



Planning Commission Meeting Minutes

The Planning Commission met for a Regular Committee Meeting, August 15, 2024, 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: Chair Manns, Commission members: Anderson, Bagierek, Broeker, Gaunt, & LaChey.

Absent: Clark.

Others Present: City Manager Cummins, City Attorney Witte, Deputy Clerk Williams

2. Approval of Agenda:

Motion by Gaunt, second by LaChey, to approve the agenda as presented for August 15, 2024.

Upon voice vote, motion carried 6-0.

3. Approval of Minutes:

Motion by Anderson, second by Bagierek, to approve the minutes for the regular meeting July 18, 2024. Upon voice vote, motion carried 6-0.

4. Public Comment (Agenda Items Only):

- Ethan Barde (584 Lake): Not in favor of STR caps.
- Kathleen Quick (312 Hoffman): Not in favor of STR caps.

5. Old Business: None.

6. New Business:

- A. Zoning Ordinance Amendment – Public Hearing – An ordinance to amend the City of Saugatuck’s Zoning Ordinance to impose maximum limits on the number of short-term rentals licenses in specific zoning districts, establish the effect of such limits on existing licenses, establish how available licenses will be issued, and provide a mechanism for the City Council to adjust such maximum limits, to protect the public health, safety, and welfare of our community.

Public Hearing

- A. Hearing is called to order by Chair Manns at 7:09 pm.

B. Summary by Zoning Administrator:

On June 19, the Planning Commission made the following recommendation to the City Council:

Motion by Anderson, second by Clark, that the Planning Commission recommend to Saugatuck City Council, the adoption of a 20% cap on short-term rental licenses in reach R1 Residential District calculated based on the number of dwelling units currently in that district, with a provision to grandfather all existing short-term rental licenses until the property is sold or otherwise changes ownership, and a provision for full-time residents with a PRE to be allowed to short-term rent their home for up to three (3) weeks per year.

Yes: Anderson, Broeker, Clark, Gaunt

No: Bagierek, LaChey, Chair Manns

Staff reviewed the Planning Commission recommendation with the City Council. The Council was advised that if they were inclined to accept the Planning Commission's recommendation, staff recommended that a cap be implemented through amendments to the STR police power ordinance as well as a portion of the Zoning Ordinance. Therefore, the Planning Commission would, at a minimum, be required to hold a public hearing on the zoning amendment and make a recommendation on the same to Council.

After several public comments, review and discussion, the City Council passed the following motion:

Motion by Baldwin, second by Anderson to direct City staff to prepare the necessary ordinance amendments, resolution language and policy necessary to implement a cap on the total number of STR licenses that may be issued within the City's R-1 Residential districts consistent with the following:

- *The cap will be established by resolution of the City Council in an amount approximately equal to 20% of the dwelling units in each R-1 district.*
- *The cap will not operate retroactively, and existing STR licenses will remain valid unless there is a transfer of property, or the license is revoked or lapses.*
- *The commercial property located at 560 Campbell in the Peninsula West district will be exempt from the caps, and any licenses granted to dwelling units at that address will not count toward the caps.*
- *Once available, new STR licenses will be issued by a lottery system.*

- *The Planning Commission will hold a public hearing on the zoning amendment necessary to implement the cap and will not assist with the preparation of the amendment to the STR police powers ordinance.*

Yes: Anderson, Baldwin, Dean, Mayor Stanton

No: Gardner, Muncey

Based on the Council's direction, the attached zoning ordinance amendment has been drafted. Two notable changes to consider from the motion above:

- *The draft ordinance would exempt all ADU's from the maximum limits. This would allow single family dwellings that are owner occupied to apply for special land use approval to separately rent the ADU and not have a license application subject to the cap.*
 - *The current language would also allow a single-family dwelling that already has a STR certificate or license to not have an existing or new ADU to be subject to the limit as the entire property still has to be rented under a single contract.*
- *The exemption of 560 Campbell is not included as a review of a prior consent judgement shows it would already allow the property to be exempt from the maximum limits.*

As currently drafted, the maximum STR limits could be adjusted by City Council via resolution. The other option would include a more formal ordinance amendment process to adjust the limits.

The Planning Commission is asked to conduct a public hearing on the zoning text amendment, deliberate, and make a recommendation to City Council on whether to adopt the text amendment.

C. Presentation by the Applicant.

D. Public comment regarding the application:

1. Supporting comments: None.
2. Opposing comments:
 - a. Seth Archer (attorney from Varum, represents group Saugatuck Neighbors)
 - b. Michael Sanders (297 Sugar Hill)
 - c. Richard Williams (1052 Elizabeth)
 - d. Ethan Barde (584 Lake)
 - e. Gary Kemp (1022 Holland)
 - f. Jeremy Conley (530 S Maple)
 - g. Tammy Kerr (3191 Beach Trail Drive, Saugatuck Township)

- h. Gary Medler (461 Vine)
- i. Bryan Root (247 Grand)
- j. Laura Durham (747 Water)
- k. Kathleen Quick (312 Hoffman)
- l. Chris Peterson (742 Pleasant)
- m. Mark Klungle (747 Water)
- 3. General comments: None
- 4. Repeat comment opportunity (Supporting, Opposing, General): None.
- E. Public comment portion close by Chair Manns at 8:03pm.
- F. Commission deliberation.
- G. Commission action:

Motion by LaChey, second by Anderson, to recommend the adoption of the amendments to the zoning ordinance to impose maximum limits on the number of short-term rental licenses in specific zoning districts, establish the effect of such limits on existing licenses, establish how available licenses will be issued, and provide a mechanism for the City Council to adjust such maximum limits to protect the public health, safety, and welfare of our community Upon roll call vote, motion carried 4-2.

YES: Anderson, Broker, Gaunt, LaChey

NO: Bagierek, Manns

7. Communications: Brook Anderson (email)

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:

- Chris Peterson (742 Pleasant): Not in favor of STR caps.
- Ethan Barde (584 Lake): Not in favor of STR caps.
- Russ Gardner (245 Spear): Appreciates everyone's hard work. Invited all to annual Spear St block party .
- Michael Sanders (297 Sugar Hill): Not in favor of STR caps.
- Jane Underwood (130 Perryman): Complimented commission on all of their hard work. Said the League of Women Voters is having a voter forum September 17th at Saugatuck High School and encouraged all to attend.
- Gary Kemp (1022 Holland): Not in favor of STR caps.
- Jenn Rees (245 Spears): Not in favor of STR caps.
- Kathleen Quick (312 Hoffman): Not in favor of STR caps.
- Mark Klungle (747 Water): Not in favor of STR caps.

10. Commissioner Comments:

- Gaunt: Shared personal experience and concerns about density of STR's in Saugatuck.
- Broeker: She really appreciates the tremendous work that staff have put into this and the coordination with City Council. She thinks that everyone on this Planning Commission has acted in what they believe is the best interest of the town and in the City that they all love.
- Anderson: She spoke about what a neighbor means to her using a dog missing in the community as an example of how her neighbors have looked out for her. She said that the four short-term rentals in her neighborhood don't know her or her dog, or how to reach her and she thinks this is why neighbors are needed. She stated that this is why she ran for office, she is advocating for what people have asked her for and she thinks that work is really important.
- LaChey: Said that someone brought up a loophole or an error regarding first floor residential, in the waterfront development district. He mentioned it to the chair, and it was decided to put it on the agenda for October's meeting. He thinks it is a valid concern and wanted to let everyone know that they are looking at it and are on top of it.
- Bagierek: He said that he has asked in previous meetings but has not yet received an answer. The ordinances have been put in place that the STR group put out and he is looking for feedback on how successful they have been or if they have a benchmark. He is wondering if they have been successful with those ordinances and wonders how they present that info to the Planning Commission or to the public so everyone can get that feedback. He said that he misses the Zoning report that City Manager Cummins used to do when he was the Zoning Administrator and is looking forward to the new Zoning Administrator starting so that he can start to get the updates again.
- Manns: He thanked everyone for participating in the meeting and commends the heroes who risked their lives to help during an accident earlier in the day where a driver and vehicle went into the Kalamazoo River. He commended the STR Task Force, the City staff, the Planning Commission, and City Council for all of their hard work. He encouraged citizens to sign-up for email notifications from the City to stay informed about meetings and agendas. He mentioned that he is aware of the piece of the Waterfront ordinance that could be a risk and ensures that they will address the issue in the future. He encouraged City Council to listen to all of the comments from the meeting tonight and decide if they are comfortable with the language that is in the ordinance and let the audience know that they will have another opportunity when it goes before council to once again speak with them.

11. Adjournment:

Motion by Gaunt, second by Anderson, to approve adjournment of the meeting. Upon voice vote, motion carried 6-0. Chair Manns adjourned the meeting at 9:10 pm.

Respectfully Submitted,

Sara Williams, Deputy Clerk