

CHARTER TOWNSHIP OF SOUTH HAVEN

ORDINANCE NO. 158

**ORDINANCE AMENDING THE ZONING ORDINANCE OF SOUTH HAVEN
CHARTER TOWNSHIP**

SOUTH HAVEN CHARTER TOWNSHIP ORDAINS:

Section 1. Purpose.

The Township adopts the following amendments for the health, safety and welfare of Township residents.

Section 2. Amendment of Article IV. Article 4 is amended as follows:

Section 4.03 is hereby amended to remove subsection (A)(10), home based business as a permitted special use in the RD zoning district.

SECTION 4.03 PERMITTED SPECIAL USES WITH CONDITIONS

The following special uses of land, buildings and structures are permitted, subject to the provisions of Article XV, "Special Uses":

A. PERMITTED SPECIAL USES

1. Public and private areas for nature preserves.
2. Parks, playgrounds and recreation areas.
3. Campgrounds, seasonal mobile home parks and recreational vehicle parks.
5. Sports facilities, public and private, including: golf courses, tennis courts and soccer fields.
6. Communications towers and other public utilities.
7. Extraction of natural resources.
8. Wind energy conversion systems or wind energy systems.
9. Bed & Breakfast Inn
10. Reserved (8-2023)

11. Agribusiness
12. Type I Planned Unit Development
13. Man-made ponds for non-agricultural uses
14. Fraternal Organizations
15. Race tracks (including midget auto, karting, horse and snowmobile)
16. Recreation and sports building
17. Temporary and transient amusement enterprises

Section 4.04 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area Single Family dwelling All other uses	1.1 acre, excluding areas subject to flooding 20 acres
Minimum Lot Width	200 feet within 35 feet of the public right-of-way and extending at least 100 feet from the right-of-way
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	20 feet 15 feet, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit	35 feet Accessory buildings 35 feet Agricultural buildings 45 feet

All structures are subject to Article XIVA Airport Overlay Zone	Silo, grain elevator, Agricultural Windmill 120 feet
Maximum Lot Coverage	20% 50% greenhouses and nurseries

Section 3. Amendment of Article V. Article 5 is amended as follows:

Section 5.03 is hereby amended to remove subsection (L), home based business as a permitted special use in the AR zoning district.

SECTION 5.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Outdoor kennels for dogs
- B. Communication towers
- C. Agribusiness and uses permitted under Right-to-farm but regulated by the Michigan Department of Agriculture under the Generally Agreed Agricultural Management Practices (GAAMPs)
- D. Hospitals, clinics, sanitariums, convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.
- E. Extraction of natural resources
- F. Wind energy conversion systems or wind energy systems
- G. Transitional parole housing, halfway house, substance abuse treatment and rehabilitation service or similar social institution.
- H. Private schools and educational institutions
- I. Campgrounds, seasonal mobile home parks and recreational vehicle (RV) parks.
- J. Bed and Breakfast Inn
- K. Guest house on parcels of at least six acres.
- L. Reserved (8-23)
- M. Type I Planned Unit Developments
- N. Man-made ponds for non-agricultural uses
- O. Fraternal organizations
- P. Race tracks (including midget auto, karting, horse and snowmobile)
- Q. Recreation sports buildings
- R. Sports facilities, public and private, including golf courses, ball fields, courts and diamonds
- S. Temporary and transient amusement enterprises
- T. Solar Farms and Solar Panels for Commercial Use
- U. Accessory Farm Dwellings
- V. Micro-Housing Developments
- W. Churches, Religious Institutions, Private Schools, Libraries, Museums & Community Halls.
- X. Parks, Playgrounds & Recreation Areas (Public & Non-Profit)
- Y. Public & Private Nature Preserves.

Section 5.04 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area For all uses Horticulture, Floriculture Single Family Dwelling	20 acres 5 acres 3 acres
Minimum Lot Width	300 feet within 35 feet of the public right-of-way
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	20 feet 15 feet, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit All structures are subject to Article XIVA Airport Overlay Zone	35 feet Accessory buildings 35 feet Agricultural building 45 feet Silo, grain elevator, Agricultural Windmill 120 feet
Maximum Lot Coverage	20% 50% greenhouses and nurseries

Section 4. Amendment of Article VI. Article 6 is amended as follows:

Section 6.04 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area With public sewer and water Without public sewer and water	15,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388) M-43, M-140, or	330 feet

Phoenix (CR 388) - frontage access road or service drive per 18.26	90 feet, with public water and sewer 150 feet, without public water and sewer
All other roads	90 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388)	50 feet from the right-of-way line
Blue Star Hwy, Ruggles Road	110 feet from centerline
all other roads	35 feet from the right-of-way line
Minimum Side Yards	10 feet 15 feet, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit	35 feet
All structures are subject to Article XIVA Airport Overlay Zone	Accessory buildings 20 feet Agricultural building 45 feet Silo, grain elevator, Agricultural Windmill 120 feet
Maximum Lot Coverage	30%

Section 5. Amendment of Article VII. Article 7 is amended as follows:

Section 7.03 is hereby amended to remove subsection (A)(16), home based business as a permitted special use in the Low Density Residential zoning district.

SECTION 7.03 PERMITTED SPECIAL USES WITH CONDITIONS

- A. Permitted Special Uses subject to site plan and public hearing approval (Article XV).
1. Hospitals, clinics, sanitariums, Convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.
 2. Parks, playgrounds and recreation areas Public, private non- profit
 3. Bed and Breakfast Inn/Resort
 4. Private schools & educational institutions
 5. Type I Planned Unit Developments subject to Article XVI and Article XVII.

6. Churches, Religious institutions, Private Schools, Libraries, Museums & Community Halls
7. Sports facilities, public & private, including Golf Courses, ball fields, courts and diamonds.
8. Cemeteries
9. Communications towers
10. Public government buildings and facilities
11. Extraction of natural resources
12. Public & private nature preserves
13. Wind Energy Conversion Systems (WECS) or Wind Energy Systems
14. Solar Farms and Solar Panels for Commercial Use
15. Communications Towers
16. Reserved (8-2023)
17. Public & Private Nature Preserves

Section 7.04 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area With public sewer and water Without public sewer and water	20,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388) M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26 All other roads	330 feet 100 feet, with public water and sewer 150 feet, without public water and sewer 100 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	15 feet 15 feet, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.

Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit	35 feet
All structures are subject to Article XIVA Airport Overlay Zone	Accessory buildings 20 feet Agricultural building 45 feet Silo, grain elevator, Agricultural Windmill 120 feet
Maximum Lot Coverage	30%

Section 6. Amendment of Article VIII. Article 8 is amended as follows:

Section 8.04 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area With public sewer and water Without public sewer and water	10,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388)	330 feet
M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26	66 feet, with public water and sewer 150 feet, without public water and sewer
All other roads	66 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388)	50 feet from the right-of-way line
Blue Star Hwy, Ruggles Road	110 feet from centerline
all other roads	35 feet from the right-of-way line
Minimum Side Yards	10 feet 15 feet, accessory buildings
Minimum Rear Yard	25 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.

Height Limit	35 feet
All structures are subject to Article XIVA Airport Overlay Zone	Accessory buildings 20 feet Agricultural building 45 feet Silo, grain elevator, Agricultural Windmill 120 feet
Maximum Lot Coverage	30%

Section 7. Amendment of Article 9A. Article 9A is amended to read, in its entirety, as follows:

ARTICLE 9A

RCO RESIDENTIAL-COMMERCIAL OVERLAY DISTRICT

SECTION 9A.01 INTENT

This overlay district is intended to incorporate existing residential and commercial uses and support some commercial uses such as small retail stores, general office, healthcare professional offices.

It is intended that this district is to apply to all properties with frontage on:

Phoenix Road (CR 388);

Blue Star Highway;

M-43;

M-140;

Alyworth Avenue/8th Avenue west of I-196;

73rd Street (Service Road) between Phoenix Road and 8th Avenue;

73 ½ Street between the city limit and 6th Avenue;

14th Avenue between M-140 and Blue Star Highway;

and Ruggles Road.

SECTION 9A.02 USES PERMITTED BY RIGHT

- A. Single and two-family dwellings
- B. Family Child Care Home, Group Child Care home
- C. Foster Family Home, Foster Family Group Home
- D. Adult Foster Care Family Home, Adult Foster Care Large Group Home, Adult Foster Care Private Residence
- E. Home Occupation, see 18.21
- F. Accessory building, so long as there is a principle use on the property

The following uses are subject to Site Plan Review and Parking requirements:

- G. Office, limited to one office
- H. Medical clinic, limited to one office
- I. Dental office, limited to one office
- J. Hair/nail Salon, barber, massage therapy

SECTION 9A.03 PERMITTED SPECIAL USES WITH CONDITIONS

All the following uses are subject to review by the Planning Commission and approval by the Township Board and shall be in compliance with the conditions listed in this chapter, Section 9A.03B and in Article XXII Site Plan Review, and may also be subject to Article XV Special Uses.

A. Special Uses

1. Mixed-Use: 1 commercial use and 1 dwelling. The uses may be in separate buildings or in same building
2. Auto repair with limited outside storage, no fuel sales, limited auto sales (7 cars), and a maximum of 5,000 square feet gross floor area.
3. Hotel (see 9A.03B#5)
4. Retail store, maximum 5,000 square feet gross floor area
5. Churches, religious institutions, public or private school, library, museum
7. Public parks & recreation areas
8. Essential service
9. Recreational uses (commercial such as: water sports parks, mini-golf & etc.)
10. Restaurant, maximum of 5,000 sq ft, without drive-in/through service
11. Veterinary clinic, without outside kennel or outside animal runs
12. Animal welfare organizations for small animals with outside dog runs with incidental and related uses including operation of a retail store.
(added January 2015)

B. Conditions for all Special Uses permitted in Section 9A.03.

The Planning Commission, after a finding of fact that determines that one or more of the following conditions does not serve any useful purpose in protecting public health, safety or welfare, may recommend waiver of such condition(s). Such waiver shall be subject to review and approval by the Township Board.

1. At least one (1) property line shall abut a hard surface road to which the site shall have direct access.
2. All vehicular ingress and egress shall be from either:
 - a. An acceleration and deceleration lane to an access road in accordance with County Road Commission or Department of Transportation, or
 - b. An approved private road connecting to a major road or highway arterial.
3. Outdoor storage of goods, materials, trash or garbage is prohibited except in conformance with Sections 18.23.
4. Compliance with 18.15C Walls and Protection Screening shall be required.
5. Hotel
 - a. The structure is not to exceed two (2) stories; 35 feet in height
 - b. The interior square footage of the structure is not to exceed 7,000 square feet in gross floor area.
 - c. Comply with B1-4 above, if applicable.

SECTION 9A.04

Minimum Lot Area With public sewer and water Without public sewer and water	10,000 square feet 1 acre
Minimum Lot Width M-43, M-140, Blue Star Hwy or Phoenix (CR388) M-43, M-140, Blue Star Hwy or Phoenix (CR 388) - frontage access road or service drive per 18.26 All other roads	330 feet 66 feet, with public water and sewer 150 feet, without public water and sewer 66 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	10 feet 15 feet, accessory buildings
Minimum Rear Yard	40 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit All structures are subject to Article XIVA Airport Overlay Zone	Non-residential and residential 35 feet Accessory buildings 20 feet
Maximum Lot Coverage	Residential use 30% Non-residential use 75%

Section 8. Amendment of Article 10. Article 10 is amended to read, in its entirety, as follows:

ARTICLE X

NSC NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION 10.01 PURPOSE

This district has the intent of providing areas wherein retail trade and service outlets can be located in order to satisfy the day to day needs of the residents in the immediate neighborhood.

SECTION 10.02 PERMITTED PRINCIPAL USES

The following uses are permitted as long as the use is conducted completely within an enclosed building:

- A. Bakeries
- B. Barber and beauty shops
- C. Book and stationery stores
- D. Clothing stores
- E. Delicatessens
- F. Drug stores
- G. Dry cleaning and laundry and dry cleaning stores
- H. Dry goods and notion stores
- I. Gift shops
- J. Hardware and paint stores
- K. Medical and dental offices in complexes which may include:
 - Garment and prosthetic appliance stores
 - Medical, Dental, Optical Laboratories
 - Pharmacies
- L. Music stores
- M. Novelty shops
- N. Office supply stores
- O. Offices for:
 - finance
 - insurance
 - professionals
 - real estate
- P. Professional health care services
- Q. Public buildings
- R. Public service installations
- S. Religious institutions
- T. Restaurants
- U. Self-service laundry and dry cleaning stores
- V. Shoe repair shops
- W. Sporting goods store
- X. Tailor and dressmaker shops
- Y. Variety stores
- Z. Veterinary clinics

- AA. Miscellaneous:
 - Business management consultants
 - Business service stores
 - Consumer credit reporting agencies
 - Mailing and stenographic services

SECTION 10.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

- A. Automotive gasoline and service stations in accordance with the provisions of Article XV, “Special Uses” for this use.
- B. Drive-in retail and service establishments in accordance with the provisions of Article XV, “Special Uses” for these uses.
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.
- D. Fraternal Organizations
- E. Reserved (8-2023)
- F. Home Occupations
- G. Retail including on-site manufacturing
- H. Vehicle fueling stations

SECTION 10.04 PERMITTED ACCESSORY USES

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.”
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.

SECTION 10.05 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE

Minimum Lot Area With public sewer and water	10,000 square feet
Without public sewer and water	1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388)	330 feet

M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26 All other roads	66 feet, with public water and sewer 150 feet, without public water and sewer 80 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	10 feet min for one side and a total of 25 feet for both sides 15 feet each side, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit All structures are subject to Article XIVA Airport Overlay Zone	35 feet Accessory buildings 20 feet
Maximum Lot Coverage	75%

SECTION 10.06 LOCATION AND SITE DEVELOPMENT REQUIREMENTS

- A. The site shall have at least one (1) property line abutting either: (1) a major road or highway arterial, as defined in the Master Plan, upon which it fronts and from which it has its most direct vehicular access by means of a frontage access road/drive in accordance with Section 18.26 or (2) an approved private road connecting directly to a major road or highway arterial. *[amended 2000]*
- B. All vehicular ingress and egress shall be from an acceleration and deceleration lane to a frontage access road in accordance with Section 18.26, or an approved private

road connecting directly to a major road or highway arterial as defined in the Master Plan. *[amended 2000]*

- C. The outdoor storage of goods, materials, trash and garbage is not permitted, except as provided in Section 18.23 and 18.30.

Section 9. Amendment of Article 11. Article 11 is amended to read, in its entirety, as follows:

ARTICLE XI

CSC COMMUNITY SERVICE COMMERCIAL DISTRICT

SECTION 11.01 PURPOSE

This district is intended to provide areas where retail trades and service outlets can be located that are convenient to the residents of several neighborhoods and where the owners, employees, guests and customers of office, other commercial, industrial and agricultural uses and activities in the Township and adjacent communities.

SECTION 11.02 USES PERMITTED BY RIGHT

Including normally accepted accessory uses so long as there is a principle use on the property.

- A. Art and merchandise studio
- B. Auto parts store
- C. Automobile service station
- D. Bakery
- E. Barber and beauty shop
- F. Bicycle store
- G. Book and stationary store
- H. Bowling alley, pool hall, and mechanical amusement center
- I. Brew-pub
- J. Building material store
- K. Car wash
- L. Clothing store
- L. Commercial garage
- M. Commercial, private business school
- N. Delicatessen
- O. Drive-in business
- P. Drive-in restaurant
- Q. Drug store
- R. Dry cleaning and laundry
- S. Educational and social institutions
- T. Farm implement and supply store
- U. Fast food restaurant

- V. Funeral home
- W. Furniture store
- X. Garden store
- Y. Gift shop
- Z. Golf driving range
- AA. Greenhouse and nursery, retail only
- BB. Hardware and paint
- CC. Household appliance store
- DD. Ice cream store
- EE. Indoor kennel
- FF. Interior decorating shop
- GG. Jewelry store
- HH. Medical and dental offices in complexes which may include:
 - Garment and prosthetic appliance stores
 - Medical, dental and optical laboratories
 - Pharmacies
- II. Micro-brewery
- JJ. Miniature golf course
- KK. Mini-warehouses/mini-storage
- LL. Mortuary
- MM. Motel and hotel
- NN. Music store
- OO. New and used automobiles, motorcycles, boats, campers, recreational vehicles and trailers
- PP. New and used mobile homes
- QQ. Novelty store
- RR. Office supply store
- SS. Offices for:
 - Finance
 - Insurance
 - Real estate
 - Licensed professionals
- TT. Pet shop
- UU. Photographic studio
- VV. Printing and publishing establishment
- WW. Professional health care services
- XX. Public buildings
- YY. Public schools
- ZZ. Public service installations and utilities
- AAA. Religious institutions
- BBB. Restaurant
- CCC. Second-hand store with no outside storage
- DDD. Service and repair shop
- EEE. Shoe repair shop
- FFF. Sporting goods store
- GGG. Tailor and dressmaker shop

- HHH. Temporary buildings
- III. Temporary and transient amusements
- JJJ. Theater, indoor and outdoor
- KKK. Toy store
- LLL. Variety store
- MMM. Veterinary clinic and hospital
- NNN. Warehouses
- OOO. Miscellaneous:
 - Business management consultant
 - Business service store
 - Consumer credit reporting agency
 - Mailing and stenographic services
- QQQ. Normal accessory uses to the above uses and buildings provided a principle permitted building is present.

SECTION 11.03 PERMITTED SPECIAL USES WITH CONDITIONS

All the following uses are subject to review by the Planning Commission and approval by the Township Board and shall be in compliance with the conditions listed in this chapter and in Article XXII Site Plan Review, as well as Article XV Special Uses.

- A. Planning Shopping Centers for collective grouping of two (2) or more principal permitted uses.
- B. Retail store including the on-site manufacture of product(s)
- C. Private schools & educational institutions
- D. Parks & recreation areas
- E. Single family dwelling on the same parcel as a business
- F. Boarding House, Dormitory
- G. Communications towers
- H. Accessory Impound Yards
- I. Fraternal organizations
- J. Reserved (8-2023)
- K. Parks, playgrounds & recreation areas (public & non-profit)
- L. Race tracks (including midget auto, karting, horse, and snow mobile)
- M. Recreation & sports buildings
- N. Sports facilities, public & private, including golf courses, ball fields, courts & diamonds
- O. Temporary transient amusement enterprises
- P. Transitional parole housing, halfway house, substance abuse treatment & rehabilitation service or similar social institution.
- Q. Hospitals, clinics, sanitariums, convalescent homes, state licensed residential care facilities for more than 6 persons, and similar structures designed for human care.
- R. Solar Farms and Solar Energy Systems for Commercial Use

SECTION 11.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area With public sewer and water Without public sewer and water	10,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388) M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26 All other roads	330 feet 66 feet, with public water and sewer 150 feet, without public water and sewer 80 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388) Blue Star Hwy, Ruggles Road all other roads	50 feet from the right-of-way line 110 feet from centerline 35 feet from the right-of-way line
Minimum Side Yards	10 feet min for one side and a total of 25 feet for both sides 15 feet each side, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished spaces with at least 500 square feet on the first floor.
Height Limit	Residential 35 feet

All structures are subject to Article XIVA Airport Overlay Zone	50 feet maximum height measured from average grade to highest peak for hotels and non-residential buildings with 26 foot wide setbacks on all sides with ground preparation to support 75,000 pound fire apparatus Residential and Non-Residential accessory buildings 35 feet
Maximum Lot Coverage	75%

SECTION 11.05 LOCATION AND SITE DEVELOPMENT REQUIREMENTS

- A. All sites shall have at least one property line abutting either:
 - 1. a major road or highway arterial as defined in the Master Plan and from which the site has vehicular access via a driveway or an access road, or
 - 2. an approved private road connecting to a major road or highway arterial.

- B. All vehicular ingress and egress shall be from either:
 - 1. an acceleration and deceleration land to an access road in accordance with Section 18.26, or
 - 2. an approve private road connecting to a major road or highway arterial.

- C. Storage of goods, materials, trash or garbage is not permitted outside of a building, except as provided in Section 18.23 and 18.30.

Section 10. Amendment of Article XII. Article 12 is amended as follows:

Section 12.07 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area With public sewer and water Without public sewer and water	10,000 square feet 1 acre
Minimum Lot Width M-43, M-140, or Phoenix (CR388)	330 feet
M-43, M-140, or Phoenix (CR 388) - frontage access road or service drive per 18.26	66 feet, with public water and sewer 150 feet, without public water and sewer
All other roads	80 feet, with public water and sewer 150 feet, without public water and sewer
Minimum Front Yard M-43, M-140, Phoenix (CR 388)	50 feet from the right-of-way line

Blue Star Hwy, Ruggles Road	110 feet from centerline
all other roads	35 feet from the right-of-way line
Minimum Side Yards	10 feet min for one side and a total of 25 feet for both sides 15 feet each side, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Height Limit	35 feet Accessory buildings – 35 feet
All structures are subject to Article XIVA Airport Overlay Zone	
Maximum Lot Coverage	75%

Section 11. Amendment of Article XIII. Article 13 is amended as follows:

Section 13.05 is hereby amended to read, in its entirety, as follows:

Minimum Lot Area	
With public sewer and water	40,000 square feet
Without public sewer and water	80,000 square feet
Minimum Lot Width	
M-43, M-140, or Phoenix (CR388)	330 feet
Parcels on roads with public water and sewer	120 feet
Parcels on roads without public water and sewer	200 feet
Minimum Front Yard	
M-43, M-140, Phoenix (CR 388)	50 feet from the right-of-way line
Blue Star Hwy, Ruggles Road	110 feet from centerline
all other roads	35 feet from the right-of-way line
Minimum Side Yards	25 feet 15 feet each side, accessory buildings
Minimum Rear Yard	50 feet 15 feet, accessory building Corner lots do not have a rear yard

Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline of a stream, but not within a Flood Hazard Area except as provided by law.
Height Limit All structures are subject to Article XIVA Airport Overlay Zone	35 feet Accessory buildings – 35 feet
Maximum Lot Coverage	75%

Section 11. Amendment of Article 14. Article 14 is amended to read, in its entirety, as follows:

ARTICLE XIV

I INDUSTRIAL DISTRICT

SECTION 14.01 PURPOSE

It is the intent of this district to provide for the development of sites for industrial plants in which the manufacture of goods in the form of finished or semi-finished products or the assembly, compounding, or treatment of product parts or ingredients in order to create finished or semi-finished goods for sale to other industrial manufacturers, or to bulk or wholesale commercial purchasers. It is the further intent of this district to permit only those industrial manufacturing uses having use, performance or activity characteristics which emit a minimum amount of discernable noise, vibration, smoke, dust, dirt, glare, toxic materials, offensive odors, gases, electromagnetic radiation or any other physically adverse effect to the extent that they are abnormally discernable beyond the lot lines of the parcel or site upon which the industrial manufacturing activity is located.

SECTION 14.02 PERMITTED PRINCIPAL USES

The following uses are permitted as long as they are conducted completely within a building, structure or an area enclosed and screened from external visibility beyond the lot lines of the parcel upon which the use is located, except as otherwise provided in this Ordinance:

- A. Dry bulk blending plants
- B. Electrical and electronic equipment manufacturers
- C. Fabricated metal products
- D. Jobbing and machine shops
- E. Laboratories *[added 1999]*
- F. Metal plating and finishing
- G. Mini storage facilities *[added 1999]*
- H. Monument and cut stone manufacturers
- I. Plastic products forming and molding
- J. Printing and publishing
- K. Processing of machine parts

- L. Public service and utility facilities, but only during construction of:
Permanent buildings and structures, and provided that they are removed immediately upon completion.
- M. Research and development establishments
- N. Trade and industrial schools
- O. Wood industries, except wood distillation
- P. Brewery, distillery, winery or similar

SECTION 14.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

- A. Planned Industrial Parks in accordance with the provisions of Article XV, “Special Uses,” for the collective grouping of two (2) or more of the principal uses permitted in this district.
- B. Sanitary septic waste hauling and servicing facilities in accordance with the provisions of Article XV, Special Uses. *[amended Feb. 2007]*
- C. Communications towers
- D. Vehicle fueling stations
- E. Junk yards and inoperable vehicle yards
- F. Public buildings
- G. **A business typical for outside storage of materials and equipment with or without a building, including but not limited to: building materials, landscape materials, sand, gravel, concrete, trucks, equipment.**

SECTION 14.04 PERMITTED ACCESSORY USES

The following uses are permitted when they are an integral part of the building or structure or are included as a part of the site development upon which the principal use is located:

- A. Banking
- B. Caretakers quarters
- C. Customary home occupations in existing single family homes, as conditioned by Section 18.21.
- D. Education, library and training facilities
- E. Medical and health care facilities
- F. Normal accessory uses to all Permitted Principal Uses
- G. Office facilities
- H. Recreation and physical fitness facilities
- I. Research and experimentation facilities
- J. Restaurants

- K. Sales display facilities and areas
- L. Truck and equipment service, maintenance, repair and storage facilities
- M. Warehouse and storage facilities
- N. Work clothing sales and service facilities
- O. Accessory Impound Yards

SECTION 14.05 REQUIREMENTS FOR ALL DISTRICT USES

- A. **ACCESS ROADS:** All uses shall only have vehicular access via a hard year-round surface paved road, including the road system which connects it to the state and federal designated highway routes by means of a frontage access road, in accordance with Section 18.26.
- B. **BARRIERS:** All development for the permitted uses shall be physically separated from access roads by a curb and a planting strip or other suitable barrier. Such barrier shall effectively prevent unchanneled vehicle ingress or egress, except by approved accessways or driveways.
- C. **SCREENING:** When adjacent to or across the road from existing residential developments or zoning districts an industrial use of a lot or parcel shall provide a landscaped greenbelt or wall screen in accordance with Section 18.30.
- D. **SEWAGE DISPOSAL:** Permitted industrial uses shall be served by a public sewer service or an approved packaged sanitary treatment facility, approved by the County Health Department. All packaged treatment plant facilities shall provide a minimum of secondary level treatment and shall meet all other applicable federal, state, and local standards and regulations. The effluent from same shall be disposed of in a manner and method which conforms to or exceeds the minimum standards of the State of Michigan Water Resources Commission and the County Health Department. The collection system used in conjunction with a packaged treatment facility shall be located and designed to readily connect into a future public sewer service system without the need for reconstruction of any main or lateral sewer links.
- E. **TOXIC WASTE DISPOSAL:** All toxic wastes shall be disposed of in accordance with all state or federal laws, rules and regulations governing the disposal of specific toxic substances.

SECTION 14.06 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE

Minimum Lot Area:	For lots not served by public or common water and sewer.	2 acres
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	For lots with public or common sewer and water.	40,000 square
Minimum Lot Width:	Parcels fronting on M-43, M-140, and CR-388 (Phoenix Road):	330 feet. except where an easement is dedicated for a frontage service road to serve the lot.
	All other roads on lots without public water and sewer availability.	200 feet
	All other roads on lots with water and sewer.	120 feet
Minimum Front Yard:	Parcels fronting state hwy. or CR-388	50 feet minimum from the right of way line.
	Parcels fronting on Blue Star or Ruggles Rd.	110 feet from the center line
	On all other county roads	35 feet from the right of way line:
	On private roads	35 feet or as approved by the Township Board
Waterfront yard		50 feet minimum from established shorelines for surface water bodies or centerline of streams
Minimum Side Yard		25 feet minimum for both side yards. Parcels with side-yards fronting on a street or road are subject to the front yard setback for that side
Minimum Rear Yard (corner lots have no rear yard)		50 Feet minimum for the principle building 15 feet for accessory buildings
Height Limitations:		40 feet maximum for all residential structures. 20 feet maximum for all residential related structures.
Maximum Lot Coverage:		75 percent maximum.

SECTION 14.07 LOCATION AND SITE DEVELOPMENT REQUIREMENTS

- A. The site shall have at least one (1) property line abutting either: (1) a major road or highway arterial, as defined in the Master Plan, upon which it fronts and from which it has vehicular access by means of a frontage access road/drive in accordance with Section 18.26, or (2) an approved private road connecting to a major road or a highway arterial. *[amended 2000]*
- B. All vehicular ingress and egress shall be from an acceleration and deceleration lane to a frontage access road in accordance with Section 18.26, or to an approved

private road connecting to a major road or highway arterial as defined in the Master Plan. [amended 2000]

- C. The storage of goods, materials, trash or garbage is not permitted outside of the principal or accessory buildings or structures, except as provided in Section 18.23 and 18.30.

Section 12. Amendment of Article 14B. Article 14B is amended to read, in its entirety,

as follows:

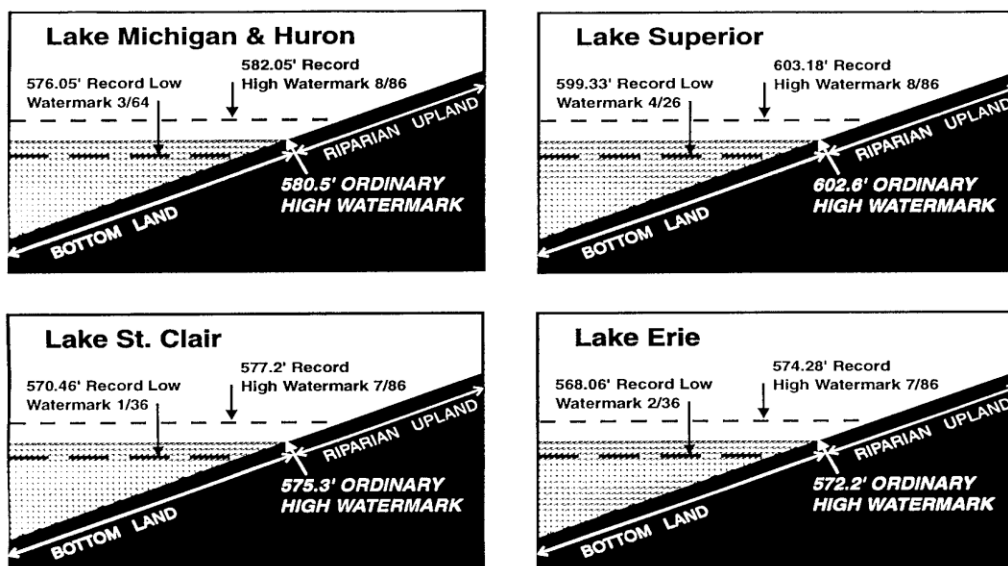
**ARTICLE XIV B
SHORELINE PROTECTION OVERLAY DISTRICT**

SECTION 14B.01 Purpose and Intent

A. Purpose

The Shoreline Protection Overlay District includes all land located within 500 feet of the 1986 Record High Water Mark, and as depicted on the Official Zoning Map for South Haven Charter Township. This boundary extends across all underlying zoning districts. This overlay zoning district is intended to be used in addition to any requirements of Article XIX Environmental Conservation Provisions.

1986 Record High Water Mark: the line of highest water level recorded by the state of Michigan : Lakes Michigan and Huron – 582.05 feet; See illustration below:



ORDINARY HIGH WATERMARK AS SET BY ACT 247 P.A. 1955 ON THE GREAT LAKES

Elevations above the International Great Lakes Datum of 1985 Record Monthly High & Low Levels

B. Intent

The Shoreline Protection Overlay District is intended to protect the unique and sensitive natural environment of the lake shore areas adjacent to Lake Michigan in South Haven Charter Township. Its purpose is based on the recognition that:

- 1) The economic and environmental well-being and health, safety, and general welfare of South Haven Charter Township is dependent on, and connected with the preservation of its Lake Michigan shoreline areas;
- 2) The shoreline zone has unique physical, biological, economic, and social attributes;
- 3) Future land development and redevelopment should not be conducted at the expense of these attributes;
- 4) Property values will be enhanced when the natural features of the shoreline zone are preserved; and
- 5) Pollution, impairment or destruction of the shoreline area and the adjacent bottomlands and waters of Lake Michigan should be prevented or minimized.

SECTION 14B.02 General Requirements

A. Allowable Uses

1. All land located in the Shoreline Protection Overlay District must comply with this Article, in addition to any use restrictions or other regulations applicable under the underlying zoning district(s).
2. In the event that regulations imposed in this Article conflict with regulations of an underlying zoning district, the regulations established in this Article shall prevail to the extent of the conflict and no further.

B. Requirements to Receive Land Use Permit

1. Prior to any construction, earth moving or removal of vegetation within the Shoreline Protection Overlay District, and prior to the issuance of any Land Use Permit, all of the following criteria must be met:
 - a) A site plan meeting the requirements outlined in Article XXII and in Section 14B.03 of this Article, shall be submitted to the Zoning Administrator;
 - b) A land use permit shall be withheld pending verification that the applicant has received all required county, state or federal permits, including but not limited to septic and water well permits; soil erosion and sedimentation control permits; wetland permits; flood plain and culvert permits; driveway permits; or building permits.
 - c) If a permit or approval has been issued by the State of Michigan for a building, structure, or any grading, filling, earth moving, clearing, or removal of vegetation within the jurisdiction and scope of regulations set forth above, a copy of such permit shall be filed with the Zoning Administrator, and such permits or approvals shall be attached to and made a condition of performance for any permit issued under this Article. This Article is intended to supplement, and not abrogate, the Michigan Department of Environmental Quality's authority over the review of applications and issuance of permits for construction activities under the provisions of the Sand Dune Protection and Management Act (Part 353, Natural Resources Environmental Protection Act, MCL 324.35301 et. seq.) and the Shore Lands Protection and Management

Act, (Part 323, Natural Resources Environmental Protection Act, MCL 324.32301 et. seq.);

- d) Prior to receiving site plan approval, slopes of over 30 degrees from the toe of the slope to the crest shall be protected in a natural state, as defined in Article II of this Zoning Ordinance.

C. Setback Requirements

1. For all earth removal or excavations within the Shoreline Protection Overlay Zone, a side setback of fifteen (15) feet from the nearest point of any earth change to the lot line shall be required.
2. All structures proposed to be built within the Shoreline Protection Overlay Zone shall be set back according to the requirements below, except for the following exempt structures: pump houses, recreational docks, storm water and erosion control devices, picnic tables, benches, recreational watercraft, and stairways and walkways.
 - a) Within the Shoreline Protection Overlay boundary, the following setback requirements apply:
 - i) No structure, except those listed in subparagraph (2) above, shall be allowed within 50 feet of the 1986 Record High Water Mark;
 - ii) All structures, except those specifically exempted in subparagraph (2) above, shall be set back 100 feet from the 1986 Record High Water Mark.
 - iii) On lots with a steep bluff which begins within 100 feet of the 1986 Record High Water Mark all structures, except those specifically exempted in subparagraph (2) above, shall be set back at least 50 feet from the top of the bluff;
 - b) If a greater setback is required under the provisions of any state or federal law than is required by this section, then such greater setback requirement shall apply. Where the imposition of the setbacks in the above table precludes the location of a dwelling or other primary structure, the applicant may request a variance. Any variance must be obtained from the Zoning Board of Appeals in accordance with Article XXIV. No variance shall be granted for any use or structure in violation of the intent and purpose of this Article or state law.

D. Minimum Requirements for New Lots or Land Divisions Outside of Plats

1. For new lots or land divisions located outside of existing plats, the minimum lot depth shall be 300 feet.
2. The minimum lot width for new parcels shall be 75 feet. Lots deeper than 300 feet shall not exceed the length to width ratio of 4 to 1.

SECTION 14B.03 SITE PLAN REVIEW

A. Site Plan Approval Standards

In addition to Site Plan Review Standards set forth elsewhere in the South Haven Township Zoning Ordinance, the following standards shall be considered by the Zoning Administrator or Planning Commission when reviewing a Site Plan submission in the Shoreline Protection Overlay District:

1. The Site Plan shall demonstrate that erosion and sedimentation shall be prevented, and that the risk of structural loss due to future changes in lake levels is minimized;
2. Site development shall be fitted to the topography and soil so as to create the least

potential for vegetation loss and site disturbance on adjacent properties.

B. Site Plan Data Required

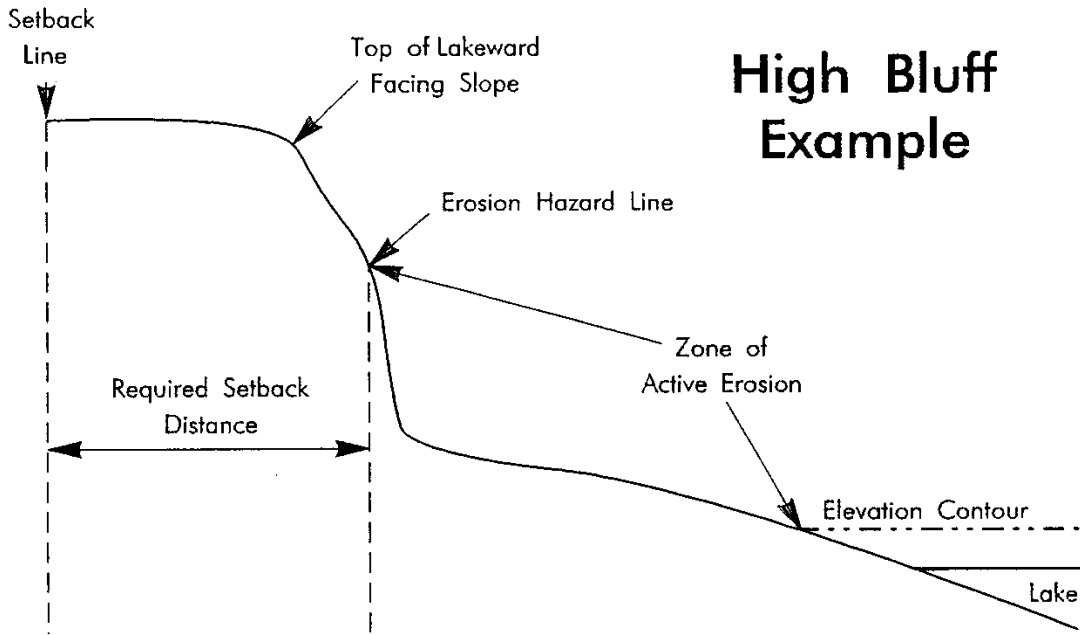
An application for a land use permit in the Shoreline Protection Overlay District requires submission of a site plan, even if the underlying zoning district does not require a site plan. The site plan must contain the following documents and information:

1. Two complete sets of plans that show the placement of any buildings or other structures, delineate a perimeter line encompassing all proposed activities, and identify the location and extent of the Shoreline Protection Overlay District boundary;
2. All shoreline types and coastal resources should be identified, including bluff ridges, wetland boundaries, dune crest, ordinary high water mark, and tree line (as defined by trees with a minimum diameter of 4" DBH), and first landward boundary of native grasses;
3. A description of outdoor lighting;
4. A plan for controlling traffic to the lakefront, detailing construction and maintenance of paths, stairs or boardwalks;
5. A Grading Plan that delineates areas of cut and fill, and identifies changes in topography and drainage. If the area to be graded exceeds a depth or fill of two (2) feet the applicant shall submit a map showing the existing contours of the site and finished contours to be achieved by grading. Contours shall be sufficiently detailed to define the topography over the entire site (generally at two-foot intervals) and shall be design to have no impact upon neighboring properties;
6. Detailed drawings and descriptions of all temporary and permanent soil erosion and sedimentation control measures, and bank stabilization measures as submitted to the Soil Erosion Control Enforcement Officer;
7. Detailed drawings delineating areas to be cleared of vegetation before and during development activities, with area calculations and descriptions of the vegetation to be removed, and detailed drawings and descriptions of proposed vegetation restoration for those same areas;
8. Detailed drawings that show the location of existing structures on the property, as well as dwellings on neighboring parcels;
9. Detailed map identifying the location of property, including a full tax identification number, location of the nearest public road intersection, a north arrow and map scale;
10. The name, address, professional status, license number (if applicable), and phone number of the person who prepared the plan;

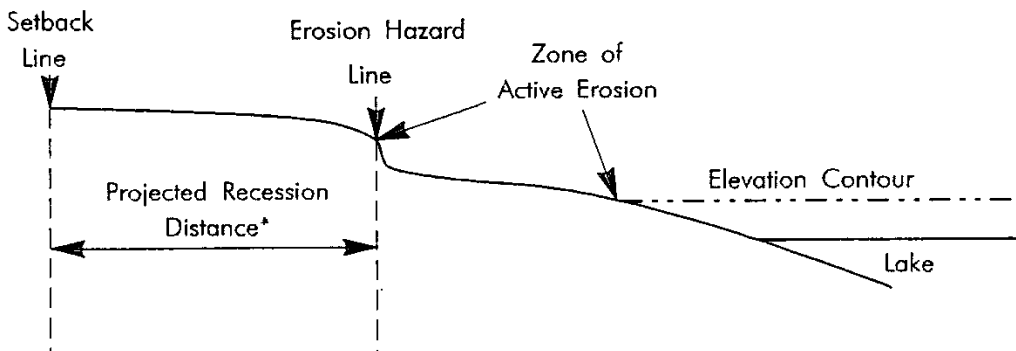
C. Site Plan Review Procedures

1. The Zoning Administrator shall review permit applications for residential uses including but not limited to, clearing or grading, construction of a single family or two-family dwelling, construction of an accessory building, addition to a dwelling or accessory building.
2. The Planning Commission shall review permit applications for commercial or

industrial uses and activities, and residential projects including 3 or more parcels in separate ownership.



Low Bluff Example



* Is the required setback distance on low bluffs.



Section 13. Amendment of Article XVIII. Article 18 is amended as follows:

Section 18.20 is hereby amended to read, in its entirety, as follows:

SECTION 18.20 PRIVATE POOLS, JACUZZIES AND HOT TUBS

Private pools, jacuzzies and hot tubs are permitted as an accessory use, provided they meet the following requirements:

- A. A pool is defined as any body of water having a depth of twenty-four (24) inches or more of water at any one point.
- B. There shall be a distance of not less than twenty (20) feet between the adjoining property line and outside of the pool wall, jacuzzies or hot tub.
- C. There shall be a distance of not less than five (5) feet between the outside of the pool, not including jacuzzies or hot tubs, wall and any building located on the same lot.
- D. No pool, jacuzzies or hot tub shall be located less than fifty (50) feet from any front lot line.
- E. If electrical service drop conductors or other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation of wires before a permit shall be issued for the construction of a pool.
- F. No pool, jacuzzies or hot tub shall be located in an easement.
- G. An in-ground pool, in-ground jacuzzies or in-ground hot tub area shall be completely enclosed by a fence not less than four (4) feet in height with a self-closing and self-latching gate. However, if the entire premises or yard with the pool is enclosed with a four (4) feet or higher fence, then another fence is not required around the pool, jacuzzies or hot tub.
- H. A fence is not required to enclose the pool area of an above-ground pool, but the pool must be equipped with a removable ladder.
- I. A fence is not required to enclose an above ground jacuzzies or hot tub area, but shall be covered with a latch and lockable top.

Section 18.27 is hereby amended to read, in its entirety, as follows:

18.27 RECREATIONAL VEHICLES

Not more than one (1) recreational vehicle may be stored or parked outside of a completely enclosed building on any lot in the Township, subject to the following requirements:

- 1. It shall be permitted for recreational vehicle owner or non-paying guest to occupy one (1) recreational vehicle for camping or recreational purposes, for a period not to

exceed thirty-one (31) days in a calendar year and not to exceed fourteen (14) consecutive days.

2. The recreational vehicle is prohibited to be parked or stored in any required front yard setback area.
3. Recreational vehicle and area surrounding such vehicles shall be kept in a neat, sanitary and orderly manner at all times.
4. The sanitary waste must be disposed of properly. In no case shall waste be disposed of on the ground or in a body of water (stream, creek, pond, lake, etc).

Section 18.28 is hereby amended to read, in its entirety, as follows:

18.28 TEMPORARY-USE EVENTS AND TEMPORARY DWELLINGS

A. Temporary-Use Events are subject to the following:

1. Temporary -Use Events are permitted with or without a tent structure and may be indoor or outdoor.
2. Types of Temporary-Use Events permitted are including but not limited to: food trucks, craft/antique show, car shows, benefit meals, big sale event.
3. Temporary-Use Event are permitted in Commercial Districts only – CSC, NSC, HSC
4. A Zoning Permit shall be obtained from the Zoning Administrator.
5. Temporary-Use Events shall not exceed 3 consecutive days, an exception for special events that may need more than 3 consecutive days require Planning Commission approval. No more than 6 events in a calendar year per property/parcel.
6. Fireworks sales may exceed 3 consecutive days without planning commission approval but still subject to permit and site plan requirements in this section.
7. Seasonal events/sales including but not limited to: Christmas tree sales, flower sales, pumpkin/similar sales, garden vegetables sales are permitted in all districts and do not require a zoning permit. No sales shall be placed to cause sight obstruction for traffic.

B. The applicant shall provide a site plan sketch and narrative to demonstrate that the proposed temporary use event meets all of the following requirements:

1. The applicant may utilize air photo maps such as are available through the Van Buren County website www.vbco.org. The information shall include:
 - a. All lot lines with approximate dimensions
 - b. Parking areas including driveway(s) with approximate dimensions
 - c. Existing buildings and proposed temporary structures, if applicable, with approximate dimensions
 - d. Locations for lighting and size and location for all signs.
 - e. Signed agreement for cleanup.
 - f. Health department permit, if applicable

2. The nature and intensity of the temporary use event and the size and placement of any temporary structure shall be planned so that the temporary event or structure will not create a nuisance to neighboring properties.
3. The location of the temporary event or structure shall be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the temporary event or structure.
4. Off-street parking areas are of adequate size and properly located for the particular temporary event or structure and the entrance and exit drives are laid out so as to prevent traffic hazards and nuisances.
5. Only easily removeable signs are allowed. No sign shall be placed to cause sight obstruction for traffic.
6. Any lighting shall be directed and controlled so as not to create a nuisance to neighboring property.
7. Clean up agreement shall state the site will be cleaned up and all waste removed after the event.
8. For temporary events involving the preparation of food, the applicant shall present a valid Van Buren County Health permit for the specific use, valid for the time period applied for.

C. Any application for a Temporary-Use event that the Zoning Administrator qualifies is of such a nature to exceed the requirements in this Section will be directed to the Planning Commission for review and approval.

18.28.1 Temporary-Use Dwellings

The Zoning Administrator may issue a permit for the use of a recreational vehicle, mobile home, or a building as a temporary dwelling during the construction or rehabilitation of a primary residence, subject to the following regulations:

1. A zoning and building permit have been obtained for rehabilitation or a permanent dwelling.
2. The temporary dwelling shall not be located in any required setback area.
3. The temporary dwelling shall only be occupied by the owner of the property or an employee of the owner of the property.
4. Sanitary waste shall be disposed of properly. In no case shall waste be disposed of on the ground or in a body of water (stream creek, pond, lake) temporary dwelling being used during rehabilitation shall be hooked to existing well and septic systems, approved by the Van Buren County Health Department or public water, sewer department.
5. Temporary dwelling may be used for a period of time to not exceed 12 months. The Zoning Administrator may permit an extension to not exceed 6 months if:
 - a. temporary dwelling is connected to septic and well or public water, sewer
 - b. the permanent dwelling or rehabilitation shall be substantially under construction
 - c. the reason for extension is due to circumstances beyond the immediate control of the owner
6. Other than a recreational vehicle or mobile home, a building shall meet minimum safety standard under the Building Code, including but not limited to: approved

smoke detection, approved egress window/door, approved sanitation (bathroom facilities, kitchen facilities)

Section 18.31 is hereby amended to read, in its entirety, as follows:

SECTION 18.31 RESERVED

Section 14. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 15. Repealer Clause.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 16. Effective Date.

This Ordinance shall take effect seven days after publication as provided by law.