

# CITY OF FENTON

---

301 South Leroy Street ♦ Fenton, Michigan 48430-2196 ♦ (810) 629-2261 ♦ FAX (810) 629-2004

## FENTON PLANNING COMMISSION MINUTES

**City Hall Council Chambers  
Thursday, July 27, 2023  
7:00 P.M.**

Chairperson Rossmassler called the meeting to order at 7:00 p.m.

### **ROLL CALL**

Present: Siwik, Senyko, Anderson, Grossmeyer, Rossmassler  
Absent: Steffey, Csapo, Stickel  
Others Present: Jason Payne, Building/Zoning Administrator, Justin Sprague CIB  
Planning & Consulting

### **MINUTES**

**Motion by Grossmeyer, supported by Anderson, to approve the minutes from the June 22, 2023. Motion passed.**

### **BUSINESS**

#### **A. CITY OF FENTON SIGN ORDINANCE DISCUSSION**

Justin Sprague, CIB Planning stated at the last meeting, members requested some changes which he has made and is before the commission tonight. The four items are listed below:

- Changeable message signs definition: The verbiage used to state “a sign or portion of a sign on which the message is changed mechanically, electronically, or manually. As a result of the last discussion, the word “manually” has been taken out and now reads electronically or manually.
- We added a definition for digital fuel pricing signs to deal with separating changeable message signs from the fuel digital message signs. It reads; “digital fuel pricing signs is to only display fuel pricing information”.

- The next change added the language next to changeable message signs, “not including digital fuel pricing signs.” Again, this is talking about prohibited signs and we wanted to make sure the digital fuel pricing was not included.
- There was also a minor spelling correction change made under maintenance and construction.
- The final change regarding changeable message signs states “changeable message signs, other than digital fuel pricing signs are not permitted except where required by a government unit or where a changeable message sign which lawfully exists on the affected date of this ordinance”.

Commissioner Grossmeyer asked about prohibited signs (g) page 9, exterior stringing lights not being allowed. Having this he thinks would include the lights on top of the Fire Hall, lights that Dr. Peabody has at her establishment, and the ones that we just approved at the Railyard. Grossmeyer is not sure we want to do away with these exterior lights. Sprague agreed and stated he would add a note regarding this because he is not sure if this came from Attorney Patterson or Carmine Avantini. However, he will look into this and make sure something is added regarding exterior string lighting. He believes this might have to do with the holiday lighting. He will look into clarifying the definition.

Grossmeyer questioned different areas in the ordinance regarding murals. Sprague stated we wanted to make sure we are separating and defining that a mural itself, a piece of art on the wall, is not identifying verbiage that identifies the business and would not be considered a sign, so the ordinance is making that distinction. Two examples would be the large cow mural on the Fenton Meat Market and the murals on Beale Street which has no verbiage. The only time murals come before the Planning Commission is if there is verbiage in the mural specific to the business. It was noted that the wording in the ordinance makes it somewhat unclear where it reads, “murals or painted wall signs”. Sprague stated he would speak with Attorney Patterson and Avantini about this as well.

There was discussion regarding festoons, holiday decorations, etc. and how they should be handled. This will be covered under the temporary land use permits that allows a business to have two permits a year for up to 30 days approved by the Building Official.

Sprague summarized what was discussed:

Clarification on exterior string lights, with a definition of what they are and under murals and painted walls, there should be a level of separation between what is a mural, when does the Art Council reviews murals as to when the Planning Commission reviews murals.

Senyko voiced his opinion again regarding neon lighting not being allowed only in the CBD; he thinks this is incorrect and should be permitted. He further added that the sign ordinance *should* be reviewed and changed when there are updates required due to court cases that have decided what you can and cannot do. But in terms of making changes where there is not necessarily any problems, he is not a big fan of that. He views the neon signs not being allowed in the CBD as an example of it.

Sprague added that these changes with the neon signs and changeable message signage came about due to basically two reasons; safety and enforcement.

Grossmeyer added the idea of not allowing these types of signs in the ordinance was to have it before it becomes a problem; once it is, you have a difficult time changing it. When the downtown master plan was written, one of the conversations had a lot to do with *not* having the neon lights throughout the downtown because we anticipated more and more condos and apartments, and this would protect the residents from the glare of the neon.

Rossmassler spoke about walls signs on 3 or more story buildings; he would like to see it be limited to the second floor only even though he would like to see it only on the first floor level.

Siwik brought to the attention of the Board that he noticed a message board sign announcing the Art Walk. This message board sign was flashing and changing very quickly. He would propose that the City be subject to the exact same standards that are in this ordinance.

Sprague stated he will make these changes and bring it back to the next meeting. Rossmassler stated a memo to the Commission showing the changes would work just as well prior to the meeting.

## **B. DISCUSSION OF CHANGES TO THE (PUD) PLANNED UNIT DEVELOPMENT OVERLAY**

Justin Sprague, gave the following report:

This past year we were involved in a court case with the property owner abutting the Rejuv site on Adelaide Street. While the City ultimately prevailed, the City Attorney, Chris Patterson, felt that we should make some amendments to the PUD, Planned Unit Development Article of the zoning ordinance to clarify our review process and submission materials. We have also added criteria to be followed by the Planning Commission when considering waiver requests, since we have none at this time. Some of the primary changes include:

1. Clarification on the Purpose for granting waivers in a PUD;
2. While special land use standards must be followed by an applicant, waivers from the specific standards can be requested from the Planning Commission, when necessary;
3. Elimination of the clause requiring unified control of the property, since many forms of ownership can legally be utilized, including condominiums, that have no impact on the quality of development;
4. Clarification of the Preliminary PUD Plan and Design Guideline requirements;
5. More detail regarding City-initiated PUD's and elimination of the time requirement, since most PUD's, like downtown, take many years to complete;
6. Clarification of the waiver process along with the inclusion of criteria for approval; and
7. Miscellaneous word changes to ensure consistency.

After some brief discussion and request for minor changes, the Commission agreed to have the City Attorney make his recommended changes to this ordinance.

### **CALL TO THE AUDIENCE**

No one this evening.

### **ADMINISTRATIVE ITEMS**

---

Nothing this evening.

### **CIB ITEMS**

Nothing this evening.

### **COMMISSION MEMBER ITEMS**

---

Commissioner Grossmeyer announced that member Terry Steffey, who is at a trade show in Vegas this week, he and his company, Dibbleville Woodworks, won an award for the Fenton gazebo. Grossmeyer also brought up changing the Planning Commission meeting time to an earlier time. He spoke with members missing this evening and they did not have a problem with it. Rossmassler stated as the chair, he didn't call for a vote because there wasn't complete consensus.

The meeting was adjourned at 8:05 p.m.

Respectfully submitted by,

**Linda Davis**

Recording Secretary