



Planning Commission Meeting Minutes

The Planning Commission met for a Regular Committee Meeting, July 18, 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, Clark, Gaunt, & LaChey.

Absent: None.

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 July 18, 2024.

Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion by Anderson, second by Gaunt, to approve the minutes for the regular meeting June 20, 2024. Upon voice vote, motion carried unanimously.

4. Public Comment (Agenda Items Only):

- Kyle Konwinski (Attorney, representing Saugatuck Neighbors): He raised concerns about conflict of interest in proposed ordinance due to different treatment of R1 and R2 districts. He questioned why condominium units are not included in total dwelling units for cap calculation.
- Michael Sanders (197 Sugar Hill Ct): He urged careful consideration of STR cap, prioritizing full-time residents. Sanders also requested an amendment to allow for rentals when owner is present.

5. Old Business: None.

6. New Business:

- A. Review of Draft Zoning Ordinance Amendment and Set Public Hearing – An ordinance to amend the City of Saugatuck’s Zoning Ordinance to provide a mechanism for the City Council to limit the maximum number of short-term rentals in specific zoning districts and to adjust such limit when advisable.

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 during their recent workshop and regular meeting. 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 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. The Planning Commission is asked to review the language and set a public hearing.

Motion by LaChey, second by Broeker, to set a public hearing on the zoning ordinance amendment for August 15 at 7pm. Upon roll call vote, motion carried unanimously.

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:

- Kyle Konwinski (Attorney, representing Saugatuck Neighbors): He raised concerns about setting cap number by resolution instead of ordinance, citing potential legal issues. He argued that allowing City Council to change cap by resolution undermines the referendum process under Michigan law. He highlighted the importance of grandfathered properties, urging the committee to consider their protection.
- Ethan Barde (748 Holland): He shared a personal experience of inappropriate behavior by a Planning Commission member, requesting a complaint process.
- Mark Klungle (747 Water): Expressed frustration with exaggerations and miscommunication of facts regarding STR numbers and percentages.

10. Commissioner Comments:

- Anderson: She responded to Mark Klungle's question regarding some of the data for STR's. The numbers she did for short-term rental capacity, one was from July 2023 and the other was June 2024.
- LaChey: He saw DPW putting stakes in the ground for permanent parking signs and thinks it is a good thing.
- Bagierek: He thinks it will be nice as they get through this one big issue that they can move forward and reduce some of the heat. He thought the mayor did a good job at the last meeting as she heard some of the things that she just moved on, as opposed to other people wanting to address what people should say or should not say online. He does not think this is a place to tell people what they should say.
- Manns: Thanked everyone involved in the Planning Commission and community for their input.

11. Adjournment:

Motion by Anderson, second by LaChey, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned the meeting at 7:58 pm.

Respectfully Submitted,

Sara Williams, Deputy Clerk