

South Haven Charter Township
09761 Blue Star Hwy, South Haven
Regular Planning Commission
April 2, 2025 at 7:00PM
Agenda

Call to Order

Role Call

Approval of the Agenda

Approval of the Minutes – March 5, 2025

Public Comments on Non-Agenda Items

Public Hearing - none

New Business

- a. Review draft text amendment language to allow drive-thru window for Marihuana Business Establishments; review and discuss 15.34#10h
- b. Any other business that may come before the commission

Unfinished Business

- a. Zoning Ordinance update, Brad Kotrba, Williams and Works; review draft sections for zoning districts
- b. Any other business that may come before the commission

Staff & Subcommittee Reports/Discussion

- a. Township Board
- b. Zoning Board of Appeals
- c. Zoning Administrator

Public Comment

Commissioner Comments

Adjournment

SOUTH HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES

Wednesday, March 5, 2025

draft

1) Call to Order: 7:00 PM

2) Role Call:

Tippman - present
Kiry – present
Odland - present
Meyer – present
Poole – absent
Dibble – present
Nicol – present

Audience:

Zoning Administrator: Tasha Smalley

Applicants

Motion by Nicol to excuse Poole, second by Tippman, 6-0 yes, motion passed.

3) Approval of the Agenda

Motion by Tippman to amend the agenda, remove the public hearing, second by Nicol, 6-0 yes, motion passed.

4) Approval of the Minutes

Motion by Kiry to approve the minutes as presented February 5, 2025, second by Nicol, 6-0, yes motion passed.

5) Public Comment non-agenda items - none

6) Communications / Correspondence - none

7) Public Hearing – Removed from agenda, applicant withdrew application

Samaritas Affordable Living Sunset Grove, Senior Service of Van Buren County have petitioned for a special use to construct a 43-unit apartment at 08729 M-140 Hwy 80-17-015-005-01/80-53-272-002-00.

8) New Business –

- a. Green Door, 09287 Blue Star would like to review and discuss 15.34#10h, no drive-thru window; they would like to have a drive-thru or a walk up window (this would be a text amendment)

Mark Smith, Green Door went over proposal for a drive-thru or walk up window. This is safety need. The online orders have increased. There is an increase of “walk out to get money, then employee walk out with product”. Much safer to drive-thru. The suggested window is approved by the State. Heavy duty window, no need for touching while exchanging money and product. The store in Watervliet has a drive-thru window. Their ordinance has provision for drive-thru window. He will provide for reference. PC consensus to move forward to draft proposed language.

- b. Site Plan Review 22.02#E, excavating over one acre; Mike Geerlings/72nd Ave Farm LLC, 17711 76th St, 80-17-027-014-00&060-00; construct an EGLE approved wetland mitigation, minor grading, installing wetland seed mix and planting trees.

Smalley briefly went over the project: 22.02E, grading, filling and excavating over 1 acre requires site plan approval. The property is approx. 65 acres. Project is to create approx. 38 acres into self-sustaining forested wetlands. Planting over 15,000 trees and seed with native seed mix to promote native plant community. The is an EGLE approved project.

Tyler Smith and Nicole Stewart, Niswander Environmental presented the application. Proposed mitigation bank involves restoration of approx. 38 acres of wetlands to be constructed be per rules of EGLE, the bank has been looking for additional banking opportunities.

Wetland mitigation banking is the process, in advance of any authorized (i.e. permitted) impacts, of making “credits” available based on the acreage of functional wetland that was restored or created. The “credits” can then be sold to entities such as businesses or landowners to meet wetland mitigation requirements determined by the EGLE or the U.S. Army Corps of Engineers. Wetland mitigation in Michigan is administered by EGLE under the Wetland Mitigation Banking Rules established under the authority of Part 303, Wetland Protection, NREPA. Wetland Mitigation Banking supports economic development within the Township and surrounding areas.

There is a need to preserve wetlands, many wetlands are being lost to several factors.

This property is provides good soils and topography, mostly flat, wetland soils. Create an area to hold water so it does not run off to create a wetland.

Odland asked: why is this project good for South Haven Township. Tyler replied: help with road projects, future developments.

Tippman asked about conservation easement and the property taken off the tax rolls. Tyler replied: the property will be out into a conservation easement to not be developed in perpetuity.

Tippman concerns with this being more land taken away for possible future housing. South Haven Township needs housing.

Went through the Site Plan Review Standards 22.06D

1. Surface Water Drainage; approved EGLE project, water will be kept on site to create the wetland.
2. Drives, Parking and Circulation: using existing internal drives, not new drives will be created.
3. Roads, Utility Service and Infrastructure: property abuts main road, no new roads, no utilities or infrastructure.
4. Signs and Lighting: no signs or lighting
5. Screening and Buffering: the property will be trees and flowers

Motion by Kiry to approve the site plan for wetland mitigation as approved by EGLE with conditions: must obtain all required federal, state, county, local permits and submit copies of the permit approvals

to the zoning administrator for the file, second by Dibble. No discussion. Roll Call vote: Dibble-Yes; Tippman-No; Odland-Yes; Nicol-No; Kiry-Yes; Meyer-Yes. 4-2 vote yes, motion passed.

9) Unfinished Business –

a. none

10) Staff & Subcommittee report

ZBA report- Tippman – nothing to report

Board report – Poole – absent, board minutes available

Zoning report – Smalley – nothing to report

11) Commissioner Comments and Public Comment

12) Adjournment

at 8:10pm

Respectfully Submitted by:

Tasha Smalley

Zoning Administrator/Recording Secretary

10. The following additional requirements apply to provisioning centers and retailers:

Operational Requirements

- a. Provisioning centers and retailers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
- b. Provisioning centers and retailers may not receive deliveries between the hours of 8:00 p.m. and 7:00 a.m.
- c. The interior of the establishment must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the facility.
- d. Consumption of marihuana shall be prohibited in the retail establishment, and a sign shall be posted on the premises of each retail center indicating that consumption is prohibited on the premises.
- e. Provisioning centers and retailers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras. The video recordings shall be maintained in a secure, off-site location for a minimum period of 14 days.
- f. Provisioning centers and retailers shall install, maintain, and consistently use a security alarm system that meets industry standards for building and inventory security.
- g. The public or common areas of the provisioning center or retailer must be separated from restricted or non-public areas.
- h. No drive-through window on the portion of the premises occupied by a provisioning center or retailer shall be permitted.
- i. Provisioning centers and retailers shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.

Very rough Draft text:

-A drive-through window is permitted. Only 1 per premise.

-Shall be part of the main building, not allowed in an accessory building or mobile center.

-Shall meet all building code requirements and state requirements.

-3 stacking spaces, with each space being at least 20 feet long. Cars stacking in the road right of way is prohibited.

(the stacking text is from 20.04A#9&10- can be any # of stacking spaces)

williams&works

engineers | surveyors | planners

MEMORANDUM

To: South Haven Charter Township Planning Commission
Date: March 25, 2025
From: Bradley Kotrba, AICP
RE: **April 2, 2025 Residential District Chapter Review**

At our meeting next week to work on the revised Zoning Ordinance, we will begin, as discussed, at the residential zoning district chapters. Topics to discuss will include the following:

- Review of proposed Articles XI through IX. Discussion should center around permitted uses, special uses, and any additional standards. In addition, should we include more specific development standards in the Multifamily Residential District.
- Discuss the addition of density bonuses and other methods to allow developers to increase the density for residential development and specifically what districts these incentives should be placed in.

Looking ahead, we will provide for the May meeting revisions to each five commercial and industrial districts and a revised article combining all the overlay districts into a single Article. This will keep us on track with our proposed project timeline.

We look forward to reviewing these items with you during our upcoming meeting scheduled for April 2 at 7:00 PM.

ARTICLE VI

Low-Density Residential District (LDR)

Section 6.00 – Purpose

This district provides for detached and attached single-family housing and other land uses within neighborhoods most suitable for this designation. Those neighborhoods are intended to be serviced by public water and sewer and have a dwelling unit density of less than two units per acre and permitted lot areas of 21,780 square feet (0.5 acres) in lot area if connected to public utilities or at least 43,560 square feet (1 acre) if not connected to public utilities. These dwelling unit densities conform to the standards outlined in the South Haven Charter Township Master Plan's Zoning Plan, as amended.

In all cases, the regulations of this article are encouraged and facilitate the development of land uses and building forms consistent with the character of existing residences. New development should consider existing residential development styles, patterns, and the Township's history. All building designs and materials should blend seamlessly into the existing neighborhood fabric.

Section 6.01 – Uses Permitted by Right

- A. Dwellings, Single-Family Detached
- B. Dwellings, Single-Family Attached (2-unit)
- C. Adult Foster Care Family Homes and Small Group Homes (6 persons or fewer)
- D. Child Care Home, Family
- E. Home Occupations
- F. Public Facilities
- G. Short-term Rental Units
- H. Essential Services
- I. Accessory Uses and Structures

Section 6.02 – Special Land Uses

- A. Adult Foster Care Small Group Homes (7-12 persons)
- B. Child Care Homes, Group
- C. Places of Public Assembly
- D. Accessory Dwelling Units

Section 6.03 - Dimensional Standards

Minimum Lot Area:	21,780 Square Feet (w/public utilities) 43,560 Square Feet (w/o public utilities)
Minimum Lot Width:	100 Feet (w/public utilities) (see notes for major roadway regulations) 150 Feet (w/o public utilities)
Minimum Front Yard Setback	50 Feet (see notes for major roadway regulations)
Waterfront Setback	50 Feet (see Sec. XXXXX for waterfront regulations)
Minimum Side Yard Setback	20 Feet (see notes for major roadway regulations)
Minimum Rear Yard Setback	50 Feet
Maximum Height	35 Feet
Maximum Lot Coverage Percentage	25% (see Sec. XXXXX for how lot coverage is measured)

[INSERT DIMENSIONAL MEASUREMENT FIGURE HERE]

Section 6.04 - Additional District Regulations

In instances where no lots are created for development, such as a condominium project, the maximum residential density of dwelling units on the site shall not exceed that permitted by this standard if dwelling units are on individual lots. This shall be determined by developing a parallel plan, demonstrating the maximum permitted dwelling unit density feasible on the site if individual lots were created, meeting the standards outlined in Section 6.03 above.

ARTICLE VII

Medium-Density Residential District (MDR)

Section 7.00 – Purpose

This district provides for detached and attached single-family housing and other land uses within neighborhoods most suitable for this designation. Those neighborhoods are intended to be serviced by public water and sewer and have a dwelling unit density of at least no greater than two units per acre and permitted lot areas of 15,000 square feet in lot area if connected to public utilities or at least 43,560 square feet (1 acre) in lot area if not connected to public utilities. These dwelling unit densities conform to the standards outlined in the South Haven Charter Township Master Plan's Zoning Plan, as amended.

In all cases, the regulations of this article are encouraged and facilitate the development of land uses and building forms consistent with the character of existing residences. New development should consider existing residential development styles, patterns, and the Township's history. All building designs and materials should blend seamlessly into the existing neighborhood fabric.

Section 7.01 – Uses Permitted by Right

- A. Dwelling, Single-Family Detached
- B. Dwelling, Single-Family Attached (2-unit)
- C. Adult Foster Care Family Homes and Small Group Homes (6 persons or fewer)
- D. Child Care Home, Family
- E. Home Occupations
- F. Public Facilities
- G. Short-term Rental Units
- H. Essential Services
- I. Accessory Uses and Structures

Section 7.02 – Special Land Uses

- A. Adult Foster Care Small Group Homes (7-12 persons)
- B. Adult Foster Care Large Group Homes (13-20 persons)
- C. Child Care Homes, Group
- D. Places of Public Assembly

- E. Senior Housing
- F. Bed and Breakfast
- G. Private Educational Facilities
- H. Accessory Dwelling Units

Section 7.03 - Dimensional Standards

Minimum Lot Area:	15,000 Square Feet (w/public utilities)
	43,560 Square Feet (w/o public utilities)
Minimum Lot Width:	100 Feet (w/public utilities) (see notes for major roadway regulations)
	150 Feet (w/o public utilities)
Minimum Front Yard Setback	35 Feet (see notes for major roadway regulations)
Waterfront Setback	50 Feet (see Sec. XXXXX for waterfront regulations)
Minimum Side Yard Setback	10 Feet (see notes for major roadway regulations)
Minimum Rear Yard Setback	35 Feet
Maximum Height	35 Feet
Maximum Lot Coverage Percentage	30% (see Sec. XXXXX for how lot coverage is measured)

[INSERT DIMENSIONAL MEASUREMENT FIGURE HERE]

Section 7.04 - Additional District Regulations

In instances where no lots are created for development, such as a condominium project, the maximum residential density of dwelling units on the site shall not exceed that permitted by this standard if dwelling units are on individual lots. This shall be determined by developing a parallel plan, demonstrating the maximum permitted dwelling unit density feasible on the site if individual lots were created, meeting the standards outlined in Section 7.03 above.

ARTICLE VIII

High-Density Residential District (HDR)

Section 8.00 - Purpose

This district provides for detached and attached single-family housing and other uses in neighborhoods identified as most suitable for this designation. Those neighborhoods are intended to be serviced by public water and sewer and have a dwelling unit density of no greater than six units per acre and permitted lot areas of 10,000 square feet in lot area if connected to public utilities or 21,780 square feet (0.5 acres) if not connected to public utilities. These dwelling unit densities conform to the standards outlined in the South Haven Charter Township Master Plan's Zoning Plan, as amended.

The regulations of this article are encouraged in all cases and facilitate the development of land uses and building forms consistent with the character of existing residences. New development should consider existing residential development styles, patterns, and the Township's history. All building designs and materials should blend seamlessly into the existing neighborhood fabric.

Section 8.01 - Uses Permitted by Right

- A. Dwelling, Single-Family Detached
- B. Dwelling, Single-Family Attached (2-unit)
- C. Adult Foster Care Family Homes and Small Group Homes (6 persons or fewer)
- D. Child Care Home, Family
- E. Home Occupations
- F. Public Facilities
- G. Short-term Rental Units
- H. Essential Services
- I. Accessory Uses and Structures

Section 8.02 - Special Land Uses

- A. Adult Foster Care Small Group Homes (7-12 persons)
- B. Adult Foster Care Large Group Homes (13-20 persons)
- C. Child Care Homes, Group
- D. Places of Public Assembly

- E. Educational Facilities
- F. Commercial Daycare Facilities
- G. Assisted Living Facilities
- H. Senior Housing
- I. Nursing Home Facilities
- J. Dwelling, Single-Family Attached (3-unit and 4-unit)
- K. Accessory Dwelling Units (for detached and 2 unit attached single family only)

Section 8.03 - Dimensional Standards

Minimum Lot Area:	10,000 Square Feet (w/public utilities) 21,780 Square Feet (w/o public utilities)
Minimum Lot Width:	66 Feet (w/public utilities) (see notes for major roadway regulations) 128 Feet (w/o public utilities)
Minimum Front Yard Setback	35 Feet (see notes for major roadway regulations)
Waterfront Setback	50 Feet (see Sec. XXXXX for waterfront regulations)
Minimum Side Yard Setback	10 Feet (see notes for major roadway regulations)
Minimum Rear Yard Setback	25 Feet
Maximum Height	35 Feet
Maximum Lot Coverage Percentage	35% (see Sec. XXXXX for how lot coverage is measured)

[INSERT DIMENSIONAL MEASUREMENT FIGURE HERE]

Section 8.04 - Additional District Regulations

In instances where no lots are created for development, such as a condominium project, the maximum residential density of dwelling units on the site shall not exceed that permitted by this standard if dwelling units are on individual lots. This shall be determined by developing a parallel plan, demonstrating the maximum permitted dwelling unit density feasible on the site if individual lots were created, meeting the standards outlined in Section 8.03 above.

ARTICLE IX

Multifamily Residential District (MFR)

Section 9.00 – Purpose

This district provides for detached and attached single-family, multiple-family, and other land uses that encourage more intensive residential land use and facilitate development that contains private interior or exterior open spaces. The Multifamily Residential District is also intended to provide locations for more intensive residential development and serve as a transition between dense commercial corridors and lower-density single-family or agricultural uses. Multifamily development will only be serviced by those areas of the Township that contain access to public water and sewer. The district typically will follow a dwelling unit density of six to eight dwelling units per acre conforming to the standards outlined in the South Haven Charter Township Master Plan's Zoning Plan, as amended.

The regulations of this article are encouraged in all cases and facilitate the development of land uses and building forms consistent with the character of existing residences. New development should consider existing residential development styles, patterns, and the Township's history. All building designs and materials should blend seamlessly into the existing neighborhood fabric.

Section 9.01 – Uses Permitted by Right

- A. Dwellings, Single-Family Detached
- B. Dwellings, Single-Family Attached (two units)
- C. Dwellings, Single-Family Attached (greater than two units)
- D. Dwellings, Multiple Family
- E. Adult Foster Care Family Homes and Small Group Homes (6 persons or fewer)
- F. Child Care Home, Family
- G. Home Occupations
- H. Public Facilities
- I. Short-term Rental Units
- J. Essential Services
- K. Accessory Uses and Structures
- L. Private Education Facilities
- M. Bed and Breakfast Establishments

Section 9.02 – Special Land Uses

- A. Adult Foster Care Small Group Homes (7-12 persons)
- B. Adult Foster Care Large Group Homes (13-20 persons)
- C. Child Care Homes, Group
- D. Places of Public Assembly
- E. Senior Housing
- F. Assisted Living Facilities
- G. Senior Housing
- H. Homes for the Aged (Skilled-Nursing Facilities)
- I. Nursing Homes
- J. Convalescent Homes
- K. Hospitals
- L. Resorts
- M. Campgrounds

Section 9.03 – Dimensional Standards

Minimum Lot Area:	5,000 Square Feet Lot Area (\leq 4 units) 1,500 Square Feet per Unit (\geq 5 units)
Minimum Lot Width:	200 Feet (see notes for major roadway regulations)
Minimum Front Yard Setback	50 Feet (see notes for major roadway regulations)
Waterfront Setback	50 Feet (see Sec. XXXXX for waterfront regulations)
Minimum Side Yard Setback	50 Feet (see notes for major roadway regulations)
Minimum Rear Yard Setback	50 Feet
Maximum Height	4 Stories, whichever is greater
Maximum Lot Coverage Percentage	35% (see Sec. XXXXX for how lot coverage is measured)

[INSERT DIMENSIONAL MEASUREMENT FIGURE HERE]

Section 9.04 – Development Standards

- A. All multiple family development must have at least one-half acre of land to begin development.
- B. The 200-foot lot width must always be preserved unless the Planning Commission approves a lesser amount and no less than a 66-foot private road easement when the development consists of an existing or

proposed land use along the remaining frontage, which is encompassed in the more extensive multi-use development.

- C. All multifamily developments must meet the required off-street parking and loading standards outlined in Section XXXX, unless the Planning Commission determines with satisfactory evidence from the developer that a lesser amount of off-street parking or loading spaces may be developed.
- D. All off-street parking lots must meet the screening requirements outlined in Section XXXX.

Section 9.05 - Additional District Requirements

In instances where no lots are created for development, such as a condominium project, the maximum residential density of dwelling units on the site shall not exceed that permitted by this standard if dwelling units are on individual lots. This shall be determined by developing a parallel plan, demonstrating the maximum permitted dwelling unit density feasible on the site if individual lots were created, meeting the standards outlined in Sections 9.03 and 9.04 above.

SOUTH HAVEN CHARTER TOWNSHIP
Draft MINUTES OF REGULAR MEETING
WEDNESDAY, MARCH 12, 2025

Present: Stein, Fisher, Bertorelli, Poole, Lewandowski, and Wiatrowski

Absent: DeGrandchamp

Meeting was called to order by Supervisor Stein at 7:30 p.m.

Motion by Wiatrowski, supported by Poole, to approve the Minutes of the February 12, 2025 Regular Meeting as presented. All voted in favor. Motion carried.

Communication was presented from the Michigan Liquor Control Commission regarding the transfer of license at Lakeside Entertainment. Board members had no comments.

Chief Brandon Hinz was in attendance to give a report for SHAES. Interim Chief Pat Carlotto reported for SHPD, and Gail Gladney reported for Van Buren County Commission.

Motion by Lewandowski, supported by Wiatrowski, to approve the Agenda. All voted in favor. Motion carried.

Supervisor Stein reported that the Samaritas project withdrew its MSHDA application and will reapply later. He also reported that he attended a community leader meeting regarding affordable housing.

Motion by Lewandowski, supported by Wiatrowski, to approve Resolution 25-08 adopting Ordinance #167. All voted in favor by roll call vote. Motion carried.

Motion by Poole, supported by Wiatrowski, to send a letter of support for the 911 Operations Center. All voted in favor by roll call vote. Motion carried.

Motion by Lewandowski, supported by Wiatrowski, to approve Resolution 25-09 in support of the Riverwoods Grant. All voted in favor by roll call. Motion carried.

Motion by Poole, supported by Fisher, to approve a letter in support of VBCD NextCycle Program. All voted in favor. Motion carried.

Motion by Bertorelli, supported by Lewandowski, to approve Resolution 25-10 a Metro Act extension. All voted in favor by roll call vote. Motion carried.

Motion by Fisher, supported by Wiatrowski, to approve a new contract with Assessing Solutions for assessing services. All voted in favor. Motion carried.

Motion by Poole, supported by Fisher, to set a public hearing date of April 9, 2025 for Applewood Special Assessment District. All voted in favor. Motion carried.

Members discussed getting bids for lawn care for 2025. The Clerk was directed to advertise on the website and in the newspaper.

Members discussed the income received from Marijuana Tax and different ideas for the funds. Board members were supposed to brain storm and bring back ideas for the next meeting.

Motion by Wiatrowski, supported by Lewandowski, to adopt Resolution 25-12 to Introduce Ordinance #168 Short Term Rental Ordinance with Amendments. All voted in favor by roll call vote. Motion carried.

Reports from various committees and authorities were received. W.C. Askew was in attendance for the Road Commission, Jean Stein reported for the Library.

Motion by Fisher, supported by Lewandowski, to approve payment of anticipated bills in the amount of \$79,160.39. All voted in favor by roll call vote. Motion carried.

Meeting adjourned at 9:05 p.m.

Brenda Bertorelli, Clerk

Ross Stein, Supervisor