

# **CEDAR CREEK TOWNSHIP**

## **COUNTY OF MUSKEGON, MICHIGAN**

At a regular meeting of the Township Board of the Township of Cedar Creek, held in the Township Hall, 6556 Sweeter Rd, Twin Lake, Michigan, on the 14<sup>th</sup> day of January, 2025 at 6:00 p.m.

PRESENT: Beeman, Delimata, Luttrull, Jarvis, Meyers

The following ordinance was offered by Member Jarvis and supported by Member Meyers

### **ORDINANCE NO. 2025-01**

#### **AN ORDINANCE TO AMEND MISCELLANEOUS CHAPTERS OF THE ZONING ORDINANCE**

CEDAR CREEK TOWNSHIP ORDAINS:

Section 1. Chapter 3 of the Cedar Creek Zoning Ordinance, Section 3.30 entitled Fences is hereby amended to read as follows:

#### **3.30. Moving of Buildings.**

No house, structure, manufactured dwelling, or other building shall be moved into, out of, or from one location to another within the Township prior to a Zoning Compliance Permit and Building Permit being issued for such. The application shall contain a complete description of the building to be moved, the street address of the property from which the building is being moved, the street address or parcel number it is being moved to, and any other data which the Township Building Inspector deems to be appropriate for the purpose of protecting the health, safety, and welfare of the residents of the Township, as well as providing a safe use of the roads, and in compliance with all codes, as determined by the Building Inspector. The Building Inspector may set a reasonable time limit for completion of all moves and may require a performance bond to assure lawful completion.

Section 2. Chapter 14 of the Cedar Creek Zoning Ordinance, Section 3B, is amended to add a new number 1 and new number 7 and renumber this section accordingly.

#### **Section 14.3 Signs.**

##### **B. Sign Definitions.**

1. **Alteration** means any change in a sign, including, but not limited to, any change in a sign's dimensions, shape, area, height, number or orientation of sign faces,

structural support, location on the property, materials or lighting. A change solely in the wording of the copy of a sign shall not constitute an “alteration” for purposes of this chapter unless the result of the change would cause the sign to be reclassified to a type of sign subject to different or more restrictive regulation.

2. **Awning Sign.** A sign affixed flat against the surface of an awning.
3. **Banner Sign.** A fabric, plastic, or other sign made of non-rigid material without an enclosing structural framework.
4. **Billboard.** A sign which advertises an establishment, product, service, or activity not available on the premises on which the sign is located.
5. **Construction Sign.** A sign which identifies the owners, financiers, contractors, architects, and engineers of a project under construction.
6. **Electronic Reader Board or Changeable Message Sign** means a permanent sign on which copy is changed manually, mechanically or electronically, including any electronically displayed sign.
7. **Freestanding Sign.** A sign supported on poles not attached to a building or wall.

Section 3. Chapter 14 of the Cedar Creek Zoning Ordinance, Section 3C, is amended to read as follows:

**A. General Sign Provisions.**

1. No person shall erect, alter, place, or permit to be placed, or replace any sign without first obtaining a Zoning and Building Permit from the Township. The following signs shall not require Township Permits:
  - a. Directional signs of six square feet in size or less.
  - b. Government signs.
  - c. Placards.
  - d. Temporary sale signs of four-square feet in size or less.
  - e. Window signs.
  - f. Political signs.
2. Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other condition which impairs legibility or intelligibility.
3. Sign supports, braces, guys, and anchors shall be maintained in such a manner as not to cause a hazard.
4. Signs may be internally illuminated or if externally illuminated, except for home occupation signs which shall not be illuminated, the source of the light shall be

enclosed and directed to prevent the source of light from shining directly onto traffic or residential property.

5. No sign, including political, shall be placed in, upon, or over any public right-of-way, alley, or other public place except as may be otherwise permitted by this section. Political signs are prohibited on any Township owned property. Political signs must be removed within ten days after the election.
6. No tree, light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.
7. No sign shall be erected in any place where it may, by reason of its position, shape, color, or other characteristic, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance per se.
8. No commercial vehicle, which in the opinion of the Zoning Administrator has the intended function of acting as a sign, shall be parked in any area abutting the street, unless no other parking area is available.
9. No sign shall contain any moving or animated parts nor have the appearance of having any moving or animated parts.
10. No wall sign shall extend beyond the edge of the wall to which it is affixed, and no wall sign shall extend above the roof line of a building.
11. No sign, temporary or permanent, shall be erected, constructed, installed or located on private property without the written consent of the owner of such property.
12. Changeable message signs may be manual or electronic and shall comply with the maximum area and site location requirements of the applicable zone district.
  - a. The changeable copy portion of a ground, pylon, or wall sign shall not exceed 50 percent of the total sign area and shall be integral to the sign cabinet. The remainder of the sign shall be of a permanent character as otherwise required under this chapter.
  - b. Electronic signs include electronic message boards and changeable message centers, multimedia or computer-controlled variable message signs, and similar devices. Electronic signs shall be permitted under the conditions described in this subsection.

*1. Display regulations.*

- a. Scrolling or traveling of a message onto and/or off of the display shall be allowed; provided the message is coming from one direction only and that no message shall take more than five seconds to be displayed in its entirety. Once scrolled, the screen may not change for ten seconds.

- b. If non-scrolling, the screen of the sign shall not change more than once every ten seconds.
- c. The display shall not, or shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light or blinking or chasing lights; the display shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or other similar movements.
- d. All electronic signs in any residential zone district, or within 150 feet of a residential zone district, shall discontinue the display between the hours of 11:00 p.m. and 6:00 a.m.

2. *Light levels requirements.*

- a. In order to prevent glare, electronic signs shall not operate at a brightness level greater than the manufacturer's recommended levels, except as provided in this or other Township Codes.
- b. All signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions.
- c. Maximum brightness levels for electronic signs shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness during daylight hours and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn.

3. *Additional requirements.*

- a. Electronic sign permit applications shall include a copy of the manufacturer's specifications for luminosity.
- b. Electronic sign permit applications shall also include certification from the sign manufacturer that the individual sign's maximum light intensity has been preset not to exceed the maximum illumination levels established by the code, and that the maximum intensity level is protected from end user manipulation by password protected software or other method approved by the township.
- c. If the sign is programmed from the site or from a remote location, the computer interface that programs the sign shall be available to township staff for inspection upon request. If the computer interface is not immediately available, the sign shall cease operation until such information can be provided.
- d. No parcel or abutting parcels under common ownership shall be permitted more than one electronic sign.

Section 4. Chapter 15 of the Cedar Creek Zoning Ordinance, Section 6, letter N. is hereby amended to add additional zoning districts in the description and to delete #8 regarding inspections.

- N. Group day care homes, may be permitted in the HDR, LDR, LLR, or AG District, subject to the standards and conditions outlined in this chapter, and specifically here:

1. The use may not be closer than 1,500 feet to any of the following:
  - a. Another licensed group day care home.
  - b. Another adult foster care small group home or large group home licensed under the Adult Foster Care Facility Licensing Act, Act 218 of the Public Acts of 1979.
  - c. A facility offering substances abuse treatment and rehabilitation service to seven or more people licensed under Article 6 of the Public Health Code, Act 368 of Public Acts of 1978.
  - d. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the Department of Corrections.

This distance shall be measured along a street, road, or place maintained by the state, county, or Township of Cedar Creek and generally open to use by the public as a matter of right for the purpose of vehicular traffic, not including an alley.

2. A drop off/pick up area shall be provided for motorists off the public street, which permits vehicles to exit the property without backing into the street.
3. Fencing at least 54 inches, and no more than six feet in height shall be provided around all outdoor areas accessible to children.
4. All playground equipment, and areas for playing and exercise shall be in the rear yard of the property. This area shall be at least 2,500 square feet in size.
5. The property shall be consistent with the characteristics of the neighborhood.
6. The facility shall not exceed 16 hours of operations during a 24 hour period, and shall not operate between the hours of 10:00 p.m. and 5:00 a.m.
7. One non-illuminated sign measuring no more than four square feet may be permitted if attached to the principal structure.

Section 5. Publication; Effective Date. This ordinance shall be effective ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

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Heather Delimata, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Cedar Creek Township Board at a regular meeting held on January 14, 2025, and I further certify that public notice of such meeting was given as provided by law.

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Heather Delimata, Township Clerk

Adopted: January 14, 2025  
Published: January 19, 2025  
Effective: February 19, 2025