

ARTICLE XXI

SIGN REGULATIONS

SECTION 21.01 PURPOSE STATEMENT

A. Findings:

South Haven Township has determined that the regulation of signs is a necessity to protect public safety, public health, public welfare and community aesthetics due to the following findings:

1. Signs placed within a public right-of-way without the knowledge and authorization of the jurisdictions having authority and not located or designed in compliance with accepted engineering principles present a clear and present danger to the public as hazards to both vehicular traffic and pedestrian traffic for reasons of visibility, stability and physical danger.
2. Excessive size or area of signage can prevent an adjacent property owner from an equal or reasonable enjoyment of that adjacent property owner's use of his/her property through restricted visibility or information over-load preventing the driving public from finding a specific location.
3. Excessive signage can also become a traffic hazard causing driver distraction or confusion.
4. Inconsiderate lighting of signage will infringe upon the right to quiet enjoyment of adjacent property by owners or occupants, and may also be a traffic hazard.
5. Poorly constructed signs are a danger to the public due to potential for wind damage or collapse.

B. Purpose, Goals & Objectives:

The purpose of this section is to regulate the location, size, construction, and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, public safety, public welfare and community aesthetics. While this article recognizes that signs and outdoor advertising are necessary to promote commerce and public information, failure to regulate them may lead to poor identification of individual commercial, industrial, organizational and residential uses of the township, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists. To achieve its intended purpose, this section has the following objectives:

1. To prevent the placement of signs in a manner that will conceal or obscure signs or activities on adjacent properties;
2. To keep the number of signs and sign messages at the level reasonably necessary to identify land uses or activities.
3. To keep signs within a reasonable scale with respect to the buildings and/or properties to which they relate.
4. To reduce visual distractions and prevent obstructions for motorists traveling along, entering or leaving streets.
5. To prevent off-premises signs from conflicting with other land uses.
6. To prevent the proliferation of temporary signs, that might promote visual blight.

SECTION 21.02 GENERAL SIGN REGULATIONS

A. In all zoning districts: Prohibited Signs

Snipe signs (see definitions) and signs placed in a public right-of-way in violation of the below stated regulations may be removed without notice at the discretion of the Township Supervisor by any person designated by the Supervisor.

1. Snipe signs are prohibited as a public nuisance and a danger to utility workers.
 2. Signs shall not be placed in any public right-of-way without the expressed written permission of the road agency having jurisdiction and the Township Board. Signs placed in a public right-of-way by the road agency having jurisdiction, or by any government agency are exempt from this requirement.
 3. Signs on vehicles or trailers used for the purpose of advertising: if the vehicle or trailer is parked within 200 feet of a public right-of-way and the vehicle or trailer is not being driven on a daily basis.
 4. No sign shall be placed on Township property unless installed by or with the permission of the Township Board of Trustees.
 5. Abandoned signs (see definition)
- B. In all zoning districts: Signs Exempt from Permit Requirements but must comply with locational and dimensional requirements of this ordinance.
1. Address numbers
 2. One Sign on any building provided it does not exceed three (3) square feet.
 3. Signs, tablets, plaques or stone markers authorized by the United States Department of the Interior, Michigan Historical Commission, the Van Buren County Historical Society, the Historical Association of South Haven or similarly recognized entity.
 4. Signs on a vehicle or trailer while operated and used for transportation in the normal course of a business or other activity, provided that the vehicle or trailer is being driven or moved on a daily basis or parked more than 200 feet from any public right-of-way.
 5. Public and private traffic control signs that conform to the traffic control requirements of the State of Michigan.
 6. Any sign located within a completely enclosed building.
 7. Signs not meant to be or, in fact, are not visible or legible from a public road are not regulated by this ordinance; however, permanent exterior signs not visible or legible from a public road may be subject to the state construction code and a building permit may be required.
 8. Cloth or synthetic fiber banners, flags and pennants strung on lines or on poles within the property lines and less than 36 square feet in area. Such signs are classified as "temporary signs" and shall not be left for more than 180 days. Such banners, flags or pennants shall be removed whenever such banner & etc. is not in good repair which means it has broken parts, missing letters or has deteriorated such that the structural supports or frame or the side panels are visibly bent, broken, dented or torn such that it constitutes an unsightly, hazardous or harmful condition.
 9. There shall be no time restriction on flags flown from permanent flag poles located within property lines outside of any right-of-way or easement.
 10. Temporary signs constructed of paper, light cardboard or thin plastic and less than 9 square feet in size. Such temporary signs less than 9 square feet in size shall not be left in place for more than 180 days without a permit. See Sec. 21.04 for restrictions.

11. Signs painted directly on a wall or roof or lettering created by the use of different colors of roofing or siding materials are not regulated so long as they do not cover an opening, window or door, nor extend beyond the edge of the roof or wall.
12. Signs inside the glass of a window are not regulated.
13. Lettering painted on the outside of a window is not regulated so long as the lettering does not obscure more than 25% of the surface area of the window.
14. Balloons and inflatable devices so long as they are properly tied down and are not located so as to cause a nuisance.
15. Directional signs less than two (2) square feet in area and either less than two (2) feet in height or more than 35 feet from a right-of-way line when located within the property lines of the property to which they provide direction.

SECTION 21.03 DISTRICT SIGN REGULATIONS

A. Signs in AR & RD (except for Special Uses and schools)

Permits are required unless specifically noted otherwise.

1. Maximum Size:

Permanent signs - 36 square feet in area

Number – 1 per road frontage

2. Setbacks:

- a. From a side lot line – 1 foot per 1 foot of sign height
- b. From road right-of-way - 1 foot per 1 foot of sign height
- c. From road intersection right-of-way point 20 feet

3. Maximum Height: 8 feet – signs over 3 feet in height shall have 4 feet of clearance under the sign face.

4. Signs with lighting:

- a. Electronic Messaging Signs – Subject to Site Plan Review by the Planning Commission – see Sec. 21.05.
- b. Internal lit signs – Permitted so long as the light is not blinking or changing.
- c. Front-lit signs – permitted so long as light source (bulb, flame or etc.) is shielded from street and neighboring properties

5. Temporary On-Site Signs:

- a. Maximum size: 9 square feet (larger signs are subject to Site Plan Review by the Planning Commission – see Sec. 21.05.)
- b. Maximum height: 36 inches
- c. Material: Cardboard or thin plastic only
- d. Lighting or illumination: Subject to Site Plan Review by the Planning Commission. – see Sec. 21.5.
- e. Minimum spacing: 20 feet apart
- f. Location: Shall not be placed within a road right-of-way nor within 20 feet of a right-of-way intersection, except temporary signs less than 3 feet in height so long as they are not located within the right-of-way.
- g. Permits: Not required for signs 9 square feet or smaller – subject to immediate removal if any of these restrictions are violated
- h. Time limit: Must be removed within 180 days or when the sign deteriorates whichever is less.

B. Signs in LDR, MDR & HDR (except for Special Uses and schools)

Permits are required unless specifically noted otherwise.

1. Maximum Size:

Permanent signs – 36 square feet in area

Number - 1

2. Setbacks:

a. From a side lot line – 1 foot per 1 foot of sign height

b. From road right-of-way - 1 foot

c. From road intersection right-of-way point - 20 feet

3. Maximum Height: 8 feet (signs over 3 feet high shall have 4 feet of clearance under the bottom edge of the sign)

4. Electronic Messaging Signs and illuminated Signs – Subject to Site Plan Review by the

Planning Commission – see Sec. 21.05.

5. Temporary On-Site Signs:

a. Maximum size: 9 square feet (larger signs Subject to Site Plan Review by the Planning Commission – see Sec. 21.05.)

b. Maximum height: 36 inches

c. Material: cardboard or thin plastic only.

d. Lighting or illumination: – Permitted so long as the light is not blinking or changing.

e. Minimum spacing: 20 feet apart

f. Location: shall not be placed within a road right-of-way nor within 20 feet of a right-of-way intersection, except temporary signs less than 3 feet in height so long as they are not located within the right-of-way.

g. Permits: Not required – subject to immediate removal if any of these restrictions are violated.

h. Time limit: Must be removed within 180 days or when it is no longer in good repair – whichever is less. A sign is no longer in good repair if it has broken parts, missing letters or has deteriorated such that the structural supports or frame or the side panels are visibly bent, broken, dented or torn such that it constitutes an unsightly, hazardous or harmful condition.

C. Signs in MFR & RCO (except for Special Uses and schools):

Permits are required unless specifically noted otherwise.

1. For one and two-family dwellings – same as for underlying zoning district

2. For all other uses:

a. If underlying zoning district is residential see Special Use limitations

b. If underlying zoning district is commercial/industrial then see commercial/industrial district regulations

3. Signs with lighting:

a. Electronic Messaging Signs – Subject to Site Plan Review by the Planning Commission – see Sec. 21.05.

b. Internal lit signs – Permitted so long as the light is not blinking or changing.

c. Front-lit signs – permitted so long as light source is shielded from street and neighboring properties

4. Temporary On-Site Signs:

- a. Maximum size: 9 square feet (larger signs subject to Site Plan Review by the Planning Commission – see Sec. 21.05.)
- b. Maximum height: 36 inches
- c. Material: cardboard or thin plastic only.
- d. Lighting or illumination: subject to Site Plan Review by the Planning Commission – see Sec. 21.05.)
- e. Minimum spacing: 20 feet apart
- f. Location: shall not be placed within a road right-of-way nor within 20 feet of a right-of-way intersection, except temporary signs less than 3 feet in height
- g. Permits: Not required – subject to immediate removal if any of these restrictions are violated.
- h. Time limit: Must be removed within 180 days or when it is no longer in good repair – whichever is less. A sign is no longer in good repair if it has broken parts, missing letters or has deteriorated such that the structural supports or frame or the side panels are visibly bent, broken, dented or torn such that it constitutes an unsightly, hazardous or harmful condition.

D. Signs in NSC, CSC, HSC, HC & I, and for all Special Uses and schools in all zoning districts:

Permits are required unless specifically noted otherwise.

1. Permanent On-Site Signs:

a. Exempt Signs:

- i) Signs painted or lettered directly on a wall or roof are not regulated so long as they do not cover an opening, window or door, nor extend beyond the edge of the roof or wall.
- ii) Signs inside the glass of a window are not regulated.
- iii) Lettering painted on the outside of a window are not regulated so long as the lettering does not obscure more than 25% of the surface area of the window

b. Maximum Size:

- i) Two (2) square foot of sign structural area per one (1) linear foot of lot width up to a maximum of 300 square feet for all free-standing signs
- ii) Free-standing signs over 100 feet from a road right-of-way or side lot line and less than 16 square feet in area are not regulated
- iii) Two (2) square feet of sign area per linear foot of building width facing the street for all signs attached to a building
- iv) Building signs painted directly on a wall or roof, or inside the glass of a window are not included in the total allowed square-footage
- v) Roof signs shall not extend above the peak of a gable roof nor about the parapet wall of a flat roof

c. Setbacks:

- i) From a side lot line – 1 foot per 1 foot of sign height
- ii) From street right-of-way line - 1 foot & shall not over-hang the Right-of-way line

- i) From intersection right-of-way point – Cone of Vision - 20 feet
- d. Maximum Height: 25 feet
- e. Electronic Messaging and illuminated signs – permitted so long as a sign is not within or behind the line of sight for motorists approaching a traffic signal. Such signs shall have a maximum rate of change time of not less than 6 seconds.
- 2. Temporary On-Site Signs:
 - a. Maximum size: 9 square feet (larger signs subject to Site Plan Review by the Planning Commission – see Sec. 21.05.)
 - b. Maximum height: 36 inches
 - c. Material: cardboard or thin plastic only.
 - d. Lighting or illumination: is permitted with an electrical permit
 - e. Minimum spacing: 20 feet apart
 - f. Location: shall not be placed within a road right-of-way nor within 20 feet of a right-of-way intersection, except temporary signs less than 3 feet in height
 - g. Permits: Not required – subject to immediate removal if any of these restrictions are violated.
 - h. Time limit: Must be removed within 180 days or when it is no longer in good repair – whichever is less. A sign is no longer in good repair if it has broken parts, missing letters or has deteriorated such that the structural supports or frame or the side panels are visibly bent, broken, dented or torn such that it constitutes an unsightly, hazardous or harmful condition.

SECTION 21.04 OFF-SITE SIGNS

Off-site signs shall only be erected on private property and shall have the written permission of the property owner.

- A. Permanent: site plan review and approval by the Planning Commission in conformance with Sec. 21.05. and building permits are required
 - 1. Class 1 – over 36 square feet is a billboard for the purposes of this ordinance
 - a. Location: Permitted only in NSC, CSC, HSC, HC and I zoning districts. Subject to Michigan Department of transportation regulation when located along state or federal highways.
 - b. Maximum Size: 300 square feet per side
 - c. Maximum Height: 20 feet – may be extended to 40 feet by the Planning Commission after site plan review if the applicant can show that excessive grades at the site, building interference, structure, trees, bridge obstructions or similar conditions obstruct views of the sign.
 - d. Minimum setbacks:
 - 10 feet from a road right-of-way
 - 20 feet from the intersection point of two road rights-of-way
 - 15 feet from a side or rear lot line
 - e. Electronic Messaging: shall have a maximum rate of change of not less than 12 seconds.
 - f. Lighting: internal and external is permitted so long as the light source (bulb, flame or etc.) is not visible off site.

2. Class 2 – under 36 square feet and over 9 square feet in sign area:
 - a. Location I: permitted in NSC, CSC, HSC, HC, I and RO zoning districts on lots fronting on M-43, M-140, Blue Star Highway, Ruggles Road, and Phoenix Road (CR 380).
 - b. Location II: permitted in AR, RD, LDR, MDR, HDR MFR only for commercial uses located at least 500 feet off of any highway (U.S., I, or M system).
 - c. Shall only be permitted on private property and with the owner's written permission
 - d. Prohibited within a road right-of-way
 - e. Shall not be located within 20 feet of the intersection point of two road rights-of-way
 - f. Maximum Height: 8 feet
 - g. Lighting or illumination: subject to review and approval by the Planning Commission
 - h. Electronic Messaging: prohibited in Location II areas. Subject to review and approval by the Planning Commission in Location I areas (see Sec. 21.05.).
- B. Temporary:
 1. Permitted in all zoning districts
 2. Maximum size: 9 square feet (larger signs are subject to Planning Commission review – Sec. 21.05. - and approval as well as the state construction code)
 3. Maximum height: 36 inches (3 feet) feet (larger signs are subject to Planning Commission review – Sec. 21.05. - and approval as well as the state construction code)
 4. Material: cardboard or thin plastic only.
 5. Lighting or illumination: prohibited
 6. Minimum spacing: 20 feet apart
 7. Location: shall not be placed within a road right-of-way
 8. Permits: Not required (except for larger signs as in b. and c. above) – subject to immediate removal if any of these restrictions are violated.
 9. Time limit: Must be removed within 180 days or when it is no longer in good repair – whichever is less. A sign is no longer in good repair if it has broken parts, missing letters or has deteriorated such that the structural supports or frame or the side panels are visibly bent, broken, dented or torn such that it constitutes an unsightly, hazardous or harmful condition.
- C. Elevated Interstate Interchange Signs:

On properties located within one thousand (1,000) feet in any direction from the intersection of the centerline of Interstate 196 and either Phoenix Road (CR 388) or M-140 may be erected one (1) elevated, freestanding sign in addition to the signs permitted in A. through F. above. All such signs are subject to Site Plan Review and approval by the Planning Commission in accordance with Section 21.05

 1. Elevated signs constructed under this provision shall not exceed a height of seventy-five (75) feet, and shall, in addition, meet the requirements of Section 15.04 through 15.07 of this Ordinance. Elevated signs at the M-140/I-96 interchange are subject to the Michigan Tall Structures Act (P.A. 259 of 1959) as amended, and Article XIVA – Airport Overlay Zoning District of this Ordinance.

2. The area of an elevated interstate interchange sign shall not exceed two hundred (200) square feet.
3. An elevated sign advertising two or more uses/activities may be permitted, except that the maximum combined sign area for all uses/activities shall not exceed three hundred (300) square feet. Uses/activities having such sign space do not have to be located on the same property as the elevated sign.
4. Such elevated Interstate Interchange signs shall be installed on a monopole structure designed and installed such that the support pole will buckle at approximately mid-height, when exposed to high winds, before the base sign will break loose from its anchorage. The outer extent of any calculated fall radius shall be 10 feet from any building or road right-of-way.
5. No elevated Interstate Interchange sign shall be closer than five hundred (500) feet from any other elevated Interstate Interchange sign.
6. Signs permitted under this sub-section may be internally lighted and may include electronic messaging boards.

SECTION 21.05 SITE PLAN REVIEW CONDITIONS

This section applies to signs listed as subject to Site Plan Review and approval by the Planning Commission and Special Uses as well as Off-Site Signs over 9 square feet in area and On-Site Temporary Signs over 9 square feet in area:

1. Class 1 – over 36 square feet
 - a) Maximum Size: 300 square feet per side or 1 square foot per 1 linear foot of lot width, whichever is less.
 - b) Maximum Height: 20 feet – may be extended to 40 feet by the Planning Commission after site plan review subject to Art. XV Special Uses, depending upon the grade at the site and building, structure, trees and/or bridge obstructions
 - c) Electronic Messaging: Subject to Site Plan Review and approval by the Planning Commission and shall have a maximum rate of change of not less than 12 seconds.
 - d) Lighting: internal and external is permitted so long as the light source (bulb, flame or etc.) is not visible off site.
2. Class 2 – under 36 square feet and over 9 square feet in area
 - a) Location: permitted in AR, RD, LDR, MDR, HDR, MFR only for commercial uses located at least 500 feet off of any highway (U.S., I, or M system).
 - b) Shall only be permitted on private property and with the owner's written permission
 - c) Prohibited within a road right-of-way
 - d) Shall not be located within 20 feet of the intersection point of two road rights-of-way
 - e) Maximum Height: 8 feet
 - f) Lighting or illumination: Prohibited except for temporary uses and Special Uses – may be approved as a site plan amendment by the Planning Commission.
 - g) Electronic Messaging: Prohibited except for Special Uses – shall only be approved during the Special Use approval process subject to Art. XV Special Uses.

SECTION 21.06 NONCONFORMING SIGNS

- A. Disestablishment: Nonconforming signs shall not be reestablished after the activity, business, or usage to which it relates has been discontinued for one (1) year or longer.
- B. Structural Changes: A sign that is lawfully nonconforming as to size and/or location may have structural components replaced but shall not be enlarged or increased in any dimension.
- C. Repairs: Any lawful nonconforming sign may be repaired, reinforced, replaced or reconstructed so long as any nonconformity shall not be increased.
- D. Alteration and Improvement: Nothing in this ordinance shall prohibit the alteration, improvement or modernization of a lawful nonconforming sign, provided that all such alteration shall not increase the nonconformance of height, area, bulk or location of such sign.

SECTION 21.07 PERMITS AND FEES

- A. Application for a permit to erect or replace a sign shall be made by the owner of the property, or his/her agent, to the Zoning Administrator, by submitting the required forms, fees, exhibits and information. Fees for sign permits, when required, shall be established by resolution of the Township Board.
- B. An application for a sign permit shall contain the following information:
 - 1. The applicant's name and address in full, and a complete description of the applicant's relationship to the property owner.
 - 2. If the applicant is other than the property owner, the signature of the property owner concurring in a submittal of said application is required.
 - 3. The address of the property.
 - 4. An accurate scale drawing of the property showing the location of all buildings and structures and their uses, and exact location of the proposed sign.
 - 5. A complete description and scale drawings of the sign, including all dimensions and the area in square feet.
- C. All proposed sign locations or relocations shall be inspected on the site by the Township Zoning Administrator or Building Official for conformance to this Ordinance prior to pouring of concrete and placement on the site foundation.
- D. A sign permit shall become null and void if the work for which the permit was issued had not been completed within a period of six (6) months after the date of the permit. Said sign permit may be extended for a period of thirty (30) days upon request by the applicant.
- E. Painting, repainting, cleaning, change of a sign face and other normal maintenance and repair of a sign or a sign structure, unless a structural or size change is made, shall not require a sign permit.

SECTION 21.08 SUBSTITUTION

Any sign allowed under this section or a predecessor section of the zoning ordinance, may contain in lieu of any other message or copy, any lawful message, so long as said sign complies with the size, height, area, placement and other requirements of this ordinance.

SECTION 21.09 SEVERABILITY

This Article and the various components, sections, subsections, sentences and phrases are hereby declared severable. If any court of competent jurisdiction shall declare any part of this Article to

be unconstitutional or invalid, such ruling shall not affect any other provision of this Article not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional or invalid the application of any provision of this Article to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling.
