

ORDINANCE NO. 358

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE ZONING ORDINANCE OF ZEELAND CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN (THE "ZONING ORDINANCE"), CONCERNING DEFINITIONS; CONCERNING SIGNS; AND CONCERNING AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF ZEELAND, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Definitions of Electronic Message Center (EMC) and Electronic Message Center Display Methods. Section 2.19 of the Zoning Ordinance shall be amended by adding to the definition of Signs subsection F-1 and subsection F-2 to state in their entirety as follows.

- F-1. Electronic Message Center (EMC): A Sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
- F-2. Electronic Message Center Display Methods: Methods by which an Electronic Message Center may convey its message.
1. Static Message: The display on the entire Electronic Message Center stays constant for a period of at least ten (10) minutes. The display does not appear to change, move, scroll, vary color, or vary light intensity .
 2. Alternating Message: The display on the entire Electronic Message Center is held constant for a period of at least five (5) seconds. The display does not appear to change, move, scroll, vary color, or vary light intensity during that period. The display transitions to another image instantly or in a transition of less than one-half (1/2) second.
 3. Animated Message: The display on all or part of the Electronic Message Center changes or appears to move, scroll, vary color or vary light intensity. Animated Message excludes Static Messages, Alternating Messages, Extended Video Messages and Flashing or Rapid Scrolling.
 4. Extended Video Message: A display on an Electronic Message Center that contains images that vary in a continuous, non-repeating fashion, similar to television viewing. It includes messages or patterns of images that repeat in segments over ten (10) seconds in duration. It excludes images that serve as a

background display, where a foreground display comprising at least fifty (50%) percent of the EMC surface is held constant for continuous one (1) second intervals. It also excludes Flashing or Rapid Scrolling displays.

5. Flashing or Rapid Scrolling: Flashing means a display that includes a pattern of sudden alteration, less than one-half (1/2) second, between an illuminated EMC face and a face without illumination, or an EMC face where the copy color and the background color alternate or reverse color schemes rapidly, again in less than one-half (1/2) second. Rapid Scrolling means any letter or character in a message moves or appears to move across an EMC face faster than ten (10) feet in two (2) seconds. Flashing or Rapid Scrolling excludes a transition of less than one-half (1/2) second between messages on an Alternating Message display.

6. Strobe Lights: Strobe Lights are high intensity flashing lights that may impair vision.

Section 2. Prohibited Signs. Section 15.03.B of the Zoning Ordinance, concerning prohibited signs, is amended by restating subsection 10 in its entirety as follows, and by eliminating subsection 11 in its entirety.

10. Electronic Message Centers which use Electronic Message Center Display Methods involving Extended Video Messages, Flashing, Rapid Scrolling, or Strobe Lights.

Section 3. Electronic Message Center. Section 15.03.G of the Zoning Ordinance is added to state in its entirety as follows.

G. Electronic Message Centers (EMCs) are permitted subject to the following limitations below.

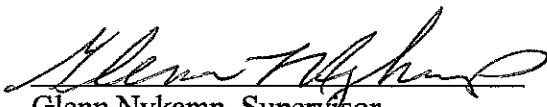
ZONING	MAXIMUM SIZE OF EMC	EMC DISPLAY METHOD		
		Static Message	Alternating Message	Animated Message
1. Agricultural	24 sq. ft.	SLU	SLU	SLU
2. Residential	24 sq. ft.	SLU	SLU	SLU
3. Commercial	32 sq. ft.	Allowed	Allowed	Allowed
4. Mixed Use Village	Subject to Approval	SLU	SLU	SLU
5. Industrial	32 sq. ft.	Allowed	Allowed	Allowed
6. PUD	Subject to Approval	SLU	SLU	SLU

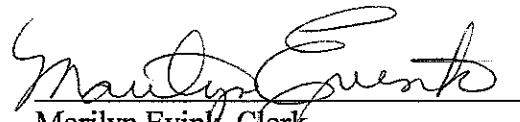
7. Electronic Message Centers are not permitted as Billboards.

8. The following review process will be used for EMCs allowed as Special Land Uses, in addition to the provisions of Chapter 16 of this Ordinance.
 - a. The Planning Commission must find that the EMC will be compatible with surrounding uses, based on all of the following factors.
 - (1) The EMC shall have a Setback of at least fifteen (15) feet from the Front Lot Line.
 - (2) The EMC must be turned off from 12:01 a.m. until 5:00 a.m. if in any Residential District or if within five hundred (500) feet of a Dwelling.
 - (3) Freestanding EMCs must include at least three (3) of the following design elements:
 - (a) Prominent brickwork, masonry, naturally-finished wood, or naturally-finished metal in frame or supports;
 - (b) Neon type tube lighting;
 - (c) Two (2) support poles or a full width support structure;
 - (d) The EMC outline or top of the frame is predominantly non-rectangular or curved;
 - (e) Landscaping around the EMC base equal in area to the size of the Sign;
 - (f) More than forty percent (40%) of the Sign is an EMC;
 - (g) The EMC height is twenty percent (20%) lower than required;
 - (h) All Setbacks are twenty percent (20%) more than required; and
 - (i) The EMC will be used by two (2) or more businesses on the same Lot.

9. If a freestanding EMC includes four (4) of the design elements listed in subsection G.8.a(3) above, then the allowable size is increased by ten percent (10%), as long as none of the design elements previously met is not thereby lost. If a freestanding EMC includes five (5) or more of those design elements listed above, then the allowable size is increased by twenty percent (20%), as long as none of the design elements previously met is not thereby lost.
10. Electronic scoreboards with Electronic Message Centers in stadiums or at sports fields are not considered Signs if they are oriented inward to the playing field.
11. All Electronic Message Centers shall be kept in a good state of repair. Any burned out lights or LEDs shall be replaced as soon as possible.
12. Each Electronic Message Center shall be equipped with dimming technology that automatically varies the brightness of the EMC according to the ambient light conditions.

Section 4. Effective Date. This amendment to the Zeeland Charter Township Zoning Ordinance was approved and adopted by the Township Board of Zeeland Charter Township, Ottawa County, Michigan on 2-15-, 2011, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on Jan. 18, 2011, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on 3-12-, 2011, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the Sentinel, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.


Glenn Nykamp, Supervisor
Zeeland Charter Township


Marilyn Evink, Clerk
Zeeland Charter Township

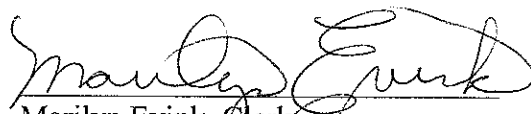
CERTIFICATE

I, Marilyn Evink, the Clerk for the Charter Township of Zeeland, Ottawa County, Michigan, certify that the foregoing Zeeland Charter Township Zoning ^{Text} ~~Map~~ Amendment Ordinance was adopted at a regular meeting of the Township Board held on 2-15-2011, ~~2010~~ The following members of the Township Board were present at that meeting: Nykamp, Evink, Myaard, Oonk, Compagner, Zylstra, Barkel. The following members of the Township Board were absent:

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The Ordinance was adopted by the Township Board with members of the Board Nykamp, Evink, Myaard, Barkel, Oonk, Compagner, Zylstra voting in favor and members of the Board

none voting in opposition. Notice of Adoption of the Ordinance was published in the Sentinel on 3-4-2011, ~~2010~~


Marilyn Evink, Clerk
Zeeland Charter Township

