



## **Planning Commission Meeting Minutes**

The Planning Commission met for a Regular Committee Meeting, September 21, 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, Gardner, Gaunt, LaChey.

Absent: Vice-Chair Broeker.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, 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 September 21, 2023. Upon voice vote, motion carried 6-0.*

### **3. Approval of Minutes:**

*Motion by LaChey, second by Anderson to approve the minutes as presented for regular meeting August 17, 2023. Upon voice vote, motion carried 6-0.*

### **4. Public Comment on Agenda Items: None.**

### **5. Old Business:**

#### **A. Short-Term Rental Task Force – Verbal Update**

Short-Term Rental Taskforce Chairwoman Anderson said that she is thrilled to report that the STRTF has met its commitment to deliver recommendations to City Council.

Recommendations fall into two broad categories, sort of how to tackle how they run short-term rentals and nuisances, trash, inspections, and that kind of stuff. They had great input from the residents and outstanding input from the fire department. She thinks that they have some really good recommendations that are high level. Planning, Staff, and City Council will need to dig in and figure out how to make them actionable and what the appetite is for change. She thinks there is a great recommendation. The other area they tackled was neighborhoods and density levels and whether or not to recommend a cap either city wide residents or none at all and there was no consensus among the Task Force. They had really good discussion from the polls and the people. McKenna gave them several options, a lottery, city wide cap, no cap, and then

residential caps. There was some support for residential caps, whether it was by zone or by neighborhood. There was no consensus for residential caps. The report that was in the packet for the STRTF was approved with the four changes. One, they wanted us to recommend that the city consider outsourcing some of the management of STR's. There were some recommendations in her notes on adding some communications such as beefing up the website and attaching Fire Department letters because it would be helpful for Council to see what the fire department actually sent in versus a recap. Joe Clark pointed out that there was an inconsistency in the chart data earlier in the report and a summary of the sentiment of residents. When you look at the resident population, there is support for a cap in the residential sector. When you look at part time residents alone or the full survey respondents, it is not evenly split, it was a little bit more. Chair Anderson said that the Task Force was a great group with awesome people that came prepared to meet. She thought that they had a great response from the public and they were very respectful. This is an issue that people feel strongly about, and everyone is open to learning. They have a lot of work ahead because the recommendations are pretty high level.

## **6. New Business:**

### **A. Proposed Zoning Ordinance Amendments (Roll Call Vote)**

The following is a summary of the proposed amendments:

- Require every expanded outdoor dining area obtain: 1) a special use permit; 2) site plan review; and 3) a revocable license agreement from the City, regardless of whether the expanded outdoor dining area occupies a sidewalk, right-of-way, or other public property.
- Omits the prior restrictions on signage in expanded outdoor dining areas, but otherwise it incorporates substantially all of the requirements for expanded outdoor dining areas that would have been required by the planning commission's review via existing SUP process, administrative review via the emergency policy, or as part of Council's review in issuing a revocable license pursuant to Section 96.33.
- Note that the amended SUP section still contains a subsection of outdoor dining areas on restaurant premises, rather than on public property, and these regulations are very basic and largely unchanged from what was previously in the code.
- Allow the expanded outdoor dining area to operate between April 1 and November 1 (consistent with existing regulations) and require all items to be removed no later than November 10 and allow items to be reinstalled no earlier than March 20.
- Require payment of an annual fee for the privilege of using public property (previously a component of the revocable license agreement), which is established by resolution of the Council.
- Allow the SUP to be revoked by the City for failing to comply with the requirements of the zoning ordinance, maintain a valid revocable license agreement, or pay the annual

fee. It also notes that it can be terminated as necessary to accommodate public work, the City's use of its public places, or otherwise at the City's discretion.

- Added language noting that if the SUP was terminated for reasons outside the applicant's control, the annual fee would be prorated and refunded. As the proposed zoning ordinance amendments would now require a revocable license agreement with the City as a prerequisite to obtaining an SUP for an expanded outdoor dining area, Section 96.33 of the City Code is no longer necessary. If the zoning ordinance is amended, City Council will be asked to amend the City Code to delete that section. The Planning Commission should review and discuss any changes it desires to the proposed amendments. Once the Planning Commission is satisfied with the proposed language, a public hearing should be set.

*Motion by Gardner, second by Gaunt to set a public hearing on October 19 for zoning ordinance amendments for restaurants with outdoor seating and expanded outdoor dining areas. Upon roll call vote, motion carried 6-0.*

## **B. Waterfront Development Zoning Ordinance Review – Zoning Recommendations**

David Jirousek said that the objective of the September meeting is to achieve a final consensus on the use of zoning districts and amendments to dimensional, parking, and land use requirements. While he anticipates additional edits and suggestions during the drafting phase, they should agree on the overall framework. After their upcoming conversation, he plans to prepare formal zoning text for consideration in October, with November as a target for the public hearing.

**7. Communications:** None.

### **8. Reports of Officers and Committees:**

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

**9. Public Comments:** None.

### **10. Commission Comments:**

Commissioner Bagierek: He participated and watched the STRTF meetings or was a part of all of them and it was really good. He really felt like some of his positions did move a little bit through it and thought it was a good presentation.

Commissioner Gardner: Thanked the Commission for the dialogue tonight. He thinks that it is a real pleasure to serve on this Commission and he really appreciates the professional dialogue and expertise. He thanked City staff for printing on both sides of the paper.

**11. Adjournment:**

*Motion by Gaunt, second by Anderson, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned at 8:49 pm.*

Respectfully Submitted,

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Sara Williams, City Deputy Clerk & DPW Administrative Assistant