

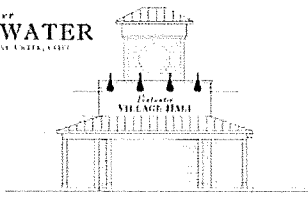
VILLAGE OF PENTWATER

65 South Hancock Street, P.O. Box 622, Pentwater, Michigan 49449
(231) 869-8301 - FAX (231) 869-5120
www.pentwatervillage.org

**Planning Commission Regular Meeting
August 27, 2024 - 6:00 P.M.
Park Place Event Center – 310 N. Rush Street**

Agenda

1. **Opening** – Welcome, Call to Order, and Pledge of Allegiance
2. **Roll Call**
3. **Approval of Agenda and Minutes**
 - A. Approval of Agenda
 - B. Approval of Minutes of July 23, 2024
4. **Public Comments:** For items on the agenda.
5. **Public Hearing:** None
6. **Old Business:** None
7. **New Business:**
 - A. Village Council/Planning Commission Workshop Analysis
 - B. Commercial District Signs and Sidewalk Clearance
8. **Department/Committee Reports**
 - A. Zoning Administrator – See Attached Report.
 - B. Zoning Board of Appeals – See Attached Minutes.
9. **Public Comments**
10. **Communications from Planning Commission Members**
11. **Adjournment**



Pentwater Planning Commission Regular Meeting Minutes – July 23, 2024

Chairperson Chris Conroy called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

ROLL CALL

Present: Kyle Jansen, Ron Stoneman, Mary Marshall, Tim Kelley, Amy Roberson, and Chris Conroy.

Absent: Phil Frame.

Staff Present: Katie Anderson, Zoning Administrator.

APPROVAL OF AGENDA

Motion by Stoneman, second by Jansen to approve the agenda as presented.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

APPROVAL OF REGULAR MEETING MINUTES

Motion by Stoneman, second by Jansen to approve the July 10, 2024, regular meeting minutes as presented.

Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

PUBLIC COMMENTS FOR ITEMS ON THE AGENDA

None.

PUBLIC HEARING

None.

OLD BUSINESS

None.

NEW BUSINESS

A. Workshop Discussions

Discussion was held about topics for future joint workshops with the Village Council and Planning Commission. Topic items included architectural standards and designs for old Village Hall and future development in the C-3 District, parking and walkability, and food truck standards. Commissioners also discussed reaching out to the Village Attorney about what kind of standards could be set and if there are any legalities to worry about if standards and design specifics were to be set. The Planning Commission requested a joint workshop during a Council Committee of the Whole meeting in August. The Planning Commission would be willing to move its regularly scheduled August 27th meeting to August 26th to accommodate the Village Council.

COMMITTEE/DEPARTMENT REPORTS

- A. Zoning Administrator** – Ms. Anderson’s written report was accepted by the Planning Commission.

- B. Zoning Board of Appeals** – Met to set the 2024/2025 Annual Meeting Schedule.

PUBLIC COMMENTS

None.

COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS

None.

ADJOURNMENT

Motion by Marshall, second by Roberson to adjourn the meeting at 7:07pm.
Voice Vote: Aye: 6 Nay: 0 Absent: 1 Motion passed.

Respectfully Submitted,

Katie Anderson, Zoning Administrator

Approved by the Village of Pentwater Planning Commission on _____

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ZONING ADMINISTRATOR'S REPORT July 25, 2024

The following is a summary of activity conducted by the Zoning Administrator in July 2024:

Code Enforcement – Critical Dunes Area investigation; EGLE is still working on their investigation. Stop Work Orders have been issued for the property.

Planning Commission – The Planning Commission met on July 23rd to:

1. Discuss topics for a joint workshop with the Village Council. Items included architectural standards, parking, sidewalks and walkability, and food trucks. The Planning Commission will be joining the Village Council for their “Committee of the Whole” workshop on Monday, August 26th at 6pm.

Zoning Board of Appeals – Did not meet.

Zoning Permits – The following Zoning Permits were issued in July of 2024:

1. ZP 24-23 was issued to Don & Deb Palmer: 278 N. Hancock St. to construct an 8' x 15' garden shed.
2. ZP 24-24 was issued (with conditions) to Michelle Angell-Powell: 597 E. Sands St. to convert the old “Jobbins Construction” building to a three-unit hotel with an office.
3. ZP 24-25 was issued to Scott Christopher Homes: 549 S. Morris St. to Construct a new 1,660 sq. ft. home with a 720 sq. ft. attached garage, a 623 sq. ft. screened in porch and deck.
4. ZP 24-26 was issued to Blue Water Custom Homes: 301 E. Lake St. to construct a new 1,438 sq. ft. home with a 489 sq. ft. attached garage, a 282 sq. ft. deck, and a walkout basement. (EGLE Permit Pending)
5. ZP 24-27 was issued to Great Lakes Pet Fencing: 78 Second St. to install a 6' x 73' wooden privacy fence
6. ZP 24-28 was issued to Great Lakes Pet Fencing: 521 Park St. to install a 6' x 8' panel to the existing fence
7. ZP 24-29 was issued to Insignia Homes: 248 W. Lowell St. to construct a new 1,623 sq. ft. home with a 736 sq. ft. attached garage, a 175 sq. ft. patio and 330 sq. ft. deck.
8. ZP 24-30 was issued to Pat Fuller: 120 Cambridge St. to construct a breezeway connecting the existing house to the garage.

Other – Zoning Violation Complaints

We have received numerous complaints about political signs and right-of-way parking. Political sign complaints were discussed with the Village Attorney and the Police Department is handling the issues with parking.

Sincerely,

Katie Anderson

Zoning Administrator

CHAPTER 21 SIGNS

(Chapter Added 09/09/2019)

SECTION 21.01 SIGNS - DESCRIPTION AND PURPOSE

These provisions are intended to regulate the size, number, location, and manner of display of signs, consistent with the following purposes:

- A. To protect the safety and welfare of the Pentwater Village residents; to conserve and enhance the character of the Village; and to promote the economic viability of commercial and other areas by minimizing visual clutter.
- B. To prevent traffic hazards and pedestrian accidents caused by signs which obstruct vision or are distracting or confusing.
- C. To promote uniformity in the size, number, and placement of signs within zoning districts.
- D. To promote the identification of establishments and premises in the Village.

SECTION 21.02 SIGNS - DEFINITIONS

For the purposes of the provisions of this Chapter related to signs, the following words and phrases are defined as follows:

- A. **Awning Sign:** A sign affixed flat against the surface of an awning.
- B. **Construction Sign:** A sign which identifies the owners, contractors, architects, and/or engineers of a building(s) or development project under construction, subject to the following restrictions:
 - 1. Construction signs shall not be larger than thirty-two (32) square feet and shall not exceed twelve (12) feet in height.
 - 2. Construction signs shall not be erected until a building permit has been issued for the building or project which is the subject of the proposed sign and construction activity has begun.
 - 3. Construction signs shall be removed immediately upon issuance of any occupancy permit for any part of the building or structure which is the subject of the construction sign.
- C. **Commercial Establishment:** A business operating independently of any other business located in a freestanding building; in a group of stores or similar establishments that are located side-by-side in a single building, sometimes call a strip mall, as a business completely separated from other businesses by walls from the ground up and separate entrances.
- D. **Directional Sign:** A sign which gives directions, instruction, or information relating to location of buildings, designated routes for pedestrians and vehicles and other information for convenience or safety, such as parking information signs or entrance and exit signs.

- E. Freestanding Sign: A sign not attached to a building or wall and which is supported by one (1) or more poles or braces or which rests on the ground or on a foundation that rests of the ground.
- F. Governmental Sign: A sign erected or required to be erected by the Village, Oceana County, or by the state or federal government.
- G. Memorial Sign: A sign, tablet, or plaque memorializing a person, event, structure, or site.
- H. Off-premises sign. A sign which relates to or advertises an establishment, product, merchandise, good, service or entertainment not located, sold, offered, produced, manufactured or furnished at the property on which the sign is located (including, but not limited to billboards).
- I. Political Sign: A sign erected for purposes of political campaigns for public office, for elections on public questions, or otherwise relating to public elections or public meetings held for the purpose of voting on or for public offices or public questions.
- J. Portable Sign: A sign not permanently anchored or secured to either a building or the ground such as but not limited to “A” frame, “T” shaped, or inverted “T” shaped sign structures, and signs affixed to movable trailers.
- K. Projecting Sign: A double-faced sign which is supported by a wall of a building and projects more than 12 inches but not more than 36 inches from the face of the building or wall.
- L. Real Estate Sign: A sign advertising the real estate upon which the sign is located as being available for sale, rent, or lease.
- M. Sign: A device, structure, fixture, or placard using graphics, symbols and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, commodity, or activity, or displaying or depicting other information.
- N. Special Event Sign: A temporary or portable sign erected for a limited time for the purpose of calling attention to special events of interest to the general public and which are sponsored by governmental agencies, schools, or other non-profit groups whose purpose is of a public, charitable, philanthropic, religious or benevolent nature.
- O. Subdivision Identification Sign: A sign identifying or otherwise stating the name of a platted subdivision, site condominium development, multifamily development, or other residential development.
- P. Temporary Sign: A display, informational sign, banner or other advertising device with or without a structural frame and intended for a limited period of display, including special event signs, and other such signs as may be allowed in this Chapter.
- Q. Wall Sign: A sign painted or attached directly to and parallel to the exterior wall of a building, extending not more than twelve (12) inches from the exterior face of the wall to which it is attached.

SECTION 21.03 SIGNS PROHIBITED

The following types of signs are expressly prohibited:

- A. Any sign which has flashing, moving, oscillating, or blinking lights, excluding time and temperature signs and barber pole signs, which are permitted.
- B. Signs imitating or resembling official traffic or governmental signs or signals.
- C. Any sign not expressly permitted by this Ordinance.
- D. Off-Premises Signs.

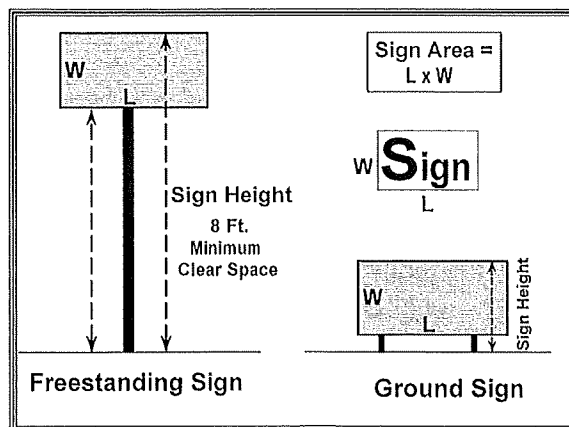
SECTION 21.04 SIGNS EXEMPTED

The following signs shall be exempt from the provisions of this Chapter, except such signs shall comply with the requirements of Sections 21.11 and 21.12.

- A. Governmental signs.
- B. Signs for essential services
- C. Historical markers.
- D. Memorial signs or tablets.
- E. Political signs.
- F. Signs with an address and/or name of the owner or occupant, of not more than two (2) square feet in area, attached to a mailbox, light fixture, or exterior wall.
- G. Real estate signs six (6) feet or less in area shall not require a permit, but shall comply with other applicable provisions of this Ordinance.
- H. Commemorative Signs regulated by Act 506 of the Public Acts of 2018.
- I. Special Event Sign.

SECTION 21.05 MEASUREMENT OF SIGNS

- A. The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo and any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.



- B. The area of a free-standing or ground sign that has two (2) or more faces shall be measured by including the area of all sign faces, except that if two (2) such faces are placed back to back and are of equal size, the area of the two (2) back-to-back faces shall be counted as one (1) face. If the two (2) back-to-back faces are of unequal size, the larger of the two (2) sign faces shall be counted as one (1) sign face.
- C. The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the average grade of the ground immediately beneath the sign, whichever is less.
- D. Any freestanding sign not resting directly on the ground shall not exceed three (3) feet in height, or if supported on poles, shall have a clear area of at least eight (8) feet between the bottom of the sign and the grade of the adjacent street(s).

SECTION 21.06 SIGN APPLICATION AND PERMITS

- A. A sign permit shall be required for the erection, use, construction or alteration of all signs, except for those exempted by the terms of this Chapter. For purposes of this Section, alteration of a sign shall mean any substantial change therein, but shall not include normal maintenance or repair thereof.
- B. An application for a sign permit shall be made to the Zoning Administrator, and shall include submission of such fee as may be required by resolution or other action by the Village Council. The application shall include the following:
 - 1. Name, address, and telephone number of the applicant and the person, firm, or corporation erecting the sign.
 - 2. Address or permanent parcel number of the property where the sign will be located.
 - 3. A sketch showing the location of the building, structure, or parcel of land upon which the sign is to be attached or erected, and showing the proposed sign in relation to buildings and structures, together with the depth of setback from lot lines.
 - 4. Two (2) scaled blueprints or drawings of the plans and specifications for the sign and information on the method of construction and attachment to structures or the ground.
 - 5. Any required electrical permit.
 - 6. Identification of the zoning district in which the sign is to be located, together with any other information which the Zoning Administrator may require in order to determine compliance with this Chapter.
- C. All signs requiring electrical service shall be reviewed for compliance with the electrical code applicable to the Village.

- D. The Zoning Administrator shall issue a sign permit if all provisions of this Chapter and other provisions of this Ordinance and other applicable Village ordinances are satisfied. A sign authorized by such a permit shall be installed or shall be under construction within six (6) months of the date of issuance of the sign permit, or the permit shall expire. A new permit may be issued upon the filing of a new application and payment of the required fee.

SECTION 21.07 SIGN REGULATIONS APPLICABLE TO ALL DISTRICTS

- A. It shall be unlawful for any person to erect, place, maintain, or continue a sign upon any lands in the Village except in accordance with the provisions of this Ordinance.
- B. All signs shall be stationary and shall pertain only to the business or activity conducted on the premises.
- C. No sign shall be placed in, or extend into, any public street right-of-way except signs approved for placement on or above Village sidewalks.
- D. Construction signs are permitted, subject to the following restrictions:
1. Construction signs shall not be larger than thirty-two (32) square feet and shall not exceed twelve (12) feet in height.
 2. Construction signs shall not be erected until a building permit has been issued for the building or project which is the subject of the proposed sign and construction activity has begun.
 3. Construction signs shall be removed immediately upon issuance of any occupancy permit for any part of the building or structure which is the subject of the construction sign.
- E. Directional signs shall not exceed six (6) square feet in area per sign.
- F. No wall sign shall project above the building roof line.
- G. Flashing and intermittently illuminated signs are prohibited. Any sign lighting shall be shielded from vehicular traffic and adjacent residential properties.

SECTION 21.08 NON-CONFORMING SIGNS

- A. Every permanent sign which does not conform to the height, size, area, or location requirements of this Chapter is deemed to be non-conforming.
- B. Non-conforming signs may not be expanded, enlarged, or extended, but they may be maintained and repaired so as to continue their useful life.
- C. A non-conforming sign may be diminished in size or dimension, or the copy on the sign may be amended or changed, without adversely affecting the status of the sign as a non-conforming sign.

SECTION 21.09 SIGNS IN RESIDENTIAL DISTRICTS

In addition to signs permitted and as regulated in all districts, the following non-illuminated signs are permitted in Residential Districts:

Sign and Number Permitted	Sign Area Permitted	Sign Height Permitted	Location
1 subdivision identification sign per entrance road	32 square feet	8 feet	At least six (6) feet from any lot line.
			A subdivision sign shall be separated by at least 1,320 feet on the same street from any other subdivision sign for the same subdivision
1 freestanding sign for permitted non-residential uses	16 square feet	6 feet	Minimum of 15 feet from each side lot line
2 signs per property advertising the sale of produce grown on the premises	16 square feet	6 feet	Minimum of 15 feet from each side lot line

SECTION 21.10 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

(Amended 12-9-02)

In addition to signs permitted and as regulated in all districts, the following signs are permitted in the Non-residential Districts.

A. Permanent Freestanding Signs

1. One (1) freestanding sign for each lot or parcel of land, not to exceed sixty-four (64) square feet in sign area and not to exceed twenty (20) feet in height.
2. Freestanding signs shall be set back so that no part of the sign shall be located or project nearer than ten (10) feet from the side and front lot lines.

B. Wall Signs in Commercial Districts

1. Each commercial establishment shall be permitted to have one (1) wall sign. For each commercial establishment on a corner lot, one (1) wall sign per public or private street frontage is permitted.
2. Commercial establishments located in a freestanding building with one hundred (100) feet or less of freestanding building frontage shall be permitted a wall sign area not to exceed one (1) square foot of sign for each lineal foot of street frontage of such freestanding building,
 - a. Commercial establishments with more than one hundred (100) feet of freestanding building frontage shall be permitted a wall sign area not to exceed one (1) square foot of sign for each of the first one hundred (100) lineal feet of freestanding building frontage and one and one-half (1-1/2)

- square feet of sign for each three (3) lineal feet in excess of one hundred (100) lineal feet.
- b. Wall sign area for a commercial establishment consisting of a separate business located in a building with other businesses but with a separate and independent entrance shall be calculated in the same manner as in a freestanding building, using the building frontage of such commercial establishment.
3. The wall sign shall be attached to the same wall which is used to determine its size.
 4. Projecting signs are permitted in the C-3 District where no wall sign exists on the same wall as the projecting sign, subject to the following requirements.
 - a. A minimum clear space of seven and one-half (7½) feet must be maintained from bottom of sign to the surface below the sign.
 - b. Projecting signs must be placed away from the wall at least six (6) inches but not extend above the second story.
 - c. Projecting signs shall extend no more than five (5) feet from the building or one-third (1/3) the width of the sidewalk, whichever is less.
 - d. Projecting signs may not exceed twenty (20) square feet in area.
 5. Awning signs are permitted in the C-3 District where no wall sign exists on the same wall as the awning, subject to the following requirements.
 - a. A minimum clear space of seven (7) foot-six (6) inches must be maintained from bottom of the awning to which the sign is attached to the surface below the sign.
 - b. Signs on awnings may not exceed thirty percent (30%) of any face of the awning to which the sign is affixed.
 - c. A projecting sign may also be located on the same wall as an awning.
- C. In the C-3 District, one (1) on premise freestanding sign shall be permitted to be placed next to any building, provided that such sign shall not exceed eight (8) square feet in area per side and not exceed four (4) feet in height. Such sign shall be placed so as to not block any sidewalk or building entrance or door.
- D. Wall Signs in the Light Industrial District
1. Each industrial establishment shall be permitted to have one (1) wall sign. For each industrial establishment on a corner lot, one (1) wall sign per public or private street frontage is permitted. Each industrial establishment shall have not more than one (1) wall sign per wall.
 2. The size of the wall sign shall comply with the following regulations:
 - a. Industrial establishments with up to one hundred (100) lineal feet of wall fronting a street are permitted to have a sign area not to exceed thirty-two (32) square feet.

- b. Industrial establishments with more than one hundred (100) lineal feet of wall fronting a street are permitted to have a sign area of thirty-two (32) square feet plus one (1) additional square foot of sign area for each four (4) lineal feet of wall exceeding one hundred (100) lineal feet.
3. Wall signs shall not face a Residential District unless the district and the building are separated by a public or private street or other Non-residential District.
4. The wall sign shall be attached to the same wall which is used to determine its size.

SECTION 21.11 SIGNS FOR OTHER LAND USES

- A. Signs in the Planned Unit Development District shall comply with the applicable sign provisions of Section 17.16.
- B. Signs for Special Land Uses shall comply with the sign requirements of the district in which the Special Land Use is located, except to the extent that such requirements may be altered or modified in the approved conditions for the Special Land Use.