



Planning Commission Meeting
September 17, 2020 City Hall
102 Butler Street, Saugatuck, MI
7:00 PM

1. Call to Order/Roll Call:
2. Approval of Agenda:
3. Approval of Minutes: June 25, 2020
4. Public Comment on Agenda Items: Limit 3 minutes
5. Old Business:
6. New Business:
 - a. Discussions
 - i. Fence height
 - ii. Pop up Patios
 - iii. Tiny houses
 - iv. Flood plain – lifting houses
7. Communications:
8. Reports of Officers and Committees:
9. Public Comments: Limit 3 minutes
10. Adjournment

***Public Hearing Procedure**

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
 - 1) Participants shall identify themselves by name and address
 - 2) Comments/Questions shall be addressed to the Chair
 - 3) Comments/Questions shall be limited to five minutes
 1. Supporting comments (audience and letters)
 2. Opposing comments (audience and letters)
 3. General comments (audience and letters)
 4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission deliberation
- G. Commission action

NOTICE:

This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

Join online by visiting:

<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:

**(312) 626-6799 -or-
(646) 518-9805**

Then enter "Meeting ID":

2698572603

Please send questions or comments regarding meeting agenda items prior to meeting to: kirk@saugatuckcity.com

Proposed Minutes
Saugatuck Planning Commission Meeting
Saugatuck, Michigan, June 25, 2020

The Saugatuck Planning Commission met in regular session at 7:00 p.m. at City Hall, via Zoom due to the current Covid-19 pandemic.

1. Call to Order by Chairperson Vlasity at 7:00 p.m.

Attendance:

Present: McPolin, VanMeter, Vlasity, Fox, Caspar & Crawford

Absent: Peterson

Others Present: Zoning Administrator Osman

2. Approval of Agenda: A motion was made by McPolin, 2nd by Caspar to approve the agenda as presented. Upon roll call the motion carried unanimously.

3. Approval of Minutes:

A. May 15, 2020: A motion was made by Vlasity, 2nd by Caspar, to approve the May 15, 2020 minutes as presented. Upon roll call the motion carried unanimously.

B. May 21, 2020: A motion was made by McPolin, 2nd by VanMeter, to approve the May 21, 2020 minutes as amended. Upon roll call the motion carried unanimously.

4. Public Comments (agenda items only): None

5. Old Business: Remove from the Table the Additional Talking Points on the Downtown Permitted and Special Land Use Items:

Commissioners at their May 21, 2020 regular meeting tabled to this meeting regarding amendments to Water Street South, Water Street East, Water Street North, and C-1 City Center Commercial Zone Districts.

Chairperson Vlasity opened the hearing at 7:08 p.m.

There being no comments, Chairperson Vlasity closed the hearing at 7:10 p.m.

A motion was made by McPolin, 2nd by Vlasity, to allow home occupations in Water Street East by right. Upon roll call the motion carried unanimously.

A motion was made by McPolin, 2nd by Caspar, to allow theaters as a Special Land Use in the City Center (CC), and update the definition of Motion Picture Facility to Theater, and include live performances in the definition. Upon roll call the motion carried unanimously.

A motion was made by Caspar, 2nd by Fox, to allow bed and breakfast establishment as a Special Land Use in the Water Street East district (WSE). Upon roll call the motion carried unanimously.

A motion was made by Fox, 2nd by VanMeter to allow restaurants as a Special Land Use in the Water Street East (WSE) and the Water Street South (WSE). Upon roll call the motion carried unanimously.

A motion was made by Caspar, 2nd by Fox to allow Amusement Arcades in the City Center (CC), Water Street East (WSE), and Water Street South zone districts. Upon roll call the motion carried unanimously.

A motion was made by McPolin, 2nd by Vlasity, to approve the amendments in the June 25, 2020 with the exceptions of those specific amendments described above. Upon roll call the motion carried unanimously.

6. New Business: None

7. Communications: None

8. Reports of Officers and Committees: None

9. Public Comments: None

10. Adjournment:

A motion was made by McPolin, 2nd by Fox, to adjourn the meeting at 8:26 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,
Monica Nagel
Recording Secretary

MEMORANDUM

TO: Planning Commission
City of Saugatuck

FROM: Cindy Osman, Planning and Zoning

DATE: August 17, 2020

RE: Discussion items

There being no applications for site plan review or other public hearings, I do have some items that came up that merit discussion.

- i. Fences: Saugatuck is very much a dog friendly city. Recently, it was brought to my attention that some flexibility with fences on corner lots would enhance the dog friendly atmosphere. I attached a sample ordinance from Holland that reflects this flexibility.
- ii. The future of Pop up Patios: Ultimately, this is a City Council decision but as it is a use that has not been permitted before Covid, perhaps Planning Commission could weigh in on their experience with the PUPs and suggestions on how to weigh the popularity of the PUPs against the loss of parking spaces.
- iii. Tiny houses: I have had a few inquires about larges lots requesting a cluster of small cottages instead of one big house with “suites” for families. I suspect that this is a larger discussion – perhaps in conjunction with our master planning – but I thought I would put it out there so you could apply your creative juices as we move along with the master plan process.
- iv. Lifting a house out of the flood plain or to replace a failing foundation: Requiring that a house to be elevated out of the flood plain in its current location should be encouraged, not discouraged. “**§ 151.04 DEVELOPMENT PROHIBITION.**
All development shall be prohibited within areas of special flood hazard as established in § 151.03. Penalty, see § 10.99” The section of the ordinance that is causing the trouble is attached.

City of Holland, MI
Monday, August 24, 2020

Chapter 39. Zoning

ARTICLE I. In General

Sec. 39-11. Fences in Residential Zone Districts; traffic visibility.

[Ord. No. 464, § 9-1.4; Ord. No. 1188, 2-19-1997; Ord. No. 1728]

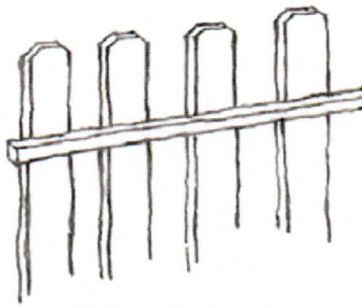
(a) General fence standards.

- (1) A permit is required prior to construction or installation of any fence.
- (2) The fence shall be constructed at least one foot off a property line when a sidewalk exists.
- (3) Fence gates shall not swing over public sidewalks.
- (4) A twenty-foot clear vision area, measured 20 feet on each street side, shall be maintained on any corner lot whereby no fence or planting over three feet in height is permitted, except deciduous trees.
- (5) No fence is permitted within a floodway.
- (6) Only chain link fence is permitted within a drainage easement.
- (7) Nonresidential uses in residential zone district: Fences up to eight feet in height are permitted. A special exception can be requested for a height increase for these uses per the regulations in Section **39-197(b)**.
- (8) Free-standing fence sections up to a total length of 16 feet are considered landscaping and not a fence.
- (9) When requesting a permit for fences that serve as enclosures for swimming pools, the applicant must comply with State of Michigan Building Code.
- (10) Through lots are permitted a six-foot-tall fence on the property line designated as the rear yard.

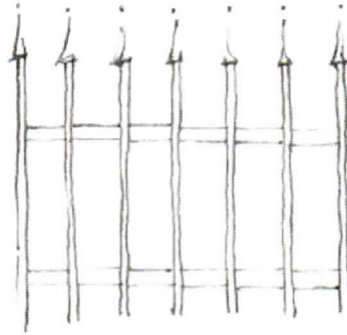
(b) Measuring fence height. The fence body determines the fence height and is measured from grade to the top of the fence body. Posts may be up to 12 inches above the fence body. There will be an additional tolerance permitted of up to three inches due to grade changes along the fence.

(c) Fence types:

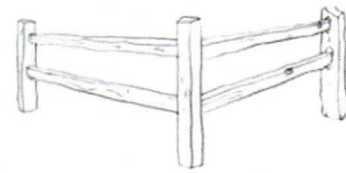
- (1) Open fence. A fence that is more than 50% open when viewed from an angle perpendicular to the fence. Examples: dog-eared, wrought iron, gothic, board, round, split-rail.



DOG EARED

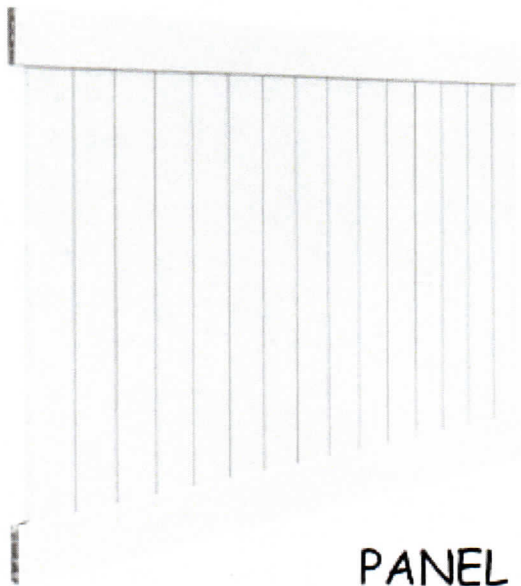


IRON



SPLIT RAIL

(2) Solid fence. A freestanding and rigid fence made of wood, concrete, PVC, or other similar fence materials providing 50% or less visual and reasonable sound blocking properties. Examples: ornamental metal, rot-resistant wood, brick, block.



PANEL



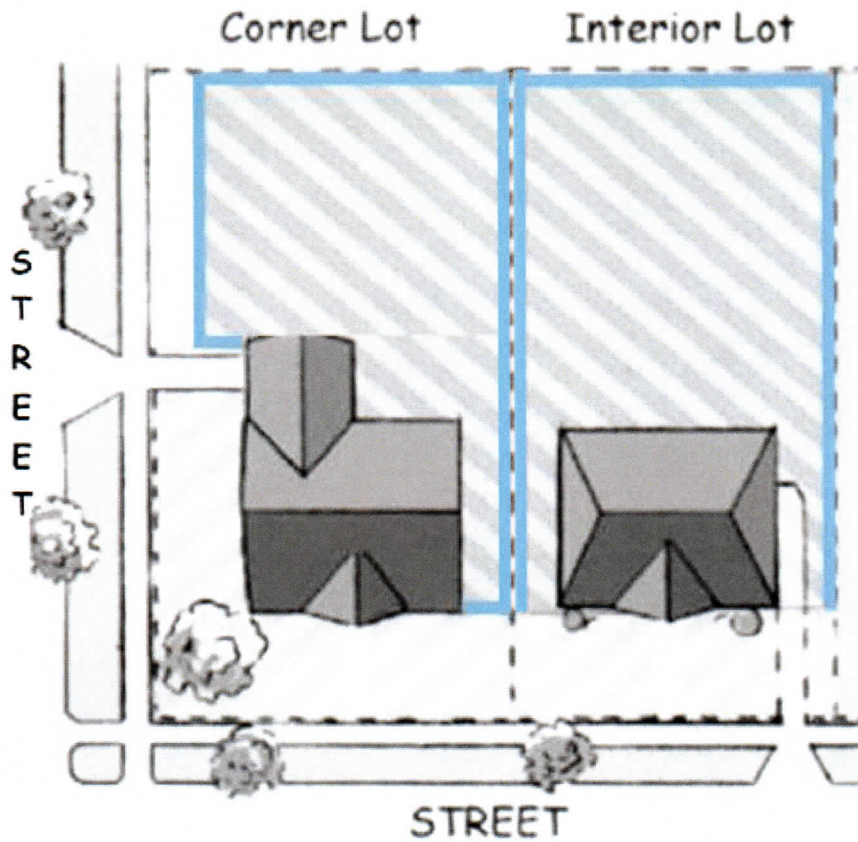
BRICK

- (d) Prohibited fences. Slats in chain link fence, barbed, razor, concertina, electrified or similar wire, fabric, tarp, materials not traditionally used for fencing or screening.
- (e) Fence maintenance. All fences must be kept in good repair, safety, and appearance on both sides of the fence by its owner. Fences must be constructed of wood, metal, bricks, masonry, plastic or other materials designed for permanent outdoor fencing. Wood fences must be constructed of cedar, redwood, or other decay-resistant wood. Peeling, flaking and chipped coating must be eliminated and surfaces recoated. The property owner is responsible for maintaining the area between the property line and the owner's fence.
- (f) Residential fence height maximums.

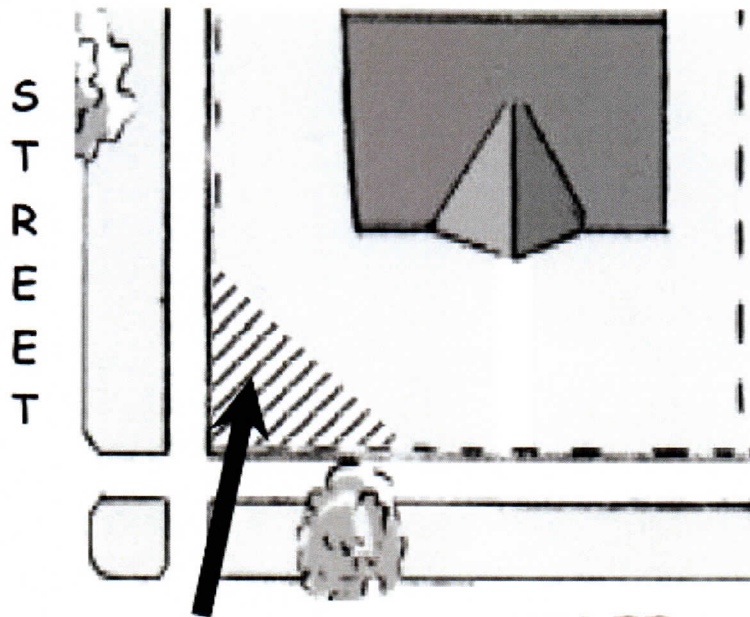
	Open	Solid	Restrictions
Front yard	4 feet	3 feet	Clear vision area on corner lots; special approval required if in historic district

	Open	Solid	Restrictions
Side yard in front of principal structure	4 feet	3 feet	Clear vision area on corner lots; special approval required if in historic district
Side and rear yard on a side street (corner lots)	6 feet	6 feet	To half of the required side yard requirement, but not less than 5 feet from the property line.
Rear yard	6 feet	6 feet	Special approval required if in historic district
Side yard behind principal structure	6 feet	6 feet	Special approval required if in historic district

Residential Fence Height



Clear Vision Fence Height
Corner Lot



Clear Vision Area
20' minimum
measured on each
street side

STREET



3 ft. Max. Height

(C) *Nonconforming structures.* Use of structures which are existing and lawful on the effective date of this chapter, or amendment thereto, may be continued, even though the structures do not conform with the provisions of this chapter, or amendment thereto, subject to the following provisions.

(1) *Enlargement or alteration.*

(a) A lawful nonconforming structure may not be enlarged, expanded or altered in any way which increases its nonconformity with the provisions of this chapter unless otherwise noted within this chapter. The nonconforming structure may be enlarged or altered provided that all such changes are in conformance with all provisions of this chapter at every structural level. All enlargements or alterations shall be subject to review and approval by the Zoning Administrator.

(b) Pursuant to the above, the Zoning Administrator may require the applicant to provide boundary and/or topographic surveys of the existing nonconforming structure and associated site. These surveys shall be sealed by a registered land surveyor registered in the State of Michigan. The topographic survey may be limited to providing dimensional detail on the height of existing structures, unless additional information is required by the Zoning Administrator.

(c) The surveys shall verify that the existing setbacks and height limit of the existing nonconforming structure comply with the setbacks and height standards of the underlying zone district. Further, the survey drawing shall be used to identify the specific area, with dimensions, to be occupied by the expansion or alteration of the nonconforming structure.

Example: Nonconforming Residential Structure

The existing dwelling encroaches on a required side yard setback resulting in a nonconforming situation. Proposed addition “A” may be permitted following a residential site plan review by the Planning Commission. However, a variance from the Zoning Board of Appeals would be required for addition “B”.

(2) *Non-use (dimensional) variance.* Such variances may be authorized by the Zoning Board of Appeals for enlargement or alterations of nonconforming structures that increase any nonconformity(ies) under the provisions of §§ [154.150](#) through [154.157](#).

(3) *ZBA conditions pursuant to enlargement/alteration.* In authorizing a variance to enlarge or alter a lawful nonconforming structure, the Zoning Board of Appeals may impose conditions necessitated by the request including, but not limited to: additional site landscaping; site buffers; fencing; facade design requirements, building materials and building color changes; additional off-street parking and vehicular circulation modifications; signage; exterior lighting; and related building and site design modifications and conditions.

Example: Structural Alteration on a Nonconforming Lot

The zone district requires a minimum lot width of 80 feet. The undersized lot of 50 feet is a legal nonconforming parcel. The lot may be used to accommodate a permitted building provided all setbacks are complied with. In the following example, the undersized lot meets all building setbacks. The applicant wishes to increase the height of the structure. He or she may do so provided the upper story remains within all setbacks and height limits. A variance is not required.