

CHARTER TOWNSHIP OF FLUSHING

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PLANNING COMMISSION MINUTES SEPTEMBER 8th, 2025 TIME: 6:00 P.M.

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Peivandi

Vice Chair – Matt Strnad

Secretary – Amy Bolin

Board of Trustees Representative – Terry A. Peck

Jeanette Sizemore, Recording Secretary

Kyle Raup

Michael Moon

Thomas Nichols

- I. MEETING CALLED TO ORDER** at 6:00 P.M. by Planning Commission Chairperson Peivandi with Roll Call and Pledge of Allegiance to the American Flag.

ROLL CALL

PRESENT: Peivandi, Moon, Nichols, Strnad, Raup and Peck

ABSENT: Bolin

OTHERS PRESENT: Two (2) others were present.

II. APPROVAL OF AGENDA

TREASURER PECK MOVED, supported by Commissioner Moon to approve agenda as presented.

THE MOTION CARRIED.

III. APPROVAL OF PREVIOUS MINUTES

TREASURER PECK MOVED, supported by Commissioner Raup to approve previous minutes from August 11th, 2025

After no discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE

AYES: Nichols, Peivandi, Moon, Raup, Peck and Strnad

NAYS: None

ABSENT: Bolin

THE MOTION CARRIED.

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY

OPEN FOR PUBLIC COMMENTS 6:01 P.M.

No comments

CLOSED FOR PUBLIC COMMENTS 6:01 P.M.

V. UNFINISHED BUSINESS

1. Discussion and possible motion on Chapter 36 Article 17 Signs – Update to comprehend most recent United States Supreme Court Decision – Can only control Location, Size and Lighting

After very little discussion

TREASURER PECK MOVED, supported by Commissioner Moon to approve Chapter 36 Article 17 Signs – Update to comprehend most recent United States Supreme Court Decision – Can only control Location, Size and Lighting for Public Hearing.

After no more discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Raup, Peivandi, Moon, Nichols, Peck and Strnad

NAYS: None

ABSENT: Bolin

THE MOTION CARRIED.

(Sign ordinance discussed is attached below.)

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN

ORDINANCE NO. 25 - _____ 35.00 ET SEQ

**AN ORDINANCE REPEALING CHAPTER 36 ARTICLE 17 OF THE
FLUSHING TOWNSHIP CODE OF ORDINANCES AND AMENDING
CHAPTER 35, SIGNS, TO PROVIDE FOR THE REGULATION OF SIGNS
WITHIN THE TOWNSHIP AND TO PROVIDE FOR THE PENALTY FOR
THE VIOLATION THEREOF**

NOW, THEREFORE, The Flushing Charter Township HEREBY ORDAINS:

SECTION I – REPEAL

Chapter 36, Article 17, is hereby REPEALED in its entirety.

SECTION II – SIGNS

Chapter 35 is hereby amended as follows:

Chapter 35 Signs

Sec. 35-1 Purpose.

The township finds that signs and other visual outdoor advertising promote commerce and are related to the health, safety, and/or general welfare of the residents of the community. Because of the impact of signs, the preservation of the existing character of the community requires regulation of signs and of other visual outdoor advertising. The township finds that failure to regulate the size, location, and construction of signs and other outdoor advertising may:

1. Have an adverse effect upon the promotion of business and commerce in the township.
2. Lead to poor identification of businesses.
3. Have an adverse effect upon the existing aesthetic character of the township.
4. Cause deterioration of business and residential areas of the community.
5. Create possible traffic and pedestrian safety hazards by limiting visibility or distracting drivers.

Therefore, the purpose of this Article and subsections hereunder is to regulate signs and visual outdoor advertising in a manner that protects public health and safety by limiting the size, location, or manner of display of signs that is content-neutral. General goals of this Article include:

1. Permitting the minimum number of signs and sign messages reasonably necessary to identify a business and its products.
2. Keeping signs within a reasonable scale with respect to the buildings to which they relate; and further, to prevent off-premises signs from conflicting with business, residential, and public land uses.
3. Prohibiting signs and other visual outdoor advertising which will have an adverse effect on the existing aesthetic character of not only the zoning district in which they are located, but also on the overall character of the Charter Township of Flushing.

Sec. 35-2. 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:

Abandoned sign means a sign which no longer correctly directs or exhorts any person, advertises a bonafide business, lessor, owner, product or activity conducted, or product available on the premises where such sign is displayed.

Alter means to make any change beyond normal maintenance. (See definition "maintenance") This includes, but is not limited to, changes in size, shape, height or copy.

Animated sign means any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Area, sign 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 it is placed. This does not include any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

Awning means a retractable or fixed shelter, projecting from and supported by the exterior wall of a building, constructed of materials on a supporting framework.

Awning sign means a sign painted on, printed on or attached flat against, the surface of an awning.

Beacon means 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 means any sign indicating the name of a building and date and incidental information about its construction; which sign is cut into a masonry surface or made of bronze or other permanent material.

Business means a separate business location, defined by walls, and having its own customer entrance. Multiple activities taking place in or various product lines offered within a particular building shall not be construed as separate businesses.

Canopy generally means a permanent roof-like shelter that extends from part or all of a building face and is constructed of nonrigid material, except for the supporting framework.

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

Changeable copy sign means a sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this article. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this article.

Commercial message means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Copy area means the area, in square feet, of the smallest rectangle which describes the area enclosed by the actual lettering on the sign, not including the supporting structure or decorative embellishments thereof.

Copy means that part of a sign, consisting of letters, numbers, characters, diagrams, logos or other matter intended to communicate or transmit information to those observing the sign.

Flag means a piece of fabric, often rectangular, with specific colors and patterns used to represent a group, place, or idea, and is typically displayed on a pole or hung in a visible location.

Freestanding pole sign means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. This definition excludes flags, flagpoles, and any similar non-sign structures.

Illuminated means, unless otherwise expressly stated, to be lighted by a stationary light source emitting a constant white light either internally or externally.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrances," "telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

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

Monument sign means a freestanding, ground-mounted sign that is permanently affixed to the ground and not supported by poles or pylons. It usually features a solid base or pedestal and is designed to be low-profile.

Multi-tenant sign means a single sign used by more than one (1) business.

Nonconforming sign means any sign that does not conform to the requirements of this article.

Pennant means 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 means any association, company, corporation, firm, organization or partnership, singular or plural, or any kind.

Plaza / mini mall / strip mall means a building or group of buildings containing more than one (1) business.

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicle parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Principal building means 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.

Projecting sign means any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall.

Public signs are erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

Residential sign means any sign located in a district zoned for residential uses, RSA, RU-1, RU-2, RU-3 and RU-4 that contains no commercial message and conforms with all requirements of the zoning ordinance.

Roof line means either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette, and, where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

Roof sign means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof sign-Integral means any sign erected or constructed as an integral or essentially 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.

Setback means the distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Sign means 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.

Street means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Strobe lights means a type of blinking or flashing light.

Street frontage means the distance for which a lot line of a zone lot adjoins a public street, from one (1) lot line intersecting such street to the furthest distant lot line intersecting the same street.

Suspended sign means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface. This definition excludes flags, flagpoles, and any similar non-sign structures.

Temporary sign means any sign that is used only temporarily and is not permanently mounted.

Vehicles includes, but is not limited to automobiles, trucks, trailers, railroad cars, construction equipment and other such mobile equipment whose major legal purpose is other than the display of advertising.

Wall area means that area of an exterior wall starting at sidewalk level and extending up to the eaves on a vertical plane, and, in the case of a mansard roof, including the generally vertical surface on such roof.

Wall sign means any sign attached parallel to, but within twelve (12) inches of a wall or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one (1) sign surface.

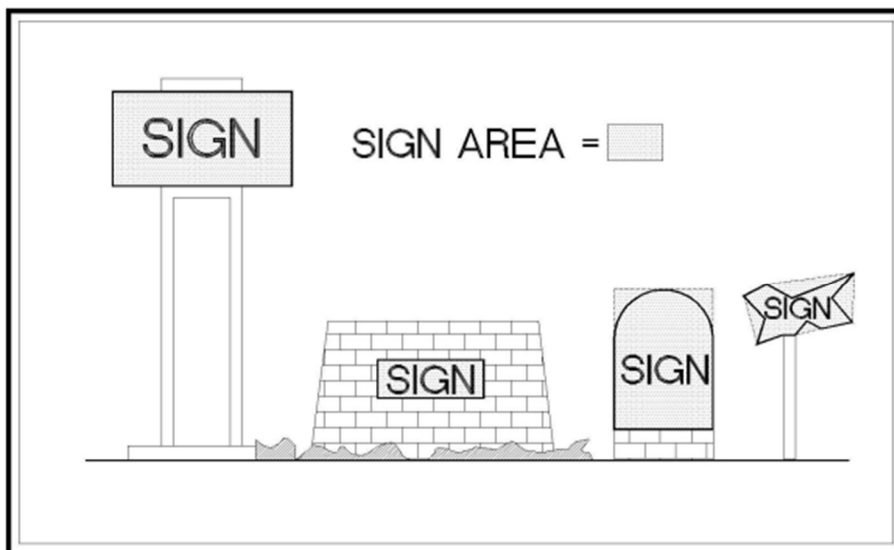
Wall sign, painted means any sign painted, drawn, stenciled, pasted or otherwise directly applied to the exterior of a building or structure.

Window sign means any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, event, commodity, sale or service, that is placed inside a window or upon the window panes or glass and is legible to off-premises traffic, pedestrian or vehicles.

Zone lot means a single parcel of land that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by the zoning regulations.

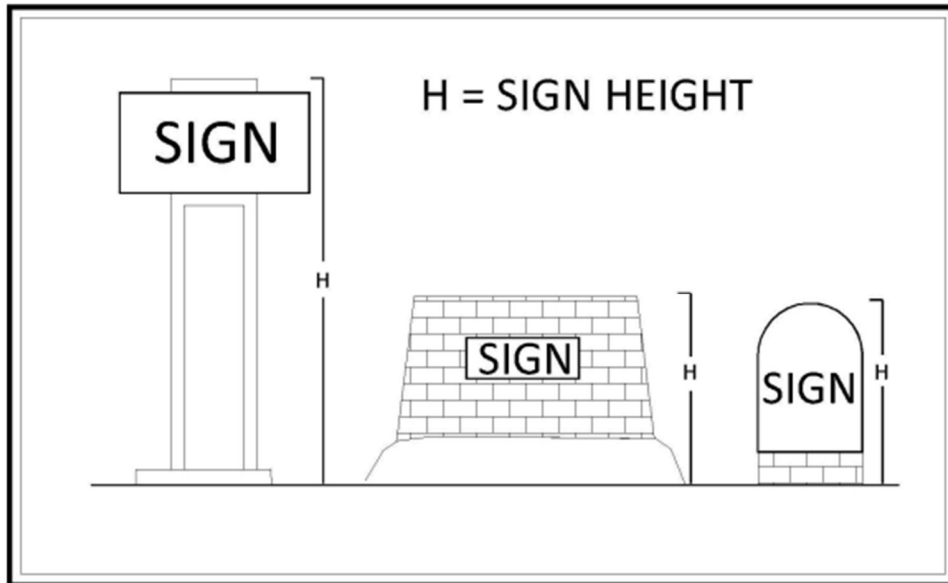
Sec. 35-3. Measurement of Sign Area and Sign Height.

- (A) Sign Area: The area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all the display area of the sign and including all of the elements of the matter displayed. An area so created shall include all solid surfaces, as well as all openings. Structural members not bearing copy of display material shall not be included in computation of sign area. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back-to-back, parallel to one another, and less than 24 inches apart, the area of the sign shall be the area of one (1) face. Where a sign has two (2) or more faces, that portion of the sign structure connecting the sign faces shall not be used for display purposes.



- (B) Sign Height: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of 1) existing grade prior to construction; or, 2) the newly established

grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower. The sign shall be non-moving.



Sec. 35-4. Sign Requirements by Zoning District.

Flushing Township Sign Table			
Type of Sign	Zoning Districts		
	RSA, RU-1, RU-2, RU-3, RU-4	C-1	C-2, SR, M-1, M-2
Freestanding Pole Sign	Not Permitted	Max Display Area: 32 sq ft Max Height: 25 ft Quantity: 1 (Pole or Monument sign) - <i>Footnote 1</i> Setback: Must be setback 10 ft from the right-of-way line— <i>Footnote 4</i> Illumination: Internally or externally permitted- <i>Footnotes 3 & 6</i>	Max Display Area: 64 sq ft Max Height: 25 ft Quantity: 1 (Pole or Monument sign) - <i>Footnote 1</i> Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Internally or externally permitted- <i>Footnotes 3 & 6</i>

Flushing Township Sign Table			
Type of Sign	Zoning Districts		
	RSA, RU-1, RU-2, RU-3, RU-4	C-1	C-2, SR, M-1, M-2
Monument Sign	Max Display Area: 32 sq ft Max Height: 6 ft Quantity: 1 at each entrance of a subdivision/complex or use – <i>Footnote 1</i> Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Internally or externally permitted- <i>Footnotes 3 & 6</i>	Max Display Area: 32 sq ft Max Height: 6 ft Quantity: 1 (Pole or Monument sign) – <i>Footnote 1</i> Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Internally or externally permitted – <i>Footnotes 3 & 6</i>	Max Display Area: 64 sq ft Max Height: 6 ft Quantity: 1 (Pole or Monument sign) - <i>Footnotes 1 & 7</i> Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Internally or externally permitted- <i>Footnotes 3 & 6</i>
Wall Sign	Max Display Area: 24 sq ft Max Height: Must not be higher than the wall upon which it is attached. Bottom of sign must be at least 7 feet above ground level below. Quantity: 1 Projection: Project beyond the wall or permanent feature by no more than 1 foot. Illumination: Internally or externally permitted – <i>Footnotes 3 & 6</i>	Max Display Area: 32 sq ft Maximum Height: Must not be higher than the wall upon which it is attached. Bottom of sign must be at least 7 feet above ground level below. Quantity: 2 Projection: Project beyond the wall or permanent feature by no more than 1 foot. Illumination: Internally or externally permitted – <i>Footnotes 3 & 6</i> <i>Footnote 2</i>	Max Display Area: 60 sq ft Maximum Height: Must not be higher than the wall upon which it is attached. Bottom of sign must be at least 7 feet above ground level below. Quantity: 2 Projection: Project beyond the wall or permanent feature by no more than 1 foot. Illumination: Internally or externally permitted – <i>Footnotes 3 & 6</i> <i>Footnote 2</i>

Changeable copy sign and animated sign	Not permitted	Max Display Area: 32 sq ft Changeable copy may not exceed 50% of the total sign area of a sign. An animated sign may not exceed 25% of the total sign area of the sign. Max Height: 6 ft Quantity: 1 Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Digital/electronic signs may need to comply with brightness limits (e.g., 5,000 nits during the day, 500 nits at night). Electronic message signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise. Message: Signs shall not change more than once per minute. Prohibited Effects: Flashing, scrolling are prohibited.	Max Display Area: 32 sq ft Changeable copy may not exceed 50% of the total sign area of a sign. An animated sign may not exceed 25% of the total sign area of the sign. Max Height: 6 ft Quantity: 1 Setback: Must be setback 10 ft from the right-of-way line – <i>Footnote 4</i> Illumination: Digital/electronic signs may need to comply with brightness limits (e.g., 5,000 nits during the day, 500 nits at night). Electronic message signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise. Message: Signs shall not change more than once per minute. Prohibited Effects: Flashing, scrolling are prohibited.
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Flushing Township Sign Table			
Type of Sign	Zoning Districts		
	RSA, RU-1, RU-2, RU-3, RU-4	C-1	C-2, SR, M-1, M-2
Awning and Canopy Sign	Not permitted	Max Display Area: 50% of the portion of the surface containing the sign Height: Bottom of awning or canopy must be at least 7 ft above ground level Illumination: Internally permitted – <i>Footnote 6</i> <i>Footnote 2</i>	Max Display Area: 50% of the portion of the surface containing the sign Height: Bottom of awning or canopy must be at least 7 ft above ground level Illumination: Internally permitted – <i>Footnote 6</i> <i>Footnote 2</i>
Window Sign	Not permitted	Max Display Area: 25% of the window area containing the sign Quantity: 2 Illumination: Internally permitted – <i>Footnote 6</i> <i>Footnote 2</i>	Max Display Area: 25% of the window area containing the sign Quantity: 2 Illumination: Internally permitted – <i>Footnote 6</i> <i>Footnote 2</i>
Suspended Sign	Not permitted	Max Display Area: 1 sq ft Quantity: 1 Illumination: Not permitted This type of sign shall not be considered when counting the number of signs per premises. <i>Footnote 2</i>	Max Display Area: 1 sq ft Quantity: 1 Illumination: Not permitted This type of sign shall not be considered when counting the number of signs per premises. <i>Footnote 2</i>

Flushing Township Sign Table			
Type of Sign	Zoning Districts		
	RSA, RU-1, RU-2, RU-3, RU-4	C-1	C-2, SR, M-1, M-2
Temporary Sign	Max Display Area: 12 sq ft Max Height: 4 ft Quantity: 1 Setback: Minimum of 5 ft from the edge of any right-of-way or public or private sidewalk. Illumination: Not permitted Time period: Such sign may be displayed up to 60 days in any one year. Signs must be removed within 10 days after the conclusion of the event to which they pertain. <i>Footnote 5</i>	Max Display Area: 32 sq ft Max Height: 6 ft Quantity: 1 Setback: Minimum of 5 ft from the edge of any right-of-way or public or private sidewalk. Illumination: Internally permitted – <i>Footnote 6</i> Time period: Such sign may be displayed up to 60 days in any one year. Signs must be removed within 10 days after the conclusion of the event to which they pertain. <i>Footnotes 2 & 5</i>	Max Display Area: 32 sq ft Max Height: 6 ft Quantity: 1 Setback: Minimum of 5 ft from the edge of any right-of-way or public or private sidewalk. Illumination: Internally permitted – <i>Footnote 6</i> Time period: Such sign may be displayed up to 60 days in any one year. Signs must be removed within 10 days after the conclusion of the event to which they pertain. <i>Footnotes 2 & 5</i>

Footnote:

1. Parcels with more than one street frontage may erect one free-standing or monument sign on each frontage. Free-standing or monument signs located on parcels with more than one street frontage shall be a minimum of 150 feet apart.
2. In the case of a multiple tenant building - Each individual business shall be permitted a separate wall, window, incidental, awning/canopy, suspended sign, or temporary signs to identify itself.
3. Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of pedestrian or vehicular traffic on the adjacent street or adjacent property owners.
4. No sign or structure appurtenant to a sign shall obstruct vision above a height of 3 feet from the established street grades within the triangular area formed at the intersection of the street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 30 feet from their point of intersection.
5. Temporary Signs –
 - a. Shall be anchored in a safe and secure manner.

- b. The anchoring of signs by tying or attaching weighted objects (such as cinder blocks or tires) is prohibited.
 - c. A temporary sign shall not be displayed if it is torn, bent, faded, not upright, unreadable, or otherwise unsightly.
 - d. A temporary sign shall not have exposed or protruding wheels.
6. Sign Illumination –
- a. All sign illumination shall maintain a consistent color and intensity, except where automatic adjustments in brightness are permitted in response to ambient light conditions, as specified in this Code.
 - b. Lighting fixtures used to illuminate signs must be installed and maintained to minimize glare, in accordance with the requirements of this chapter. This includes the use of fully shielded fixtures, baffles, appropriate mounting height, luminosity, aiming angles, and placement.
 - c. Under all circumstances, sign illumination shall not emit light exceeding 0.1 foot-candles above ambient levels at any lot line adjacent to a Residential Zoning District.
 - d. Illuminated signs shall be turned off according to the following schedule:
 - i. For lots without an active business use: Sign illumination shall be extinguished between 10:00 p.m. and 6:00 a.m.
 - ii. For lots with an active business use: Sign illumination shall be extinguished beginning 30 minutes after the close of all businesses on the lot and may resume no earlier than 30 minutes before the opening of any business on the same lot.
7. One menu board sign for a drive-in or drive-through facility is permitted, provided that the sign does not exceed 25 square feet in area or 8 feet in height.

Sec. 35-5. Signs in the public right-of-way.

No signs shall be allowed in the public right-of-way, except for the following as dictated by the road commission:

- (A) Public signs
- (B) Bus stop signs
- (C) Informational signs or a public utility regarding its poles, lines, pipes or facilities, work or warnings.

Sec. 35-6. Signs Not Requiring a Permit.

The following signs do not require a permit from the township:

- (A) Address numbers required for property identification and emergency response purposes shall be exempt from the provisions of this ordinance. Such numbers must comply with applicable building or fire code requirements.
- (B) Highway signs erected by the U.S. Government, State of Michigan, Genesee County, or the Charter Township of Flushing.
- (C) Governmental use signs erected by governmental agencies to designate hours of activity or conditions of use for parks, parking lots, recreational areas, other public space, or for governmental buildings.

- (D) Directional signs in conjunction with drives or off-street parking areas, provided any such sign does not exceed 4 square feet in area, is limited to traffic control functions, and does not obstruct traffic vision with a maximum height of 5 feet. Advertising copy or logos may be permitted, provided they are subordinate to the directional characteristics of the sign.
- (E) Historic signs designating sites recognized by the State Historical Commission as Centennial Farms or Historical Landmarks.
- (F) Placards posted to control or prohibit hunting and/or trespassing within the township.
- (G) Essential service signs denoting utility lines, railroad lines, hazards, precautions, and medical facilities with emergency care.
- (H) Memorial signs or tablets which are either: 1) cut into the face of masonry surface; or 2) constructed of bronze or other incombustible material when located flat on the face of a building.
- (I) One (1) nameplate, identifying the name of the occupant, not-to-exceed 2 square feet in area. The nameplate shall be attached flat against the front wall of the building.
- (J) Tourist-oriented directional signs provided such signs are otherwise permitted by the Michigan Department of Transportation pursuant to P.A. 299 of 1996 as amended.
- (K) Flags.
- (L) Political signs.
- (M) Real estate signs.

Sec. 35-7. Signs prohibited under this article.

All signs not expressly permitted under this article or exempt from regulation hereunder in accordance with the previous section are prohibited in the township. Such signs include, but not limited to:

- (A) Signs which create sound.
- (B) Signs which incorporate scrolling, flashing, beacon, or moving lights.
- (C) Signs which obstruct the ingress to or egress from a required door, window, fire escape or other required exit way.
- (D) Signs which are unlawfully installed, erected or maintained.
- (E) Projecting signs.
- (F) Signs which have 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, other than for the conveyance of noncommercial information which requires periodic change.
- (G) Signs that are mounted or displayed on a vehicle parked on private property or within a public right-of-way, when such vehicle is parked for the purpose of displaying a sign.

- (H) Signs painted directly upon walls, sidewalks or driveways.
- (I) Signs painted on, attached, or affixed to any tree, rock, or similar organic or inorganic natural matter.
- (J) Signs which are structurally unsafe, electrically unsafe, or constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or are not in good repair.
- (K) Sign that exhibits significant signs of wear or disrepair.
- (L) Signs which, by reason of their size, location, context, coloring or manner of illumination may be confused with or construed as a traffic control sign; or which either hides from view any approved traffic or street sign or signal, confuses or misleads traffic, obstructs vision necessary for traffic safety or distracts from visibility of traffic signs.
- (M) Inflatable signs and tethered balloons.
- (N) Roof signs
- (O) Any sign that advertises a business, event, or use no longer located on the same site as the sign. When a use changes, the owner shall have 30 days to replace a sign that is no longer applicable to the property on which it is located.

Sec. 35-8. Permit-requirements and procedures.

(A) Permit Requirement.

1. If a sign requiring a permit under any provision of this article is to be placed, constructed, erected or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of section.
2. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this article (including those protecting existing signs) in every respect.

(B) Permit Application.

1. Applications for sign permits shall be submitted to the authorized township official using the prescribed form or in accordance with published specifications. Applications must include detailed drawings showing the sign's dimensions, design, structure, and location. One application may cover multiple signs on the same zone lot.
2. All applications must be accompanied by applicable fees as established by township board.

(C) Review and Action.

1. Within five (5) business days of the submission of a complete application for a sign permit, the authorized township official shall review it for completeness. If

complete, the application will be processed. If incomplete, the applicant will be notified in writing of the deficiencies within the same five (5) day period.

2. Within seven (7) business days of submission of a complete application, the authorized township official shall either:
 - a. Issue the permit if the proposed sign complies fully with this article, or
 - b. Reject the permit and specify in writing the provisions of the ordinance with which the sign is inconsistent.

(D) Inspection and Approval.

Upon completion of sign construction or modification, the authorized township official shall inspect the site. If the work complies with this article and applicable building and electrical codes, a symbol indicating permit approval will be affixed to the premises. If deficiencies exist, the authorized township official will issue a notice detailing them and allow 30 days for correction. Permits lapse if construction is not completed within one (1) year.

(E) Permit Continuity and Lapse.

A sign permit lapses if the associated business activity ceases and is not renewed within thirty (30) days of notification. Upon lapse, the sign must be removed within ten (10) days of notice. Failure to do so authorizes authorized township official to remove the sign at the owner's expense.

(F) Temporary signs.

Temporary signs may be permitted via a zoning permit in accordance with this article.

Sec. 35-9. Nonconforming signs.

- (A) Sign(s) which were made nonconforming by the adoption of this article, may remain in place and be maintained, provided that no action is taken which increases the degree or extent of nonconformity.
- (B) This shall not preclude the general maintenance and repair of non-conforming signs to keep them in a safe condition and in good repair.
- (C) Nonconforming signs may be re-established after damage or destruction, if the estimated expense of reconstruction does not exceed 50 percent of the replacement cost as determined by the Zoning Administrator.
- (D) Nonconforming signs associated with an activity, business, or use to which has been discontinued for 90 days or longer will be required to conform to the standards set forth in this article
- (E) The sign face or message on a nonconforming sign may be changed provided that the change does not create any greater nonconformity.

Sec. 35-10. Appeals and Variances.

(A) Right to Appeal

Any person aggrieved by a decision, notice, or order of the authorized township official related to this chapter may appeal to the Zoning Board of Appeals (ZBA) within the time period prescribed by this section.

(B) Appeal Process and Informal Reconsideration

1. An optional request for informal reconsideration may be submitted to the authorized township official within five (5) business days of the contested action.
2. If unresolved, a formal appeal may be filed with the ZBA within ten (10) business days of the original decision or final informal decision, whichever is later.
3. The appeal must be in writing, state the grounds for appeal, and be accompanied by the applicable fee as set by township board resolution.

(C) Hearing and Notice

1. A hearing on the appeal shall be scheduled within 45 days of receipt of a complete petition.
2. Notice of the hearing shall be published and mailed to owners and occupants within 300 feet of the subject property at least 15 days prior to the hearing, in accordance with MCL 125.3103.

(D) Powers of the ZBA

1. The ZBA may affirm, modify, or reverse the decision appealed.
2. The ZBA may grant dimensional variances upon finding that practical difficulties exist, based on the standards in subsection (E).
3. All decisions of the ZBA shall be made within 60 days of the hearing unless extended with consent of the applicant.

(E) Dimensional Variance Standards (Practical Difficulty)

A dimensional variance shall only be granted if the ZBA finds all of the following:

1. That compliance with the ordinance is unnecessarily burdensome due to the unique characteristics of the property.
2. That the situation is not self-created.
3. That the variance will not impair the intent or purpose of the ordinance nor harm the public welfare or adjacent properties.

(F) Record and Finality

1. All decisions shall be entered into the record and state the findings of fact.
2. A decision becomes final after five (5) days unless the ZBA certifies the need for immediate effect to protect property or public rights.

(G) Stay of Enforcement

The filing of an appeal stays further enforcement unless the authorized township official certifies that an emergency exists, in which case a court order is required for a stay.

Sec. 35-11. Violations and Enforcement.

(A) Any of the following shall be a violation of this article and shall be subject to the enforcement remedies and penalties provided by this article, by the zoning ordinance and by state law:

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 permit;
3. To install or place sign on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation.
4. To fail to remove any sign that is installed, created, erected or maintained in violation of this article or applicable building or electrical codes, or for which the sign permit has lapsed; or
5. To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this article.

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

(B) Any violation or attempted violation of this article or of any condition or requirement adopted pursuant hereto, may be abated or corrected, by injunction or other appropriate court order obtained in an appropriate proceeding filed by the township with the county circuit court. Further, in addition to any other remedy sought by the township, any violation of this article shall be deemed a civil infraction, which shall be governed by Chapter 18 et seq., of this Code. In any case where a person has been issued a civil infraction notice or citation for violation of this article, within twelve (12) months immediately preceding a second or subsequent violation of this article, the second or subsequent violation of the ordinance shall be a misdemeanor.

SECTION III – SAVING CLAUSE

Nothing in this section or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court or administrative body, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this section; nor any just or legal right or remedy of any character be lost, impaired, or affected by this section.

SECTION IV – SEVERALABILITY

If any section, subsection, clause, phrase, or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this section, and such holding shall not affect the validity of the remaining portions of this section.

SECTION V – PRIOR ORDINANCES

All Township ordinances and resolutions or a part thereof, insofar as the same may be in conflict herewith, are hereby repealed.

SECTION VI – EFFECTIVE DATES

This Ordinance shall be published in a newspaper of general circulation within the Charter Township of Flushing, Genesee County, Michigan, and shall become effective the 8TH day following publication.

SECTION VII – INSPECTION OF ORDINANCE

A copy of this Ordinance may be inspected at the Township Clerk's Office at the Flushing Township Hall, 6524 N. Seymour Rd., Flushing, Michigan 48433 during regular business hours.

**ON MOTION DULY MADE BY:
AND SECONDED BY:**

YEAS:

NAYS:

We hereby certify that the foregoing Ordinance was adopted on the Second Reading by the Township Board of the Charter Township of Flushing at its meeting on _____, 2025.

First Reading: _____, 2025

Second Reading: _____, 2025

Published on: _____, 2025

Fred Thorsby, Supervisor

Wendy Meinburg, Clerk

VI. NEW BUSINESS

None.

VII. PUBLIC COMMENTS

OPEN FOR COMMENTS: 6:04 P.M.

None.

CLOSED FOR COMMENTS: 6:04 P.M.

VIII. ZONING ADMINISTRATOR COMMENTS

Chris Czyzio:

- Nothing new on gas station on the corner of McKinley and Mt. Morris Rd.
- Second Reading to rezone Parcel No. 08-11-100-005 from RU4 to RSA Residential Suburban Agricultural District will be held 9-9-2025 at the next Board of Trustee Meeting.
- The Township will not be able to use the meeting room during the upcoming construction

IX. COMMISSION COMMENTS

No Comments

X. NEXT REGULAR SCHEDULED MEETING

MONDAY, October 6th, 2025 AT 6:00 P.M.

XI. ADJOURNMENT

With no further business, the meeting adjourned at 6:07 P.M.

VICKI PEIVANDI, Chairperson

AMY BOLIN, Secretary

Date of Approval

Jeanette Sizemore, Recording Secretary