

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

**ZONING ORDINANCE AMENDMENT**

**ORDINANCE NO.240229-A**

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the City of Saugatuck Hall on February 29<sup>th</sup>, 2024 at 7:00 p.m., City Council Member Muncey moved to adopt the following ordinance, which motion was seconded by City Council Member Baldwin.

*An ordinance to amend the City of Saugatuck's Zoning Ordinance to update provisions governing short-term rentals and to clarify specific provisions pertaining to accessory dwelling units and the rental of the same.*

CITY OF SAUGATUCK, ALLEGAN COUNTY, ORDAINS:

**SECTION 1. AMENDMENT TO ZONING ORDINANCE, SECTION 154.022(V):** The City of Saugatuck Zoning Ordinance, Section 154.022(V) is amended to remove certain provisions that will now be encompassed in the City of Saugatuck's Short-Term Rental Ordinance. Section 154.022(V) will now read as follows:

(V) *Short-term rentals.* Short-term rentals shall require a license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall comply with the following requirements:

- (1) Short-term rentals shall only be permitted in dwelling units that satisfy all the applicable requirements of this chapter.
- (2) Signs shall be subject to the applicable provisions of § 154.141 of this Chapter.

**SECTION 2. AMENDMENT TO ZONING ORDINANCE, SECTION 154.022(W):** The City of Saugatuck Zoning Ordinance is amended to clarify certain provisions in Section 154.022(W), which shall now read as follows:

(W) *Accessory dwelling unit.* An accessory dwelling unit, as defined in § 154.005 of this chapter shall meet the following criteria:

- (1) An accessory dwelling unit shall be permitted on a lot where the principal use is an existing single-family detached dwelling.
- (2) Occupancy of an accessory dwelling unit permitted by right shall be limited to the following:
  - a. Owners/occupants of the single-family detached dwelling on the same property.

- b. Non-renting invited guests of the owners/occupants of the single-family detached dwelling on the same property, such as family or friends.
  - c. Renters of the single-family detached dwelling on the same property if both the single-family detached dwelling and accessory dwelling unit are rented under a single contract. Renting both the single-family detached dwelling and the accessory dwelling unit under a single contract does not require a special land use approval. If an accessory dwelling unit is rented in conjunction with a single-family detached dwelling for less than 31 days, each dwelling unit must obtain a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals.
- (3) An accessory dwelling unit shall have a minimum of 375 square feet of gross finished floor area and shall not exceed the lesser of 30% of the gross finished floor area contained within the single-family detached dwelling or 600 square feet of gross finished floor area; except, in the CRC zone district when the parcel on which the accessory dwelling unit is located is two or more acres in area, the floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principal residence or 1,500 square feet. For purposes of this section, the floor area of an accessory dwelling unit is the total gross finished floor area intended for living, sleeping, bathing, eating and cooking. In the case of an accessory dwelling unit attached to or incorporated with a detached accessory building intended for other purposes, such as accessory studio, shop, or storage space, there shall be no internal access and connection to the additional floor area intended for the other purpose if the result of the connection would exceed the maximum gross finished floor area required for the accessory dwelling unit.
- (4) An accessory dwelling, which is not located within the single-family detached dwelling, shall not be located between the front door of the single-family detached dwelling and the public right-of-way, unless located above an existing detached accessory structure.
- (5) An accessory dwelling shall be subject to all setback and lot coverage requirements applicable to a single-family detached dwelling in the district in which it is located.
- (6) No more than one accessory dwelling unit is permitted on any lot.
- (7) Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the single-family detached dwelling.

- (8) An accessory dwelling unit attached to a single-family detached dwelling shall have a separate entrance from the exterior of the single-family detached dwelling.
- (9) A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city.
- (10) The rental of an accessory dwelling unit independently from the single-family detached dwelling on the same parcel shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § 154.092(J).

**SECTION 3. AMENDMENT TO ZONING ORDINANCE, SECTION 154.092(J):** The City of Saugatuck Zoning Ordinance, Section 154.092(J) is amended to read as follows:

(J) *Rental of an accessory dwelling unit.* Unless otherwise specified below, a rental accessory dwelling unit shall conform to all regulations in § 154.022(W) and the following:

- (1) A rented accessory dwelling unit shall only be permitted on a parcel that contains a single-family detached dwelling that is occupied and used by the owner as his or her primary, year-round residence. Under no circumstances may a single-family detached dwelling and an accessory dwelling unit on the same parcel be rented to separate parties or under separate contracts.
- (2) Accessory dwelling units rented for less than 31 days shall require a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals.

**SECTION 4. AMENDMENT TO ZONING ORDINANCE, SECTION 154.024(B):** The City of Saugatuck Zoning Ordinance, Section 154.024(B), Permitted Uses, shall be amended to read as follows:

- (B) Permitted uses:
- (1) Essential public services;
  - (2) Retail stores;
  - (3) Personal service establishments;
  - (4) Art galleries;
  - (5) First-floor and upper-floor apartments, except that first-floor apartments shall not front public streets. First-floor apartments may front public or private alleys, private streets, private driveways, side yards, and rear yards;
  - (6) Home occupations;

- (7) Short-term rental of allowable apartments; and,
- (8) Business, professional offices on first or upper floors, except that first-floor offices shall not front public streets. First-floor offices may front public or private alleys, private streets, private driveways, side yards, and rear yards.

**SECTION 5. AMENDMENT TO ZONING ORDINANCE, SECTION 154.039(B):** The City of Saugatuck Zoning Ordinance, Section 154.039(B), Permitted Uses, shall be amended to read as follows:

(B) Permitted uses:

- (1) Essential public services;
- (2) Retail stores;
- (3) Domestic business repairs;
- (4) Personal service establishment;
- (5) Art gallery;
- (6) Dwelling, single-family detached;
- (7) First-floor and upper-floor apartments, except that first-floor apartments shall not front public streets. First-floor apartments may front public or private alleys, private streets, private driveways, side yards, and rear yards;
- (8) Short-term rental of allowable dwelling units or apartments; and,
- (9) Home occupations.

**SECTION 6. AMENDMENT TO ZONING ORDINANCE, SECTION 154.040(B):** The City of Saugatuck Zoning Ordinance, Section 154.040(B), Permitted Uses, shall be amended to read as follows:

(B) Permitted uses:

- (1) Dwelling, single-family detached;
- (2) Dwelling unit, two-family;
- (3) Essential public services;
- (4) Retail stores;
- (5) Personal service establishments;
- (6) Art gallery;
- (7) Marinas/commercial boats;
- (8) First-floor and upper-floor apartments, except that first-floor apartments shall not front public streets. First-floor apartments may front public or private alleys, private streets, private driveways, side yards, and rear yards;
- (9) Charter fishing/tours;
- (10) Home occupations; and
- (11) Short-term rental of allowable dwelling units or apartments.

**SECTION 7. AMENDMENT TO ZONING ORDINANCE, SECTION 154.041(B):** The City of Saugatuck Zoning Ordinance, Section 154.041(B), Permitted Uses, shall be amended to read as follows:

(B) Permitted uses:

- (1) Essential public services;
- (2) Retail stores;
- (3) Bed and breakfasts;
- (4) Personal service establishments;
- (5) Art gallery;
- (6) Parks;
- (7) Dwelling, single-family detached;
- (8) First-floor and upper-floor apartments, except that first-floor apartments shall not front public streets. First-floor apartments may front public or private alleys, private streets, private driveways, side yards, and rear yards;
- (9) Home occupations; and
- (10) Short-term rental of allowable dwelling units or apartments.

**SECTION 8. AMENDMENT TO ZONING ORDINANCE, SECTION 154.005:** The City of Saugatuck Zoning Ordinance, Section 154.005, Definitions, shall be amended to delete the definition of “Rental Occupancy Certificate” and to revise the definition of “Flood Hazard Area,” which shall read as follows:

***FLOOD HAZARD AREA.*** The area designated as a flood hazard area (100-year floodplain) on the city’s Flood Insurance Rate Map (FIRM), issued by the Federal Emergency Management Agency (FEMA), as from time to time amended.

**SECTION 9. SEVERABILITY:** Should a court of competent jurisdiction find any provision, clause, or portion of this ordinance amendment to be invalid, the balance or remainder of this ordinance amendment shall remain valid and in full force and effect and shall be deemed “severable” from the portion, clause, or provision deemed to be invalid by the court.

**SECTION 10. REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 11. EFFECTIVE DATE:** This Ordinance shall take effect seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: Anderson, Baldwin, Dean, Gaudner, Muncy, Stanton

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

  
\_\_\_\_\_  
Lauren Stanton  
City of Saugatuck, Mayor


**CERTIFICATION**

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the City of Saugatuck at a duly scheduled and noticed meeting of the City Council held on February, 27 2024, pursuant to the required statutory procedures.
2. A summary of the above ordinance was duly published in the Commercial Record newspaper, a newspaper that circulates within the City of Saugatuck, on 3-7-24, 2024.
3. Within 1 week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the City Council voting, and how each member voted.

~~X~~ ~~WA~~ filed an attested copy of the above ordinance with the Allegan County Clerk on \_\_\_\_\_, 2024.

ATTESTED:

  
\_\_\_\_\_  
Jamie Wolters  
City of Saugatuck, Clerk