

**OTSEGO COUNTY
PLANNING COMMISSION**

July 17, 2017

6:00 PM

MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From June 19, 2017 meeting
5. CONSENT AGENDA
6. OTHER
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS
9. ADVERTISED CASES
10. UNFINISHED COMMISSION BUSINESS:
 1. Section 21.38 Signs and Billboards – *Proposed changes*
11. NEW BUSINESS
12. REPORTS AND COMMISSION MEMBER'S COMMENTS:
 1. Otsego County Parks & Recreation report/Judy Jarecki
 2. Land Use Services report/Jim Mouch
13. ADJOURNMENT

Otsego County Planning Commission

Proposed Minutes for June 19, 2017

Call to Order: 6:00pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Secretary Arndt, Ms. Nowak, Mr. Klee, Mr. Caverson, Mr. Bauman, Ms. Corfis

Absent: Mrs. Jarecki, Mr. Borton, Mr. Hilgendorf, Mr. Brown

Staff Present: Mr. Mouch, Ms. Boyak-Wohlfeil

Public Present: Ken Bradstreet, Wolverine Power representative, Jan Norton

Approval of minutes from: April 17, 2017

Motion made to approve minutes by Mr. Bauman; Seconded by Ms. Corfis

Motion approved unanimously.

Consent Agenda: None

Other: None

Public participation for items not on the agenda:

Ms. Nowak introduced Jan Norton as her replacement on the Otsego County Planning Commission. Ms. Norton had been appointed by Chester Township but Ms. Nowak was unsure as to the date that would take effect because her term did not expire until December 31, 2017.

Chairperson Hartmann introduced Ken Bradstreet, Wolverine Power representative.

Mr. Bradstreet stated Wolverine Power had completed installation of the mufflers that had been put in place to help control the sound of the gas purging upon start up and shut down of the Alpine Power Plant. They have made a big improvement on the noise levels and Wolverine continued to strive to keep their neighbors happy. He stated the generators had been running more than anticipated but was unsure why as they are instructed by MISO when to run without reasons given.

Chairperson Hartmann thanked him for his update.

Public Hearing: None

Advertised Case: None

Unfinished Commission Business:

1. Section 23 Site Plan Review/Application – *Proposed changes*

Chairperson Hartman stated the proposed changes for Section 23 Site Plan Review had been sent to townships for recommendation. He asked for discussion on the changes suggested by Otsego Lake Township.

After discussion, Chairperson Hartmann requested a motion to accept the changes discussed.

Otsego County Planning Commission

Proposed Minutes for June 19, 2017

Motion made by Mr. Caverson to approve the additional changes to Article 23 proposed by Otsego Lake Township excluding changes to numbers ten (10) and twenty-nine (29) of the Site Plan Review Checklist; Seconded by Ms. Nowak.

Motion approved unanimously.

Motion made by Mr. Caverson to recommend the proposed changes to Article 23 Site Plan Review and also the Site Plan Review Application to the Otsego County Board of Commissioners; Seconded by Mr. Klee

Motion approved unanimously.

Chairperson Hartmann thanked the Committee for their time.

2. Section 21.38 Signs and Billboards – *Proposed changes*

Mr. Arndt presented proposed changes to Section 21.38 for review by Commission members stating additional changes pertaining to accessory signage on farmland and temporary banners had been made to Section 21.38.2 *Signs Prohibited* and Section 21.38.3 *Signs Not Requiring a Zoning Permit*. All proposed changes to Section 21.38 would be put together and presented in their entirety in the next month or so for final review before sending to townships for input.

New Business: None

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report/Judy Jarecki

Mrs. Jarecki was not in attendance for a report.

2. Land Use Services report/Jim Mouch

Mr. Mouch stated the report included in the packet showed permits issued year to date were running parallel in comparison to permits in the last three (3) years. It also presented information on the following: a reduction in demolition fees was proposed in order to encourage the removal of blight structures in the County; a reduction in fees and the elimination of staking inspections for fences, sheds less than two hundred (200) square feet, camping and livestock permits. Enforcements for livestock permits would be handled by Otsego County Animal Control and the Michigan Department of Agriculture and enforcements of shoreland permits would be returned to the Otsego County Soil Conservation District as they deal with soil erosion and coordinate with the Department of Environmental Quality (DEQ).

Chairperson Hartmann thanked Mr. Mouch and stated he would like to add to next month's agenda the review of the manufactured housing section and also the recreational equipment section to update the language.

Chairperson Hartmann adjourned the meeting.

Adjournment: 6:58pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

Proposed language for Section 21.38 SIGNS AND BILLBOARDS/Section 23.5 APPROVAL AUTHORITY:

* Change made - **Highlighted area**

* New text in *RED*

SECTION 21.38 SIGNS AND BILLBOARDS

INTENT:

It is the intent of this regulation to insure a degree of standardization in signage throughout the county, to insure the safety of pedestrians and motorists who must drive or otherwise negotiate installed signage and motorists who depend on the visibility of a sign's message to safely arrive at an intended destination. Standardization will preserve the aesthetics, appearance and functionality of all installed signage.

Any publicly displayed sign, symbol or notice on premises to indicate the name of the occupant, to advertise the business there transacted, or directing to some other locale, shall be regulated as follows, and shall require permits in accordance with the terms of the County Building Code:

21.38.1 Signs Permitted

21.38.1.1 Name Plates in All Districts Residential, business or industrial name plates which are not illuminated and do not exceed a total area of two (2) square feet, may be permitted in any district and may be permitted in addition to any other legal sign.

21.38.1.2 Accessory Signs in R1, R2, R3, RR, FR and AR Districts: One (1) sign not to exceed fifteen (15) square feet may be permitted for uses other than dwelling units, in R1, R2, R3 and RR Districts. *For legally established not conforming commercial uses in these districts, the zoning director may, upon application for a sign permit, allow a variance of up to twenty-one (21) total square feet in total sign area, in either a combination of width or height, except that no sign under such a variance shall be permitted with a width less than 3.5 feet.* In the FR and AR Districts, one (1) sign not to exceed thirty-two (32) square feet in area and measuring not more than four feet (4') by eight feet (8') shall be permitted. *The zoning director may, upon application either as part of a site plan or as a separate sign permit, authorize a twenty percent (20%) variance in the sign display area, either in height or width or a combination of the two (2) dimensions. In no case will the width under a variance have a width less than 3.5 feet.*

Overhead signs designed to permanently mark the entrance to parcels twenty-five (25) acres or more where the signage is installed over the roadway entrance shall be limited to a vertical height of sixteen feet (16') above ground level to the top of the vertical support structure and a length of no more than one hundred twenty-five percent (125%) of the established right-of-way for the improved road entrance or minimum of fourteen feet (14') of vertical ground clearance.

21.38.1.3 Accessory Signs in B, HX and I Districts

A. Signs for Single Business: A single business on one (1) lot or combination of lots in the B1, B2, B3, I and/or HX District may install accessory signs in accordance with the following regulations:

1. Accessory Signs in B1, B2, B3, HX and/or I Districts may be permitted at the rate of two (2) per use, except that at least one (1) sign shall be affixed to or be within two feet (2') of and be parallel with the wall of the main building. One (1) sign may be a freestanding or pylon sign.
2. Signs mounted on and parallel with the wall of the main building shall not exceed a total area of two and one half feet (2½') times the length of the mounting wall.
3. **Freestanding** signs intended for local or passerby traffic shall not exceed a height of twelve feet (12') measured from the average grade at the base of the sign to the top of the sign. No freestanding sign shall exceed an area of thirty-two (32) square feet and no such sign shall be

longer than three (3) times its width. *The zoning administrator may, upon application either as part of a site plan or as a separate sign permit, authorize a twenty percent (20%) variance in the sign display area, either in height or width or a combination of the two (2) dimensions. In no case will the width under a variance have a width less than 3.5 feet.*

4. Pylon signs, designed and intended to attract traffic from a major expressway or highway, are approved but shall not exceed a height of thirty-five feet (35') and must be constructed and mounted by approval methods set forth in the State Construction Code provided they meet the Airport Zoning Ordinance standards.
- B. Signs for Shopping Centers, Commercial Developments or two (2) or more stores, offices, research or manufacturing facilities or retail developments with multiple stores or Commercial PUDs or retail stores with an area over one hundred thousand (100,000) square feet or other Commercial Developments requiring Special Use Approval which have common off street Parking and/or entrance, may install accessory signs in accordance with the following regulations:
1. Signs which direct traffic movement within a property and which do not exceed four (4) square feet in area for each sign are permitted.
 2. One (1) free-standing identification sign for each street that the development faces.
 - a. The free standing sign shall state only the name of the Shopping Center or multiple use development and Tenants located therein.
 - b. No freestanding sign face shall exceed an area of one hundred (100) square feet.
 - c. Freestanding signs shall not exceed a height of twenty five feet (25') measured from the average grade at the base of the sign to the top of the sign face. The structure supporting the sign shall not exceed a height of thirty feet (30') measured from the average grade at the base of the structure. The height shall not exceed three (3) times the width.
 - d. Tenants of the shopping center or the owner of outlots included within the development plan or PUD shall not be permitted individual free standing signs, except gas stations as noted below.
 3. Businesses within the development or PUD shall be permitted exterior wall signs; the total area of the exterior wall signs shall not exceed twenty percent (20%) of the area of the largest wall.
 4. **All** businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than twenty percent (20%) of the total window area. *Where multiple windows are installed, signage may not be aggregated to cover any window one hundred percent (100%) restricting all visibility from the interior and exterior. Signage may cover no more than fifty percent (50%) of any one (1) window panel where multiple panels exist, covering the long vertical access and leaving fifty percent (50%) of the window on the long vertical access clear. Total coverage for multiple window panels will not change.*
 5. An automobile service station located on an outlot or on an individual lot within the development or PUD may have one (1) free standing sign in addition to the free standing sign utilized for the development. The free standing sign shall be for the purpose of advertising gasoline prices and other services provided on the premises. The service station sign shall comply with the regulations for a single business on its own lot as noted in [Section 21.38.1.3\(A\)](#) above.

21.38.1.4 Non-Accessory Signs and Billboards

Billboards, poster boards and non-accessory signs may be permitted in B2, B3 and I Districts provided the area of the sign does not exceed an area of two hundred (200) square feet in B2 and B3 Districts and three hundred (300) square feet in I Districts. A non-accessory sign or billboard shall not measure longer than three (3) times its width.

Signs that come under the jurisdiction of P.A. 106 of 1972 are under the jurisdiction of the Township, if the Township has adopted a sign ordinance.

21.38.1.5 Sign Lighting (also see [SECTION 21.19 LIGHTING, OUTDOOR](#))

Signs internally illuminated or with a light emanating surface are allowed only in the RR, FR, AR, B1, B2, B3, I, HX, MUZ-Main Street and MUZ-Town Center Districts provided they meet the other requirements of this ordinance and are setback a minimum of ten feet (10') from all road right-of-ways and seventy-five feet (75') from any other property line.

Signs internally illuminated or if sign has a light emanating surface. All light sources and reflecting surfaces immediately adjacent to the light source shall be shielded from view. Sign luminance level, beginning one (1) hour after sunrise and continuing until one (1) hour before sunset, shall not be greater than three thousand (3,000) nits, nor greater than one hundred (100) nits at all other times.

Signs externally illuminated. The light on the proposed sign shall be mounted on the top of the sign, shall be directed downward onto the sign and shall be shielded so as to prevent rays of light from being directed into the sky or onto any portion of a street, road, highway or adjacent properties. Illumination shall be limited such that reflected luminance does not exceed one hundred (100) nits per square meter.

21.38.2 Signs Prohibited

21.38.2.1 Signs containing flashing, intermittent or moving lights. (A sign with messages or images accomplished by instantaneous re-pixelation NOT more often than one (1) time in any sixty (60) seconds shall NOT be considered flashing, intermittent or moving and shall be ALLOWED.)

21.38.2.2 Signs with moving or revolving parts.

21.38.2.3 Signs affixed to trees, ~~rocks~~, shrubs or similar natural features.

21.38.2.4 Signs insecurely fixed, unclear, in need of repair or signs which imitate official traffic signals or traffic control signs or devices.

21.38.2.5 Signs utilizing vehicles, trucks, vans or other wheeled devices, unless such signs are used for periods of less than seven (7) consecutive days in any ninety (90) day period or unless such signs have been approved by the Planning Commission as meeting a special purpose, need and/or as being appropriate for the particular use.

~~21.38.2.6 Advertising devices such as banners, balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics, except when used temporarily for periods not to exceed seven (7) days within any ninety (90) day period.~~

Advertising devices such as balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics, may be used when limited to two (2) such devices (such as balloons and a flag or a flag and a searchlight) where any banner or banners used are limited to thirty-two (32) total square feet. These items may be displayed for fourteen (14) days of any ninety (90) day period.

21.38.2.7 Signs which overhang or extend into a dedicated public right-of-way, without the written consent of the government unit having jurisdiction.

21.38.3 Signs Not Requiring a Zoning Permit

21.38.3.1 Name Plates not to exceed two (2) square feet.

21.38.3.2 Existing signs may be changed or altered so long as none of the provisions of the Zoning Ordinance are violated.

21.38.3.3 Bulletin Boards that do not exceed fifteen (15) square feet for churches, public and semi-public institutions and/or schools.

21.38.3.4 Signs that have been approved in conjunction with a valid zoning permit for any principal use or use as detailed in a plot plan or site plan.

21.38.3.5 Street name signs and other signs established by state, county or township units of government when necessary for giving proper directions or otherwise safeguarding the public in any district.

21.38.3.6 Non-advertising signs erected by any organization, person, firm or corporation that are needed to warn the public of dangerous conditions and unusual hazards including: caving ground, drop-offs, high voltage, fire danger, explosives, severe visibility limits, etc., in any district.

21.38.3.7 Temporary signs not exceeding ten (10) square feet advertising a premises being for rent, for lease and/or for sale in any district. All such signs shall be removed within fourteen (14) days of the consummated lease or sale of the premises.

21.38.3.8 ~~Temporary accessory signs on farms advertising stock, produce and other farm products produced on the premises provided the area of sign does not exceed thirty-two (32) square feet.~~ *Temporary accessory signs on farms advertising stock, produce and other farm products produced on the premises provided the area of sign does not exceed twenty-one (21) square feet. in Agricultural Resource (AR) and Forest Recreation (FR) Districts provided the area of sign does not exceed twenty-one (21) square feet.*

21.38.3.9 Accessory directional signs each not to exceed two (2) square feet in area on buildings, such as but not necessarily limited to: entrance, exit, loading dock, low clearance, garage, office, warehouse, boiler room, service and the like.

21.38.3.10 Up to two (2) accessory property directional signs each not to exceed two (2) square feet in area, identifying or directing to the following: entrance, exit, visitors parking, no parking, other traffic flow directions, and similar functional signs.

21.38.3.11 Banners: Temporary, flexible (made of canvas, plastic composite etc.) advertising banner or banners meant to be temporarily attached to a fixed commercial building structure which is currently occupied may not exceed thirty-two (32) square feet total for all banners displayed at any one time and they must be maintained in good condition while displayed. Banners may not be attached to fences, fence posts or vehicles including movable, wheeled trailers.

It is intended that accessory property directional signs be included on the site plan for approval as to location and number by the Planning Commission.

21.38.4 Placement of Signs and Setbacks. Signs in any zoning district must be placed at least ten feet (10') back from any right-of-way *and/or* lot-line.

21.38.5 Off-Premises Directory Sign – Private. Where a business use or tourist service facility is not located directly on a major tourist route but is dependent upon passerby traffic for support, one (1) off the premises directory sign located on a County maintained road may be permitted in business or non-business districts, on each road or link or segment of road that affords access to the use but entails a major change in the direction of travel.

Off premises directory signs shall not exceed an area of fifteen (15) square feet. Community directional signs serving more than one (1) use may be permitted to a maximum size of thirty-two (32) square feet.

21.38.6 Sign Variances. In order to provide relief for reasons of practical difficulty and to allow greater flexibility in property and use signing, the Zoning Board of Appeals may, after a public hearing, permit signs that:

21.38.6.1 Exceed the maximum number of signs permitted when there is more than one (1) bordering street to serve the use.

21.38.6.2 Exceed the maximum sign area for reasons of unusual setback, cooperative sign use (joint use or community type advertising), large site area and/or natural feature limitations to attaining reasonable signing of the use.

21.38.6.3 Revolve, provided it can be demonstrated that a stationary sign would not afford reasonable notice to the use.

21.38.6.4 Have intermittent lighting in order to construct a public service time and temperature sign in those instances where the applicant can demonstrate a need or show community desire for such a sign service.

21.38.6.5 Exceed the maximum height in those instances where a taller sign is necessary to overcome natural conditions (topography, vegetation, etc.).

In granting sign variances, the Zoning Board of Appeals shall consider the impact of each sign on adjoining residential districts, scenic views, out of character skyline intrusions and obstructions to signs or uses on adjoining properties. Also the purpose of the sign and its applicability to uses that serve tourists or passerby motorists shall be considered in granting or denying a sign exception.

SECTION 23.5 APPROVAL AUTHORITY

The Zoning Administrator shall review and act upon site plans except where a Special Use Permit is required. Site plans for Special Use Permit shall be forwarded by the Zoning Administrator to the Planning Commission for review and action. In addition, at the request of the Zoning Administrator or Planning Commission, a site plan for a Principal Permitted Use may be submitted for Planning Commission review before final action by the Zoning Administrator. The Zoning Administrator and Planning Commission have the authority to approve, deny or grant conditional approval for any site plan submitted under the provisions of this ordinance. The Zoning Administrator may hold or the Planning Commission may table a site plan, pending further information or addition, reasonably needed to complete a site plan or comply with requirements of this Ordinance.

Upon application for a sign permit, either separately or at the time of a site plan application, the zoning administrator may approve a variance in the size of a free standing sign's total display area up to an additional twenty percent (20%) of the display area in width or height or a combination of both. This variance does not apply to the limits on sign height above ground.

Interim Director Update

Communications
Permit Updates

07/10/2017

Otsego County Land Use
 Permit(s) / Enforcement(s) by Category Summary Report(s)
 7/10/2017

Zoning Applications	Enforcements	Building Applications	Electrical Applications	Mechanical Applications	Plumbing Applications
139	168	389	208	127	74
196	182	455	229	222	78
115	169	386	197	174	63

01/01/17 thru 07/10/17

01/01/16 thru 07/10/16

01/01/15 thru 07/10/15