

**VILLAGE OF LAWTON
COUNTY OF VAN BUREN - STATE OF MICHIGAN
ORDINANCE NO. 02 of 2023**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE (Ordinance #130)
TO ALLOW BUSINESSES WITH OPEN STORAGE
IN THE CBD ZONING DISTRICT BY SPECIAL USE PERMIT**

Section 1. Amendment. Village of Lawton has instituted an Ordinance to Establish Zoning within the Village of Lawton in order to protect and promote the public health, safety and general welfare of the Village; to control and guide the orderly growth and development of the Village in accordance with its Land Use Plan and to implement the growth and development goals and policies contained therein as generally enumerated in the Ordinance.

THEREFORE, THE LAWTON VILLAGE COUNCIL HEREBY ORDAINS AS FOLLOWS TO AMEND ORDINANCE 130:

12.2 USES PERMITTED USES WHICH REQUIRE A SPECIAL USE PERMIT

12.2.1 BUSINESSES WITH OPEN STORAGE

- A.** The site shall be a minimum of three (3) acres in size.
- B.** There shall be a required yard setback of at least thirty (30) feet from any public street or any lot line. Nothing shall be piled, parked, stored or accumulated in any required yard area.
- C.** Not more than 50% of the lot may be used for the purpose of open storage.
- D.** All open storage shall be screened on all sides by a solid wall or fence that is a minimum of 6' and a maximum of 8' and is sufficient to serve as a permanent retaining wall or fence. Such fence or wall shall be constructed of solid material specifically designed for fence construction and constructed and maintained in a finished and inconspicuous appearance. Only new material or material having the appearance and structural integrity found to be acceptable to the zoning administrator shall be used as fence material. Fences or walls with a more finished appearance on one side, shall have the finished side face the exterior of the lot.
- E.** All storage shall be confined within the fenced-in area. There shall be no stocking of material above the height of the fence or wall, except that limited mobile equipment essential to the operation of the occupant may exceed the wall or fence height. No equipment, material, signs, or lighting shall be used or stored outside the fenced-in area without site plan approval from the Planning Commission.

12.3. SITE PLAN APPROVAL

12.4. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS

Section 2. Severable Provisions. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

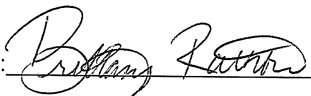
Section 4. Effective Date. This amendment to the Village of Lawton Zoning Ordinance was approved and adopted by the Village Council of the Village of Lawton, Van Buren County, Michigan on June 13, 2023. This Ordinance shall be effective on June 7, 2023, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map Amendment Ordinance in the *Courier Leader* 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.

Ordinance Offered by: Turner
Ordinance Supported by: G. Dudek

Ayes: Peterson, Turner, G. Dudek, E. Dudek, Appleby
Nays: Smith
Abstain: None.
Absent: Tanis

ORDINANCE DECLARED ADOPTED.


BY: 
Josh Appleby, Village President

BY: 
Brittany Rathbun, Village Clerk

Ordinance Adoption Date: June 13, 2023
Ordinance Publication Date: June 28, 2023 (within 15 days of adoption)
Ordinance Effective Date: July 8, 2023 (8 days after publication)

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of an amendment to the Lawton Village Zoning Ordinance adopted by the Village Council at a meeting held on June 13, 2023, at which meeting a quorum was present, and that this Code Amendment was ordered to take effect 8 days after its publication. The Village of Lawton Planning Commission provided Public notice for the zoning review, and it was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976 (MCL 15.261 et seq), as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

BY: 
Brittany Rathbun, Village Clerk