

**CITY COUNCIL
CITY OF GRAND HAVEN
OTTAWA COUNTY, MICHIGAN**

Council Member **Scott**, supported by Council Member **Brugger**, moved the adoption of the following Ordinance:

ORDINANCE NO. 19-07

**AN ORDINANCE TO AMEND ARTICLE II, SECTION 40-201.19 AND ARTICLE VII
OF THE ZONING ORDINANCE OF THE CITY OF GRAND HAVEN**

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Definition Amendments. Section 40-201.19 of the City of Grand Haven Zoning Ordinance, which provides definitions, is amended to include a new definition for “Sign” as follows:

Section 40-201.19. “S.”

Sign: Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images; including the following sign types:

- A. *Sign, animated or moving:* Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation, not including electronic message boards.
- B. *Sign, air dancer:* An inflatable sign intended to draw attention by movement of air through the inflated core, also known as a sock sign.
- C. *Sign, backlit Illuminated.* This type of sign illumination projects light against the surface behind the sign lettering or graphic producing a halo lighting effect around the letter or graphic, commonly referred to as backlit channel lettering or halo lighting.
- D. *Sign, bench:* A sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or roadway.
- E. *Sign, changeable copy:* A sign with a fixed or changing display composed of characters that may be changed manually.
- G. *Sign, electronic message board:* A sign with a fixed or changing display composed of a series of lights that may be changed through electronic means.
- H. *Sign, feather:* A freestanding sign typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft. Also known as a feather flag.
- I. *Sign, ground:* Any sign, other than a pole sign, in which the entire bottom is in contact with or close to the ground and is independent of any other structure and which is up to six (6) feet in height.

- J. *Sign, marquee*: A sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance.
- K. *Sign, minor*: A sign internal to a lot or parcel, oriented toward on-site pedestrian and vehicle traffic.
- L. *Sign, off-premises*. See Billboard.
- M. *Sign, pole*: A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.
- N. *Sign, projecting*: A sign that is wholly or partly dependent upon a building for support and that projects more than twelve (12) inches from such building.
- O. *Sign, roof*: A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.
- P. *Sign, sandwich board*: A temporary sign structure placed on the ground that consists of two (2) back-to-back sign faces that are hinged together at the top and separated at the base a sufficient distance to solidly support the structure in an upright position.
- Q. *Sign, suspended*: A sign hanging down from a marquee, awning, or porch that would exist without the sign.
- R. *Sign, wall*: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than six (6) inches from such building or structure, and the exposed face of which shall be on a plane parallel to the building wall to which it is attached.
- S. *Sign, wayfinding*: An off-premises sign that is part of a city-sponsored and coordinated program for the purpose of facilitating pedestrian and vehicular transit to local destinations as designated and recognized by the city's way-finding sign program.
- T. *Sign, window*: A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.
- U. *Sign, temporary yard*: A sign that is not permanently affixed to the ground and is of design and construction that is not intended to be of a permanent nature.



Sign Types. Sec. 40-201.19 - "S"

Section 2. New Article VII Signage. Article VII Signage of the City of Grand Haven Zoning Ordinance, is hereby repealed and replaced as follows:

ARTICLE VII. - SIGNAGE

Sec. 40-700. - Purpose and scope.

The purpose of this article is to regulate the size, number, location and manner of construction and display of signs in the City of Grand Haven. This article is further intended to protect all zoning districts from visual chaos and clutter, eliminate distractions hazardous to motorists, protect appropriately identified uses from excessive signage, provide ability for the public to identify premises and establishments, encourage creativity of sign design and enhance the aesthetics of the community.

Sec. 40-701. - General standards for all signs.

- A. All signs shall conform to all applicable codes and ordinances of the city and shall be approved by the building inspector or zoning administrator, and a permit issued.
- B. Sign area.
 1. The area of a sign shall be measured within a single, continuous rectilinear perimeter composed of no more than eight (8) straight line segments which encloses the extreme limits of the advertising message, together with any frame or other material or color forming an integral part of the display, message, drawing, or similar device, or used to differentiate same from the background against which it is placed, excluding the necessary supports, braces and/or uprights of the sign.

2. When two (2) sign faces are placed back-to-back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart at any point, the sign area shall be computed by the measurements of one of the faces.
- C. Sign setbacks. All signs shall be set back a minimum of one-half ($\frac{1}{2}$) of the front yard setback, except for sandwich board signs.
- D. Height. Sign height shall be measured as the vertical dimension from the median natural grade to the highest point of the highest attached component of the sign. A sign shall not extend above the roof line of a building to which it is attached.
- E. Where a projecting sign, marquee sign, suspended sign, or similar element projects or protrudes over any public or private sidewalk or walkway, the bottommost point of the sign structure shall be at least nine (9) feet from said walkway. Projecting signs, including brackets, shall not project more than forty-eight (48) inches from the face of a building or wall and shall not exceed 12 sq. ft. in sign area.
1. If any projecting sign or suspended sign is suspended over a public property, public street, sidewalk or alley, the owner of such sign shall keep in force a public liability insurance policy in the minimum amount of one million dollars (\$1,000,000). In addition, when a sign is extending over a public right-of-way, an encroachment permit must be obtained, which will require showing the insurance coverage and will have to be renewed every three (3) years. The licensee shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the State of Michigan naming the city as an additional insured on any such policy. Licensee will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given thirty (30) days' written notice before a cancellation in coverage may occur.
 2. If at any time the insurance policy is canceled, the projecting sign or suspended sign shall be immediately removed. In the event the sign is not so removed, the City of Grand Haven shall have the right to remove the sign and repair the facade at the expense of the property owner.
- F. Illumination. Unless further regulated elsewhere in the ordinance, sign illumination shall be opaque background with internally lit lettering, facelit channel lettering, backlit lettering or externally lit. When illumination of signs is permitted, illumination shall comply with the following requirements:
1. Illumination shall not be flashing, blinking, intermittent, or an on-and-off type of lighting; provided, however, that neon lighting shall be permitted on signs in the CB district except for projecting signs.
 2. Illumination shall be arranged so that light is deflected away from adjacent properties so that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or street easement or from any adjacent property.
 3. External Illuminated Sign. Any external lighting of signs shall be downward facing, shielded, or otherwise directed to illuminate only the sign face.
 4. Internal Illuminated Sign. Sign faces shall be opaque so that individual lamps are muted and cannot be distinguished behind the sign face. Only the sign face may be internally illuminated.
 5. Backlit Illuminated Sign. Individual bulbs and light sources shall not be visible.

- G. Electronic message board signs. All electronic message board signs shall be regulated/operated by the following standards:
1. In the C district:
 - a. One electronic message board sign is permitted for each lot.
 - b. Electronic message board signs shall not flash, scroll, blink, strobe or show moving pictures.
 - c. Messages may not change more than once every three (3) seconds.
 - d. Electronic message board signs shall be fitted with automatic sensors that adjust their brightness and intensity during daylight and night time hours. The overall brightness and intensity shall only be enough to make the sign legible and shall not create a nuisance or a traffic hazard.
 - e. Electronic message board signs shall be secondary to a traditional stationary sign and shall not exist as the sole sign, but in no instance shall such sign exceed fifty (50) percent of the traditional stationary sign area.
 2. For all educational facilities, except for public schools under the jurisdiction of the Michigan superintendent of public instruction (as defined by section 40-201.05):
 - a. One electronic message board sign is permitted when all of the following conditions are met:
 - 1) Lot is greater than two (2) acres in size and a principal use occupies the subject lot.
 - 2) Facility enrollment is greater than one hundred (100) students.
 - b. Electronic message board signs shall not flash, scroll, blink, strobe or show moving pictures.
 - c. Messages may not change more than once every five (5) minutes.
 - d. Electronic message board signs shall be fitted with automatic sensors that adjust their brightness and intensity during daylight and night time hours. The overall brightness and intensity shall only be enough to make the sign legible and shall not create a nuisance or a traffic hazard.
 - e. Electronic message board signs must be turned off between 10:00 p.m. and 6:00 a.m.
 - f. Electronic message board signs shall be integrated into the traditional stationary sign and shall not exist as the sole sign, but in no instance shall such sign exceed fifty (50) percent of the traditional stationary sign area.
 - g. Electronic message board signs may only be part of a ground sign.
- H. Maintenance. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the building inspector or zoning administrator or other designated representative. Unsafe signs or those in disrepair shall be repaired or removed by the owner, or removed by the city at the expense of such owner, upon written notice by the City of Grand Haven.
- I. Location. In addition to the required setbacks, no sign shall be located where, in the opinion of the zoning administrator, it will obstruct the clear vision corner per section 40-307.

- J. Covering. Covering around one or more pole supports of a pole sign shall be permitted and limited to a total width of not more than fifty (50) percent of the width of the sign face. Signage or copy shall not be permitted on pole coverings.
- K. Where a proposed sign appears to meet the definition of more than one sign, the most restrictive requirements and limitations of the defined sign types shall apply.
- L. Wall signs. Wall signs shall not extend further than six (6) inches from the face of the wall to which it is attached. The maximum width of a wall sign shall not exceed ninety (90) percent of the width of the wall to which the sign is attached.
- M. A maximum of one (1) temporary pennant, searchlight, flag, feather flag, banner or bunting, but not including large, lighter than air, advertising balloons, shall be permitted on nonresidential properties in the NMU, OS, C, CB, B, CC, WF, WF-2, TI or I Districts for a period of thirty (30) days upon application and permit. No such pennant, searchlight, flag, feather flag, banner or bunting shall be redisplayed on the same premises until the expiration of an interim period of ninety (90) days. This signage is in addition to the temporary yard signage allowable under Section 40-703.M.
- N. The lower most edge of the sign face of a pole sign shall not be closer than ten (10) feet from natural grade.

Sec. 40-702. - Sign permit required.

Unless listed as an exempt sign in section 40-703, a land use permit is required for all new signs or sign replacement as set for in section 40-111.02, land use permit.

Sec. 40-703. - Exempt signs.

The following signs shall be exempt from the permitting requirements in this article. However, specific requirements of this Section shall apply if noted.

- A. Any public notice, traffic control or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- B. Property address and owner identification up to one square foot in area.
- C. Any sign wholly located within a building and not visible from outside the building. This does not include window signs.
- D. Holiday lights and decorations with no commercial message.
- E. Works of art that do not contain a commercial message.
- F. Minor signs, provided the following standards are met:
 - 1. Minor signs shall not exceed six (6) square feet in area or six (6) feet in height. Minor signs may be located on adjacent property with written approval from the adjacent property owner. Signs located at drive-throughs shall not exceed forty-eight (48) square feet in area or six (6) feet in height.
 - 2. Signs on gas pumps shall not exceed three (3) square feet.
- G. Governmental historical designation signs.
- H. Window signs. Window sign coverage shall not exceed 25 percent of window area provided per building elevation.
- I. Special event signage on public property.

- J. City way finding signs consistent with accepted graphic identity and as approved by the city manager on public or private property.
- K. Temporary yard signs.
 - 1. A lot or parcel shall be limited to one (1) sign per street frontage.
 - 2. Extra signs are permitted during a time period of thirty (30) days prior to an election date to seven (7) days after the election date.
 - 3. Signs shall not exceed three (3) square feet in area on residential property and twelve (12) square feet in area on nonresidential property.
- L. Temporary yard signs on residential or commercial construction sites.
 - 1. A lot or parcel shall be limited to one (1) sign per street frontage.
 - 2. Signs shall not exceed twelve (12) square feet in area in residential districts and thirty-two (32) square feet in area in nonresidential districts.
 - 3. Signs shall not exceed ten (10) feet in height.
 - 4. Signs shall be subject to a one (1) foot setback from any property line and right-of-way.
 - 5. Signs shall be confined to the site of the construction and shall be removed within 14 days after the issuance of an occupancy permit.

Sec. 40-704. - Prohibited signs.

The following signs shall not be allowed in any district.

- A. Signs which are obsolete, that do not relate to existing business or products for sale or available on the site.
- B. Signs which are illegal under state laws or regulations and applicable local ordinances or regulations, and which are not consistent with the standards in this ordinance.
- C. Signs that are not clean and in good repair, and signs that are out of compliance with applicable building and electrical codes.
- D. Air filled balloons, air dancer signs, and lighter than air signs.
- E. Signs not securely affixed to a supporting structure.
- F. Signs that are not official traffic signs that appear to or attempt to regulate, warn, or direct the movement of traffic, which interfere with or resemble any official traffic sign, signal, or device, or which may obstruct a motorist's vision.
- G. Signs for minor home occupations.
- H. Signs located in, projecting into or overhanging within a public right-of-way or dedicated public easement, provided the following shall be permitted with the following requirements:
 - 1. Official traffic signs posted by a governmental agency;
 - 2. Public transit signs, including bus stop signs and routing signs, erected by a public transit company;
 - 3. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
 - 4. Projecting, marquee, and suspended signs projecting over a public right-of-way as permitted and regulated in the CB, NMU, OT and S districts;

5. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the right-of-way;
 6. Temporary signs, banners, or directional signs approved by the city council. The city council shall establish sign area standards and a time period for any temporary sign, banner or directional sign within the public right-of-way; and
 7. Sandwich board signs provided all other requirements of this article are met.
- I. Truck or trailer mounted signs. No sign or other advertising structure shall be painted on or be attached to a motor vehicle used primarily for the display of such sign, including, but not limited to a billboard truck. This section shall not prohibit the identification of a business or its products or services on its vehicle(s) operated and parked in a manner appropriate to the normal course of business.

Sec. 40-705. - Permitted signs.

In addition to the above standards, the following signs are permitted in the various zoning districts as follows:

Residential Districts: SFR, MDR, MFR, DR, NS, S, E, OT	
Wall Sign for Dwelling with a Major Home Occupation	
Max. Number	1
Max. Sign Area	6 sq. ft.
Illumination	downward facing external
Bed and Breakfast	
Max. Number	one (1) ground or one (1) wall
Max. Sign Area	4 sq. ft.
Illumination	Not permitted
<i>Two (2) non-illuminated directional signs are permitted and shall not exceed one and one-half (1 1/2) sq.ft. in area</i>	
Wall sign for a Short-Term Rental	
Max. Number	1
Max. Sign Area	4 sq. ft.
Illumination	Not permitted
Ground Sign on a Nonresidential Property	
Max. Number	1 per frontage
Max. Sign Area	32 sq. ft.
Max. Height	6 feet
Min. Setback	1/2 required front yard setback
Illumination	Not permitted
Wall Sign on a Nonresidential Property	
Max. Number	1 per frontage
Max. Sign Area	32 sq. ft.
Illumination	Not permitted
Non-Residential Districts: NMU, OS, CB, C, B, WF, WF-2, CC, TI, I	
Wall, Awning, and Projecting Signs	
Max. Number	No limit
Max. Sign Area for all signs	60 sq. ft.
	100 sq. ft. in C, TI, and I Districts
Illumination	Permitted
Ground Sign	
Max. Number	1 per frontage
Max. Sign Area	32 sq. ft.
	100 sq. ft. on lots of record having at least 90 feet of frontage on US-31
Max. Height	6 feet

Min. Setback	1/2 required front yard setback
Illumination	Permitted
Pole Sign	
Max. Number	one (1), in lieu of one (1) permitted ground sign on lots of record having at least 90 feet of frontage on US-31
Max. Sign Area	100 sq. ft.
Max. Height	20 feet
Min. Setback	1/2 required front yard setback
Illumination	Permitted
Sandwich Board Signs:	See Section 40-707 for regulations
Gas Station Canopy Signs	
Max. Number	2; one per side of canopy fascia
Max. Sign Area	24 sq. ft.
Illumination	Permitted
Bed and Breakfast	
Max. Number	one (1) ground or one (1) wall
Max. Sign Area	4 sq. ft.
Illumination	Not permitted
<i>Two (2) non-illuminated directional signs are permitted and shall not exceed one and one-half (1 1/2) sq. ft. in area</i>	
Mixed Use Development or Multi-Tenant Commercial Development	
Max. Number	one (1) wall sign per building entrance
Max. Sign Area	15% of wall area of the portion of the building that the entrance serves; max. 100 sq. ft.
Illumination	Permitted

Sec. 40-706. - Special purpose signs.

Upon submittal of a basic site plan, per section 40-115, the planning commission may consider approval of a special purpose sign which does not exceed the permitted sign area in the underlying zoning district, but such sign type is not contemplated in this section. In making its determination, the planning commission may consider:

- A. The compatibility of the proposed sign in relationship to the type and location of signage on adjacent parcels;
- B. The conformance of the proposed sign to the general standards for all signs; and
- C. The durability of sign materials, and compatibility with the building for which the sign serves.

Sec. 40-707. - Design standards for sandwich board signs.

Sandwich board signs are permitted in all nonresidential zoning districts (NMU, OS, CB, C, B, WF, WF-2, CC, TI, I) and are subject to the following requirements:

- A. Shall be no greater than six (6) square feet in size, forty-two (42) inches in height, and thirty (30) inches in width.
- B. Shall be located not more than twenty-four (24) inches from the storefront or building entrance for the use to which it serves.
- C. Shall not block pedestrian access.
- D. Shall be stored indoors outside of business hours of operation.
- E. Shall be constructed of durable materials and be clearly portable in terms of size, weight, and placements.

Sec. 40-708. - Design standards for awnings.

Awning signs shall meet the following standards:

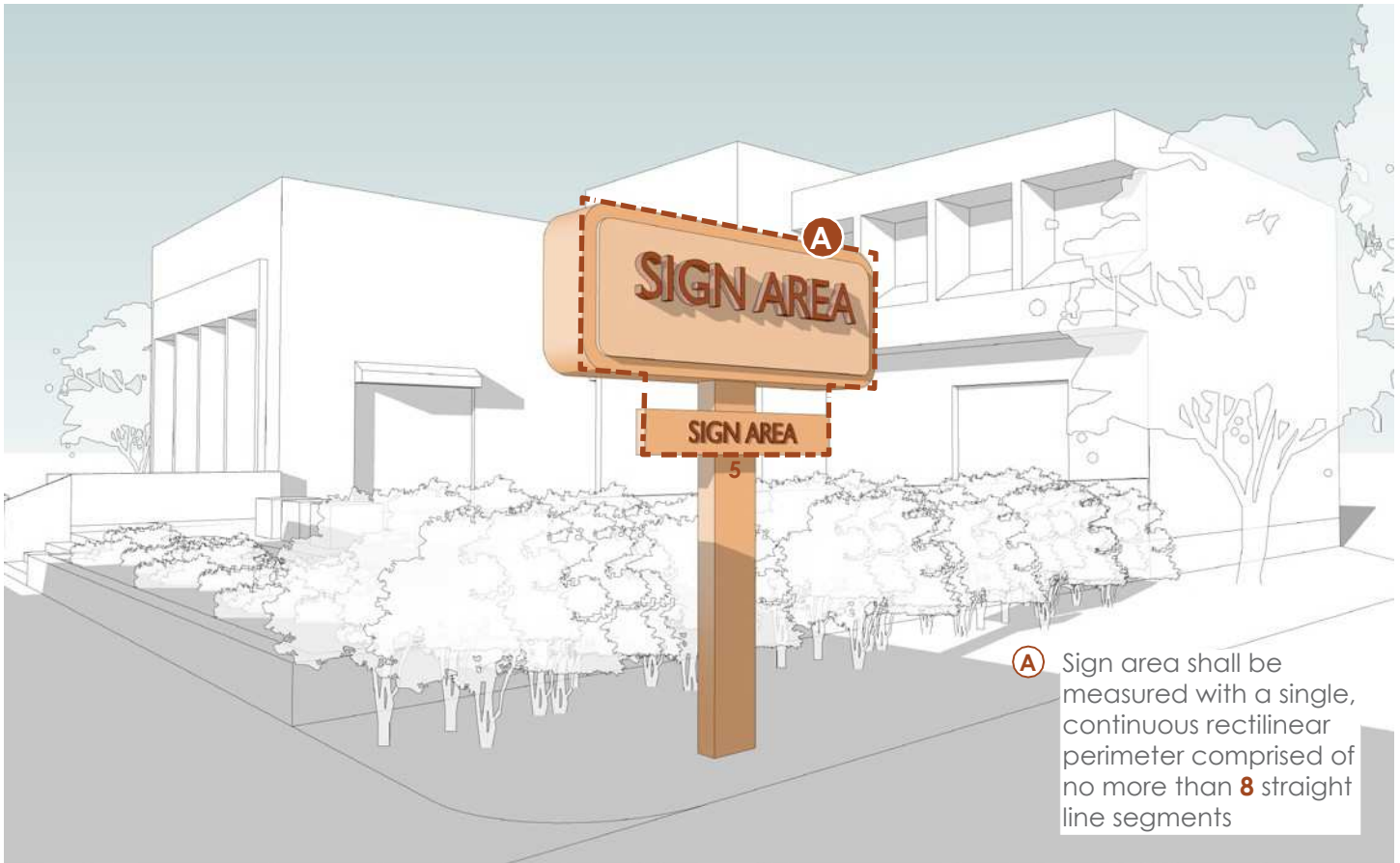
- A. In the CB, NMU, WF and WF-2 districts:
 - 1. Awnings shall be constructed of an opaque material only.
 - 2. Lighting shall be downward facing illuminating the area beneath the awning, downward facing illuminating the awning, or upward facing directed at the sign upon the awning.
- B. In all other districts where awnings are permitted, awnings may be constructed of opaque or translucent material; however, no light shall be emitted from the perimeter edges of the awning.

Sec. 40-709. - Nonconforming landmark signs.

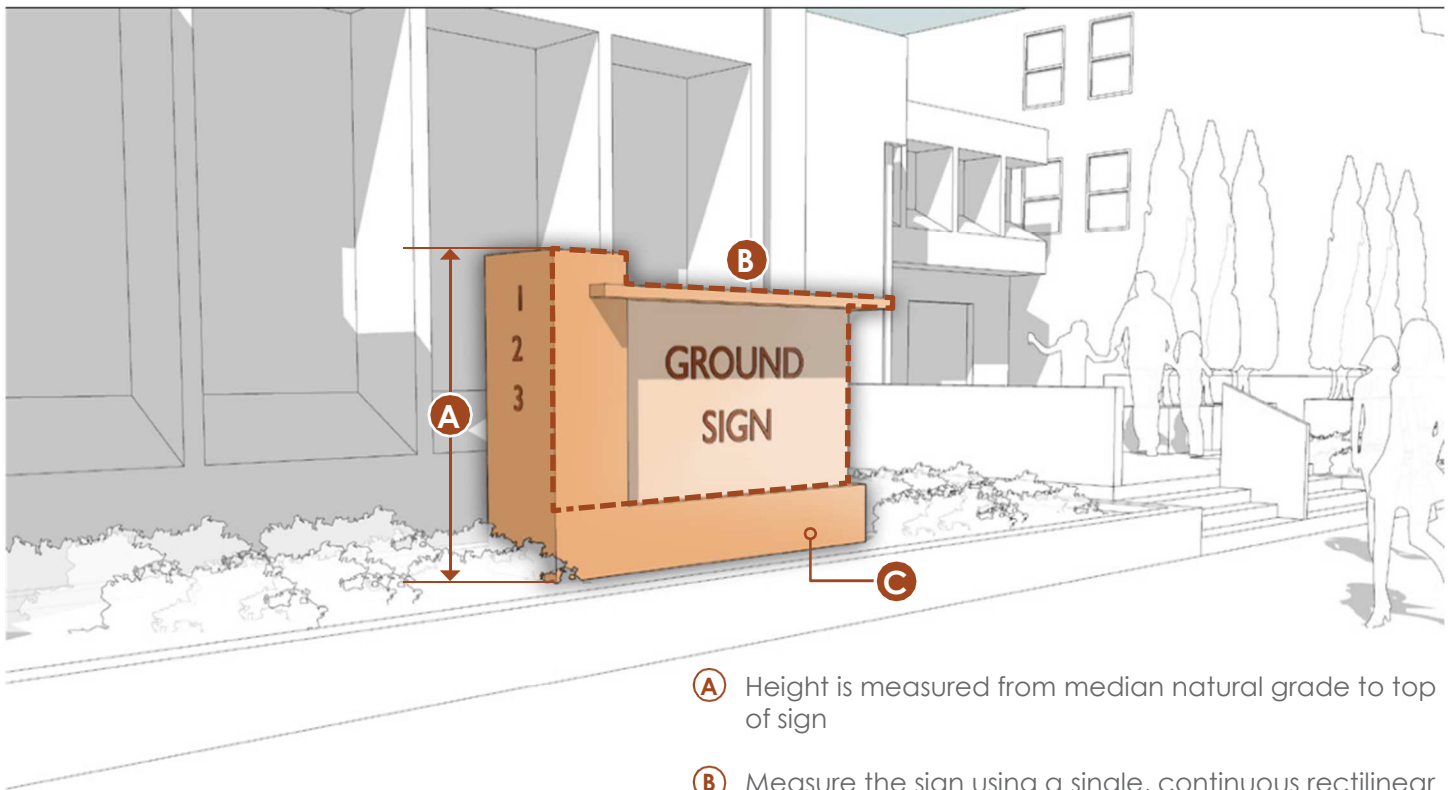
The planning commission may find that an existing nonconforming sign has achieved a desirable landmark status such that the sign may be fully replaced in kind, the provisions of section 40-119.04, nonconforming structures, notwithstanding. One of the following criteria must be met to be considered a landmark sign:

- A. Sign must be exemplary technology, craftsmanship, or design of the period in which it was constructed.
- B. Sign is integrated into the architecture of a significant building or structure.
- C. Sign demonstrates extraordinary aesthetic quality, creativity, or innovation as determined by the planning commission.

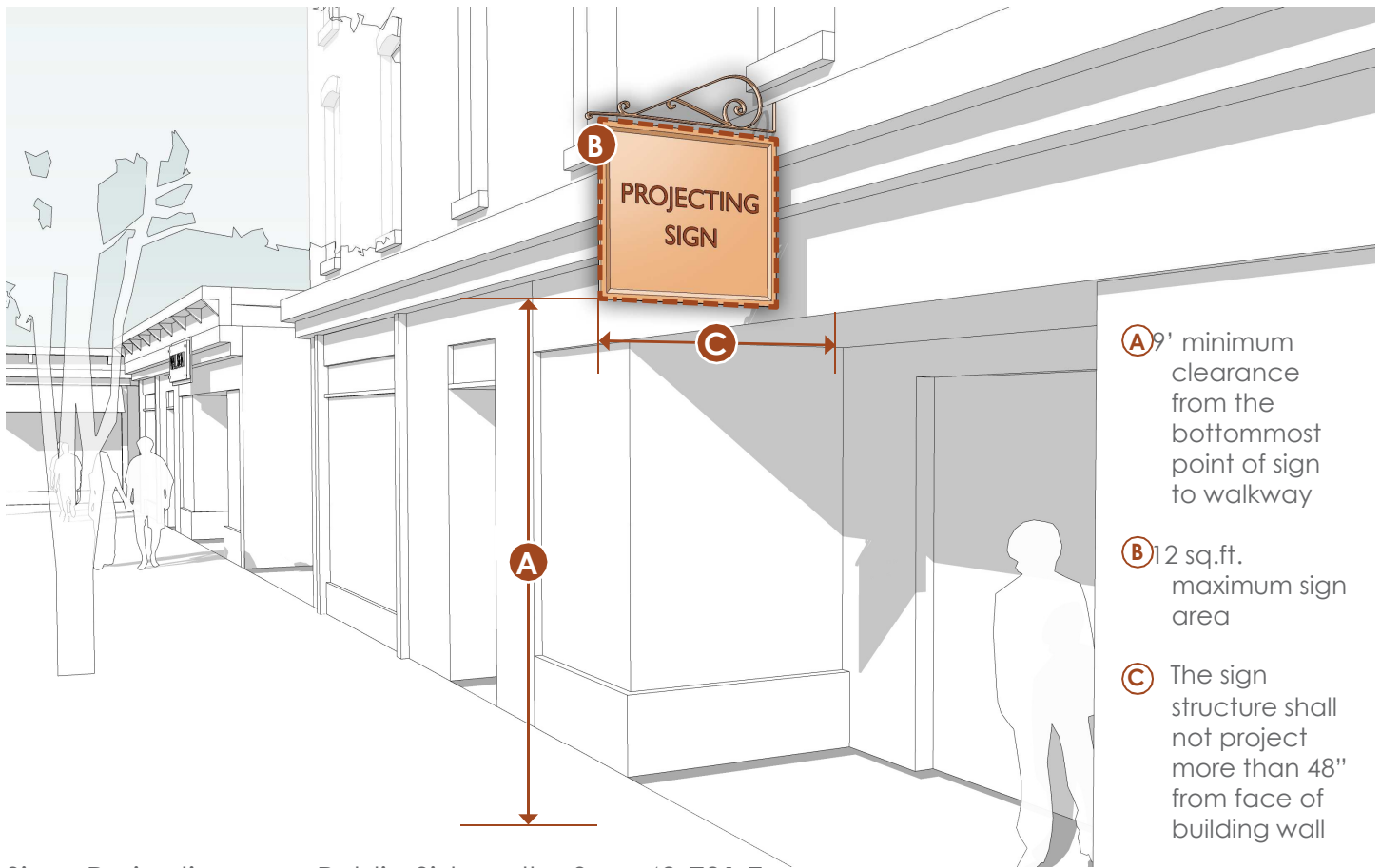
Sec. 40-710. – Sign graphics.



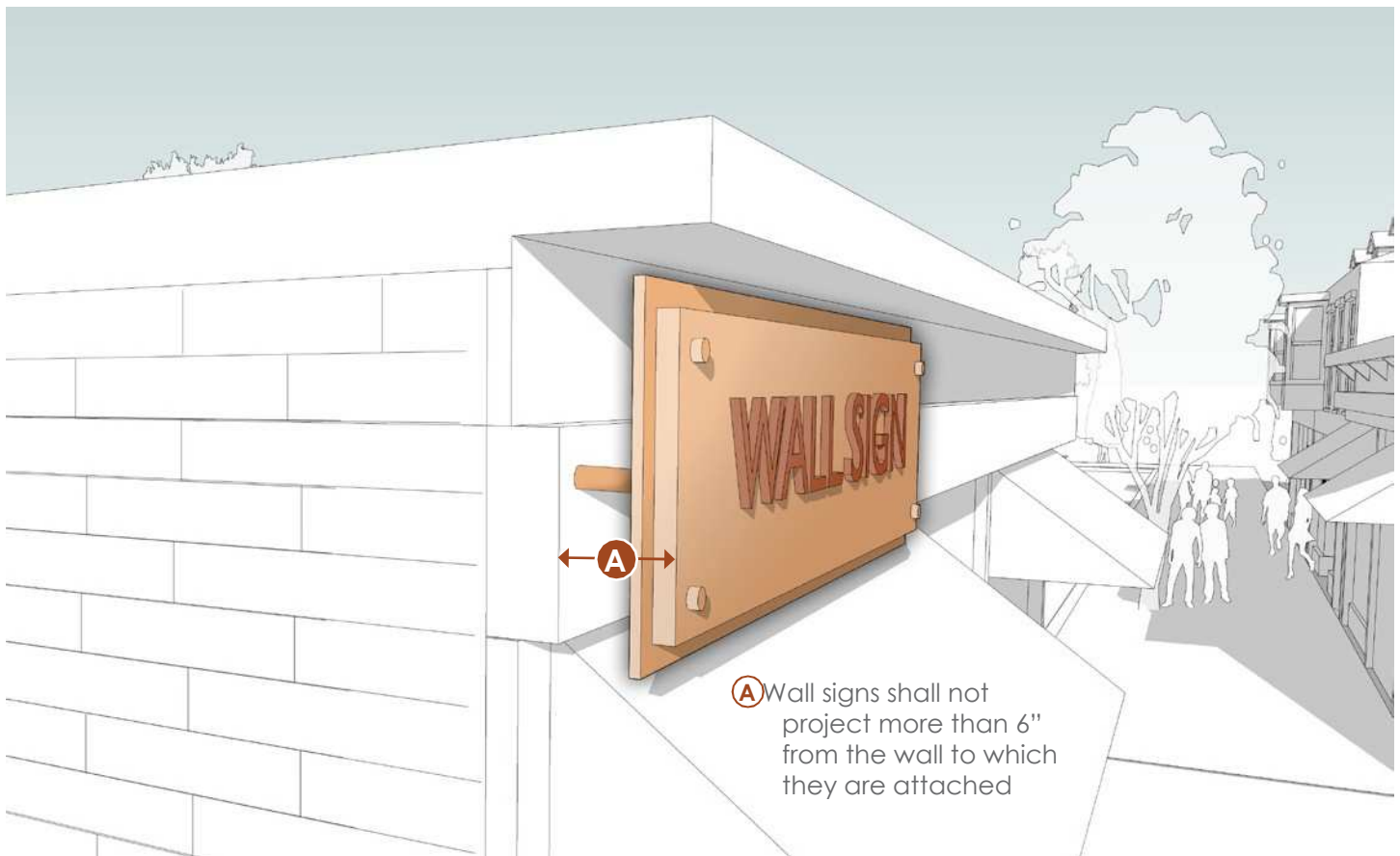
Sign Area. Sec. 40-701.B



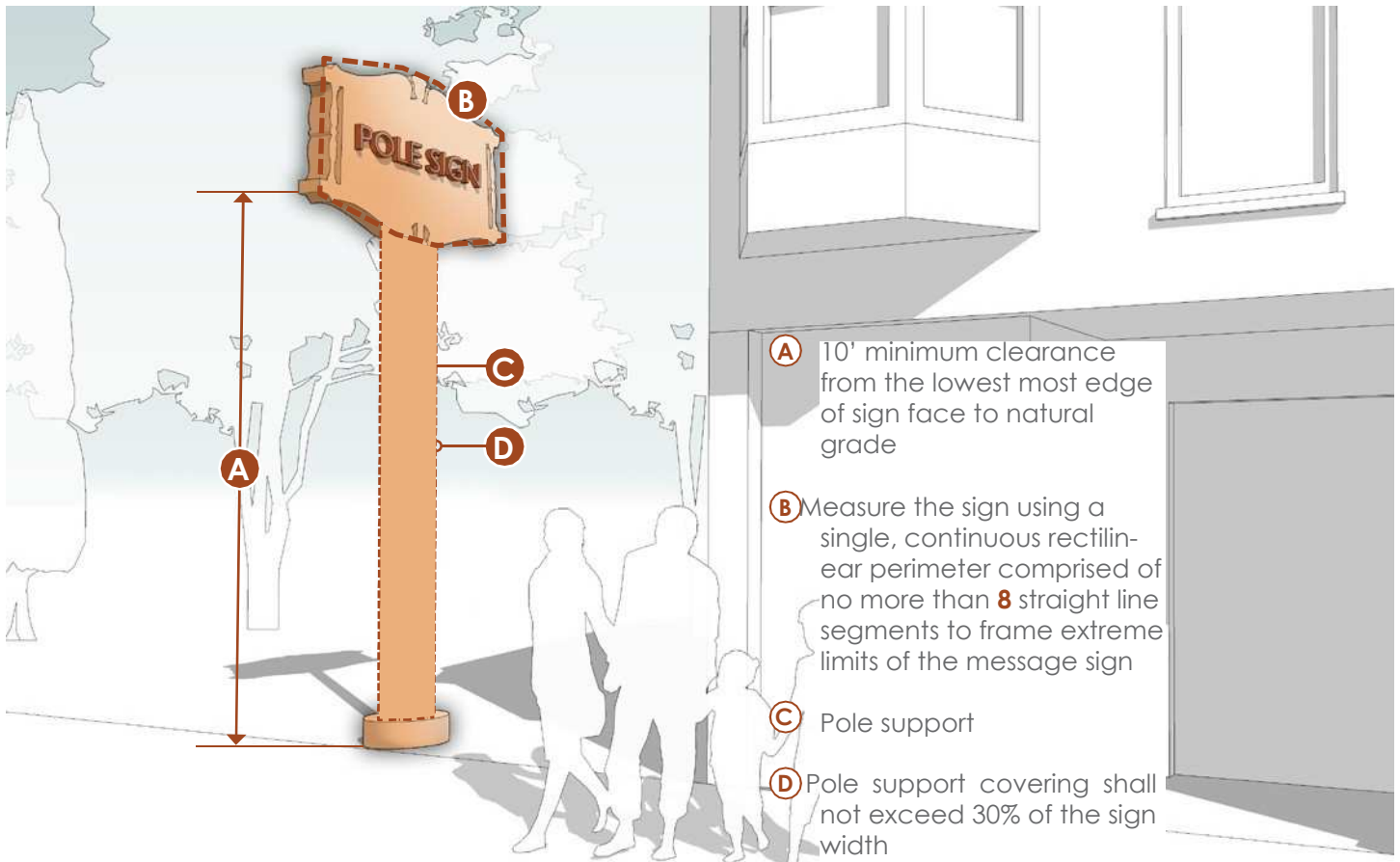
Sign Height. Sec. 40-701.D



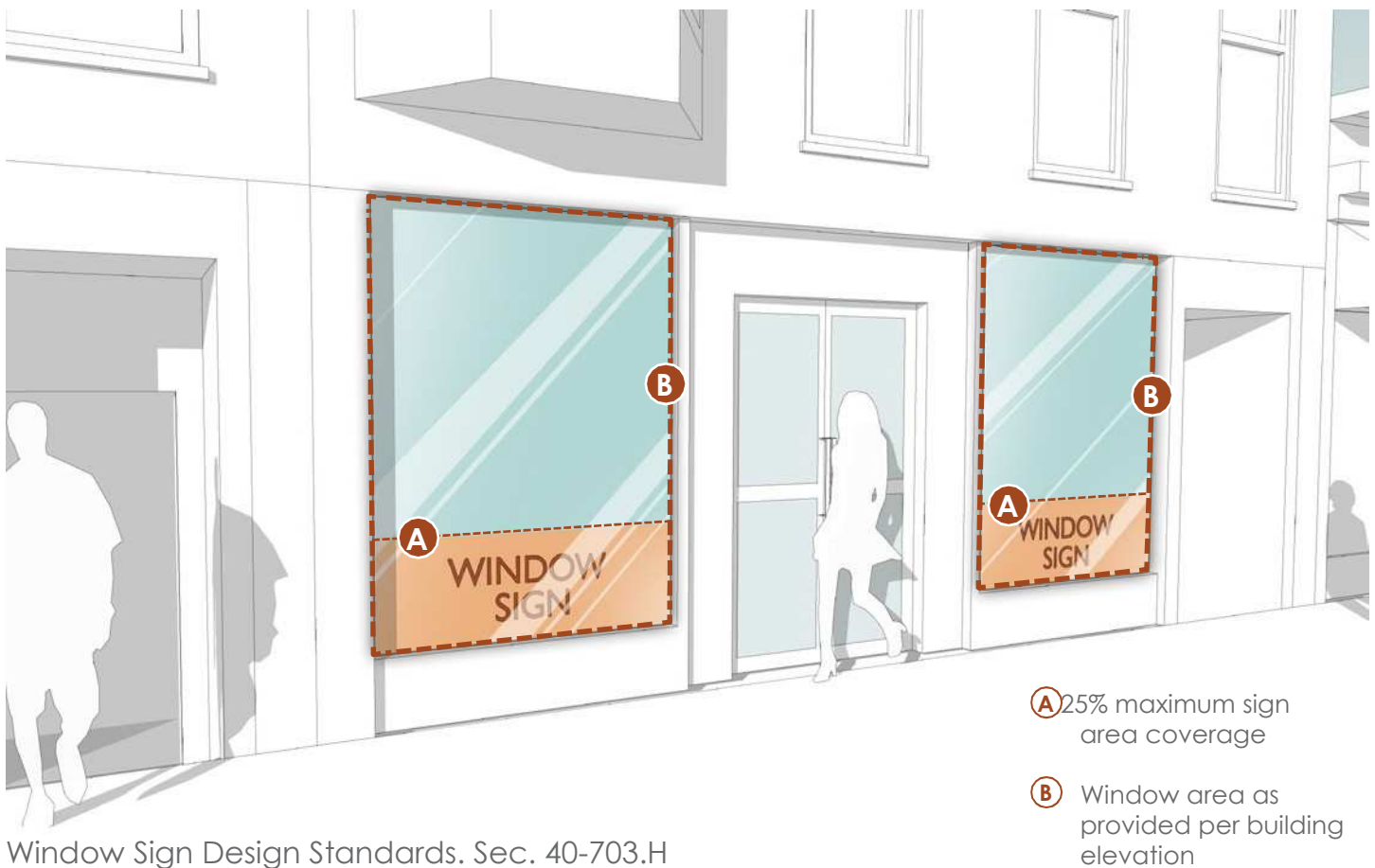
Signs Projecting over Public Sidewalks. Sec. 40-701.E



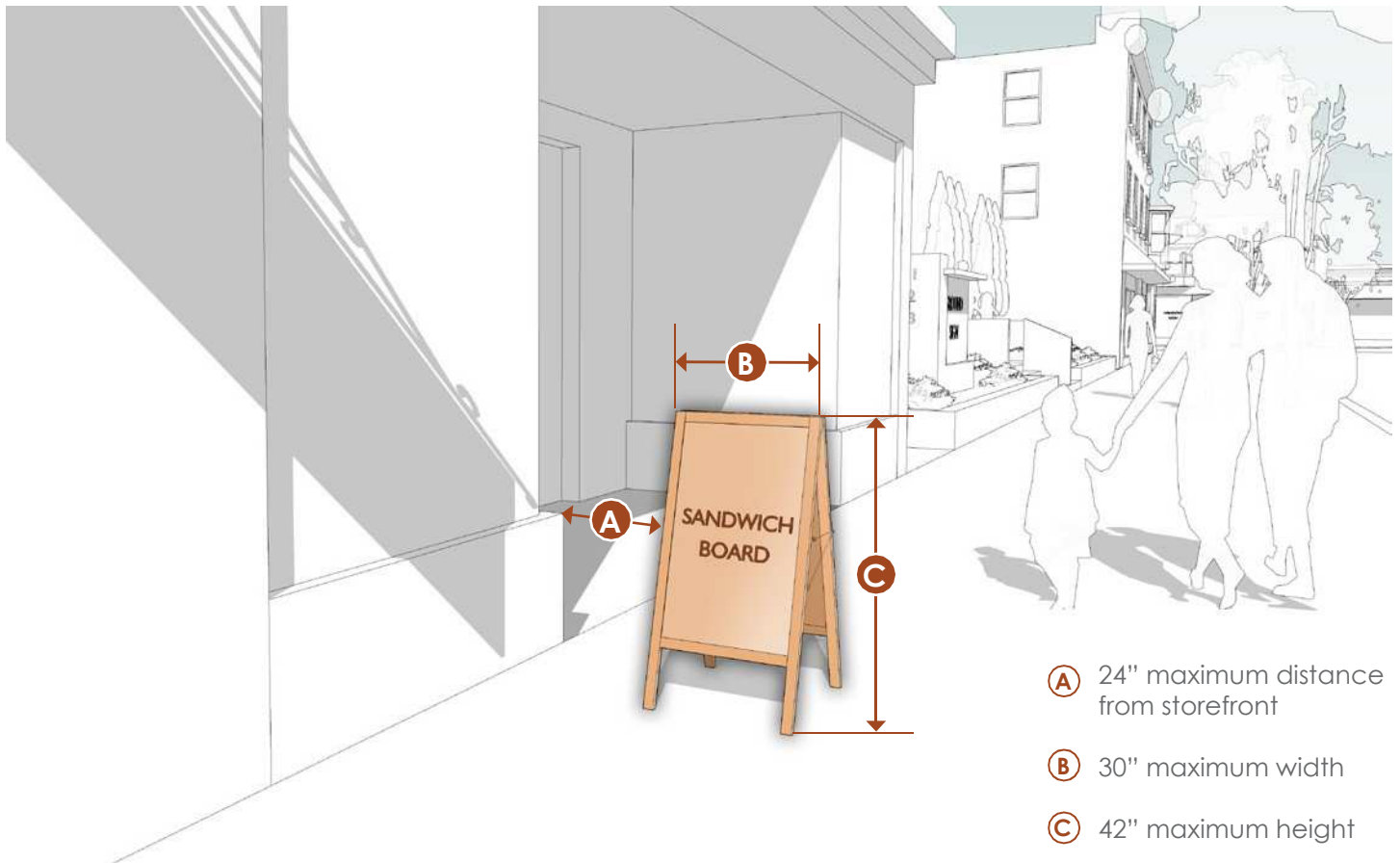
Wall Sign Placement. Sec. 40-701.I



Pole Sign Design Standards. Sec. 40-701.N



Window Sign Design Standards. Sec. 40-703.H



Sandwich Board Design Standards. Sec. 40-707

Section 3. **Effective Date.** This Ordinance shall take effect on the twentieth (20th) day after publication, or such later date as is required by Public Act 110 of 2006, as amended.

YEAS: Council Member(s) Fritz, Monetza, Scott, and McCaleb

NAYS: Council Member(s) Brugger

ABSTAIN: Council Member(s) NONE

ABSENT: Council Member(s) NONE

APPROVED: March 4, 2019

I certify that this ordinance was adopted at a meeting of the Grand Haven City Council held on March 4, 2019.

Linda L. Browand, City Clerk

Introduced: February 18, 2019

Adopted: March 4, 2019

Published: March 15, 2019

Effective: March 24, 2019