “TO DO LIST” for the Planning Commission; the issue of the sign ordinance will be added to the list.

FEBRUARY 8, 2010 PLANNING COMMISSION AGENDA:

Unfinished Business: Continued Discussion Regarding the Proposed Sign Ordinance

New Business: Accessory Structures in the Front Yard

V. NEW BUSINESS:

None

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:

1. **BUELL** will be gone for the months of February and March.
2. **PURKEY** felt the Planning Commission got a very good start with the proposed sign ordinance.

3. **FLOWERS** stated he was the Vice Chair at the Flushing Senior Center so if anyone would like more information, please feel free to contact him.
4. **CUDDEBACK** appreciates being a part of the Planning Commission.
5. **SWANSON** will be gone for the next several months.

VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, FEBRUARY 8, 2010 AT 7:00 P.M.

FUTURE REGULAR SCHEDULED MEETING DATES:

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 9:00 p.m.

MARK J. NEWMAN, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval