



**Planning Commission Regular Meeting
December 21, 2023 7:00PM
City Hall
102 Butler Street, Saugatuck, MI**

1. Call to Order/Roll Call:

2. Approval of Agenda: (Voice Vote)

3. Approval of Minutes: (*Voice Vote*)

A. Regular Meeting Minutes – November 16, 2023

4. Public Comments on Agenda Items: (Limit 3 minutes)

5. Old Business:

A. Text Amendment – An ordinance to amend Title XV, Chapter 154, of the Code of the City of Saugatuck, to create the C-2 Downtown Waterfront Preservation Zoning District, amend various sections of the ordinance to reflect the implementation recommendations of the City of Saugatuck Waterfront Development Project, and to amend the official Zoning Map to rezone certain lands currently zoned C-2 Water Street South and C-1 Water Street North to the new C-2 Waterfront Preservation District.

6. New Business:

A. Discussion of STR Task Force Recommendations

7. Communication:

8. Reports of Officers and Committees:

a. Zoning Administrator Activity Report

<p>NOTICE: Join online by visiting: https://us02web.zoom.us/j/2698572603</p> <p>Join by phone by dialing: (312) 626-6799 -or- (646) 518-9805</p> <p>Then enter "Meeting ID": 2698572603</p> <p>Please send questions or comments regarding meeting agenda items prior to meeting to: rcummins@saugatuckcity.com</p>

9. **Public Comment:** (Limit 3 minutes)

10. **Commissioner Comments:**

11. **Adjourn** (Voice Vote)

***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 **three** 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



Planning Commission Meeting Minutes - *Proposed*

The Planning Commission met for a Regular Committee Meeting, November 16, 2023, at
7:00 p.m. at City Hall
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Chair Manns at 7:00 p.m.

Present: Chairman Manns, Commission members: Anderson, Bagierek, Broeker, Gardner, Gaunt, LaChey.

Absent: None.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins (online), Deputy Clerk Sara Williams, City Attorney Jacob Witte

2. Approval of Agenda:

Motion by Gaunt, second by Anderson, to approve the agenda as presented for November 16, 2023. Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion by Gardner, second by Anderson, to approve the minutes as presented for the regular meeting October 19, 2023. Upon voice vote, motion carried unanimously.

Motion by Gardner, second by Anderson, to approve the minutes as presented for the special meeting October 19, 2023. Upon voice vote, motion carried unanimously.

4. Public Comment on Agenda Items: None.

5. Old Business:

A. 120 Mary – Rezoning from C-2 Water Street East to R-4 City Center Residential

The applicant requests the rezoning of the subject lot from C-2 Water Street East to R-4 City Center Transitional Residential District. The applicant proposes to use the entire single-family dwelling as a short-term rental and eventually convert the building to a bed and breakfast establishment.

The Planning Commission conducted a public hearing on this request at its October 19 meeting. Due to a misunderstanding between the applicant and their colleague, they were not in attendance. The Planning Commission deliberated on the request and tabled the request to the November 16 meeting so that the applicant could answer questions.

Motion by LaChey, second by Bagierek, to approve the rezoning of the subject lot 120 Mary Street from the C-2 Water Street East District to the R-4 City Center Transitional Residential District. Upon roll call vote, motion carried unanimously.

6. New Business:

A. Public Hearing: (Roll Call Vote)

- An ordinance to amend Title XV, Chapter 154, of the code of the City of Saugatuck to create the C-2 Downtown Waterfront Preservation Zoning District, Eliminate the C-2 Water Street South Zoning District, amend various sections of the ordinance to reflect the implementation recommendations of the City of Saugatuck Waterfront Development Project, and the amend the official zoning map to rezone lands currently zoned C-2 Water Street South and C-2 Water Street North to the new C-2 Waterfront Preservation Zoning District.

Public Hearing Information

A. Hearing is called to order by Chair Manns at 7:38 pm.

B. Summary by the David Jourisek, AICP:

The final language has been drafted in official ordinance format to amend the Zoning Ordinance and Zoning Map to implement the Waterfront Regulation Assessment Project. These changes are based on close to 600 participants between two community surveys, multiple public outreach efforts at local events, and several Planning Commission meeting discussions.

Revisions to the previously proposed language were made to address the discussion comments and public input from the October Planning Commission meeting. Other revisions include changing the minimum lot areas to the original requirements and clarifying language regarding the usable open area requirement.

C. Presentation by the Applicant: None.

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 three minutes.
 1. Supporting Comments (audience & letters):
 - Richard Williams & Christian Kindel: 241 Culver (Email)
 2. Opposing Comments (audience & letters):
 - Jim & Sharon Dewey: 726 Water St (Email)
 - Kyle Ritsema: Sargeant Marina 31 Butler (In-person)

- Carl Gabrielse: Attorney for 716, 720, 728, 505 Water St (In-person)
 - Mike Johnson: Coral Gables & 399 Park St (In-person)
 - Craig Smith: Redwater Group, The Butler (In-person)
 - Ethan Barde: 748 Holland (In-person)
 - Holly Ingle: Best Chance Charters 350 Water (In-person)
3. General Comments (audience & letters):
- Ruth Johnson: 399 Park St – Thanked the commission for what they do & appreciates the conservation aspect. (In-person)
4. Repeat Comment opportunity (Supporting, Opposing, General): None.

E. Public comment portion closed by the Chair at 8:25 pm.

F. Commission deliberation:

The board went into deliberation and discussed the final language that has been drafted in official ordinance format to amend the Zoning Ordinance and Zoning Map to implement the Waterfront Regulation Assessment Project. These changes are based on close to 600 participants between two community surveys, multiple public outreach efforts at local events, and several Planning Commission meeting discussions.

Revisions to the previously proposed language were made to address the discussion comments and public input from the October Planning Commission meeting. Other revisions include changing the minimum lot areas to the original requirements and clarifying language regarding the usable open area requirement.

G. Commission action:

Motion by Bagierek, second by LaChey to table the discussion until the December Planning Commission meeting. Upon roll call vote, motion carried unanimously.

B. Discussion of STR Task Force Recommendations

The Planning Commission decided to table discussion until they can arrange a joint meeting with City Council to go over the STR Task Force Recommendations.

7. Communications: None.

8. Reports of Officers and Committees:

A. Zoning Administrator Activity Report: Director of Planning, Zoning, and Project Management Cummins included brief update of his report.

9. Public Comments:

- Louis Allen (737 Pleasant) – In favor of Short-term rentals.

- Gary Medler (461 Vine) – Not in favor of Waterfront Zoning changes.

10. Commission Comments:

- Bobbie Gaunt said that they can always do better as a Commission in terms of communication. She thinks that the fellow citizens have a responsibility. She doesn't want the Commission to beat themselves up because they have been working on this for a year and have communicated time and time again with the citizens. While she thinks that they can always do better, she makes no apologies.

11. Adjournment:

Motion by Anderson, second by Gaunt, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned at 9:52 pm.

Respectfully Submitted,

Sara Williams, City Deputy Clerk & DPW Administrative Assistant



Memorandum

To: City of Saugatuck Planning Commission
Date: December 15, 2023
From: David M. Jirousek, AICP
RE: Waterfront Area Regulations- Zoning Ordinance and Map Amendments

Overview

The purpose of the Waterfront Area Regulations Assessment Project was to address a concern with incompatible waterfront-area development, hear from residents and visitors, implement the City's master plan, and draft new zoning language to implement the project. The project considered the C-1 Water Street North, C-2 Water Street South, and C-4 Resort zoning districts. Ultimately, final recommendations address waterfront properties, and several blocks and lots without direct water frontage were removed from the project area.

Public Input

The project commenced in April of 2023 with initial discussions, and then two surveys were designed during May and June. In July, a general waterfront community survey and visual preference survey went live and attracted close to 600 responses between the two opportunities. Additionally, display boards were posted at several public events for additional outreach and public information regarding project specifics and survey opportunities.

Waterfront Community Survey

The waterfront community survey asked questions regarding waterfront development priorities, concerns, and preferences. The survey attracted 310 participants over a month-long window for participation. Approximately 76% of respondents were full-time or part-time residents of the City of Saugatuck.

The most common activities of participants included dining, community events, and walking or biking. The most important elements of the waterfront were access to boardwalks and waterfront pathways, views of the river, and parks and open spaces. Participants felt that the project should focus on providing incentives for landowners and developers to provide waterfront pathways and open space and the control of the scale, height, and width of buildings. Views of the water and opportunities for access were common themes. Of note, there was less desire to increase building architectural standards and regulate building materials.

Concerning building height, participants generally desired buildings not to exceed two and a half stories. Participants did not prioritize more prescriptive requirements concerning building frontages, materials, and roof types. However, most felt parking lots in front of waterfront buildings detracted from the site's character and were unattractive.

Visual Preference Survey

The visual preference study intended to serve as a community assessment of different building designs, forms, and architectural elements. The survey attracted 293 participants, and 75% were full-time or part-time residents. Participants indicated whether they preferred or did not prefer 25 separate images of buildings with a variety of forms, designs, and placements. Our goal was to identify patterns and trends regarding participant preferences and provide the opportunity for written responses.

Participants generally preferred 1-2 story buildings with clapboard siding and pitched or hipped roofs. Most preferred buildings were more traditional than modern. In general, the scale and size of buildings were important considerations of participants.

Project Area Assessment

Character Analysis

In July, a comprehensive character assessment of the project area that studied buildings and land uses was finalized. The assessment considered factors such as land use, building siting and placement, building design and architecture, building frontage type, parking availability, and pedestrian accommodations. The study provided context for the development of the surveys and zoning recommendations.

Development Assessment

Following the character assessment, a development assessment was conducted. The study acknowledged a variety of redevelopment opportunities and concluded that other sites will likely remain in their present states for years to come. The study also noted that recently developed properties or those with significant investments in improvements are less likely to be redeveloped. In contrast, properties that have not maximized their development potential or have aging structures may have a higher likelihood of redevelopment. Additionally, vacant land or lands with parking lots could also have a higher development potential.

From a development perspective, it was determined that 1/3 of the 7.55-acre study area (1.85 acres on the east side and 0.65 acres on the west side) had a high likelihood of development or redevelopment. A zoning and master plan analysis concluded that the City's regulations would not ensure the development qualities and characteristics desired by community members and survey respondents.

Recommendations

Overview

From August to October, the Planning Commission discussed multiple ways to further regulate waterfront development in the project area during three public meetings. Zoning recommendations included the following topic areas:

1. Update definitions to clarify terms used in new regulations.
2. Create a new C-2 Downtown Waterfront Preservation zoning district (see boundaries in Attachment 1).
3. Provide reasonable development limitations through dimensional requirements (setbacks, building width, lot coverage, number of stories, etc.).
4. Restrict the location of garage doors and parking areas to lessen visual impact.
5. Require a reasonable amount of open space on a development site for occupants or tenants, or at the owner's discretion, for the general public.
6. Reclassify uses to "special land uses" to address the potential impact of development and to allow for more discretion when adding conditions of approval or, in some cases, denying a proposal.
7. Include supplemental special land use decision standards concerning design, aesthetics, and waterfront protection.
8. Expand options for Planned Unit Development review of projects within the C-2 Downtown Waterfront Preservation zoning district that would allow for mutually beneficial projects for the developer and community. Projects that preserve public access to waterfront yard locations or include accessible waterfront pathways or boardwalks would be awarded zoning flexibility through collaborative planning.

Final Language

Based on a Planning Commission public hearing and discussion in November, additional lots have been removed from the project area along Culver Street, between Butler and Griffith Streets. The C-2 Water Street South zoning district, which was previously recommended to be eliminated, will need to be retained until this block can be further studied. As such, several references to the removal of the C-2 Water Street South zoning district have been removed from the proposed ordinance.

1. **Table of Contents.** Adds the new C-2 Downtown Waterfront Preservation District.
2. **Definitions.** Adds the following definitions:
 - a. Building width, maximum;
 - b. Setback, maximum; and
 - c. Story, half, and a graphic.

3. **C-4 Resort District.**
 - a. Reclassifies two permitted uses to special land uses.
 - b. Adds maximum building width of 60 percent.
 - c. Adds a maximum building height of 2.5 stories.
4. **C-2 Downtown Waterfront Preservation District.**
 - a. Creates intent and objective statements.
 - b. Designates permitted and special land uses.
 - c. Creates a distinction between dimensional and area requirements north and south of Francis Street.
 - d. Includes restrictions on the placement of car garages and loading areas.
 - e. Includes a restriction on the placement of parking lots to side and rear yards.
 - f. Includes a required minimum of usable and accessible open space.
5. **Special Use Standards.** Created supplemental special land use standards for all lots within the C-2 Downtown Waterfront Preservation District and on waterfront lots in the C-4 Resort District.
6. **Planned Unit Development (PUD).**
 - a. Adds benefit statements regarding accessibility and walkways.
 - b. Waives minimum lot size requirement for PUD eligibility for C-2 Downtown Waterfront Preservation District zoned property.
 - c. Includes C-2 Downtown Waterfront Preservation District zoning waiver guidance.
 - d. Addresses special flood hazard areas.
7. **Exception to Off-Street Parking Requirements.** Adds reference to the C-2 Downtown Waterfront Preservation District.
8. **Rezoning.**
 - a. Rezones all C-1 Water Street North parcels west of Water Street to C-2 Downtown Waterfront Preservation District.
 - b. Rezones all C-2 Water Street South lots, aside from those along Culver Street between Butler and Griffith Streets, to C-2 Downtown Waterfront Preservation District.

Comparison Between Existing and Proposed Zoning Districts

While there are proposed limitations on future development, these requirements are considered reasonable and are not intended to stifle waterfront development. In addition to the PUD provisions that incentivize features that satisfy community objectives, some recommended language is actually more accommodating and less restrictive than current zoning requirements.

The following tables compare C-1 Water Street North (existing) to C-2 Downtown Waterfront Preservation (proposed C-2 DWPD north of Francis) and C-1 Water Street North (existing) to C-2 Downtown Waterfront Preservation (proposed C-2 DWPD south of Francis). Color coding in the “proposed” columns indicates if the proposed text is more or less restrictive.

Zoning District Comparison- Dimensional Requirements					
Requirement	North of Francis		South of Francis		
	Existing C-1 WSN	Proposed C-2 DWPD (North)	Existing C-2 WSS	Proposed C-2 DWPD (South)	
Min. Lot Area (sq. ft.)- all except as noted	4,560	4,560	6,660	6,600	
Min. Lot Area (sq. ft.)- hotels/inns	8,172	8,172	13,200	13,200	
Min. Lot Area (sq. ft.)- commercial/private marinas	4,560	4,560	13,200	13,200	
Min. Lot Width (ft.)	66	100	66	100	
Min. Lot Width (ft.)- hotels/inns	66	100	132	132	
Min. Lot Width (ft.)- commercial/private marinas	66	100	132	132	
Max. Lot Depth (ft.)	--	--	100	--	
Max. Lot Coverage (%)	100%	100%	45%	45%	
Max. Lot Coverage (%)- hotels/inn	50%	100%	45%	45%	
Max. Building Height (ft.)	28	28	28	28	
Max. Stories	--	2.5	--	2.5	
Min. Setbacks (ft.)	Front- Min	0	5	20	
	Front- Max	--	20	40	
	Side	0	20 total	10	40 total
	Rear	0	15	15	15
	Water	25	25	25	25
	Front- Parking	--	20	--	40
No Change					
Less Restrictive					
More Restrictive					

Zoning District Comparison- Land Use Regulation				
Land Use	North of Francis		South of Francis	
	Existing C-1 WSN	Proposed C-2 DWPD (North)	Existing C-2 WSS	Proposed C-2 DWPD (South)
Essential public services	Permitted	Permitted	Permitted	Permitted
Art galleries	Permitted	Special	Permitted	Special
Bed and breakfasts	Permitted	Special	Permitted	Special
Business, professional offices	Not permitted	Special	Not permitted	Special
Charter fishing tours	Permitted	Special	Not permitted	Special

Zoning District Comparison- Land Use Regulation				
Land Use	North of Francis		South of Francis	
	Existing C-1 WSN	Proposed C-2 DWPD (North)	Existing C-2 WSS	Proposed C-2 DWPD (South)
Community centers, clubs, and fraternal organizations	Not permitted	Special	Special	Special
First-floor apartments not facing Water Street, Culver Street, and Griffith Street	Not permitted	Special	Not permitted	Special
Upper-floor apartments	Permitted	Special	Permitted	Special
Home occupations	Permitted	Special	Permitted	Special
Hotels/inns	Special	Special	Special	Special
Marinas, commercial/private	Permitted	Special	Special	Special
Parks	Not permitted	Special	Permitted	Special
Personal service establishments	Permitted	Special	Permitted	Special
Recreational transportation rental facilities	Special	Special	Special	Special
Restaurants	Special	Special	Special	Special
Retail stores	Permitted	Special	Permitted	Special
Short-term rental of allowable apartments	Permitted	Special	Permitted	Special
Dwelling, single-family detached	Permitted	Not permitted	Permitted	Not permitted
Dwelling, two-family	Permitted	Not permitted	Not permitted	Not permitted
Motel/motor court	Permitted	Not permitted	Special	Not permitted
Home businesses	Permitted	Not permitted	Not permitted	Not permitted
Domestic business repairs	Permitted	Special	Not permitted	Special
Parking facilities	Permitted	Not permitted	Special	Not permitted
Motion picture facility	Not permitted	Not permitted	Special	Not permitted
Club and fraternal organization	Not permitted	Not permitted	Special	Not permitted
Amusement and recreational services	Not permitted	Not permitted	Special	Not permitted
Amusement arcades	Not permitted	Not permitted	Special	Not permitted
No Change				
Less Restrictive than Current- Reclassified to Permitted or Special				
Reclassified from Permitted to Special				
Reclassified to Prohibited Use				

Considerations and Final Recommendation

Considerations

Based on our November discussion and public comments, a few suggestions are offered for consideration. All of the following relate to the allowable land uses proposed for the C-2 Downtown Waterfront Preservation District.

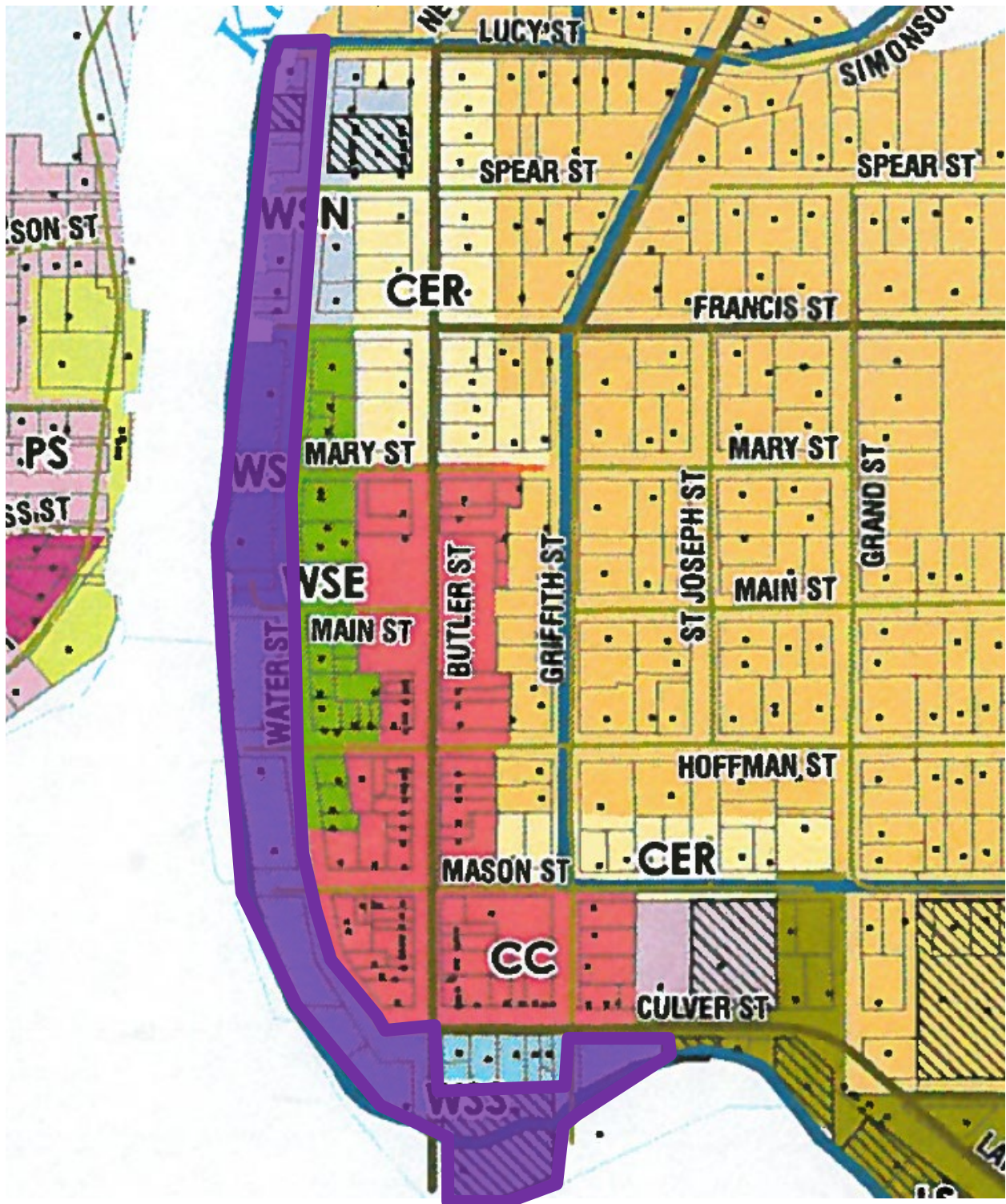
1. Change “First-floor apartments not facing Water Street, Culver Street, and Griffith Street” to “First-floor apartments not facing Water Street.”
2. Classify the following uses as permitted uses:
 - a. Short-term rental of allowable apartments
 - b. Home occupations
 - c. Change to any of the following uses when the following is not proposed or required: new buildings or structures, expansion to buildings and structures, new or expanded site development (such as parking, grading, outdoor storage, etc.).
 - i. Art galleries
 - ii. Business, professional offices
 - iii. Upper floor apartments
 - iv. Personal service establishments
 - v. Retail stores
3. Classify the following uses as special land uses:
 - a. Change to any of the following uses when the following is proposed or required: new buildings or structures, expansion to buildings and structures, new or expanded site development (such as parking, grading, outdoor storage, etc.).
 - i. Art galleries
 - ii. Business, professional offices
 - iii. Upper floor apartments
 - iv. Personal service establishments
 - v. Retail stores

Additionally, the Planning Commission may wish to classify short-term rentals in the C-4 Resort district as “permitted” instead of “special.”

Recommendation

If the Planning Commission is open to recommending that the City Council approve the Zoning Ordinance and Zoning Map, the ordinance can be acted upon as presented or with the condition that one or more of the aforementioned considerations are accepted.

Attachment 1: Area Proposed for C-2 Downtown Waterfront Preservation Zoning



Proposed C-2 Downtown Waterfront Preservation Zoning Boundaries=



**CITY COUNCIL
CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, OF
THE CODE OF THE CITY OF SAUGATUCK TO CREATE THE C-2 DOWNTOWN
WATERFRONT PRESERVATION ZONING DISTRICT, ~~ELIMINATE THE C-2
WATER STREET SOUTH ZONING DISTRICT~~, AMEND VARIOUS SECTIONS OF
THE ORDINANCE TO REFLECT THE IMPLEMENTATION RECOMMENDATIONS
OF THE CITY OF SAUGATUCK WATERFRONT DEVELOPMENT PROJECT, AND
TO AMEND THE OFFICIAL ZONING MAP TO REZONE CERTAIN LANDS
CURRENTLY ZONED C-2 WATER STREET SOUTH AND C-1 WATER STREET
NORTH TO THE NEW C-2 WATERFRONT PRESERVATION ZONING DISTRICT**

Section 1. Zoning Ordinance Table of Contents. The City of Saugatuck Zoning Ordinance is hereby amended by amending the Table of Contents to include Section 154.038 C-2 Downtown Waterfront Preservation District (previously “reserved”) ~~and to remove the reference to Section 154.041 C-2 Water Street South District (WSS)~~.

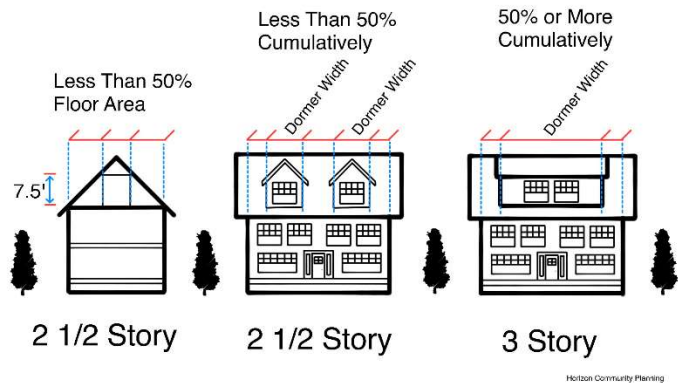
Section 2. Definitions. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.005 Definitions to add the following terms and definitions in alphabetical order:

BUILDING WIDTH, MAXIMUM. The maximum horizontal dimension or width of the front building elevation allowed on a lot. The maximum dimension is a percentage of the lot width, meaning that a building width cannot exceed the specified percentage of the lot width measured horizontally from one side property line to the other side property along the front lot line.

SETBACK, MAXIMUM. The maximum distance that at least 50 percent of the front elevation of a building can be placed from the public right-of-way.

STORY, HALF. The topmost story of a building is a half story when:

- (1) It is completely within the roof form of a building, and less than 50 percent of the floor area has a clear height of more than 7.5 feet, measured from the finished floor to the finished ceiling; and
- (2) Dormers do not exceed more than 50 percent of the front, rear, or side building length.



Section 3. C-4 Resort District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.037 (B) and (C) to reclassify the following land uses from “permitted uses” in paragraph (B) to “special land uses” in paragraph (C):

- (1) Bed and breakfasts
- (3) Short-term rental unit

Section 4. C-4 Resort District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.037 (D) to add the following rows to the dimensional and area regulations table under subparagraph (1), all uses except single-family dwellings:

Maximum number of stories	Two and a half (2.5)
Maximum building width	60% of lot width

Section 5. C-2 Downtown Waterfront Preservation District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.038 to replace “§ 154.038 RESERVED” with “§ 154.038 C-2 Downtown Waterfront Preservation District” to read in its entirety as follows:

§ 154.038 C-2 Downtown Waterfront Preservation District.

- (A) Generally. This district will provide an area for commercial businesses, offices, accommodations, hospitality, recreational, residential uses, and mixed-use projects. However, the Downtown Waterfront Preservation District is intended to manage and regulate development and redevelopment projects to ensure views of the Kalamazoo River and to encourage and incentivize access to its shoreline. Development and redevelopment projects that complement and enhance the waterfront are envisioned for this area. The objectives of this district are to:
- (1) connect the downtown area and surrounding neighborhoods to the waterfront area;
 - (2) provide opportunities for public access and recreation along the waterfront, creating spaces for community enjoyment, leisure, and cultural activities;
 - (3) preserve and protect the character of the waterfront area, ensuring that its architectural, cultural, and historical significance is maintained for future generations;
 - (4) promote economic revitalization by encouraging the adaptive reuse of historic structures, redevelopment, and the development of compatible businesses and land uses that enhance the vibrancy and attractiveness of the waterfront and downtown area;
 - (5) establish requirements to ensure design excellence, visual harmony, and a sense of place, contributing to a unique and visually appealing waterfront district; and

- (6) ensure a balance between new residential development, job creation, and public benefits.
- (B) Permitted uses:
 - (1) Essential public services.
- (C) Special land uses. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ 154.060 through 154.068 and §§ 154.080 through 154.092:
 - (1) Art galleries;
 - (2) Bed and breakfasts;
 - (3) Business, professional offices;
 - (4) Charter fishing tours;
 - (5) Community centers, clubs, and fraternal organizations;
 - (6) First-floor and upper-floor apartments, except that first-floor apartments shall not face Water Street, Culver Street, and Griffith Street.
 - (7) Home occupations;
 - (8) Hotels/inns;
 - (9) Marinas, commercial/private;
 - (10) Parks;
 - (11) Personal service establishments;
 - (12) Recreational transportation rental facilities;
 - (13) Restaurants;
 - (14) Retail stores; and
 - (15) Short-term rental of allowable apartments.
- (D) Dimension and area regulations north of Francis Street:

Front setback	5 feet
Maximum front setback	20 feet
Side setback	20 feet minimum between both side setbacks
Rear setback	15 feet
Waterfront setback	25 feet, see § 154.021 (F)(4)
Minimum lot area	4,560 square feet for all uses except for hotels/inns, which require 8,712 square feet
Minimum lot width	100 feet of street frontage
Maximum lot coverage	No requirement
Maximum number of stories	Two and a half (2.5)
Minimum parking lot setback	20 feet

(E) Dimension and area regulations south of Francis Street:

Front setback	20 feet
Maximum front setback	40 feet
Side setback	40 feet minimum between both side setbacks
Rear setback	15 feet
Waterfront setback	25 feet, see § 154.021 (F)(4)
Minimum lot area	6,600 square feet for all uses except for hotels/inns and commercial/private marinas, which require 13,200 square feet
Minimum lot width	100 feet of street frontage for all uses except for hotels/inns and commercial/private marinas, which require 132 feet of street frontage
Maximum lot coverage	45%
Maximum number of stories	Two and a half (2.5)
Minimum parking lot setback	40 feet

(F) Other requirements:

Garage doors intended for vehicles, loading docks, and overhead doors for loading purposes	Shall not face the public right-of-way
Parking lot location	Side or rear yard only
Usable and accessible open area	<p>An open area equal to at least 10% of the total buildable area shall be preserved on every lot subject to the following:</p> <ul style="list-style-type: none"> • No more than one-third (1/3) of the required open area may be satisfied through balconies of individual units. • At least two-thirds (2/3s) of the open area shall comprise no more than two separate areas at grade, such as a patio, deck, walkway, or boardwalk, or above the first floor, such as a terrace walkout level or rooftop patio.

~~Section 6. C-2 Water Street South District (WSS). The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.041 to strike “§ 154.041 C-2 Water Street South (WSS) in its entirety and replace it with “§ 154.041 RESERVED.”~~

~~Section 7. C-2 Water Street South District (WSS) Reference in Section 154.049. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.049 Service of Alcoholic Beverages to remove the reference to C-2 Water Street South (WSS).~~

Section ~~8~~6. Special Land Use Standards of Approval. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.082, Standards, to add a new paragraph (C) and subparagraphs to read in its entirety as follows:

- (C) In addition to the aforementioned standards, special land uses on all lots within the C-2 Downtown Waterfront Preservation District and on waterfront lots in the C-4 Resort District are subject to the following supplemental special land use standards of approval:
 - (1) Design and Aesthetics. Development of property shall:
 - a. Demonstrate a thoughtful and concerted effort, to the maximum extent practical, to maintain view corridors and sightlines to the waterfront while conforming to the setback and dimensional requirements of the applicable zoning district;
 - b. Include architectural diversity while ensuring a cohesive and visually appealing waterfront; and
 - c. Incorporate landscaping or art to enhance the aesthetic appeal.
 - (2) Waterfront Protection. Development of property shall:
 - a. Implement strategies for shoreline protection to mitigate erosion and flooding risks;
 - b. Ensure that waterfront structures are resilient to climate change and water-level rise; and
 - c. Avoid adverse impacts on water ecosystems, including riparian zones and marine life.

Section ~~9~~7. Planned Unit Development Intent and Purpose. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.110, Intent and Purpose, paragraphs (C) and (D) to read in their entirety as follows:

- (C) The permanent preservation of open space, waterfront areas, natural areas, and the existing small-town rural character of Saugatuck are major objectives of these PUD regulations.
- (D) To those ends, these PUD regulations are intended to permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities; encourage provision of useful open space; provide adequate housing, employment, and shopping opportunities

particularly suited to the needs of the residents of the city; to preserve views of the Kalamazoo river, and to incentivize the provision of public waterfront access and pedestrian facilities. Further, it is the purpose of the planned unit development regulations to promote the intent and purpose of this chapter and to ensure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use.

Section ~~108~~. Planned Unit Development Eligibility Criteria. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.112, Eligibility Criteria, paragraph (A), to amend subparagraph (A)(2) and to add subparagraph (A)(3) to read in their entirety as follows:

- (2) Reducing to a significant extent the non-conformity of a non-conforming use or structure, i.e., modification of a non-conforming use or structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning district in which it is situated; and
- (3) For areas zoned C-2 Downtown Waterfront Preservation District, the preservation of public access to waterfront yard locations or accessible waterfront pathways or boardwalks.

Section ~~119~~. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, paragraph (A), to read in its entirety as follows:

- (A) Minimum lot area. Planned unit developments may be approved only on contiguous properties containing a minimum of three acres under single ownership. Projects with an underlying zoning designation of C-2 Downtown Waterfront Preservation District have no minimum acreage to qualify for planned unit development review.

Section ~~1210~~. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, to add a new subparagraph (E)(2), to read in its entirety as follows:

- (2) For areas zoned Downtown Waterfront Preservation District, departures from the minimum side setback, minimum rear setback (reductions up to 10 feet), and maximum lot coverage requirements will be considered by the Planning Commission and City Council when at least 33 percent of the waterfront yard is available for public access or if 100 percent of the waterfront yard width can be traversed from one side to the other by a waterfront walkway or boardwalk.

Section ~~1143~~. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, to amend paragraphs (M), (N), and (O) to read in their entirety as follows:

- (M) Minimum spacing. Unless modified in accordance with paragraph E, minimum spacing between detached buildings shall not be less than 20 feet measured from the nearest point of the foundation. In no case shall spacing be less than required under the Building Code.
- (N) Building length. No multiple-family building shall exceed 120 feet in length along any one elevation of the building measured between its two furthest points unless modified in accordance with paragraph E.
- (O) Sensitive natural features. All sensitive natural features such as drainage ways and streams, wetlands, lands within the 100-year floodplains, and stream or river banks (which by virtue of soils and slope may create highly erodible hazards to the public health and safety) shall remain unencumbered by any principal or accessory buildings and structures. However, areas zoned Downtown Waterfront Preservation District may be developed within special flood hazard areas as designated in the current Flood Insurance Rate Map (FIRM) if the lowest floor level is at least one (1) foot above the Base Flood Elevation (BFE).

Section ~~1412~~. Exception to Off-Street Parking Requirements. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.131, Exception to Off-Street Parking Requirements, to amend paragraph (A) and its subparagraphs to read in their entirety as follows:

- (A) Except as otherwise required in this section, the following zoning districts shall be exempt from any parking requirements:
 - (1) C-1 City Center Commercial;
 - ~~(2) C-2 Water Street Commercial;~~
 - ~~(3)~~(2) C- 2 Water Street East;
 - (3) C-2 Water Street North;
 - (4) ~~C-2 Water Street South;~~ and
 - (5) C-2 Downtown Waterfront Preservation District

Section ~~1513~~. Zoning Map. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.043 of the Code of the City of Saugatuck, Zoning Map, to rezone lots that are currently zoned C-2 Water Street South and C-1 Water Street North to the C-2 Downtown Waterfront Preservation District:

Address	Parcel	Address	Parcel
BUTLER ST	57-300-213-00	44 WATER ST	57-300-182-00

31 BUTLER ST (BOAT SLIPS)	MULTIPLE PARCELS	320 WATER ST (BOAT SLIPS)	MULTIPLE PARCELS
40 BUTLER ST	57-300-214-00	326 WATER ST	57-075-013-00
201 CULVER ST (MULTIPLE CONDO UNITS)	57-170-001-00 TO 57-170-006-00	340 WATER ST	57-075-011-00 & 57-900-474-00
220 WATER ST	57-300-142-00	360 WATER ST	MULTIPLE PARCELS
221 CULVER ST	57-300-211-00	528 WATER ST	57-840-012-00
233 CULVER ST	57-300-209-00	608 WATER ST	57-300-032-00
241 CULVER ST	57-300-208-00	618 WATER ST	57-300-032-50
249 CULVER ST	57-300-207-00	640 WATER ST	57-300-030-00
303 CULVER ST	57-300-206-00	650 WATER ST	57-300-029-00
60 GRIFFITH ST	57-300-207-10	716 WATER ST	57-300-012-00
64 GRIFFITH ST (MULTIPLE CONDO UNITS)	57-825-001-00	720 WATER ST	57-300-011-00
WATER ST	57-300-070-00	726 WATER ST	57-300-010-00
WATER ST	57-300-071-00	730 WATER ST	57-300-009-00
40 WATER ST	57-300-215-00		

Section ~~16~~14. Severability. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

Section ~~17~~15. Repeal. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section ~~18~~16. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____
 NAYS: _____
 ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Jamie Wolters, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, and noticed in accordance with all legal requirements.

Jamie Wolters, Clerk

Introduced: _____

Adopted: _____

Published: _____

Sent to ALP: _____

**CITY COUNCIL
CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, OF
THE CODE OF THE CITY OF SAUGATUCK TO CREATE THE C-2 DOWNTOWN
WATERFRONT PRESERVATION ZONING DISTRICT, AMEND VARIOUS
SECTIONS OF THE ORDINANCE TO REFLECT THE IMPLEMENTATION
RECOMMENDATIONS OF THE CITY OF SAUGATUCK WATERFRONT
DEVELOPMENT PROJECT, AND TO AMEND THE OFFICIAL ZONING MAP TO
REZONE CERTAIN LANDS CURRENTLY ZONED C-2 WATER STREET SOUTH
AND C-1 WATER STREET NORTH TO THE NEW C-2 WATERFRONT
PRESERVATION ZONING DISTRICT**

Section 1. Zoning Ordinance Table of Contents. The City of Saugatuck Zoning Ordinance is hereby amended by amending the Table of Contents to include Section 154.038 C-2 Downtown Waterfront Preservation District (previously “reserved”).

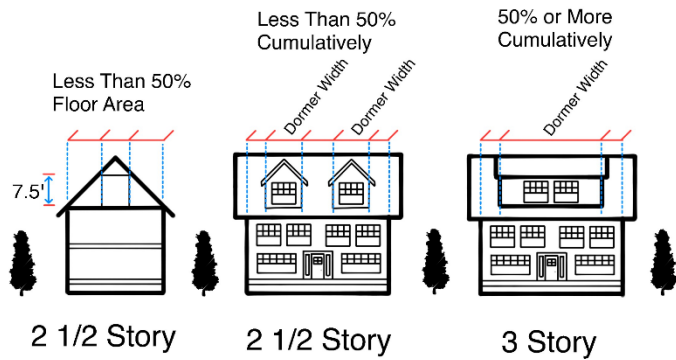
Section 2. Definitions. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.005 Definitions to add the following terms and definitions in alphabetical order:

BUILDING WIDTH, MAXIMUM. The maximum horizontal dimension or width of the front building elevation allowed on a lot. The maximum dimension is a percentage of the lot width, meaning that a building width cannot exceed the specified percentage of the lot width measured horizontally from one side property line to the other side property along the front lot line.

SETBACK, MAXIMUM. The maximum distance that at least 50 percent of the front elevation of a building can be placed from the public right-of-way.

STORY, HALF. The topmost story of a building is a half story when:

- (1) It is completely within the roof form of a building, and less than 50 percent of the floor area has a clear height of more than 7.5 feet, measured from the finished floor to the finished ceiling; and
- (2) Dormers do not exceed more than 50 percent of the front, rear, or side building length.



Section 3. C-4 Resort District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.037 (B) and (C) to reclassify the following land uses from “permitted uses” in paragraph (B) to “special land uses” in paragraph (C):

- (1) Bed and breakfasts
- (3) Short-term rental unit

Section 4. C-4 Resort District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.037 (D) to add the following rows to the dimensional and area regulations table under subparagraph (1), all uses except single-family dwellings:

Maximum number of stories	Two and a half (2.5)
Maximum building width	60% of lot width

Section 5. C-2 Downtown Waterfront Preservation District. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.038 to replace “§ 154.038 RESERVED” with “§ 154.038 C-2 Downtown Waterfront Preservation District” to read in its entirety as follows:

§ 154.038 C-2 Downtown Waterfront Preservation District.

- (A) Generally. This district will provide an area for commercial businesses, offices, accommodations, hospitality, recreational, residential uses, and mixed-use projects. However, the Downtown Waterfront Preservation District is intended to manage and regulate development and redevelopment projects to ensure views of the Kalamazoo River and to encourage and incentivize access to its shoreline. Development and redevelopment projects that complement and enhance the waterfront are envisioned for this area. The objectives of this district are to:
- (1) connect the downtown area and surrounding neighborhoods to the waterfront area;
 - (2) provide opportunities for public access and recreation along the waterfront, creating spaces for community enjoyment, leisure, and cultural activities;
 - (3) preserve and protect the character of the waterfront area, ensuring that its architectural, cultural, and historical significance is maintained for future generations;
 - (4) promote economic revitalization by encouraging the adaptive reuse of historic structures, redevelopment, and the development of compatible businesses and land uses that enhance the vibrancy and attractiveness of the waterfront and downtown area;
 - (5) establish requirements to ensure design excellence, visual harmony, and a sense of place, contributing to a unique and visually appealing waterfront district; and

- (6) ensure a balance between new residential development, job creation, and public benefits.
- (B) Permitted uses:
 - (1) Essential public services.
- (C) Special land uses. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ 154.060 through 154.068 and §§ 154.080 through 154.092:
 - (1) Art galleries;
 - (2) Bed and breakfasts;
 - (3) Business, professional offices;
 - (4) Charter fishing tours;
 - (5) Community centers, clubs, and fraternal organizations;
 - (6) First-floor and upper-floor apartments, except that first-floor apartments shall not face Water Street, Culver Street, and Griffith Street.
 - (7) Home occupations;
 - (8) Hotels/inns;
 - (9) Marinas, commercial/private;
 - (10) Parks;
 - (11) Personal service establishments;
 - (12) Recreational transportation rental facilities;
 - (13) Restaurants;
 - (14) Retail stores; and
 - (15) Short-term rental of allowable apartments.
- (D) Dimension and area regulations north of Francis Street:

Front setback	5 feet
Maximum front setback	20 feet
Side setback	20 feet minimum between both side setbacks
Rear setback	15 feet
Waterfront setback	25 feet, see § 154.021 (F)(4)
Minimum lot area	4,560 square feet for all uses except for hotels/inns, which require 8,712 square feet
Minimum lot width	100 feet of street frontage
Maximum lot coverage	No requirement
Maximum number of stories	Two and a half (2.5)
Minimum parking lot setback	20 feet

(E) Dimension and area regulations south of Francis Street:

Front setback	20 feet
Maximum front setback	40 feet
Side setback	40 feet minimum between both side setbacks
Rear setback	15 feet
Waterfront setback	25 feet, see § 154.021 (F)(4)
Minimum lot area	6,600 square feet for all uses except for hotels/inns and commercial/private marinas, which require 13,200 square feet
Minimum lot width	100 feet of street frontage for all uses except for hotels/inns and commercial/private marinas, which require 132 feet of street frontage
Maximum lot coverage	45%
Maximum number of stories	Two and a half (2.5)
Minimum parking lot setback	40 feet

(F) Other requirements:

Garage doors intended for vehicles, loading docks, and overhead doors for loading purposes	Shall not face the public right-of-way
Parking lot location	Side or rear yard only
Usable and accessible open area	An open area equal to at least 10% of the total buildable area shall be preserved on every lot subject to the following: <ul style="list-style-type: none"> No more than one-third (1/3) of the required open area may be satisfied through balconies of individual units. At least two-thirds (2/3s) of the open area shall comprise no more than two separate areas at grade, such as a patio, deck, walkway, or boardwalk, or above the first floor, such as a terrace walkout level or rooftop patio.

Section 6. Special Land Use Standards of Approval. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.082, Standards, to add a new paragraph (C) and subparagraphs to read in its entirety as follows:

- (C) In addition to the aforementioned standards, special land uses on all lots within the C-2 Downtown Waterfront Preservation District and on waterfront lots in the C-4 Resort District are subject to the following supplemental special land use standards of approval:
 - (1) Design and Aesthetics. Development of property shall:
 - a. Demonstrate a thoughtful and concerted effort, to the maximum extent practical, to maintain view corridors and sightlines to the waterfront while conforming to the setback and dimensional requirements of the applicable zoning district;
 - b. Include architectural diversity while ensuring a cohesive and visually appealing waterfront; and
 - c. Incorporate landscaping or art to enhance the aesthetic appeal.
 - (2) Waterfront Protection. Development of property shall:
 - a. Implement strategies for shoreline protection to mitigate erosion and flooding risks;
 - b. Ensure that waterfront structures are resilient to climate change and water-level rise; and
 - c. Avoid adverse impacts on water ecosystems, including riparian zones and marine life.

Section 7. Planned Unit Development Intent and Purpose. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.110, Intent and Purpose, paragraphs (C) and (D) to read in their entirety as follows:

- (C) The permanent preservation of open space, waterfront areas, natural areas, and the existing small-town rural character of Saugatuck are major objectives of these PUD regulations.
- (D) To those ends, these PUD regulations are intended to permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities; encourage provision of useful open space; provide adequate housing, employment, and shopping opportunities particularly suited to the needs of the residents of the city; to preserve views of the Kalamazoo river, and to incentivize the provision of public waterfront access and pedestrian facilities. Further, it is the purpose of the planned unit development regulations to promote the intent and purpose of this chapter and to ensure that the land use or activity

authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use.

Section 8. Planned Unit Development Eligibility Criteria. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.112, Eligibility Criteria, paragraph (A), to amend subparagraph (A)(2) and to add subparagraph (A)(3) to read in their entirety as follows:

- (2) Reducing to a significant extent the non-conformity of a non-conforming use or structure, i.e., modification of a non-conforming use or structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning district in which it is situated; and
- (3) For areas zoned C-2 Downtown Waterfront Preservation District, the preservation of public access to waterfront yard locations or accessible waterfront pathways or boardwalks.

Section 9. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, paragraph (A), to read in its entirety as follows:

- (A) Minimum lot area. Planned unit developments may be approved only on contiguous properties containing a minimum of three acres under single ownership. Projects with an underlying zoning designation of C-2 Downtown Waterfront Preservation District have no minimum acreage to qualify for planned unit development review.

Section 10. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, to add a new subparagraph (E)(2), to read in its entirety as follows:

- (2) For areas zoned Downtown Waterfront Preservation District, departures from the minimum side setback, minimum rear setback (reductions up to 10 feet), and maximum lot coverage requirements will be considered by the Planning Commission and City Council when at least 33 percent of the waterfront yard is available for public access or if 100 percent of the waterfront yard width can be traversed from one side to the other by a waterfront walkway or boardwalk.

Section 11. Planned Unit Development Project Design Standards. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.113, Project Design Standards, to amend paragraphs (M), (N), and (O) to read in their entirety as follows:

- (M) Minimum spacing. Unless modified in accordance with paragraph E, minimum spacing between detached buildings shall not be less than 20 feet measured from the nearest point of the foundation. In no case shall spacing be less than required under the Building Code.
- (N) Building length. No multiple-family building shall exceed 120 feet in length along any one elevation of the building measured between its two furthest points unless modified in accordance with paragraph E.
- (O) Sensitive natural features. All sensitive natural features such as drainage ways and streams, wetlands, lands within the 100-year floodplains, and stream or river banks (which by virtue of soils and slope may create highly erodible hazards to the public health and safety) shall remain unencumbered by any principal or accessory buildings and structures. However, areas zoned Downtown Waterfront Preservation District may be developed within special flood hazard areas as designated in the current Flood Insurance Rate Map (FIRM) if the lowest floor level is at least one (1) foot above the Base Flood Elevation (BFE).

Section 12. Exception to Off-Street Parking Requirements. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.131, Exception to Off-Street Parking Requirements, to amend paragraph (A) and its subparagraphs to read in their entirety as follows:

- (A) Except as otherwise required in this section, the following zoning districts shall be exempt from any parking requirements:
 - (1) C-1 City Center Commercial;
 - (2) C- 2 Water Street East;
 - (3) C-2 Water Street North;
 - (4) C-2 Water Street South; and
 - (5) C-2 Downtown Waterfront Preservation District

Section 13. Zoning Map. The City of Saugatuck Zoning Ordinance is hereby amended by the amendment of Section 154.043 of the Code of the City of Saugatuck, Zoning Map, to rezone lots that are currently zoned C-2 Water Street South and C-1 Water Street North to the C-2 Downtown Waterfront Preservation District:

Address	Parcel	Address	Parcel
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31 BUTLER ST (BOAT SLIPS)	MULTIPLE PARCELS	320 WATER ST (BOAT SLIPS)	MULTIPLE PARCELS
40 BUTLER ST	57-300-214-00	326 WATER ST	57-075-013-00
220 WATER ST	57-300-142-00	340 WATER ST	57-075-011-00 & 57-900-474-00

303 CULVER ST	57-300-206-00	360 WATER ST	MULTIPLE PARCELS
64 GRIFFITH ST (MULTIPLE CONDO UNITS)	57-825-001-00	528 WATER ST	57-840-012-00
WATER ST	57-300-070-00	608 WATER ST	57-300-032-00
WATER ST	57-300-071-00	618 WATER ST	57-300-032-50
40 WATER ST	57-300-215-00	640 WATER ST	57-300-030-00
720 WATER ST	57-300-011-00	650 WATER ST	57-300-029-00
726 WATER ST	57-300-010-00	716 WATER ST	57-300-012-00
730 WATER ST	57-300-009-00		

Section 14. Severability. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

Section 15. Repeal. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 16. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____
 NAYS: _____
 ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Jamie Wolters, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, and noticed in accordance with all legal requirements.

Jamie Wolters, Clerk

Introduced: _____

Adopted: _____

Published: _____

Sent to ALP: _____



Planning Commission Agenda Item Report

FROM: Ryan Cummins, Director of Planning and Zoning

MEETING DATE: December 15, 2023

SUBJECT: Discussion of STR Task Force Recommendations

DESCRIPTION:

The City's STR Task Force met for several months and finalized its report at the end of September. The Task Force made several recommendations which are attached. Also attached is a copy of the current short-term rental regulations in the zoning ordinance.

The Task Force recommendations were presented to the Planning Commission on October 19.

On November 16 the Planning Commission reviewed and discussed the STR Task Force recommendations. The Planning Commission tabled discussion until they could arrange a joint meeting with the City Council to go over the recommendations.

Planning Commission Recommendation on Zoning and Police-Powers

Staff met with the Planning Commission Chair and Mayor to discuss a recommendation that the City Council consider granting authority to the Planning Commission to make recommendations on both zoning and police-power ordinances for short-term rentals.

Currently, all of the City's STR regulations are within the City's zoning ordinance. Zoning ordinance amendments are typically not retroactive, so if we apply the recommended changes only to the zoning ordinance, there may be questions about whether existing STRs are grandfathered which could complicate applying the new regulations to existing STRs.

Some of the benefits of licensing and regulating short-term rental activity through a Police Powers Ordinance include:

- Regulations will apply to both new and existing STRs, ensuring consistent regulation and removing any confusion about what standards apply.
- Not tied to a licensing system in the zoning ordinance (such as by right or be special use permit), greater flexibility in the licensing process is better suited for regulating a licensed activity like STRs.

- Applies to the entire City, so it is an effective way of establishing universal rules and guidelines for STR operation.

If there are changes to the zoning ordinance that deal exclusively with land use type concerns, such as where short-term rentals can be located, district specific requirements, such as parking or spacing, those will remain within the zoning ordinance. But the universally applicable short-term rental regulations pertaining to things like licensing, noise, occupancy, etc., would be better for a police power ordinance.

The Planning Commission has a legal requirement to make recommendations on zoning ordinance changes. By the City Council also granting the Planning Commission the authority to make a recommendation on a police-powers ordinance related to short-term rentals, this allows the Planning Commission to weigh in on which items are appropriate for a police-powers ordinance as well.

For both zoning and police -powers ordinances, the City Council is the only one who can adopt changes.

The City Council discussed the recommendation at its workshop meeting on December 6. At its regular meeting on December 11, the Council authorized the Planning Commission to make police-power ordinance recommendations regarding short-term rentals.

Review of Task Force Recommendations

The following chart shows the Task Force recommendations that relate to zoning or police-power ordinances and what, if any, current zoning requirements exist for each of these. Staff has also provided a recommendation on which ordinance type should regulate each going forward:

Category	STR Task Force Recommendation	Current Zoning Regulations	Ordinance Type Recommendation
Noise	Recommendation #2: Request that the Planning Commission encourage City Council to review the ability to create a noise ordinance for residential districts. Such an ordinance may limit the hours of operation for activities as construction, sound amplifiers, radio and musical instruments. This review would seek to enhance the existing city-wide noise ordinance to aid in further protecting residential districts	The use of outdoor yard areas, open decks, pools and the like shall not result in the production of excessive off-site noise, odor, other external disturbances or other nuisances as regulated within the City Code of Ordinances;	Police-Power
Fire Safety	Recommendation #1: Request that the Saugatuck Fire Department transition to annual inspections of short-term rental units.	A short term rental certificate shall be valid for three seasons (January 1 through December 31)	Police-Power

		<p>unless there is a change of ownership for the subject parcel</p> <p>The short-term rental unit shall meet all applicable building, health, fire, and related safety codes at all times and shall be inspected by the Saugatuck Township Fire District within 30 days of the submittal of the application.</p> <p>The property owner or rental agency shall submit a completed safety checklist, designed by the Saugatuck Township Fire District, to the city for the second and third year of each certificate cycle for the certificate to remain in good standing.</p>	
Fire Safety	<p>Recommendation #2: Explore reducing the occupancy limits that aligns more with single-family residential dwellings. Such reduced occupancy would entail allowing two (2) persons per bedroom, with a maximum of 12 persons per dwelling.</p>	<p>Occupancy of each dwelling unit shall be limited based on the calculations in the BOCA National Property Maintenance Code as approved in § 150.03</p> <p>No set maximum.</p>	Police-Power
Fire Safety	<p>Recommendation #4: Explore requiring a local agent or management company to be located within 15 road miles of the short-term rental property. Such local agent or management company shall be knowledgeable about the property and accountable for responding to the property 24-hours a day, 7 days a week, 365 days a year.</p>	<p>Application requires name and contact information, including e-mail, of the required local representative or the rental agency, within 45 miles of the City of Saugatuck</p> <p>All short term rentals shall have a local representative who resides within 45 miles of the outer</p>	Police-Power

		boundaries of the city. This contact shall have access to the property at all times and shall have working knowledge of the house.	
Fire Safety	Recommendation #6: Require the short-term rental certificate to be posted in a window visible from the public roadway in order to identify the property as having been issued a permit to operate as an STR.	No requirement.	Police-Power
Fire Safety	Recommendation #7: Encourage the review of assessing monetary fines/fees to property owners who are in violation of the short-term rental ordinance and Saugatuck Township Fire District requirements. Such fines/fees would be tracked in an enforcement database.	Any person, association, partnership, corporation or legal entity that violates disobeys, omits, neglects or refuses to comply with any provision of the zoning ordinance chapter, any permit issued pursuant to this chapter, or any condition attached to a zoning permit, special land use permit, planned unit development permit, Zoning Board of Appeals decision or variance or other lawful directives of the Zoning Administrator shall be guilty of a violation of this chapter. Notice of any violations of this chapter shall be given in writing by the Zoning Administrator and shall be served by certified mail or personal service. (154.177)	Both zoning and police-power.
Fire Safety	Recommendation #9: Require documentation from the short-term rental property insurance company identifying and acknowledging the property is insured as a rental dwelling	No current requirement.	Police-Power
Fire Safety	Recommendation #10: Acknowledge that the short-term rental properties were originally	Allowed in both residential and commercial zoning districts.	Zoning and Police-Power

	built and issued certificates of occupancy as “single-family dwellings” under the Michigan Residential Code. Renting a single-family dwelling to the public on a transient basis mirrors a commercial or business-like change-of-use that can trigger other requirements.	STR certificate issued under the zoning ordinance required.	
Trash	Recommendation #1: Encourage the Planning Commission to explore modifying the short-term rental ordinance (Section 154.022.V.) to require all short-term rentals—certified—to have an additional residential dumpster for every four (4) persons of occupancy. Example—if a STR has an occupancy limit of eight (8) persons, two containers shall be required. If an STR has an occupancy limit of 10 persons, three (3) containers would be required.	No direct regulation aside from meeting general requirement to meet health and safety codes.	Police-Power
General	Recommendation #4: Encourage City Administration to review the ability to revoke a certificate for a short-term rental if multiple complaints are validated within a 12-month period. Further, encourage such a review to establish what is classified as a violation and the documentation process to the property owner to inform of the validated violation complaint.	Application is required to have the owner’s signature stating that the dwelling unit will be operated in conformance with all applicable ordinance requirements No direct requirement to revoke a STR certificate for multiple violations.	Police-Power
General	Recommendation #5: Request that City Administration review the feasibility of requiring short-term rental properties to post their certificate numbers when listing the rental on popular platforms, such as AirBnB and VRBO.	No current requirement.	Police-Power
General	Develop a good neighbor guide.	No current requirement to have or distribute one.	Police-Power

Planning Commission Discussion

The Planning Commission should discuss the recommendations. Some questions to consider, include, but are not limited to:

1. Are there any recommendations the Planning Commission disagrees with?
2. Does the Planning Commission have additional recommendations?
3. Does the Planning Commission wish to evaluate caps in residential areas?
4. Is there further data or analysis that the Planning Commission desires?

For the items there is agreement on, staff will draft zoning and police-power ordinance changes for Planning Commission review in January.

154.022 (V) *Short-term rental unit.*

(1) The owner of the dwelling unit which is to be rented for any period of less than 30 days, shall obtain a short term rental certificate from the city before the dwelling is rented or used;

(2) The property owner or applicant shall include the following information on the certificate application:

(a) Address of the subject parcel containing the dwelling unit to be rented;

(b) Name and contact information, including e-mail, of the owner of the dwelling unit;

(c) Name and contact information, including e-mail, of the required local representative or the rental agency, within 45 miles of the City of Saugatuck;

(d) Proposed maximum occupancy of the dwelling unit;

(e) Owner's signature stating that the dwelling unit will be operated in conformance with all applicable ordinance requirements; and

(f) The property owner shall notify the city of any changes to the approved application within 30 days of the date of the change, including change of mailing address, contract information, or rental agency.

(3) The short-term rental unit shall meet all applicable building, health, fire, and related safety codes at all times and shall be inspected by the Saugatuck Township Fire District within 30 days of the submittal of the application. Violations found by the Saugatuck Township Fire District shall be corrected within 15 days of notification from the Fire Inspector. No certificate shall be issued until after the fire inspection has been completed and approved. The property owner or rental agency shall submit a completed safety checklist, designed by the Saugatuck Township Fire District, to the city for the second and third year of each certificate cycle for the certificate to remain in good standing.

(4) Signs shall be subject to the applicable provisions of § [154.141](#) of this chapter;

(5) The use of outdoor yard areas, open decks, pools and the like shall not result in the production of excessive off-site noise, odor, other external disturbances or other nuisances as regulated within the City Code of Ordinances;

(6) In no event shall the owner of the short-term rental unit or their agent rent solely an individual room in the short-term rental unit to a person, family, or other group of persons, nor shall the renter of the dwelling so sublet any room. All dwelling units rented for short term use shall be fully rented under a single contract;

(7) The use of tents, campers, or similar temporary sleeping facilities shall be prohibited;

(8) A short term rental certificate shall be valid for three seasons (January 1 through December 31) unless there is a change of ownership for the subject parcel;

(9) Occupancy of each dwelling unit shall be limited based on the calculations in the BOCA National Property Maintenance Code as approved in § [150.03](#); and

(10) All short term rentals shall have a local representative who resides within 45 miles of the outer boundaries of the city. This contact shall have access to the property at all times and shall have working knowledge of the house.

Recommendations

Good Neighbor Guide

A good neighbor guide sets expectations and regulations for those who rent a home within the Saugatuck area. Such a guide helps ensure residents' quiet and peaceful enjoyment of their neighborhoods. The Task Force has discussed the need to adopt a city wide "good neighbor guide." Provisions could include:

- Noise considerations
- Trash disposal
- Parking considerations—off-street versus on-street parking
- Owner/Operator of the short-term rental post the occupancy limits as established by the Township Fire Authority.

Noise

Noise is a common concern that has been raised since the Task Force began meeting in May of 2023 to discuss short-term rentals. As such, the following recommendations are put forth for consideration.

Recommendation #1: Request that City Council review the existing noise ordinance (Section 94.04) to determine if increasing the time of "quiet" hours is appropriate. A partnership with the Allegan County Sheriff's office may be appropriate in review of the noise ordinance.

Recommendation #2: Request that the Planning Commission encourage City Council to review the ability to create a noise ordinance for residential districts. Such an ordinance may limit the hours of operation for activities as construction, sound amplifiers, radio and musical instruments. This review would seek to enhance the existing city-wide noise ordinance to aid in further protecting residential districts.



Fire Safety

The Saugatuck Township Fire District presented recommendations to the Task Force regarding life safety improvements as it pertains to short-term rentals. The following recommendations are provided:

Recommendation #1: Request that the Saugatuck Fire Department transition to annual inspections of short-term rental units.

Recommendation #2: Explore reducing the occupancy limits that aligns more with single-family residential dwellings. Such reduced occupancy would entail allowing two (2) persons per bedroom, with a maximum of 12 persons per dwelling.

Recommendation #3: Encourage collaboration between the City of Saugatuck, the City of the Village of Douglas and Saugatuck Township to ensure rental ordinances, fee structures and programs mirror each other.

Recommendation #4: Explore requiring a local agent or management company to be located within 15 road miles of the short-term rental property. Such local agent or management company shall be knowledgeable about the property and accountable for responding to the property 24-hours a day, 7 days a week, 365 days a year.

Recommendation #5: Encourage regulating short-term and long-term rentals identically [in a similar manner].

Recommendation #6: Require the short-term rental certificate to be posted in a window visible from the public roadway in order to identify the property as having been issued a permit to operate as an STR.

Recommendation #7: Encourage the review of assessing monetary fines/fees to property owners who are in violation of the short-term rental ordinance and Saugatuck Township Fire District requirements. Such fines/fees would be tracked in an enforcement database.

Recommendation #8: Review the existing Fire District fee structure and recommend amendments where applicable.

Recommendation #9: Require documentation from the short-term rental property insurance company identifying and acknowledging the property is insured as a rental dwelling.

Recommendation #10: Acknowledge that the short-term rental properties were originally built and issued certificates of occupancy as "single-family dwellings" under the Michigan Residential Code. Renting a single-family dwelling to the public on a transient basis mirrors a commercial or business-like change-of-use that can trigger other requirements.

Trash

The Task Force has heard from citizens, residents and community stakeholders regarding a buildup of trash and general refuse that accumulates near short-term rentals. Residents believe short-term rentals are increasing the amount of discarded items above and beyond what is witnessed from non-short-term rental properties. The following items are recommended for consideration:

Recommendation #1: Encourage the Planning Commission to explore modifying the short-term rental ordinance (Section 154.022.V.) to require all short-term rentals—certified—to have an additional residential dumpster for every four (4) persons of occupancy. Example—if a STR has an occupancy limit of eight (8) persons, two containers shall be required. If an STR has an occupancy limit of 10 persons, three (3) containers would be required.

Recommendation #2: Encourage City Administration to review the existing trash and recycling policies to determine if additional pickups from the waste-hauler are warranted.

Recommendation #3: Encourage City Administration to review increasing the recycling pickup from once-a-month to twice-a-month to reduce the buildup of materials on residential properties.

Recommendation #4: Encourage City Administration to review the existing recycling policy and determine if additional pickups in the peak tourist months (May to September) are feasible with the waste management company.

Compliance Officer

The Task Force has heard months of public comment and engaged with stakeholders who have expressed the need to have a dedicated code enforcement officer on staff to deal with concerns arising from short-term rentals. The following are offered for consideration:

Recommendation #1: Encourage the City Administration to explore hiring a dedicated code enforcement/code compliance officer to address short-term rental concerns. Such staff members would be able to respond to resident comments arising from noise, trash, occupancy and other ordinance violations.

General Modifications

The following recommendations are general comments and directions that the Task Force has explored. These recommendations are broad in nature and are not specific to any one category:

Recommendation #1: Encourage the creation of a short-term rental registration public database in which the property owner and management company (if applicable) contact information is made available. Such contact information can be a general number, but one in which concerned residents can reasonably be expected to reach an agent or representative of the property.



Recommendation #2: Encourage the creation of a general call-line in which residents may leave non-time-sensitive concerns with city officials regarding short-term rentals.

Recommendation #3: Encourage the City Administration to review areas within residential districts in which “no parking this side of the street” signs could be installed to aid in emergency services access. This could be dedicated north/south roadways and east/west roadways to offer an emergency service pathway.

Recommendation #4: Encourage City Administration to review the ability to revoke a certificate for a short-term rental if multiple complaints are validated within a 12-month period. Further, encourage such a review to establish what is classified as a violation and the documentation process to the property owner to inform of the validated violation complaint.

Recommendation #5: Request that City Administration review the feasibility of requiring short-term rental properties to post their certificate numbers when listing the rental on popular platforms, such as AirBnB and VRBO.

Recommendation #6: Request that City Administration explore hiring a third-party agency to support the City in managing its short-term rental program.

Residential Caps

The Task Force has heard from residents, stakeholders and members of the community at large on the topic of instituting a cap on the number of short-term rentals. The following analysis is provided as it pertains to instituting caps on the number of short-term rentals within the City of Saugatuck.



Task Force Discussion On Short-Term Rental Caps

The City of Saugatuck Short-Term Rental Task Force discussed the above potential policies in detail during a public meeting in September 2023. The task force does not support a city-wide cap (limit) on short-term rentals or a lottery. Some members of the Task Force felt strongly about seeking to impose a cap (limit) on the number of short-term rentals within residential zones or neighborhoods within the City. Other members opined that placing such a cap would not have the anticipated outcome that may be expected. Members felt that placing a cap on the number of rentals would not address concerns with noise, debris, parking and occupancy loads within residential dwellings.

In the discussion of caps, task force members did not agree about whether the views of part-time residents should carry as much weight as those of full-time residents. The task force also stressed the importance of involving legal counsel in any decisions made about caps.

The Task Force discussed placing caps on residential areas of the City to help alleviate the number of rentals in a given geographic area. The Task Force further discussed the potential for extreme challenges on establishing neighborhood districts for cap implementation. Some of the questions posed were as follows:

- Would such neighborhood caps be placed block by block?
- Would one side of a street be classified in one neighborhood, with the other side in a separate neighborhood?
- Would instituting a cap in residential neighborhoods then begin to push rentals into other areas of the city, thus exacerbating the issue and not solving for resident concerns regarding the number of rental units?

After discussion on the policies outlined above, the Task Force acknowledged that further review and analysis of instituting a cap on the number of rentals may be required. However, for the purpose of the Short-Term Rental Task Force, a consensus from the members was given that no definitive direction on caps was achieved. The Task Force acknowledged the amount of work and level of data analysis that was conducted since May 2023 and that continued discussions pertaining to caps should continue.

The Task Force found a consensus among members that addressing the initial concerns pertaining to noise, trash and occupancy from an enforcement perspective should be a top priority for the City Administration moving forward. The Task Force opined that by enforcing the existing regulations, while reviewing the recommendations provided within this report, would be beneficial to both residents and stakeholders in the community.



Planning, Zoning and Project Report

December 11, 2023

Planning and Zoning

- Prepared for and attended Historic District Commission meeting.
- Viewed Planning Commission meeting video that occurred while I was on vacation.
- ZBA meeting is cancelled due to a lack of agenda items.
- Met with the Planning Commission Chair, Mayor, City Manager, Planning Consultant, and Legal to debrief Planning Commission meeting and next steps.
- Planning Commission Vacancy – One applicant so far.
- Prepared letter to be sent to restaurant owners outlining next steps for expanded outdoor dining approvals. Scheduling a Zoom information session and will also be available for one-on-one appointments.
- Sent friendly reminder letters to property owners who have STR certificates expiring soon.
- Met and talked with property owners and applicants to answer questions and provide resources.
- Continued follow-up on complaints of code violations throughout the City.
- Completed planning and zoning casework as outlined in the chart below.

Planning and Zoning Casework

615 Park St	Structural Improvements	Zoning permit application previously received for exterior wall, deck and foundation work. Some units will also receive interior re-builds due to water damage. Reviewed with legal and consultant. Advised applicants of issues related to substantial improvements in a floodplain, zoning, and current moratorium. Discussed further with applicant. Discussed market value questions with FEMA. Met in person with HOA president and applicant to discuss findings and options. Answered questions from additional independent appraisers. Received independent appraisal. Assessor and I reviewed. Sent questions on the appraisal back to association president. Received and reviewed responses from association. EGLE floodplain permit pending. Association applied for waiver from moratorium. After a public hearing, Council approved waiver. Awaiting further submittal from owners.
560 Mill and 860 Simonson	Enforcement	Enforcement of hardscaping in ROW report back to City Council for further policy direction occurred at September 20 workshop meeting. Work is ongoing in finalizing formal policy and ordinance amendments for Council review/decision. Aiming for January Council meeting.
717 Water #5	Short Term Rental	STR app. New owner of existing STR. Needed property transfer affidavit and fee paid. Both received. Sent to Fire Department for inspection. Failed two reinspections. Sent invoice. Passed reinspection. Reinspection fee received. STR certificate issued.
118 Hoffman	Enforcement	Complaint of structures built without screening or permits. Complainant advised outdoor refrigeration building was built in late winter/early spring. Checked area and discovered two structures built in northwest section of property. Refrigeration unit not permitted by zoning or historic district. Checked with MTS and no building permits. Prior approved plans and survey did not show any structures in the northwest area of the property. Assessing photos confirm this. Previously a mix of retail. Construction began on new restaurant in October 2021. Water Street East zoning changed in November 2020 to make restaurants a SLU instead of permitted use. No special land use or formal site plan approvals. Sent owner letter to apply for permits for recent structures and apply for SLU and formal site plan review for restaurant use. Met with owner and answered questions and provided resources. Owner submitted special land use and HDC application. HDC tabled pending further detail and plans. Planning Commission approved with conditions that other approvals are obtained. Variance application received. Requested as built survey to verify dimensions. Owner withdrew historic district and variance applications as they will now be removing the shed and freezer. Shed being removed week of 12/4. Freezer removal still pending.
145 Grant	Variance Request	ZBA application for setback and lot coverage variances for home addition and new garages. ZBA approved variances for home addition but denied variances related to detached garage. Owner submitted a historic district application but withdrew until a later date. Met with owner and answered his questions as he considers next steps. Answered further questions via phone.

Planning and Zoning Casework Continued

439 Butler	Enforcement/Historic Request	Complaint of mural, signage, and window tint work occurring without permits. Checked site and found mural being painted and freshly painted wall signage. Some rear building windows did appear to be tinted. Sent owner a letter to stop work and apply for required permits . HDC app received for mural, paint touch up to wall sign, and window tint for rear unit. Chair advised full commission review needed. Advised applicant. Chair advised work was still occurring. Talked with applicant who denied any further work but stated scaffolding is still up. HDC approved signage and tint but denied mural request due to painting of unpainted masonry on contributing resources not meeting historic district guidelines. Continued follow up with owner and property manager to develop timeline to remove unapproved mural. Property manager provided details regarding removing during spring (warmer weather needed).
247 Grand	Short Term Rental	STR app. New STR. Sent to Fire Department for inspection. Still pending.
350 Mason	Water-Sewer	Water-Sewer replacement app. Requested updated plan of intended connection and plumber section filled out. Info received. Sent to engineer for review.
254 Francis	New Home	HDC app for new home. Scheduled for December HDC meeting. Zoning app forthcoming.
297 Sugar Hill	New Home	Zoning app for new home. EGLE has not yet issued permits. Under review.
1050 Holland	Enforcement	Curb not restored as stipulated in curb cut permit. Sent contractor and owner e-mail asking for confirmation of the work being scheduled and advising engineer monitoring and inspection will be required. Contractor advised work was turned over to landscaper. Awaiting response from owner.
N/A	Inquiry	Questions about private road standards. Answered questions.
344 Lucy	Revised HDC Plans	HDC app to revise previously approved plans. Deviations include a shed roof instead of a pergola, adding corbel, different exterior lights, and modifying existing front stoop to extend further east. Chair reviewed and agreed admin approval of changes. Fee paid. HDC permit issued.
296 Sugar Hill	New Home	Zoning app for new home. Needed height and FAR info. Provided definition. Updated application and plans received. Sent to consultant for review. Reviewed. Clarified patio distance. Water/sewer app received. Asked for clarification on sewer size. Updated sewer plan received. Engineer reviewed. Connection fees received. Permits issued.
298 Sugar Hill	New Home	Zoning app and plans for new home. Water/sewer app received. All reviewed. Needed sewer size clarified and stormwater plan. Updated sewer plans received. Received stormwater plans. Reviewed by engineer and feedback provided on stormwater. Stormwater approved. Connection fees received. Permits issued.
Village Square	Temporary Sign	Temporary banner sign request. HDC Chair agreed admin approval.

Planning and Zoning Casework Continued

234 Spear	Inquiry	Questions about historic district regulations and guidelines. Answered questions and provided resources.
570 Shorewood	New Home	Zoning app to demolish existing home and build new single family home. Reviewed zoning regulations, design review committee letter, and EGLE approvals. Contractor sent plans to Fire Department for review. Researched history of zoning in this area. Discussed with legal. Engineer and KLSWA reviewed. Met with contractor and discussed application and requested 50 year high risk erosion information. Applicant engineer provided further detail and plans. Requested height clarifications which were provided and compliant. Permit issued.
650 Campbell	Water Replacement	Water line replacement app. Sent to engineer for review. Approved. Asked Douglas for any reviews as water main is theirs. They agreed to Saugatuck permitting as curb stop in our jurisdiction. Permit issued.
436 Shorewood	Enforcement	Complaint of a cut into the dune and installation of a retaining wall and parking space without a permit. EGLE also notified and advised permit was required. EGLE sending letter to apply for retroactive permit. They advised work was "minimal". Sent enforcement letter to apply for necessary zoning permits within 30 days (by 11/23). Association president seeking EGLE approval. Zoning app received. Site plan provided. Approval conditioned on EGLE approval.
Metro Act Permit	Metro Act	Metro Act Permit request from 123Net. Route was proposed along Park and Perryman. Reviewed with legal and engineer. Initially 123Net was going to withdraw but decided to go forward when application fee wasn't going to be returned. Surety bond proposed. Concerns raised with historical sites being impacted. Requested applicant consent to extension or withdrawing, review with SHPO, and return with positive finding. Otherwise, request may be denied. 123Net withdrew request.
57-850-010-00	Inquiry	Request for copy of water main easement. Engineer and I unable to locate. Referred to register of deeds.
890 Simonson	Water-Sewer Connection	Water-Sewer connection app. Asked applicant for additional fees and to clarify size. Both received. Engineer previously reviewed. Permit issued.
650 Water	Inquiry	Additional questions about zoning and moratorium for property. Answered questions and provided resources.
125 Elizabeth	Inquiry	Questions about enforcement case and STR certificate status. Answered questions and provided resources.
350 Mason	Enforcement	Sidewalk closed and construction supplies left in ROW without permit. Sent owner notice to remove or apply for temporary right of way permit. Checked on 11/28 and items remain and additional items added. Sent formal letter to remove or apply for permit within 5 days. Temporary right of way app received. DPW reviewed. Shared feedback with contractor. Insurance received. Temporary ROW permit issued.

Planning and Zoning Casework Continued

149 Griffith	HDC	Revised plans received for HDC review. Request to remove porch extension. HDC approved. Reviewed signage and provided preliminary feedback. Also provided regulations to sign contractor. Answered sign contractor questions. Still awaiting sign application. Answered questions related to additional modifications the owner would like which will require zoning and historic district approval.
Multiple	STR Letters	Sent reminder letters to properties whose STR certificates will be expiring in December and January.
N/A	Inquiry	Questions about regulations related to light nuisances. Answered questions.
592 Campbell	Rear Addition	Zoning app for rear addition. Permit issued.
125 Elizabeth	Short Term Rental / Enforcement	STR app. New STR. Sent to Fire Department for inspection. Discovered home is already being rented without a certificate. Also discovered hot tub and patio installed without zoning permits. Sent letter to owner to cease STR use until certificate is obtained and apply for zoning permits. Talked to owner. Answered questions. Provided resources. Discovered dwelling still being rented without STR certificate. Civil infraction notice issued. Asked about status of applying for zoning approvals for hot tub and patio. Owner paid fine. Advised he is working on applying for variances. Owner has missed deadlines to apply for variances. Provided final warning to apply or further enforcement will occur. Received another STR app from a party with a pending purchase of the property. Advised application cannot be processed until there is proof of ownership. Advised of unresolved zoning issues with hot tub and patio. Purchaser will be working with current owner to resolve. Current owner applied for required permits which were issued. Hot tub moved to compliant location.
700 N Maple	Inquiry	Questions about accessory buildings and size. Answered questions and provided resources.
350 Mason	Inquiry	Questions about allowed signage for a bed and breakfast. Answered questions and provided resources.
880 Holland	Sign Replacement	Sign app to replace freestanding sign. Sent to HDC Chair. Chair agreed admin approval. Permit issued.
582 Campbell	Street Cut	Street was cut and not repaved. No recent street cut permits issued for this area. Sent to engineer and DPW for any work they may be aware of. DPW advised Michigan Gas cut road. Prior correspondence showed they were referred to Douglas in late September for any permits. Sent Michigan Gas e-mail asking for timeline to restore and that engineer needed to inspect. They will repave in spring and monitor cold patch this winter. DPW advised they will do the same.

Planning and Zoning Casework Continued

120 Mary	Enforcement/Rezoning Request	<p>STR app. New STR in a single family home. Denied due to STRs only being permitted on second or third floors in water street east zoning district. Sent email and letter to owner and agent. Answered owner questions. Provided resources related to rezoning and use variances. Discovered home is being advertised and rented as an STR without the certificate. Issued a civil infraction notice. Fine paid. Conditional rezoning application received to change from Water Street East to City Center Transitional Residential. Reviewed with consultant and legal. Legal provided feedback to owner's attorney. Owner revised request to be a rezoning request with no conditions. Planning Commission reviewed in October and tabled to November meeting. Planning Commission recommended approval at November meeting. Council approved rezoning. Ordinance published. Reminded applicants that valid STR certificate will still be needed to begin STR use.</p>
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