

South Branch Township Ordinance No. 1 of 2018

AN ORDINANCE TO AMEND THE SOUTH BRANCH TOWNSHIP ZONING ORDINANCE SECTIONS 3.02 “NONCONFORMITIES”, 3.03 “ACCESSORY BUILDINGS”, SECTION 3.06 “CAMPING & RECREATIONAL VEHICLES”, AND SECTION 3.20 “OUTDOOR ADVERTISING SIGNS”.

South Branch Township, Crawford County, Michigan ordains:

Section 1: Amendments to the South Branch Township Zoning Ordinance Sections 3.02, 3.03, 3.06, and 3.20.

That the South Branch Township Zoning Ordinances, Section 3.02 (Nonconformities) is hereby amended to read as follows:

Section 3.02 Nonconformities

Section 3.02.2 (Nonconforming Use of Land and/or Structures) of the South Branch Township Zoning Ordinance is hereby amended to add the following introductory provision, which shall read in its entirety as follows:

Except as provided in Section 5.07.5 of this Ordinance, which applies to nonconforming structures within the Stream Corridor District, the following regulations shall apply to the nonconforming use of land and/or structures.

Section 3.02.2.D of the South Branch Township Zoning Ordinance is hereby amended to read in its entirety as follows:

D. A nonconforming structure may be enlarged or altered, provided that such enlargement or alteration does not increase the degree of its nonconformity (i.e., encroaches farther into a required setback, exceeds a height limitation more, exceeds the applicable lot coverage limitation more, or exceeds the applicable sign size limitation more) and such enlargement complies with the requirements of Section 3.02.6.

That the South Branch Township Zoning Ordinances, Section 3.03 (Accessory Buildings) is hereby amended to read as follows:

Section 3.03 Accessory Buildings

Section 3.03.4

Accessory buildings that do not meet the attachment requirements of Section 3.03.1 shall be permitted in the front yard in the RC, ~~and FF~~, ~~and LDR~~ Districts only, provided they are at least one hundred (100) feet from the road right-of-way.

That the South Branch Township Zoning Ordinances, Section 3.06 (Camping and Recreational Vehicles) is hereby amended to read as follows:

Section 3.06 Camping and Recreational Vehicles

1. In all districts, travel trailers and similar recreational vehicles may be stored on a lot or parcel of land containing a dwelling unit subject to the following conditions:

- A. Travel trailer(s) or recreational vehicle(s) may be stored outside in a rear or side yard of a lot containing a permanent dwelling, in accordance with the following schedule, provided the yard setback requirements are met. All additional recreational vehicles must be stored within an enclosed structure.

<u>Parcel Size</u>	<u>Number of RVs (allowed to be stored outside)</u>
Two (2) acres or less	One (1)
Greater than two (2) acres and less than thirty five (35) acres	Two (2)
Thirty five (35) acres or greater	Three (3)

- B. [Reserved for future use]
- C. The unit is not used for permanent/continuous dwelling purposes.
- D. ~~The storage of a travel trailer or recreational vehicle shall not occur on vacant property.~~

2. Overnight camping, with a single recreational vehicle, on private property without a dwelling unit shall be an allowable use in the LDR, MR, CB, I in all districts provided the recreational vehicle shall occupy such a parcel for not longer than fifteen (15) consecutive nights and not more than a total of ninety (90) nights in a calendar year, subject to the following conditions:

- A. Yard setback requirements for the district where the unit is located shall be met.
- B. A renewable temporary camping permit must be obtained from South Branch Township.

3. (ADD) Overnight camping, with a single recreational vehicle, on private property without a dwelling unit shall be an allowable permitted use in the FF and RC districts and an allowable special use in the MR and LDR districts without a restriction on the number of nights in a calendar year, subject to all of the following conditions.

- A. Parcel owner agrees to pay the South Branch Township refuse fee assessment in conjunction with an approved annual Long Term Camping Permit.
- B. An annual Long Term Camping Permit must be obtained from the Township.
- C. The recreational vehicle must meet all setback requirements.
- D. Fresh water and waste disposal must meet District Health Department #10 requirements.
- E. Minimum lot size is 1.0 acres.

- F. The recreational vehicle must have a current license tag and be operable.
 - G. The recreational vehicle must not be used as a permanent dwelling unit.
 - H. Must comply with the South Branch Township Blight and Anti-Noise Ordinances.
 - I. Campfires must be contained in a metal ring.
 - J. Camping activities shall not be a nuisance to surrounding properties.
 - K. A reflective property address sign must be displayed at the road at the property access drive.
4. Temporary group camping for up to four (4) tent or recreational vehicles for up to four (4) consecutive nights shall be an allowed use in all districts provided the parcel is a minimum of one (1) acre in size, subject to the following conditions:
- A. Group camping shall be allowed twice a calendar year without a permit, provided all recreational vehicles are located to meet the yard setback requirements of the applicable zoning district.
 - B. For group camping in excess of twice in a calendar year on a parcel, a renewable temporary camping permit must be obtained from the Zoning Administrator, and displayed on a post with a reflective property address at the road at the property access drive.
5. Additional Camping Regulations for both overnight camping and temporary group camping
- A. All camping activities shall be kept a minimum of seventy-five (75) feet from the ordinary high water mark of the main stream of the Au Sable River and fifty (50) feet from all other designated tributaries.
 - B. Temporary camping permit(s) shall only be issued or renewed by the property owner.
 - C. No temporary camping permits shall be issued to individuals under eighteen (18) years of age.
 - D. Upon termination of camping all equipment and supplies shall be removed. Garbage and refuse shall be removed after each stay. ~~For a fee, a temporary refuse permit may be obtained from the South Branch Township Office.~~
 - E. Camping activities shall not be a nuisance to surrounding properties.

That the South Branch Township Zoning Ordinances, Section 3.20 (Outdoor Advertising Signs) is hereby amended to read as follows:

Section 3.20 Outdoor Advertising Signs

~~The purpose of this section is to preserve the desirable character of South Branch Township, as well as recognize the need for and privilege of advertising, so that people unfamiliar with the area, such as tourists and transients, may avail themselves of the goods and services afforded by the~~

local business places. At the same time, the Township recognizes the right of residents to be free of advertising that could adversely affect property values and create an unpleasant or less than desirable atmosphere. The use and erection of all outdoor signs and media shall be subject to all state and local codes and statutes, in addition to the provisions of this Ordinance.

Purpose: The number and size of signs may be distracting to motorists and pedestrians, and can create a traffic hazard. The number and size of signs can also reduce the effectiveness of signs needed to direct the public and may mar the appearance of the landscape. The provisions of this section are intended to apply the minimum amount of content neutral regulation necessary to avoid these potential problems.

1. **Signs Not Requiring a Sign Permit:** The following signs may be placed in any Zoning District without a sign permit, provided such signs comply with any applicable federal or state law or regulation and are located so as not to cause a nuisance or safety hazard:
 - A. ~~One (1) 911 address and name identification sign per parcel,~~ Any 911 address identifier signs as per emergency management requirements and Crawford County Ordinance No. 86-1 as amended July 21, 2010, not exceeding four (4) square feet of sign surface.
 - B. Any sign, not exceeding four (4) square feet of sign surface, located on individual lots or parcels, provided the sign is not a nuisance or safety hazard to the general public.
 - C. Street name signs, route markers, address signs and other traffic control signs erected or approved by state, county or township agencies when necessary to give proper directions or to otherwise safeguard the public.
- C. ~~Non-advertising signs erected by any organization, person, firm or corporation that is needed to warn the public of dangerous conditions and unusual hazards including but not limited to: road hazards, high voltage, fire danger, explosives, severe visibility, etc.~~
- D. ~~Non-advertising signs exclusively devoted to controlling property access (no trespassing, private property, keep out, no hunting, hiking trail, day use only, and similar instructional messages), provided the sign surface does not exceed the maximum size of two (2) square feet.~~
 - D. Any sign posted on private parcels in accordance with state statutes which safeguard the property owner's legal rights, such as the Natural Resources and Environmental Protection Act 451 of 1994, Section 324.73102. Qualifying signs may not exceed a maximum sign surface area of two (2) square feet.
 - E. ~~Non-advertising Signs marking a historically significant place, building or area when sanctioned by a national, state or local historic organization recognized by the planning commission, provided the sign surface does not exceed the maximum allowed size of sixteen (16) square feet or the max size allowed in the Zoning District whichever is less.~~
 - F. Signs that have been approved in conjunction with a valid site plan or zoning permit for any principal or accessory use, and signs required by federal or state agencies in connection with federal or state grant programs.

G. Signs advertising sales such as garage, estate, auction, moving, and yard sales, may be posted for no more than seven (7) consecutive days and removed within twenty-four (24) hours of the end of the sale, provided the sign surface does not exceed the maximum size limitations of four (4) square feet.

G. Temporary real estate signs, not exceeding six (6) square feet, on individual lots, advertising a premise for sale or rent. All real estate signs, both on premise and off premise, shall be removed within seven (7) days of the closing date of the sale or rental of the property. displayed for not more than 30 days at any one time.

I. Political and noncommercial speech signs, provided the sign does not exceed the maximum size limitations of **subsection 3.20.2** below. Political signs shall be removed within five (5) days after the election or ballot issue.

2. Signs Requiring a Permit:

No sign, except residential name plates **911 address identification** and those specifically identified in **Section 3.20.1**, shall be erected or altered until an authorization permit is issued by the Zoning Administrator, following site plan approval by the Planning Commission, when required. The use and erection of all outdoor advertising signs shall be subject to the following provisions:

A. Size Limitations by District for Permanent Signs

The size of any publicly displayed sign, symbol or notice on a premise to indicate the name of the occupant, to advertise the business transacted there, express non-commercial speech, or directing to some other locale, shall be regulated as follows:

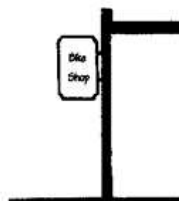
Use District	Maximum Size of Sign per Side
LDR, MR	Six (6) square feet
RC, FF	Eighteen (18) square feet
I, C-B	Fifty six (56) square feet

*Residential subdivisions and developments shall be limited to one (1) sign per entrance of not more than twenty-four (24) square feet per sign.

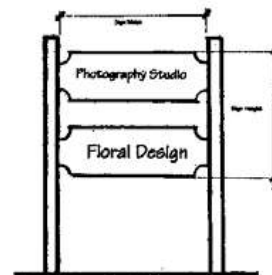
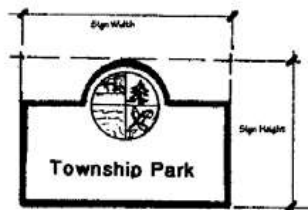
Wall Sign



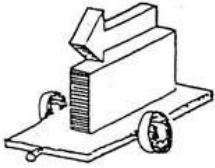
Projecting Sign



Ground Sign



Portable Signs



Mounted Signs



- B. In addition to the size limitations stated in **Section 3.20.2A** above, the following conditions shall apply to all signs, including off-premise signs, erected in any use district:
- 1) No signs shall be located on any street corner which would obscure the vision of drivers using said streets, or conflict with traffic control signals at the intersection of any streets. No signs shall obstruct the vision of drivers at any driveway, parking lot or other route providing ingress or egress to any premises.
 - 2) Animated signs containing flashing, intermittent or moving lights are prohibited, except for no more than two lines electronic message sign provided the message is static or streams (moves across the sign) at a rate no faster than two (2) seconds per message.
 - 3) Signs, which are **abandoned**, in need of repair, other than normal maintenance; abandoned; not securely affixed to a substantial structure; obsolete; affixed to trees, rocks, or other natural features; resemble official traffic signs; or obstruct official signs, are prohibited.
 - 4) Off-premises ~~directory~~ signs shall be permitted subject to review and approval of location by the Zoning Administrator. Not more than one (1) freestanding sign per three hundred (300) feet of road frontage or per lot may be allowed, except if the signs are directional signs as provided by the Michigan Department of Transportation. ~~and approved by the Zoning Administrator.~~ No off-premises sign shall be permitted in LDR, MR or SC Zoning Districts.
 - 5) Freestanding signs may be permitted in the front yard provided the sign is located at least ten (10) feet behind the front lot line. No freestanding sign shall exceed a maximum of ten (10) feet height, measured from the ground to the top of the sign, regardless of the Zoning District.
 - 6) Both sides of any freestanding, ground or overhanging sign may be used for display.
 - 7) No sign shall project beyond or overhang the wall, roof or any architectural feature by more than five (5) feet and shall be no less than fourteen (14) feet above the road right-of-way. However, prior to the erection or overhanging of a sign in a public road right-of-way, the sponsor of such sign shall receive the approval of the proper governmental agency having jurisdiction over such road right-of-way.

- 8) Roof position signs are specifically prohibited, when projecting above the high point of the roof.
- 9) ~~The number of signs allowed will be decided by~~ Multiple on premise signs are subject to approval by the Planning Commission and may require a site plan review. Factors considered will include building size, location and length of street frontage and lot size, and the cumulative total sign area for on-site signs shall not exceed that allowed in the district as per **Section 3.20.2**.
- 10) ~~Advertising devices~~ Signs such as banners, balloons, flags, pennants, pinwheels or other devices with similar characteristics are prohibited, except when used as a temporary sign for a period not to exceed thirty (30) days.
- 11) ~~In the case of non-commercial special events, advertising devices such as banners, balloons, flags, pennants, pinwheels or other devices with similar characteristics, are permitted, for a period of not more than fourteen (14) days prior to the event and shall be removed within five (5) day of the completion of the event.~~
- 12) The use of any lawful outdoor ~~business or informational~~ sign erected prior to this Ordinance and in use at the date this Ordinance is enacted, which does not meet these standards, may be continued. Such signs shall be designated as "Nonconforming signs." The maintenance, reconstruction, alteration, discontinuation and change in the nonconforming nature of a Nonconforming sign shall be governed by **Section 3.02** Nonconformities of this Ordinance.
- 13) Sign illumination shall not cause a reflection or glare on any portion of a public highway, in the path of oncoming vehicles, or on adjacent premises or residence(s).

That the South Branch Township Zoning Ordinances, Section 2.01 (Definitions) is hereby amended to read as follows:

Sign: ~~An identification, description, illustration or device affixed to, or represented directly or indirectly upon a building, structure or land and which directs the attention to a product, place, person, thought, activity, institution, or business. A sign so described may be either mobile or non-mobile.~~ A tangible object displayed for viewing, containing words and or images intended to convey a message or meaning to the viewer.

Sign, Abandoned: A sign, which is no longer maintained, ~~to advertise, identify or direct attention to a product, place, person, thought, activity, institution, or business.~~ for its originally intended purpose.

Sign, Freestanding or Ground: ~~A sign supported by permanent uprights or braces in the ground.~~ A sign which is not attached to a building or any other structure but which has its own independent supports. Freestanding signs would include the following types of signs; ground signs, mounted signs and pole signs, but does NOT include overhanging signs, posted signs or rooftop signs.

Sign, Ground: A permanent sign mounted on the ground to a foundation flush with the surface of the ground.

Sign, Mounted: A temporary or permanent sign mounted on the ground by means of posts, wire, plastic, or other means pushed or stuck in the ground and which are not fastened to a foundation.

Sign, Off Premise: ~~Any sign relating to subject matter not conducted on the premises on which the sign is located.~~ A sign located on a parcel which is not owned by the owner of the sign or not associated with the land use on the same parcel as the sign.

Sign, On Premise: ~~Any sign relating to subject matter conducted on the premises on which the sign is located.~~ A sign located on a parcel which is owned by the owner of the sign and which is associated with the land use on the same parcel as the sign.

Sign, Outdoor-business or Informational: A freestanding, overhanging or wall mounted sign located outside a structure ~~on which is displayed information pertaining to a product, use, occupancy, function, service or activity located within that structure~~ on the same property as the sign, or at a location different than the property on which the sign is located.

Sign, Pole: A permanent sign mounted on one or two post(s) or pole(s) fixed to a foundation.

Sign, Portable: A sign that is designed to be transported, including but not limited to signs: A sign, or sign board displayed temporarily, either short-term or long-term, which is portable and not anchored or secured to a building, ground, or anything else, including signs designed to be physically carried by either a human or animal.

- ~~With wheels removed;~~
- ~~With chassis or support constructed without wheels;~~
- ~~Designed to be transported by trailer or wheels;~~
- ~~Converted A- or T- frame signs;~~
- ~~Attached temporarily or permanently to the ground, a structure, or other signs;~~
- ~~Affixed to or mounted on or in a vehicle for advertising purposes, parked and visible from the public right of way, except signs affixed to a vehicle when the vehicle is being used in normal day-to-day operations of a business;~~
- ~~Menu and Sandwich boards;~~
- ~~Searchlight stand; and~~
- ~~Hot air or gas filled balloons or umbrellas used for advertising.~~

Sign, Posted: Any sign tacked or otherwise fastened to a fence post, tree, or fence.

Sign, Rooftop: A permanent sign mounted above or affixed to the roof of a building.

Sign Surface: That portion of a sign excluding its base, foundation and erection supports on which information pertaining to a product, use, occupancy, function, service, thought, or activity **a message** is displayed.

Sign, Temporary: Any sign that is designed to be displayed for a limited time period, no longer than 30 days, typically made of materials that will deteriorate quickly over time, such as vinyl or fabric banners, corrugated plastic signs with metal H-frame posts, poster board, cardboard or plastic.

Sign, Wall: A permanent sign mounted on or otherwise displayed on the surface of a wall of a building.

Section 2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The South Branch Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

South Branch Township Supervisor

South Branch Township Clerk

I, _____, Clerk for South Branch Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ of 2018 of South Branch Township, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the South Branch Township Hall at 5245 N M-18 Roscommon, MI 48653.

Adopted:

Published:

Effective:
_____, subject to PA 110 of 2006 as amended.