

CITY OF MANISTEE PLANNING COMMISSION WORKSESSION

NOTES OF APRIL 21, 2005

The City of Manistee Planning Commission met in a worksession on Thursday, April 21, 2005 at 6:00 p.m. in the Middle School Library, 550 Maple Street, Manistee, Michigan.

Members Present: Tamara Buswinka, Ray Fortier, Greg Ferguson, and Tony Slawinski

Members Absent: Maureen Barry, Christa Johnson-Ross, Sara Schrader, Mark Wittlief, and Roger Yoder

Others Present: Tom Amor Sr. And Tom Amor Jr. (Amor Sign Studios, Inc.), Rick Shafer (Lamar Advertising), Dave Carlson and Lee Trucks (DDA), Alan Marshall (City Council), Jay Kilpatrick (Williams and Works), Jon Rose (Community Development Director) and Denise Blakeslee (Administrative Assistant)

Worksession began at 6:05 pm.

ZONING ORDINANCE RE-WRITE:

Discussion with Sign Companies

Jay Kilpatrick gave the representatives from the sign company background information on how the Planning Commission has been working on the Zoning Ordinance Re-write. Area Sign Companies had been invited to attend the worksession and received a copy of the Draft Sign portion of the Ordinance.

Tom Amor Jr. read a prepared statement (attached). Mr. Amor expressed his concerns about the language for Animated Signs and recommend using Electronic Message Centers to eliminate any confusion. Mr. Amor will be bringing information for the Planning Commission to review regarding the areas they expressed concerns about in their statement.

Rick Schafer, Lamar Advertising expressed his concerns about the standards for Billboards. His concerns included:

If Billboards were Primary Structures, property owners who are tied into a long term lease would not be allowed to develop their property. This could result in a legal issue.

They donate 11% of their advertising to charities and the national standard for Poster Face/Junior Size Billboards is 10'5" x 22'8" (approx 240 sq ft). Approximately 90% of the billboards in Northern Michigan are this size.

Instead of using the draft language, he suggested having a "cap and replace" standard in the Ordinance (Garfield Township use this standard).

Suggested increasing the proposed height limitation to 30 feet.

Site Plan Review

APPLICATION PROCEDURE

- B.4 Include Zoning Classifications for adjoining properties.
 - C.2 Include standards for type/size of scale.
 - D.4 Set standard for Topography, (requirement to include 100' of adjoining properties).
 - D.8 Change to read % of Green Space and % of Impervious Space.
 - D.16 Show on plan trees that will be removed.
 - D.17 REMOVE LANGUAGE
- Discussion on how to preserve view corridors.

ACTION ON APPLICATION AND SITE PLANS

- A. Reword language - discussion on what developer should supply.
- B. Reword language - If deemed complete items are placed on next meeting agenda.
- C. Reword language - remove "and adjoining property owners".

Signs

Discussion included allowing larger signs for Outdoor Recreation and Parks. Should residential signs be allowed lighting? Should a sign design standard be established for our entire community? Should signage in the Historic District be removed from the Zoning Ordinance and be regulated within the Historic District Ordinance?

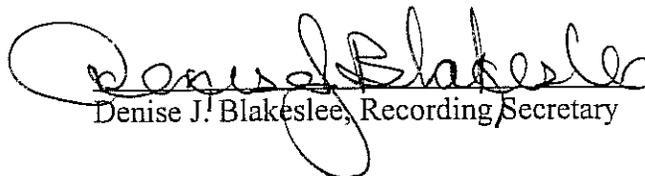
MISCELLANEOUS

Members of the Planning Commission will continue their discussion on Signage, Waterfront District, Light Industrial, and General Industrial and Special Use Standards Section 1861 Wells, Extraction (language for extraction wells has been removed from Section 1837 Mine, Sand and Gravel) during the Worksession Portion of their Meeting on May 5, 2005.

Due to a conflict for Mr. Kilpatrick consensus from the group indicated that they would be able to attend if the worksession were moved to Thursday, May 26, 2005. The members will be asked to reschedule the worksession to May 26, 2005 at the May Meeting.

The Worksession adjourned at approximately 9:15 p.m.

Respectfully Submitted


Denise J. Blakeslee, Recording Secretary



443 Water Street ~ P.O. Box 433 ~ Manistee, MI 49660 ~ 231.723.8361 ~ 800.922.2667 ~ FAX 231.723.9365
www.amorsign.com

To: Manistee Planning Commission

From: Tom E. Amor & Tom H. Amor

Date: April 21, 2005

Re: Work session on sign ordinance

Memo

Thank you for inviting us to participate in this work session to review the first draft of the sign ordinance rewrite. It came as a surprise to us to see how much has already been written. At the Citizen Information and Input Session last August we asked to be included in this process and expected to be included before a "first draft" was composed. At any rate, we appreciate being invited to this work session.

We received a phone call from Denise about this meeting last Thursday, but we didn't receive our copy of the draft sign ordinance until Monday. We have had a grand total of four days to look it over, not nearly enough time to give proper consideration to it. Also, Denise indicated that there would only be one hour devoted to discussion tonight. From our perspective, this too is not enough time.

At first blush, we do have some general comments, and that is what we would like to put forward tonight. Our goal is to put to have you incorporate these comments into future work sessions on the sign portion of the ordinance.

- **Legal issues:** We would like the opportunity to invite experts in First Amendment issues to review the draft ordinance. It is our feeling that there is some language in this draft ordinance that restricts free speech in terms of "content" issues and "viewpoint" issues.
- **Safety issues:** We think it appears that some of the size restrictions spelled out in the ordinance are arbitrary and unworkable to the point that they could create traffic hazards. There are many government and sign industry studies and standards that look at things like traffic speed and letter size, among other factors, to determine safe sign sizes. Sign lighting is another area where public safety should be considered. Dark corridors are not safe.
- **Procedural issues:** We have concerns that there are some sections that give the zoning administrator too much discretion by making rules too vague. The timetable for review appears to give the administrator the ability to delay action by passing off to the planning commission.

- **The "Use Based Chart":** We find the charts very hard to read and understand. We have hundreds of sign ordinances on file in our office and work in many municipal jurisdictions across the state and out-of-state. We would like to offer optional charts that might be more user-friendly.
- **Electronic Message Centers:** Over the last couple years, the biggest problem we had with our existing ordinance was interpretation in the area of electronic message center displays. It is our feeling that this draft is even less clear than the existing ordinance.
- **Billboards:** It is our thought that the setbacks and size restrictions basically outlaw the whole outdoor advertising industry. We would like the opportunity to invite billboard companies with legal displays in Manistee to participate in this ordinance rewrite.
- **Economic and Business interests:** We haven't seen any public announcements about the sign ordinance and think it would be in everybody's best interest to invite business owners to participate in the discussion as well. We also think it would be good to give a couple weeks notice for such meetings.

Those are our first reaction general comments to this first draft. We hope there will be additional work sessions so that we can participate in producing a workable sign ordinance that stimulates our economy and promotes the general attractiveness of this area.

Sincerely,

Amor Sign Studios, Inc.

Handwritten signatures of Thomas E. Amor and Thomas H. Amor in cursive script.

Thomas E. Amor & Thomas H. Amor