Planning Commission Regular Meeting
June 19, 2025 6:30PM
City Hall
102 Butler Street, Saugatuck, MI

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1. **Call to Order/Roll Call:**

2. **Approval of Agenda:** (Voice Vote)

3. **Approval of Minutes:** *(Voice Vote)*
   - **A.** Regular Meeting Minutes – May 15, 2025

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

5. **Old Business:**
   - A. Master Plan - Continued discussion and draft survey questions
   - B. Sign Regulation Amendments
   - C. Zoning District Review

6. **New Business:**
   - A. 202 Butler St - Special Land Use
   - B. 249 Mason St – Site Plan Review

7. **Communication:**

8. **Reports of Officers and Committees:**
   - A. Planning and Zoning Project Report May 27, 2025
   - B. Planning and Zoning Project Report June 9, 2025

NOTICE:
Join online by visiting:
https://us02web.zoom.us/j/2698572603

Join by phone by dialing:
(312) 626-6799 -or-
(646) 518-9805

Then enter "Meeting ID":
2698572603

Please send questions or comments regarding meeting agenda items prior to meeting to:
Luke@saugatuckcity.com

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, May 15, 2025, at 6:30 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 6:30 p.m.
   Present: Commission members: Bagierek, Baldwin, Clark, Gaunt, LaChey, & Manns.
   Absent: Commissioner Marineau.
   Others Present: Planning & Zoning Director Thompson, Deputy Clerk Williams, City Planning Consultant Jirousek (Horizon Planning).

2. **Approval of Agenda**:
   Motion by Gaunt, second by LaChey, to approve the agenda for May 15, 2025. Upon voice vote, motion carried 6-0.

3. **Approval of Minutes:**
   Motion Bagierek, second by Clark, to approve the minutes for the regular meeting held on March 20, 2025. Upon voice vote, motion carried 6-0.

4. **Public Comment (Agenda Items Only):** None.

5. **Old Business**: None.

6. **New Business:**
   A. **Master Plan Discussion.**
   The Commission discussed creating a new city-focused mast plan after the Tri-Community plan with Douglas and Saugatuck Township fell through.

   Key points include:
   1. They want to gather public input through community surveys, pop-up events, and open house events.
   2. The commission will review the existing tri-community plan and Douglas's plan to identify applicable sections.

3. They plan to develop a survey and potentially hold a special meeting dedicated to the master plan.
4. The goal is to create a clear, concise plan that reflects the city's current needs and priorities.
5. They'll focus on educating the public about what a master plan is and why it's important.

The Commission aims to have a draft framework by June and move forward with public input over the summer.

B. Sign Regulation Amendments:

The Commission discussed updating sign regulations to be content-neutral and comply with Supreme Court guidelines.

Key Points include:

1. Consolidate current specific sign categories (like garage sale, political, real estate signs) into a single "temporary yard sign" category.
2. Standardize regulations across sign types focusing on:
   - Maximum height
   - Maximum size (potentially 4-6 square feet)
   - Maximum number of signs
   - Setbacks
   - No illumination
3. Remove content-based language from sign definitions.
4. Consider special provisions for:
   - Construction signs
   - Election season signage
   - On-premise vs. off-premise signs
5. Aim to create regulations that are easier to enforce and less likely to face legal challenges.

The goal is to draft a more consistent, content-neutral sign ordinance that can be reviewed and potentially adopted in the coming months.

C. 550 Dunegrass – Site Plan Review:

The Commission reviewed a retroactive site plan for 550 Dunegrass, which involved vegetation removal and a new driveway. The property owner had already cleared vegetation, removed trees, and regraded an area within the existing dune system without prior site plan approval. Adrian Peterson from Peterson and Vandenberg Environmental presented a restoration plan that includes:

- Removing fill piles.
- Planting six red maple trees.

- Adding three red oak dogwoods.
- Installing a drainage swale.
- Stabilizing the driveway with dune grass.

The EGLE staff have already issued a permit for the proposed activities. The Commission discussed concerns about the retroactive nature of the approval but ultimately viewed the plan as appropriate.

Motion LaChey, second by Bagierek, to approve the vegetation removal and restoration plan and the driveway site plan for 550 Dunegrass Circle Drive based on satisfaction of the site plan approval standards of Section 151.060 documented in the staff memo dated May 9, 2025. Approval is contingent upon the following:

1. *All proposed vegetation is installed during the 2025 planting season.*
2. *An easement is established on 500 Dunegrass Circle Drive for access from Dunegrass Circle Drive to 550 Dunegrass Circle Drive.*
3. *All applicable approvals are granted, including but not limited to:*
    a) *Fire Department*
    b) *City Engineer*
    c) *EGLE*

Upon roll call vote, motion carried 6-0.

D. <u>Commercial District Zoning District Review:</u>

The Commission discussed consolidating and simplifying commercial zoning districts.

Key Points include:

1. Focus on reducing four commercial districts (C1 water Street North, C1 Water Street South, C1 City Center, and C2 Water Street East) to potentially two districts.
2. Proposed changes:
    - Merge C2 Water Street South into C1 City Center
    - Potentially combine C1 Water Street North and C2 Water Street East into a single Water Street District
3. Standardize land use regulations by:
    - Creating more generalized use categories (like “retail” instead of multiple specific retail types)
    - Simplifying dimensional requirements
    - Establishing consistent lot coverage (potentially 60-65%)
    - Standardizing setbacks (potentially to 10 feet)
4. Maintain flexibility for existing non-conforming uses, such as the single-family home in Water Street South

5. Plan to draft detailed recommendations for the June meeting, with a potential public hearing in August to then send to City Council in September for approval

The overall goal is to create a more streamlined, easier-to-understand commercial zoning structure that reflects the current character of the city's commercial areas.

7. Communications: None.

8. Reports of Officers and Committees:

A. Planning & Zoning Project Report April 14, 2025
B. Planning & Zoning Project Report May 12, 2025

9. Public Comments: None.

10. Commissioner Comments:

- Gaunt – She was disappointed about the Tri-Community Master Plan not moving forward collaboratively with Douglas and the Township. Despite her disappointment, she noted overall it was a good meeting.
- Bagierek – He thought it was a good meeting.
- Clark – He agreed it was a good meeting, and appreciated all the work done to help navigate the complicated topics discussed. He is looking forward to getting the Master Plan update started. He shared Bobbie Gaunt's disappointment about the Tri-Community Master Plan not moving forward but looks forward to working on the city specific Master Plan.
- Manns – He was happy to see things continuing to move forward and is looking forward to receiving the draft documents. He reminded everyone to review the Master Plan and Douglas's Plan by June 3rd and provide additional comments and expressed readiness to see everyone at the June meeting.

11. Adjournment:

Motion by Clark, second by Bagierek, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned the meeting at 8:38 pm.

Respectfully Submitted,

_____

Sara Williams, Deputy Clerk

HORIZON
Community Planning

Memorandum

To: City of Saugatuck Planning Commission

Date: June 14, 2025

From: David M. Jirousek, AICP

RE: Draft Community Survey Questions

Community Survey

Draft community survey questions have been developed for discussion. Please note that the intent is to seek input and feedback. The survey can be shorter or more comprehensive depending on your feedback. Topic areas are preliminary and are intended to provoke new questions and material specific to the community and your priorities. Please assess the appropriateness of the topic areas, the style of the question, and what may be missing or unnecessary.

Residency (same as for waterfront survey)

- Are you a full-time or part-time resident of the City of Saugatuck? (choose one)
    - Full-time/primary home resident
    - Part-time/second home
    - Not a resident
- If a full-time or part-time resident, where do you live? (choose one)
    - Downtown
    - On the “Hill”
    - North/east side of the river
    - Peninsula/west of the river
- If not a resident, are you: (choose one)
    - A resident of Douglas
    - A resident of Saugatuck Township
    - A resident outside of Saugatuck, Douglas, or Saugatuck Township but within Allegan County
    - A resident outside of Allegan County

Age (choose one)

- Under 14
- 15-18
- 19-29
- 30-39
- 40-49
- 50-59
- 60-69
- 70-79
- 80 and over

Overall City Priorities and Values (order of importance or top 3)

- A vibrant, strong, and attractive downtown that maintains small-town charm
- Environmental sustainability and resiliency
- Safe and accessible sidewalks, crosswalks, and pathways for pedestrians and cyclists
- A welcoming and inclusive community
- Year-round, residential community
- Economic development, tourism, and support for local businesses
- Residential growth and development
- Community culture and arts

Priorities for the Tri-Communities Area (order of importance or top 3)

- Tourism
- Environmental sustainability and resiliency
- Regional pathways
- Economic development and job creation
- Growth and development
- Regional road network
- Affordable/workforce housing

Living in the City (for residents)

- What are your primary reasons for living in the City of Saugatuck? (rank or pick 3)
    - Safety
    - Small town character
    - Welcoming and inclusive community
    - Recreation
    - Rivers and Lake Michigan
    - Schools
    - Nature
    - Close to family
    - Close to work
    - Close to shopping and restaurants
    - Other: _____
- If you were to move elsewhere, what would be the main reason?
    - Employment opportunities
    - Lower cost of living (rent or mortgage)
    - Lower taxes
    - To meet the needs of an aging family (single-story, senior living, or condominium development)
    - Desire to live in a bigger city
    - Need for more living space
    - To have more access to goods and services (retail, services, healthcare, etc.)
    - Warmer climate
    - Desire for a more rural area, more property
    - To be closer to family
    - Preference for a different school district
    - To find a more recently built house
    - Other: _____

Parks

- How frequent do you use the following parks? (weekly, monthly, several times a year, rarely, never)
    - Oval Beach
    - Mt. Baldhead Park
    - Chain Ferry
    - Saugatuck Harbor Natural Area
    - Coghlin Park
    - Cook Park
    - John Woolam Trail
    - Village Square Park
    - Mildred Peterson Nature Preserve
    - Rose Garden
    - Wicks Park
- Are facility improvements needed? (yes/no, if yes, then what?)
    - Oval Beach
    - Mt. Baldhead Park
    - Chain Ferry
    - Saugatuck Harbor Natural area
    - Coghlin Park
    - Cook Park
    - John Woolam Trail
    - Village Square Park
    - Mildred Peterson Nature Preserve
    - Rose Garden
    - Wicks Park

Economic Development, Tourism, and Local Businesses (priority for each: high, medium, low):

- Supporting existing or new local businesses
- Focus on developing more arts and cultural attractions
- Fill vacant storefronts
- Façade improvements for commercial storefronts
- Redevelopment of aging buildings
- Redevelopment of parking lots
- Eco-tourism and recreation
- Availability of accommodations (hotels, inns, bed & breakfast, short-term rentals)
- Community festivals and events
- Outdoor dining along sidewalks and streets, such as café seating
- Ensure attractive and limited signage to preserve character

Mobility and Transportation

- Walking
    - Why do you walk in the City?
        - Exercise
        - Recreation
        - Commuting
        - Shopping
        - I don't walk in the City
    - Downtown
        - How often do you walk downtown? (weekly, monthly, several times a year, rarely, never)
        - Would you walk downtown more frequently with improved sidewalks and crosswalks? (yes/no)
    - Neighborhoods
        - How often do you walk in residential neighborhoods (weekly, monthly, several times a year, rarely, never)
        - Would you walk in residential neighborhoods more frequently with improved sidewalks, crosswalks, and pathways? (yes/no)

- Biking
    - Why do you ride a bike in the City?
        - Exercise
        - Recreation
        - Commuting
        - Shopping
        - I don't ride a bike in the City
    - Downtown
        - How often do you ride a bike downtown (weekly, monthly, several times a year, rarely, never)
        - Would you ride a bike downtown more frequently with improved street markings, safety signage, or pathways? (yes/no)
    - Neighborhoods
        - How often do you ride a bike in residential neighborhoods (weekly, monthly, several times a year, rarely, never)
        - Would you ride a bike in residential neighborhoods more frequently with improved street markings, safety signage, or pathways? (yes/no)
- General
    - Is the downtown area safe and convenient for the mobility of disabled individuals? (agree, neither agree or disagree, disagree)
    - Options for public transit (buses, trolleys, etc.) should be expanded (agree, neither agree or disagree, disagree)
    - Where is improved pedestrian connectivity needed (open-ended or options provided)
    - Where can crosswalks be improved (open-ended or options provided)
    - Where can intersections be improved with signals, lighting, signage, etc. (open-ended or options provided)
- Parking (agree, neither agree or disagree, disagree)
    - Parking is convenient and available when I need it
    - Improved signage and identification of parking areas are needed
    - On-street parking, such as parallel and angled spaces, is convenient when I need it
    - There is a sufficient number of off-street parking lots downtown

- The City should invest in (agree, neither agree or disagree, disagree):
    - On-street bike lanes
    - Street improvements
    - On-street painted bike lanes
    - Sidewalk extensions and improvements
    - On-street parking (angled or parallel)
    - Multi-use pathways for walking, biking, running, scooters, roller skates/blades, etc.
    - Off-street parking lots

Housing (agree, neither agree or disagree, disagree)

- Preserving existing neighborhood character should be a priority
- The design of new homes should be limited to match the scale of existing homes in the vicinity
- It should be easier to rent an accessory dwelling unit (long-term- 30 days+)
- The City should investigate strategies for more affordable workforce housing
- Options for “aging in place” should be explored
- Recent housing development fits the character of the neighborhood
- Townhomes and row houses are appropriate in neighborhoods if designed to fit the scale and character
- Small apartment buildings are appropriate in neighborhoods if designed to fit the scale and character
- Upper-floor apartments are appropriate in the downtown area

Environment (agree, neither agree or disagree, disagree)

- The existing tree canopy should be preserved and new street trees planted
- Right-of-way (between sidewalks and streets), yards, parks, and green spaces should be used for rain gardens and natural stormwater treatment
- Increased protection of dunes is needed
- Light fixtures should be Dark Sky Friendly

Downtown

- What are the most desirable commercial land uses? (rank)
    - Restaurants
    - Taverns, wineries, breweries
    - Offices and services
    - Retail stores
    - Galleries
- Recently constructed commercial buildings and recently renovated buildings fit the character of the downtown area and commercial district (agree, neither agree or disagree, disagree)

Accommodations (agree, neither agree or disagree, disagree)

- Caps on short-term rentals have been effective in preserving residential character
- Bed and breakfast inns should be allowed in
    - All residential areas
    - Downtown and transitional residential areas near downtown
- Boutique inns are appropriate in transitional areas near downtown

Other (agree, neither agree or disagree, disagree)

- Backyard chickens should be allowed
- Other special topics?

City Identity

- Logo and signs (agree, neither agree or disagree, disagree)
    - The City logo is representative of the community
    - Wayfinding signs are attractive and conveniently placed throughout the community
    - Gateway signs are attractive and representative of the community
    - Interpretative historic signs are representative of our history and culture
- What else is important to consider about the City's identity? (open-ended)

City Services (excellent, good, average, poor, very poor, unknown)

- Law enforcement services
- Code enforcement
- Fire department
- Snow removal
- Park maintenance
- Curbside trash/recycling
- Street maintenance
- Bulky item and yard waste pickup
- Administration (management, planning/zoning, finance, assessing, building)
- Overall quality of City services

Community Outreach and Information (agree, neither agree or disagree, disagree)

- The City's website is easy and convenient to use for accessing information
- The City has an active and informative presence on social media
- Meetings are accessible and convenient to attend in person
- Meetings are accessible and convenient to attend online through Zoom virtual meetings
- I can find the information I need by calling or emailing City Hall
- I feel well-informed about community issues, events, and programs
- I can find the information I need from other community sources (social media, church, school, homeowners association, etc.)
- Best ways to receive community information (select all that apply)
    - Newsletter
    - Newspaper
    - Text message
    - Email
    - Social media
    - Website

General Concluding Questions (open-ended)

- What are the best things about living, working, and playing in the City of Saugatuck?
- What improvements are needed to improve the City of Saugatuck?
- What else would you like to tell us?

Fahey Schultz
Burzych Rhodes

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MEMORANDUM

TO: City of Saugatuck Planning Commission

FROM: Trent Cunningham (tcunningham@fsbrlaw.com)

DATE: June 14, 2025

RE: Draft Sign Ordinance Amendment

As we discussed at the prior meeting, the United States Supreme Court's decision in *Reed v. Town of Gilbert* redefined the limits of the First Amendment's protections on signs across the country. In *Reed*, the Court held that "content-based" sign regulations are subject to strict scrutiny if challenged in court, which is a very high level of judicial scrutiny that almost always results in the content-based regulation being struck down by a court. On the other hand, content-neutral sign regulations are subject to the judicial review standard of intermediate scrutiny, which often results in sign regulations being upheld when challenged in court. Accordingly, municipalities across the country have been re-evaluating their sign regulations to remove content-based regulations in favor of a content-neutral regulatory scheme.

Here, our office and City staff have identified some provisions within the City's existing sign regulations that may be "content-based," and thus we recommended that the City revise its sign regulations to implement a content-neutral scheme. To implement a content-neutral scheme, the City must implement regulations that focus on the time, place, manner, and physical characteristics of signs, but not the content of signs in accordance with the First Amendment of the United States Constitution.

We have provided a preliminary draft for discussion by the Planning Commission that removes all content-based regulations and implements a content-neutral regulatory scheme for signs. This draft is meant to capture the general framework of the recommended regulatory changes and serve as a guide for the discussion. Accordingly, there are several blanks within the draft that will allow the Planning Commission to discuss potential policy options. Moreover, we could revise certain sections or add new classes of regulations if desired. Based on the discussion at the meeting, our office will implement any feedback or revisions and bring a new draft to the next Planning Commission meeting.

Note that we tried to mirror the current sign regulations as closely as possible, and thus you will notice that some provisions are a 1:1 copy from the current sign regulations (e.g. freestanding signs, attached signs, banners, nonconforming signs, etc.). Note that this symmetry with the current regulations may not be shown in the redline document due to provisions being moved around and/or re-worded.

Despite attempts to mirror the current regulations, our office did make some changes to the existing regulations. Some of these changes were to ensure the provisions are content-neutral, while other changes were to add or revise certain provisions to make the sign regulations more comprehensive. Some of the more notable changes are summarized below:

- **Freestanding, Attached, and Banners, and Sandwich Board Signs**. Under the current sign regulations, these are permitted in all districts for commercial/non-residential uses. Under the amendment, these types of signs are only permitted for commercial uses in non-residential zoning districts. We could add regulations to allow these types of signs for commercial uses in residential districts, but we assume those would be different than the regulations in the non-residential zoning districts. This is a potential point of discussion for the Planning Commission.

- **Permits for Temporary Signs**. Under the current sign regulations, permits are required for temporary signs (except for several types of signs that are exempt). Does the City still want to issue permits for temporary signs? If so, what classes of temporary signs should be exempt from permitting requirements. The current amendment does not require permitting for temporary signs (as it is silent on that point), but we can add those provisions if desired. This is a good point of discussion for the meeting.

- **Durational Limits on Temporary Signs**. We suggest adding some durational parameters for temporary signs. For example, how long can an off-premise temporary sign be displayed in a residential district? These can be tailored to the type of sign, the zoning district, or the type of use for the underlying property. This is another good point of discussion for the Planning Commission.

- **Added Definition of Abandoned Sign**. We added a definition and revised to now prohibit abandoned signs.

- **Revised Definitions**. We revised a few definitions, including revising/adding on and off premise definitions. We also revised the definition of temporary sign to no longer reference banners, feather flags, pennants, etc. as those are their own classes of signs.

- **Prohibited Signs**. We cleaned up and supplemented the list of prohibited signs. Notably, we added a category for portable signs at 154.141(E)(4). The intent of this provision is to address Commissioner Baldwin's concerns about "signs on wheels." We also added a few provisions about signs with moving lights, abandoned signs, billboards, etc. This is a good discussion point for the Planning Commission and can be freely revised to implement any feedback.

- **Split Between Zoning Districts**. The framework of the new sign regulations is bifurcated between different zoning districts. The current division is between signs allowed in all districts and signs allowed in non-residential zoning districts. This seems like the most efficient way to mirror the current regulations (otherwise, we would have to include a lot of duplicate provisions). We left blank the section for residential districts (as indicated by highlights in the draft); the Planning Commission could discuss this and suggest specific signage regulations for residential districts if desired. Otherwise, residential districts would be allowed to have the signs contemplated in the "All Districts" section. This is another good discussion point for the Planning Commission.

- **Appeal to ZBA**. The prior provisions allowed an appeal of the Zoning Administrator's decision to the City Council. This was likely a product of the previous temporary sign provisions being police power ordinances as opposed to the zoning ordinance. It seems more appropriate for the ZBA to hear the appeal and possibly issue a variance when warranted, so we have revised to change City Council to ZBA.

Hopefully this draft serves as a good starting point for the Planning Commission's discussion at the next meeting. We would be happy to implement any revisions or feedback that the Planning Commission may have.

CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

ZONING ORDINANCE AMENDMENT

ORDINANCE NO._____

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the City of Saugatuck Hall on _____, 2025 at _____ p.m., City Council Member _____moved to adopt the following ordinance, which motion was seconded by City Council Member _____.

An ordinance to amend the City of Saugatuck's Zoning Ordinance to update signage regulations to regulate signs in a content-neutral manner, and to promote the public health, safety, and welfare of the residents and visitors of the City of Saugatuck.

CITY OF SAUGATUCK, ALLEGAN COUNTY, ORDAINS:

SECTION 1. AMENDMENT TO ZONING ORDINANCE, SECTION 154.140: The City of Saugatuck Zoning Ordinance, Section 154.140 is amended to revise the purpose statement and certain definitions applicable to signage within the City. Section 154.140 shall now read as follows:

(A) **Purpose.** The purpose of this Article is to regulate signs within the City of Saugatuck (the "City") in a content-neutral manner to protect the health, safety and general welfare, to protect property values, and to protect the character of the various neighborhoods in the City. This Article intends to make the City attractive to residents, visitors, commercial, and professional businesses while maintaining a sustainable economy through an appropriate signage program. The elements of this program will:

(1) Recognize that the proliferation of signs is unduly distracting to motorists and nonmotorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.

(2) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.

(3) Enable the public to locate goods, services, and facilities without excessive difficulty and confusion by restricting the placement of signs.

(4) Prevent placement of signs which will conceal or obscure signs of adjacent uses.

(5) Preserve and improve the aesthetics and character of the City by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.

(6) Provide regulations that focus on the time, place, manner, and physical characteristics of signs, but not the content of signs in accordance with the First Amendment of the United States Constitution.

(B) **Definitions**. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED SIGN. A sign that has ceased to be used, and the owner intends no longer to have used it for the display of sign copy, or any sign not repaired or maintained properly.

BANNER. A flexible sign directly mounted to a building, or a support on a building, or between two poles made of natural or synthetic material, not including flags as defined in this section.

BILLBOARD. Any free-standing sign on a parcel of land which does not include another principal structure. Such sign shall be established as a principal use

FEATHER FLAG SIGN, WINDFEATHER SIGN. A flexible sign made of natural or synthetic material typically fastened on one long side to a flexible or non-flexible pole mounted on the ground, intended to move with the wind, not including flags as defined in this section.

FLAG. A piece of fabric of distinctive that is hung from a pole, a bracket, or attached to the side of a building.

MURAL. A work of art applied to or made integral with a wall surface.

NEON SIGNS.

(1) ***EXTERIOR NEON SIGN.*** A freestanding or attached sign displayed on the exterior of a building.

(2) ***INTERIOR NEON SIGN.*** A neon sign displayed within four feet of a window and intended to be viewed from the outside.

OFF-PREMISE SIGN. A sign which directs attention to an entity, business, property, or service offered or existing elsewhere than upon the same lot where the sign is displayed.

ON-PREMISE SIGN. A sign which directs attention to an entity, business, property, or service offered or existing upon the same lot where the sign is displayed.

PENNANT. Any lightweight plastic, fabric, or other material, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PERMANENT SIGN. Any sign constructed of durable materials, secured on a structure or property, and intended to exist for the duration of time that the use or occupant is located on the premises.

PORTABLE SIGNS. Any sign designed to be moved easily and not permanently attached to the ground or other permanent structure, including but not limited to: flashing A-frames, searchlights, beacons, balloons, umbrellas, trailers, wheeled or non-wheeled carts, or signs inside, on, or against parked vehicles, including but not limited to signs affixed to a vehicle or truck trailer.

SANDWICH BOARD SIGN. A temporary free standing sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top, each angular face held at an appropriate distance by a supporting member.

SIGN. Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trademarks, logos or pictures, or combination thereof, intended to be used to attract attention to or convey information about a person, place, business, firm, profession, or association.

SIGN AREA. The smallest area within a three or four sided polygon or circle enclosing the display surface of the sign including all letters, characters, and delineations that differentiate it from the background against which it is placed. ***SIGN AREA*** shall not include the structural supports for free standing signs. Where a sign has two faces, placed back to back, and are of equal size, the area of the two faces shall be considered as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the sign area.

SIGN, ATTACHED. A permanent sign which is either painted or attached to the exterior wall of a building, including on a canopy/awning, a sign hanging under a canopy/awning, or on the exterior of a window.

(1) ***CANOPY/AWNING SIGN.*** A fabric canopy or awning with all or any part used as a sign.

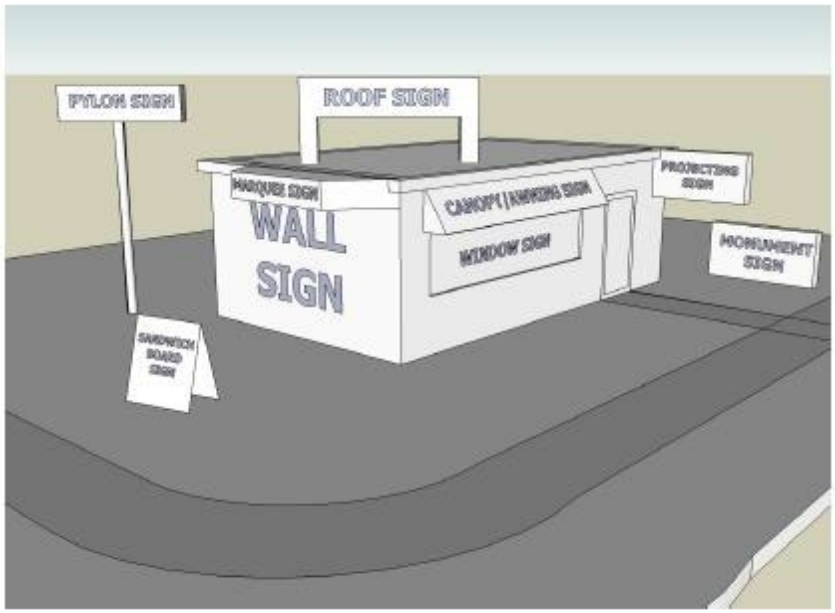
(2) ***PROJECTING SIGN.*** A double-faced sign attached at an angle or perpendicular to the wall of a building.

(3) ***ROOF SIGN.*** Any sign erected and constructed wholly on or over the roof of a building, supported by the roof structure.

(4) **W*ALL SIGN.*** Any sign that is attached parallel to the wall or painted on the wall of a building.

(5) ***WINDOW SIGN.*** A sign painted on, or attached directly to, the exterior surface of a glass window or door.

(6) ***MARQUEE SIGN.*** A changeable message sign either freestanding or attached to a building. Also known as a ***MESSAGE BOARD***.



SIGN, FREESTANDING. A permanent sign which is not attached to a building or any other structure and is set permanently in the ground with posts or base.

(1) ***PYLON SIGN.*** A freestanding sign affixed permanently in the ground and supported by a single or double post(s).

(2) ***MONUMENT SIGN.*** A freestanding sign affixed directly to a masonry or other base without a support post.

TEMPORARY SIGN. Any sign that is not constructed or intended for long term use or is not permanently attached to a building, window, or structure

SECTION 2. AMENDMENT TO ZONING ORDINANCE, SECTION 154.141: The City of Saugatuck Zoning Ordinance is amended to revise the sign regulations in Section 154.141, which shall now read as follows:

(A) Statement of purpose. The purpose of this chapter is to regulate permanent and temporary signs in a manner that maintains the protection of the city's appearance and the general welfare of the public

(B) Regulation of sign requirements. All signs shall be subject to the following regulations to be enforced by the Zoning Administrator, unless otherwise provided in this chapter (see § 154.022(K)(5), § 154.022(L)(4).

(C) Sign permit procedure. All proposed permanent signs shall be subject to prior approval by the Zoning Administrator. All applications for approval of proposed signs shall indicate size, type, materials, structural supporting devices, and type of illumination (if any). A scale drawing of the proposed sign shall be provided with all applications. If the application is made by the building tenant, the same must have written permission for the proposed sign from the building owner. Sign approval shall be valid for a period of one year. If the approved sign is not installed within that period, a new application must be submitted.

(D) General Standards:

(1) *Sign illumination*. The illumination of permanent signs shall be subject to the following regulations:

(a) All externally lit signs shall be designed so that the light source shall not be visible from the public right-of-way;

(b) All internally lit signs shall be designed such that the source of the lighting is not visible from the public right-of-way; and

(c) No sign shall contain lights which flash, change color or intensity.

(2) *Historic district*. Permanent signs located within the historic district shall require approval from the Historic District Commission before installation.

(3) *Compliance with building codes*. All signs shall comply with the building and electrical codes of the city. Underground wiring shall be required for all illuminated signs, or signs requiring electrical connections which are not attached to a building.

(E) Prohibited Signs. The following signs are prohibited in all zoning districts as they have a tendency to be distracting to motorists, cause visual blight, or otherwise negatively impact the public health, safety, and welfare within the City:

(1) Any sign not expressly permitted.

(2) Signs that incorporate flashing or moving lights.

(3) Billboards

(4) Portable signs, including signs affixed to a vehicle or truck trailer where the sign area exceeds _____ square feet unless the vehicle or truck trailer is temporary parked for loading and unloading purposes for a period of time not to exceed _____ hours.

(5) Signs within a public right-of-way except where expressly authorized in writing by the appropriate authority for signs in the right-of-way.

(6) Pennants, feather flag signs, windfeather signs, and portable signs as defined in § 154.140 of the Zoning Ordinance.

(7) Signs that create a traffic vision obstruction.

(8) Temporary signs that exceed 28 feet in height from grade.

(9) Any sign which revolves or has any visible moving parts, visible revolving parts or visible mechanical movement of any type, or other apparent visible movement achieved by electrical, electronic, or mechanical means.

(10) Any sign that obstructs free and clear vision; or at any location whereby reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.

(11) Any sign that includes flashing, blinking, or moving illumination.

(12) Any sign that projects into any air space so as to interfere with public safety, including vehicular or pedestrian movement.

(13) Abandoned signs, which shall be removed within thirty (30) days of the abandonment of the use of the premises, the time that the sign lapses into disrepair, or the time when the owner no longer intends to use the sign.

(F) Signs Permitted in All Districts

The following signs are permitted in all Zoning Districts within the City, subject to the following requirements and limitations:

(1) *Flags*:

(a) For residential uses, one (1) flag per parcel, not to exceed ___ square feet, is allowed.

(b) For non-residential uses, one (1) flag per frontage or one (1) flag per business, up to a maximum of two (2) flags and not to exceed 24 square feet in total sign area.

(c) For all flags, if the flags hang over a sidewalk or other pedestrian walkway, the bottom of the flag shall be no less than seven (7') feet from grade directly below the flag.

(d) For all flags, any illumination shall not shine into neighboring structures, onto other signs, or have a light source that is visible from the public right-of-way.

(2) *Off-Premise Temporary Sign:*

(a) For residential uses, up to _____ signs not to exceed six (6) square feet in total.

(b) For thirty (30) days before and seven (7) days after any local, state, or federal election, a residential use or non-residential use may have up to _____ signs, not to exceed _____ square feet in total.

(c) For non-residential uses, a total of one (1) off-premise temporary sign, not to exceed ____ square feet.

(d) If an active building permit is issued for either a non-residential or residential use, the parcel may contain up to _____ off-premise temporary signs, not to exceed ____ square feet in total.

(e) All off-premise temporary signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(f) Off-premise temporary signs shall not create a pedestrian obstruction or a traffic vision obstruction

(g) Off-premise temporary signs shall not be illuminated.

(3) *On-Premise Temporary Signs:*

(a) For residential uses, no more than two (2) temporary on-premise signs, not to exceed six (6) square feet.

(b) For non-residential uses, no more than _____temporary on-premise sign, not to exceed _____ square feet.

(c) All on-premise temporary signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(d) On-premise temporary signs shall not create a pedestrian obstruction or a traffic vision obstruction

(e) On-premise temporary signs shall not be illuminated.

(4) For residential uses, an attached sign up to 2 square feet.

(5) Attached signs located on boat docks, not to exceed _____ square feet, that are attached to the dock.

(6) Signs that comply with 154.022(K)(5)

(7) Government-Installed signs or any sign required by law, or by regulation or administrative rule of a governmental entity, having appropriate jurisdiction.

(G) Signs in Residential Zoning Districts:

In addition to the signs permitted pursuant to Section 154.141(F), the following signs shall be permitted in the all residential Zoning Districts (R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions:

[Insert Residential District Specific Regulations If Applicable]

(H) Signs in All Non-Residential Zoning Districts:

In addition to the signs permitted pursuant to Section 154.141(F), the following signs shall be permitted in the all non-residential Zoning Districts (including any district except for the R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions:

(1) *Freestanding Signs*. Non-residential uses are permitted to have one freestanding sign per frontage. Said sign shall meet the following requirements:

(a) Total area of all freestanding signs for each lot shall not exceed 0.25 square feet per linear foot of property frontage on a public or private road up to 32 square feet;

(b) Freestanding signs shall not exceed 12 feet in height from the grade of the sidewalk to the upper most point of the sign. If no sidewalk is present, then the measurement shall be taken to the grade of the nearest public or private road;

(c) Freestanding signs shall be located at least 5 feet from any property line;

(d) Freestanding signs shall be located at least 25 feet from any other freestanding sign;

(e) Freestanding signs shall be placed in a manor as to not create a traffic vision obstruction; and

(2) *Attached Signs*. Each non-residential use is permitted to have up to two wall signs per building frontage. Attached signs as defined in this chapter shall meet the following requirements:

(a) The total area of all attached signage associated with a non-residential use shall not exceed 0.75 square feet per linear foot of building frontage. The maximum area of any sign visible from more than one street shall not exceed 0.75 square feet per linear foot of the largest building frontage and shall count as the signage for that frontage. If the building contains more than one business, then the frontage shall be limited to the building frontage of the tenant space facing a public street or primary entrance;

(b) Projecting and canopy signs shall be located such that there is a clear area of no less than seven feet below the lowest part of the sign and the sidewalk or ground surface below the sign and shall not project more than four feet from the building face to which it is attached;

(c) No attached sign shall be permitted to extend above the roofline of the building to which it is attached;

(d) No projecting or canopy sign shall be within 10 feet of another projecting or canopy sign; and

(e) Signs carved into stone, concrete, or similar material, or made of bronze, aluminum, or other noncombustible material, provided such signs do not exceed 10 square feet in area and are an integral part of the structure

(3) *Banners*. Each non-residential use shall be permitted to display one banner at a time, and said banner shall meet the following requirements:

(a) The banner shall be no larger than 16 square feet in area;

(b) The banner shall be located entirely on private property;

(c) The banner shall be displayed for no more than three 14-day periods between January 1 and December 31 of any year; and

(d) The banner shall not be illuminated.

(4) *Sandwich boards*. Each non-residential use shall be permitted to have one sandwich board subject to the following conditions:

(a) The sandwich board shall not have an area greater than 6 square feet;

(b) The sandwich board may be located within the public right-of-way but shall not be placed in a manner that may obstruct the general flow of pedestrian traffic or in a manner that causes a vision obstruction;

(c) The sandwich board shall not be greater than 42 inches in height from grade;

(d) The sandwich board shall only be displayed when the business is open; and

(e) The sandwich board shall not be illuminated.

(I) Existing Non-Conforming Signs:

(1) The intent of this section is to permit the continuance of a lawful use of any sign existing at the time of the effective date of this section, although the sign or supporting structure may not conform with the provisions of this section. Further, it is the intent that non-conforming signs and structures be gradually eliminated upon their natural deterioration.

a. Every permanent legally existing sign which does not conform to the height, size, area, or location requirements of this subchapter as of the date of the adoption of this section, is hereby deemed to be non-conforming.

b. Alteration, erection, replacement, or enlargement of signs. No person, firm, corporation, partnership, or other legal entity shall alter, replace, or enlarge the faces, supports, or other parts of existing non-conforming signs except in accordance with this section. Non-conforming signs, however, may be repaired, repainted, or otherwise maintained.

(2) *Accidental destruction of Non-Conforming Sign*:

a. If a non-conforming sign is destroyed, it may be replaced, provided that it is not enlarged in size or dimension. If the sign is located in the public right-of-way, the sign may not be replaced without the approval of the Zoning Board of Appeals for a sign permit.

b. For the purpose of this section, a non-conforming sign is destroyed if damaged to an extent that the cost of repairing it to its former state or replacing it with an equivalent sign equals or exceeds the value of the damaged sign prior to the damage.

(3) A non-conforming sign may be diminished in size or dimension, or the copy of the sign amended or changed without jeopardizing the privilege of non-conforming.

(4) *Permanent signs in the public right-of-way or in city parks*:

a. All existing non-conforming signs, supports, and structures located in the public right-of- way may continue to occupy the right-of-way until such time that they are accidentally destroyed, removed, or become non-functional. These signs shall not be replaced without approval of the Planning Commission for a sign permit, the City Council for a revocable license, and the Historic District Commission if located in the Historic District.

b. Any new permanent signs within the public right-of-way shall obtain City Council approval prior to erection. Signs shall not create a traffic vision obstruction, pedestrian traffic obstruction, or prevent the general accepted use of the public right-of-way.

(J) Administration and enforcement:

(1) *Administration*. The Zoning Administrator shall administer and enforce this section and shall have the right to enter and inspect periodically all properties during the process of the work. He or she shall inspect the construction at least once upon completion of the work to insure compliance with this section. A violation of this chapter shall constitute a nuisance per se.

(2) *Interpretation/appeal*. The Zoning Administrator shall have the authority to render binding interpretations of provisions of this section and shall administer the same. An aggrieved party may appeal any interpretation/determination made by the Zoning Administrator in writing to the Zoning Board of Appeals within 21 days of any such determination/interpretation. The Zoning Board of Appeals may waive the requirements and standards of this section if the proposed sign:

(a) Does not create a pedestrian or vehicle traffic obstruction or hazard;

(b) Is not permanent in nature;

(c) Does not create glare or nuisance to neighboring properties;

(d) Is consistent with the character of the city; and

(e) Is consistent with the city's master plan.

(3) *Revocation of permit*. The Zoning Administrator shall have the authority to revoke any permit issued pursuant to this section if the requirements of the permit and the provisions of this section are being violated, and in such case shall have the power to issue a stop-work order. An aggrieved party may appeal within 21 days of any such determination/interpretation.

(4) *Assistance of building inspector or engineer*. The Zoning Administrator may seek the advice and assistance of the City Building Inspector or such licensed engineer as he or she may designate if he or she feels it necessary to assure compliance with this section, and the Building Inspector or licensed engineer shall render such assistance when requested to do so.

(5) *Stop work orders*. Upon notice from the Zoning Administrator that any use being conducted or that any work or construction is being done contrary to the provisions of this section, such use or work shall cease immediately. The stop work order shall be in writing and shall be given to the owner of the property involved (as shown on the most recent property tax bill). Any person who shall continue to work on and/or construct a structure, land or building or use it after having been served with a stop work order, except such work as that person is expressly directed by the city to perform to remove a violation, shall be in violation of this section.

(K) Penalties:

(1) Any person, firm, corporation, trust, partnership or other legal entity which violates or refuses to comply with any provision of this section shall be responsible for a municipal civil infraction and shall be punished by a civil fine in accordance with § 10.22, Chapter 10 of this code, and shall be liable for payment of the costs of prosecution in an amount of not less than $9 and not more than $500.

(2) Each day that a violation continues to exist shall constitute a distinct and separate offense and shall make the violator liable for the imposition of fines for each day.

(3) The foregoing penalties shall be in addition to the abatement of the violating condition and injunctive or other relief which may be ordered by the court as prescribed by the laws of the state for the abatement of a public nuisance or the violation of a city ordinance designated as a municipal civil infraction.

S**ECTION 3**. AMENDMENT TO ZONING ORDINANCE, SECTION 154.022(L)(4): The City of Saugatuck Zoning Ordinance, Section 154.022(L) is amended to read as follows. The remainder of Section 154.022(L) shall remain the same unless expressly amended herein.

(4) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation.

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. Specifically, Section 150.30 of the City Code is 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: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

_____

Holly Anderson
City of Saugatuck, Mayor

(A) **Purpose.** The purpose of this Article is to regulate signs within the City of Saugatuck (the "City") in a content-neutral manner to protect the health, safety and general welfare, to protect property values, and to protect the character of the various neighborhoods in the City. This Article intends to make the City attractive to residents, visitors, commercial, and professional businesses while maintaining a sustainable economy through an appropriate signage program. The elements of this program will:

(1) Recognize that the proliferation of signs is unduly distracting to motorists and nonmotorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.

(2) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.

(3) Enable the public to locate goods, services, and facilities without excessive difficulty and confusion by restricting the placement of signs.

(4) Prevent placement of signs which will conceal or obscure signs of adjacent uses.

(5) Preserve and improve the aesthetics and character of the City by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.

(6) Provide regulations that focus on the time, place, manner, and physical characteristics of signs, but not the content of signs in accordance with the First Amendment of the United States Constitution.

(B) **Definitions**. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED SIGN. A sign that has ceased to be used, and the owner intends no longer to have used it for the display of sign copy, or any sign not repaired or maintained properly.

BANNER. A flexible sign directly mounted to a building, or a support on a building, or between two poles made of natural or synthetic material ~~that is used to call attention to a business, product, service, or activity,~~ not including flags as defined in this section.

~~***BULLETIN*** or ***MENU BOARDS.*** Printed or handwritten messages that announce an event held on the premises or sample restaurant menus attached to a bulletin board in a weatherproof enclosure.~~

~~***CONSTRUCTION SIGN.*** A sign which identifies the owners, financiers, contractors, engineers, architects, tenants, or other parties responsible for a project under construction.~~

~~***DIRECTIONAL SIGN.*** A sign for private traffic direction which directs traffic movement onto or within a property.~~

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BILLBOARD. Any free-standing sign on a parcel of land which does not include another principal structure. Such sign shall be established as a principal use

FEATHER FLAG SIGN, WINDFEATHER SIGN. A flexible sign made of natural or synthetic material typically fastened on one long side to a flexible or non-flexible pole mounted on the ground, intended to move with the wind ~~to call attention to a business, product, service or activity~~, not including flags as defined in this section.

FLAG. A piece of fabric of distinctive ~~design~~ that is ~~used as a sign, symbol, or emblem~~ hung from a pole, a bracket, or attached to the side of a building.

~~***GARAGE SALE SIGN.*** A sign used to advertise a private sale of personal household possessions and not for the use of any commercial venture.~~

~~***HOME ADDRESS SIGN.*** A sign with a numerical address of the property.~~

~~***HOME BUSINESS/HOME OCCUPATION SIGN.*** A sign which advertises or identifies a business that is located in a private residence.~~

~~***INFORMATIONAL SIGN.*** Signs that carry information and have no commercial message such as *telephone* or *loading only* or one that lists business hours.~~

MURAL. A work of art applied to or made integral with a wall surface.

NEON SIGNS.

(1) ***EXTERIOR NEON SIGN.*** A freestanding or attached sign displayed on the exterior of a building.

(2) ***INTERIOR NEON SIGN.*** A neon sign displayed within four feet of a window and intended to be viewed from the outside.

OFF-PREMISE SIGN. A sign which directs attention to ~~a~~an entity, business, property, or service offered or existing elsewhere than upon the same lot where the sign is displayed. ~~The above shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner to others for the purpose of conveying a commercial or non-commercial message.~~

ON-PREMISE SIGN. A sign which directs attention to an entity, business, property, or service offered or existing upon the same lot where the sign is displayed.

PENNANT. Any lightweight plastic, fabric, or other material, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PERMANENT SIGN. Any sign constructed of durable materials, secured on a structure or property, and intended to exist for the duration of time that the use or occupant is located on the premises.

~~***POLITICAL/ELECTION SIGN.*** A temporary sign used in connection with an official city, school district, county, state, or federal election or referendum.~~

PORTABLE SIGNS. Any sign designed to be moved easily and not permanently attached to the ground or other permanent structure, including but not limited to: flashing A-frames, searchlights,

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beacons, balloons, umbrellas, trailers, wheeled or non-wheeled carts, or signs inside, on, or against parked vehicles~~.~~, including but not limited to signs affixed to a vehicle or truck trailer.

~~***OPINION SIGN.*** A sign displaying a noncommercial message that is political, religious, or personal in nature.~~

~~***REAL ESTATE SIGN.*** A sign advertising the real estate upon which the sign is located as being for sale or lease.~~

~~***RENTAL SIGN.*** A sign advertising the rental of a dwelling for long or short term occupancy.~~

SANDWICH BOARD SIGN. A temporary free standing sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top, each angular face held at an appropriate distance by a supporting member.

SIGN. Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trademarks, logos or pictures, or combination thereof, intended to be used to attract attention to or convey information about a person, place, business, firm, profession, or association.

SIGN AREA. The smallest area within a three or four sided polygon or circle enclosing the display surface of the sign including all letters, characters, and delineations that differentiate it from the background against which it is placed. ***SIGN AREA*** shall not include the structural supports for free standing signs. Where a sign has two faces, placed back to back, and are of equal size, the area of the two faces shall be considered as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the sign area.

SIGN, ATTACHED. A permanent sign which is either painted or attached to the exterior wall of a building, including ~~lettering~~ on a canopy/awning, a sign hanging under a canopy/awning, or on the exterior of a window.

(1) ~~(1)~~ ***CANOPY/AWNING SIGN.*** A fabric canopy or awning with all or any part used as a sign.

~~(2)~~

(2) ***PROJECTING SIGN.*** A double-faced sign attached at an angle or perpendicular to the wall of a building.

~~(3)~~

(3) ***ROOF SIGN.*** Any sign erected and constructed wholly on or over the roof of a building, supported by the roof structure.

~~(4)~~

(4) ***WALL SIGN.*** Any sign that is attached parallel to the wall or painted on the wall of a building.

~~(5)~~

(5) ***WINDOW SIGN.*** A sign painted on, or attached directly to, the exterior surface of a glass window or door.

~~(6)~~

(6) ***MARQUEE SIGN.*** A changeable message sign either freestanding or attached to a building. Also known as a ***MESSAGE BOARD***.

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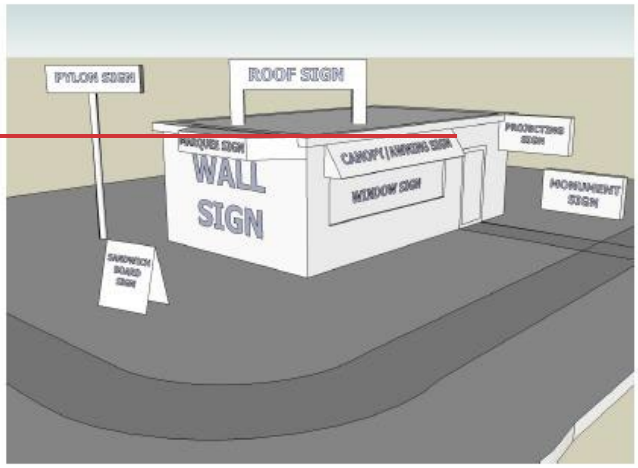
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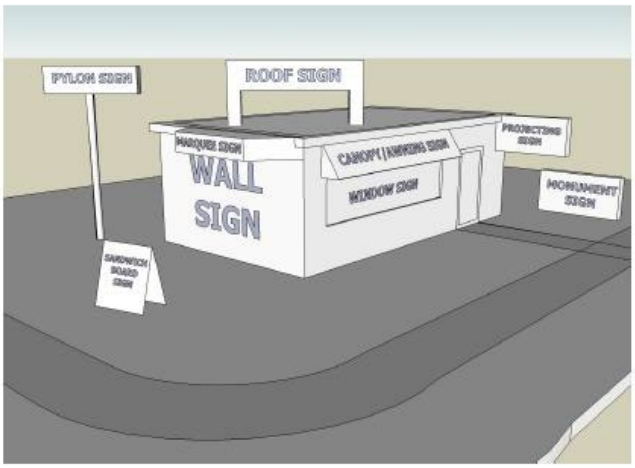
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SIGN, FREESTANDING. A permanent sign which is not attached to a building or any other structure and is set permanently in the ground with posts or base.

(1) ~~(1)~~ ***PYLON SIGN.*** A freestanding sign affixed permanently in the ground and supported by a single or double post(s).

~~(2)~~

(2) ***MONUMENT SIGN.*** A freestanding sign affixed directly to a masonry or other base without a support post.

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TEMPORARY SIGN. Any sign that is not constructed or intended for long term use or is not permanently attached to a building, window, or structure~~, including but not limited to banners, pennants, feather flag signs, windfeather signs, real estate signs, garage sale signs, directional signs for special events, or signs to advertise short term sales.~~

~~§ 154.141 SIGN REQUIREMENTS.~~

~~(A)~~ ~~(A)~~ **Statement of purpose**. The purpose of this chapter is to regulate permanent and temporary signs in a manner ~~which will permit the identification and/or advertizing of a business, product, or event while maintaining~~that maintains the protection of the city's appearance and the general welfare of the public.

~~(B)~~

(B) Regulation of sign requirements. All ~~permanent~~ signs shall be subject to the following regulations to be enforced by the Zoning Administrator, unless otherwise provided in this chapter (see § ~~154.022(K)(5), § 154.022(L)(4), and Chapter 152). Unless otherwise permitted within this section, no signage shall be displayed within the city. of Saugatuck.~~154.022(K)(5), § 154.022(L)(4).

~~(C)~~

(C) Sign- permit procedure. All proposed permanent- signs- shall be subject to prior approval by the Zoning Administrator. All applications for approval of proposed- signs- shall indicate size, type, materials, structural supporting devices, and type of illumination (if any). A scale drawing of the proposed- sign- shall be provided with all applications. If the application is made by the building tenant, the same must have written permission for the proposed- sign- from the building owner.- Sign- approval shall be valid for a period of one year. If the approved- sign- is not installed within that period, a new application must be submitted.

(D) General Standards:

(1) *Sign illumination*. The illumination of permanent signs shall be subject to the following regulations:

(a) All externally lit signs shall be designed so that the light source shall not be visible from the public right-of-way;

(b) All internally lit signs shall be designed such that the source of the lighting is not visible from the public right-of-way; and

(c) No sign shall contain lights which flash, change color or intensity.

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(2) *Historic district.* Permanent signs located within the historic district shall require approval from the Historic District Commission before installation.

(3) *Compliance with building codes.* ~~(D)~~ All signs shall comply with the building and electrical codes of the city. Underground wiring shall be required for all illuminated signs, or signs requiring electrical connections which are not attached to a building.

(E) Prohibited Signs. The following signs are prohibited in all zoning districts as they have a tendency to be distracting to motorists, cause visual blight, or otherwise negatively impact the public health, safety, and welfare within the City:

(1) Any sign not expressly permitted.

(2) Signs that incorporate flashing or moving lights.

(3) Billboards

(4) Portable signs, including signs affixed to a vehicle or truck trailer where the sign area exceeds _____ square feet unless the vehicle or truck trailer is temporary parked for loading and unloading purposes for a period of time not to exceed _____ hours.

(5) Signs within a public right-of-way except where expressly authorized in writing by the appropriate authority for signs in the right-of-way.

(6) Pennants, feather flag signs, windfeather signs, and portable signs as defined in § 154.140 of the Zoning Ordinance.

(7) Signs that create a traffic vision obstruction.

(8) Temporary signs that exceed 28 feet in height from grade.

(9) Any sign which revolves or has any visible moving parts, visible revolving parts or visible mechanical movement of any type, or other apparent visible movement achieved by electrical, electronic, or mechanical means.

(10) Any sign that obstructs free and clear vision; or at any location whereby reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.

(11) Any sign that includes flashing, blinking, or moving illumination.

(12) Any sign that projects into any air space so as to interfere with public safety, including vehicular or pedestrian movement.

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(13) Abandoned signs, which shall be removed within thirty (30) days of the abandonment of the use of the premises, the time that the sign lapses into disrepair, or the time when the owner no longer intends to use the sign.

(F) Signs Permitted in All Districts

The following signs are permitted in all Zoning Districts within the City, subject to the following requirements and limitations:

(1) *Flags; ~~- freestanding.~~* ~~Non-~~

(a) For residential uses ~~are permitted to have~~ , one ~~freestanding sign~~ (1) flag per parcel, not to exceed ____ square feet, is allowed.

(b) For non-residential uses, one (1) flag per frontage~~.~~ or one (1) flag per business, up to a maximum of two (2) flags and not to exceed 24 square feet in total sign area.

(c) For all flags, if the flags hang over a sidewalk or other pedestrian walkway, the bottom of the flag shall be no less than seven (7') feet from grade directly below the flag.

(d) For all flags, any illumination shall not shine into neighboring structures, onto other signs, or have a light source that is visible from the public right-of-way.

(2) *Off-Premise Temporary Sign:*

(a) For residential uses, up to _____ signs not to exceed six (6) square feet in total.

(b) For thirty (30) days before and seven (7) days after any local, state, or federal election, a residential use or non-residential use may have up to _____ signs, not to exceed _____ square feet in total.

(c) For non-residential uses, a total of one (1) off-premise temporary sign, not to exceed _____ square feet.

(d) If an active building permit is issued for either a non-residential or residential use, the parcel may contain up to _____ off-premise temporary signs, not to exceed _____ square feet in total.

(e) All off-premise temporary signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(f) Off-premise temporary signs shall not create a pedestrian obstruction or a traffic vision obstruction

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(g) Off-premise temporary signs shall not be illuminated.

(3) *On-Premise Temporary Signs:*

(a) For residential uses, no more than two (2) temporary on-premise signs, not to exceed six (6) square feet.

(b) For non-residential uses, no more than _____temporary on-premise sign, not to exceed _____ square feet.

(c) All on-premise temporary signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(d) On-premise temporary signs shall not create a pedestrian obstruction or a traffic vision obstruction

(e) On-premise temporary signs shall not be illuminated.

(4) For residential uses, an attached sign up to 2 square feet.

(5) Attached signs located on boat docks, not to exceed _____ square feet, that are attached to the dock.

(6) Signs that comply with 154.022(K)(5)

(7) Government-Installed signs or any sign required by law, or by regulation or administrative rule of a governmental entity, having appropriate jurisdiction.

(G) Signs in Residential Zoning Districts:

In addition to the signs permitted pursuant to Section 154.141(F), the following signs shall be permitted in the all residential Zoning Districts (R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions:

[Insert Residential District Specific Regulations If Applicable]

(H) Signs in All Non-Residential Zoning Districts:

In addition to the signs permitted pursuant to Section 154.141(F), the following signs shall be permitted in the all non-residential Zoning Districts (including any district except for the R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions:

(1) *Freestanding Signs*. Non-residential uses are permitted to have one freestanding sign per frontage. Said sign shall meet the following requirements:

~~(1)~~

(a) Total area of all freestanding signs for each lot shall not exceed 0.25 square feet per linear foot of property frontage on a public or private road up to 32 square feet;

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~~(2)~~

(b) Freestanding- signs- shall not exceed 12 feet in height from the grade of the sidewalk to the upper most point of the- sign. If no sidewalk is present, then the measurement shall be taken to the grade of the nearest public or private road;

~~(3)~~

(c) Freestanding- signs- shall be located at least ~~five~~5 feet from any property line;

~~(4)~~

(d) Freestanding- signs- shall be located at least 25 feet from any other freestanding- sign;

~~(5)~~

(e) Freestanding- signs- shall be placed in a manor as to not create a traffic vision obstruction; and

~~(6) Directional freestanding signs, on private property for the direction of traffic, shall not exceed two square feet in size per sign, and shall be approved as part of an overall site plan by the Planning Commission.~~

~~(E)~~

(2) *Attached ~~signs~~ Signs*. Each non-residential use is permitted to have up to two wall- signs- per building frontage. Attached- signs- as defined in this chapter shall meet the following requirements:

~~(1)~~

(a) The total area of all attached signage associated with a non-residential use shall not exceed 0.75 square feet per linear foot of building frontage. The maximum area of any- sign- visible from more than one street shall not exceed 0.75 square feet per linear foot of the largest building frontage and shall count as the signage for that frontage. If the building contains more than one business, then the frontage shall be limited to the building frontage of the tenant space facing a public street or primary entrance;

~~(2)~~

(b) Projecting and canopy- signs- shall be located such that there is a clear area of no less than seven feet below the lowest part of the- sign- and the sidewalk or ground surface below the- sign- and shall not project more than four feet from the building face to which it is attached;

~~(3)~~

(c) No attached- sign- shall be permitted to extend above the roofline of the building to which it is attached;

~~(4)~~

(d) No projecting or canopy- sign- shall be within ~~ten~~10 feet of another projecting or canopy- sign; and

~~(5) Building names which~~

(e) Signs carved into stone, concrete, or similar material, or made of bronze, aluminum, or other noncombustible material, provided such signs do not ~~contain a commercial message, as determined by the Zoning Administrator,~~exceed 10 square feet in area and ~~have been engraved into stone or brick as~~are an integral part of the structure

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(3) *Banners.* Each non-residential use shall be permitted to display one banner at a time, and said banner shall meet the following requirements:

(a) The banner shall be no larger than 16 square feet in area;

(b) The banner shall be located entirely on private property;

(c) The banner shall be displayed for no more than three 14-day periods between January 1 and December 31 of any year; and

~~building facade~~

(d) The banner shall not be ~~included in the calculation of signage or number of signs permitted~~illuminated.

(4) *Sandwich boards.* ~~(F) *Sign illumination.* The illumination of permanent signs shall be~~ Each non-residential use shall be permitted to have one sandwich board subject to the following ~~regulations~~conditions:

~~(1) All externally lit signs shall be designed so that the light source~~

(a) The sandwich board shall not have an area greater than 6 square feet;

(b) The sandwich board may be located within the public right-of-way but shall not be placed in a manner that may obstruct the general flow of pedestrian traffic or in a manner that causes a vision obstruction;

~~be visible~~

(c) The sandwich board shall not be greater than 42 inches in height from grade;

(d) The sandwich board shall only be displayed when the ~~public right-of-way;~~business is open; and

~~(2) All internally lit signs~~

The sandwich board shall ~~be designed such that the source of the lighting is~~ not ~~visible from the public right-of-way; and~~

~~(3) No sign shall contain lights which flash, change color or intensity.~~

~~(G) *Exempt signs.* The following permanent signs are exempt from requiring a permit or historic district approval if they meet the following regulations:~~

~~(1) Signs on docks: Signs on docks shall be permitted subject to the following regulations:~~

~~(a) Primary signage meant to identify a business or service from a waterway shall be limited in size to six square feet in area; and~~

~~(b) Signage on a boat dock with the main business located in a nearby building shall be limited to one sign with a maximum area of 1.5 square feet oriented vertically, and attached only to a piling at the entrance to the dock.~~

~~(2) Residential signs: Buildings that do not contain any commercial use shall be permitted to have an attached sign up to two square feet listing the name of the structure, the occupants, street address, or other non-commercial message.~~

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~~(3) Signs erected by government agencies and necessary for the identification, operation, or protection of public services, incidental to the legal process, or necessary for public welfare.~~

~~(4)~~ be ~~*Flags:* Official national, state, local, provincial, or other government entity flags, and official public or private educational institution, fraternal organization, society, or similar organization flags, no larger than 24 square feet in size shall be permitted. Flags displaying commercial emblems, commercial messages, business or organization names, or "Open" or similar message shall be regulated as attached signs.~~

~~(H) *Historic district.* Permanent signs located within the historic district shall require approval from the Historic District Commission before installation.~~

~~(I) *Temporary signs.* Temporary signs shall be regulated by § 150.30.~~

(e) ~~(J) *Compliance with building codes.* All signs shall comply with the building and electrical codes of the city. Underground wiring shall be required for all~~ illuminated ~~signs, or signs requiring electrical connections which are not attached to a building~~.

~~(K)~~

(I) Existing ~~*non-conforming signs.*~~ Non-Conforming Signs:

(1) The intent of this section is to permit the continuance of a lawful use of any sign existing at the time of the effective date of this section, although the sign or supporting structure may not conform with the provisions of this section. Further, it is the intent that non-conforming signs and structures be gradually eliminated upon their natural deterioration.

~~(1)~~

a. Every permanent legally existing sign which does not conform to the height, size, area, or location requirements of this subchapter as of the date of the adoption of this section, is hereby deemed to be non-conforming.

~~(2)~~

b. Alteration, erection, replacement, or enlargement of signs. No person, firm, corporation, partnership, or other legal entity shall alter, replace, or enlarge the faces, supports, or other parts of existing non-conforming signs except in accordance with this section. Non-conforming signs, however, may be repaired, repainted, or otherwise maintained.

~~(3)~~

(2) *Accidental destruction~~.~~ of Non-Conforming Sign:*

~~(a)~~

a. If a non-conforming sign is destroyed, it may be replaced, provided that it is not enlarged in size or dimension. If the sign is located in the public right-of-way, the sign may not be replaced without the approval of the Zoning Board of Appeals for a sign permit.

~~(b)~~

b. For the purpose of this section, a non-conforming sign is destroyed if damaged to an extent that the cost of repairing it to its former state or replacing it with an

equivalent sign equals or exceeds the value of the damaged sign prior to the damage.

~~(4)~~

(3) A non-conforming sign may be diminished in size or dimension, or the copy of the sign amended or changed without jeopardizing the privilege of non-conforming ~~use~~.

~~(L)~~

(4) *Permanent signs in the public right-of-way or in city parks*:

~~(1)~~

a. All existing non-conforming signs, supports, and structures located in the public right-of- way may continue to occupy the right-of-way until such time that they are accidentally destroyed, removed, or become non-functional. These signs shall not be replaced without approval of the Planning Commission for a sign permit, the City Council for a revocable license, and the Historic District Commission if located in the Historic District.

~~(2)~~

b. Any new permanent signs within the public right-of-way shall obtain City Council approval prior to erection. Signs shall not create a traffic vision obstruction, pedestrian traffic obstruction, or prevent the general accepted use of the public right-of-way.

~~**§ 150.30 TEMPORARY SIGN REGULATIONS.**~~

~~*Statement of purpose.* The purpose of this section is to regulate temporary signs as defined in § 154.140 of the Zoning Code and similar outdoor advertising in a manner which will permit the identification and/or advertising of a business, product, or event while maintaining the protection of the city's appearance and the general welfare of the public.~~

~~(A) *Regulation of sign requirements.* All temporary signs shall be subject to the following regulations to be enforced by the Zoning Administrator, unless otherwise provided in this section. Unless otherwise permitted within this section or within § 154.141 of the Zoning Code, no signage shall be displayed within the city. All defined terms within the Zoning Code shall also apply to this section.~~

~~(B) *Sign permit procedure.* All proposed temporary signs shall be subject to prior approval by the Zoning Administrator unless otherwise noted within this section. All applications for approval of proposed signs shall indicate size, type, materials, structural supporting devices, and duration of display. A scale drawing of the proposed sign and sign location shall be provided with all applications. If the application is made by the building tenant, the same must have written permission for the proposed sign from the property owner. Sign approval shall be valid for a display period as indicated on the application. If the approved sign is not installed within that period, a new application must be submitted. Unless otherwise permitted, all temporary signs must be removed by the end of the period for which they were approved.~~

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(C) *Banners.* Unless approved by City Council, each non-residential use shall be permitted to display one banner at a time, and said banner shall meet the following requirements:

(a) (1) The banner shall be no larger than 16 square feet in area;

(2) The banner shall be located entirely on private property;

(a) (3) The banner shall be displayed for no more than three 14-day periods between January 1 and December 31 of any year; and

(4) The banner shall not be illuminated.

(D) *Sandwich boards.* Each business shall be permitted to have one sandwich board subject to the following conditions:

(1) The sandwich board shall not have an area greater than 6 square feet;

(a) (2) The sandwich board may be located within the public right-of-way but shall not be placed in a manner that may obstruct the general flow of pedestrian traffic or in a manner that causes a vision obstruction;

(3) The sandwich board shall not be greater than 42 inches in height from grade;

(4) The sandwich board shall only be displayed when the business is open; and

(5) The sandwich board shall not be illuminated.

(E) *Construction signs.* Construction signs shall be subject to the following standards:

(1) Development sites currently under construction or have a valid site plan shall be permitted to have one sign per street or water frontage;

(2) Construction signs shall only be permitted with an approved site plan;

(3) Construction signs shall not exceed 32 square feet in area;

(4) Construction signs shall not be located in the public right-of-way;

(5) Construction signs shall be removed before the final certificate of occupancy is issued; and

(6) Construction signs shall not be illuminated.

(F) *Temporary signs not requiring a permit.* The following signs shall be permitted without requiring a permit.

(1) *Real estate signs.* Real estate signs shall be permitted and shall meet the following standards:

(a) Only one real estate sign shall be permitted per frontage along a public right-of-way or waterfront;

(b) Real estate signs shall not exceed six square feet;

(c) Real estate signs shall be removed within 30 days of the sale of a property;

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(d) Real estate signs shall be located entirely on the same property as the property for sale; and

(e) Real estate signs shall not have any illumination.

(2) *Rental signs.* Signage advertising for the rental of a dwelling is permitted and shall meet the following standards:

(a) Only one rental sign shall be permitted per rental;

(b) Rental signs shall not exceed four square feet in size; and

(c) Rental signs shall be surface mounted to the structure or located inside of a window.

(3) *Garage sale signs.* Signage for garage sales shall be permitted subject to the following standards.

(a) Garage sale signs shall be no larger than two square feet;

(b) No more than three garage sale signs shall be permitted per sale;

(c) Garage sale signs shall not be attached to any pole, tree, sign, or similar feature within the public right-of-way and shall not create a pedestrian obstruction or a traffic vision obstruction;

(d) Garage sale signs shall be displayed no sooner than 48 hours before the sale; and

(e) Garage sale signs shall be removed within 24 hours of the end of sale.

(4) *Election signs.* Election signs are permitted and shall meet the following standards:

(a) Election signs shall not be larger than four square feet in size;

(b) Election signs shall be removed 48 hours after the election of which they were intended;

(c) Election signs shall be located entirely on private property; and

(d) Election signs shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(5) *Flags.* Official governmental flags may be displayed at a commercial business or residential properties without the issuance of a permit subject to the following standards:

(a) Flags shall not exceed 24 square feet;

(b) If the flags hang over a sidewalk or other pedestrian walkway, the bottom of the flag shall be no less than seven feet from grade directly below the flag;

(c) Any illumination shall not shine into neighboring structures, onto other signs, or have a light source that is visible from the public right-of-way; and

~~(d) Residential properties which do not contain a commercial business may also display flags from an educational institution or sports teams, or other decorative flags, not exceeding 24 square feet.~~

~~(6) *Opinion signs.* Signs displaying a noncommercial message regarding a religious, political, or personal opinion may be displayed without a permit subject to the following:~~

~~(a) Signs shall not be larger than four square feet;~~

~~(b) Signs shall only be placed on private property with the permission of the property owner, not in the right of way; and~~

~~(c) Signs shall be no higher than six feet above grade.~~

~~(G) *Further regulations pertaining to all temporary signs.* Unless permitted elsewhere within this section, temporary signs shall meet the following standards:~~

~~(1) Temporary signs shall not be installed within the public right-of-way;~~

~~(2) Pennants, feather flag signs, windfeather signs, and portable signs as defined in § 154.140 of the Zoning Ordinance shall be prohibited;~~

~~(3) Temporary signs shall not create a traffic vision obstruction; and~~

~~(4) Temporary signs shall not exceed 28 feet in height from grade.~~

~~(H) *Exceptions.* City Council or a designee shall have the authority to waive any of the requirements of this section subject to the following:~~

~~(1) The sign does not create a traffic vision obstruction;~~

~~(2) The sign does not create a pedestrian traffic obstruction;~~

~~(3) The sign (typo) is compatible with the surroundings and is not uniquely out of character for the community; and~~

~~(4) The sign does not create a situation which could be detrimental to health, safety, or welfare.~~

(J) ~~(I)~~ Administration and enforcement~~.~~:

~~(1)~~

(1) *Administration.* The Zoning Administrator shall administer and enforce this section and shall have the right to enter and inspect periodically all properties during the process of the work. He or she shall inspect the construction at least once upon completion of the work to insure compliance with this section. A violation of this chapter shall constitute a nuisance per se.

~~(2)~~

(2) *Interpretation/appeal.* The Zoning Administrator shall have the authority to render binding interpretations of provisions of this section and shall administer the same. An aggrieved party may appeal any interpretation/determination made by the Zoning Administrator in writing to the ~~City Council~~Zoning Board of Appeals within 21 days

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of any such determination/interpretation. ~~City Council~~The Zoning Board of Appeals may ~~wave~~waive the requirements and standards of this section if the proposed sign:

~~(a)~~

(a) Does not create a pedestrian or vehicle traffic obstruction or hazard;

~~(b)~~

(b) Is not permanent in nature;

~~(c)~~

(c) Does not create glare or nuisance to neighboring properties;

~~(d)~~

(d) Is consistent with the character of the city; and

~~(e)~~

(e) Is consistent with the city's master plan.

~~(3)~~

(3) *Revocation of permit.* The Zoning Administrator shall have the authority to revoke any permit issued pursuant to this section if the requirements of the permit and the provisions of this section are being violated, and in such case shall have the power to issue a stop-work order. An aggrieved party may appeal within 21 days of any such determination/interpretation.

~~(4)~~

(4) *Assistance of building inspector or engineer.* The Zoning Administrator may seek the advice and assistance of the City Building Inspector or such licensed engineer as he or she may designate if he or she feels it necessary to assure compliance with this section, and the Building Inspector or licensed engineer shall render such assistance when requested to do so.

~~(5)~~

(5) *Stop work orders.* Upon notice from the Zoning Administrator that any use being conducted or that any work or construction is being done contrary to the provisions of this section, such use or work shall cease immediately. The stop work order shall be in writing and shall be given to the owner of the property involved (as shown on the most recent property tax bill). Any person who shall continue to work on and/or construct a structure, land or building or use it after having been served with a stop work order, except such work as that person is expressly directed by the city to perform to remove a violation, shall be in violation of this section.

~~(J)~~

(K) Penalties~~.~~:

~~(1)~~

(1) Any person, firm, corporation, trust, partnership or other legal entity which violates or refuses to comply with any provision of this section shall be responsible for a municipal civil infraction and shall be punished by a civil fine in accordance with § ~~10.22, Chapter 10~~ 10.22, Chapter 10 of this code, and shall be liable for payment of the costs of prosecution in an amount of not less than $9 and not more than $500.

~~(2)~~

(2) Each day that a violation continues to exist shall constitute a distinct and separate offense and shall make the violator liable for the imposition of fines for each day.

~~(3)~~

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(3) The foregoing penalties shall be in addition to the abatement of the violating condition and injunctive or other relief which may be ordered by the court as prescribed by the laws of the state for the abatement of a public nuisance or the violation of a city ordinance designated as a municipal civil infraction.

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HORIZON
Community Planning

Memorandum

To: City of Saugatuck Planning Commission

Date: June 14, 2025

From: David M. Jirousek, AICP

RE: Proposed C-3 Water Street Commercial District

Overview

Following up on our May conversation, this report proposes an initial concept for combining the C-1 Water Street North (WSN) and the C-2 Water Street East (WSE) zoning districts into a single C-3 Water Street Commercial (WSC) zoning district. In addition to this combination, our past conversation also covered the potential rezoning of C-2 Water Street South (WSS) to C-1 City Center (CC) and the general cleanup of land use categories in CC and the C-2 Downtown Waterfront Preservation (DWP) zoning districts. However, this report is focused on the new zoning district.

Please note that all of the material in this report is for discussion purposes and should be used to assess the appropriateness of combining WSN and WSE. The following zoning district intent statement, dimensional requirements, and land use regulation table are not final recommendations, but are considered materials and ideas for discussion and feedback. Please use the following pages as part of an exercise to develop final dimensional and land use regulations for the proposed district.

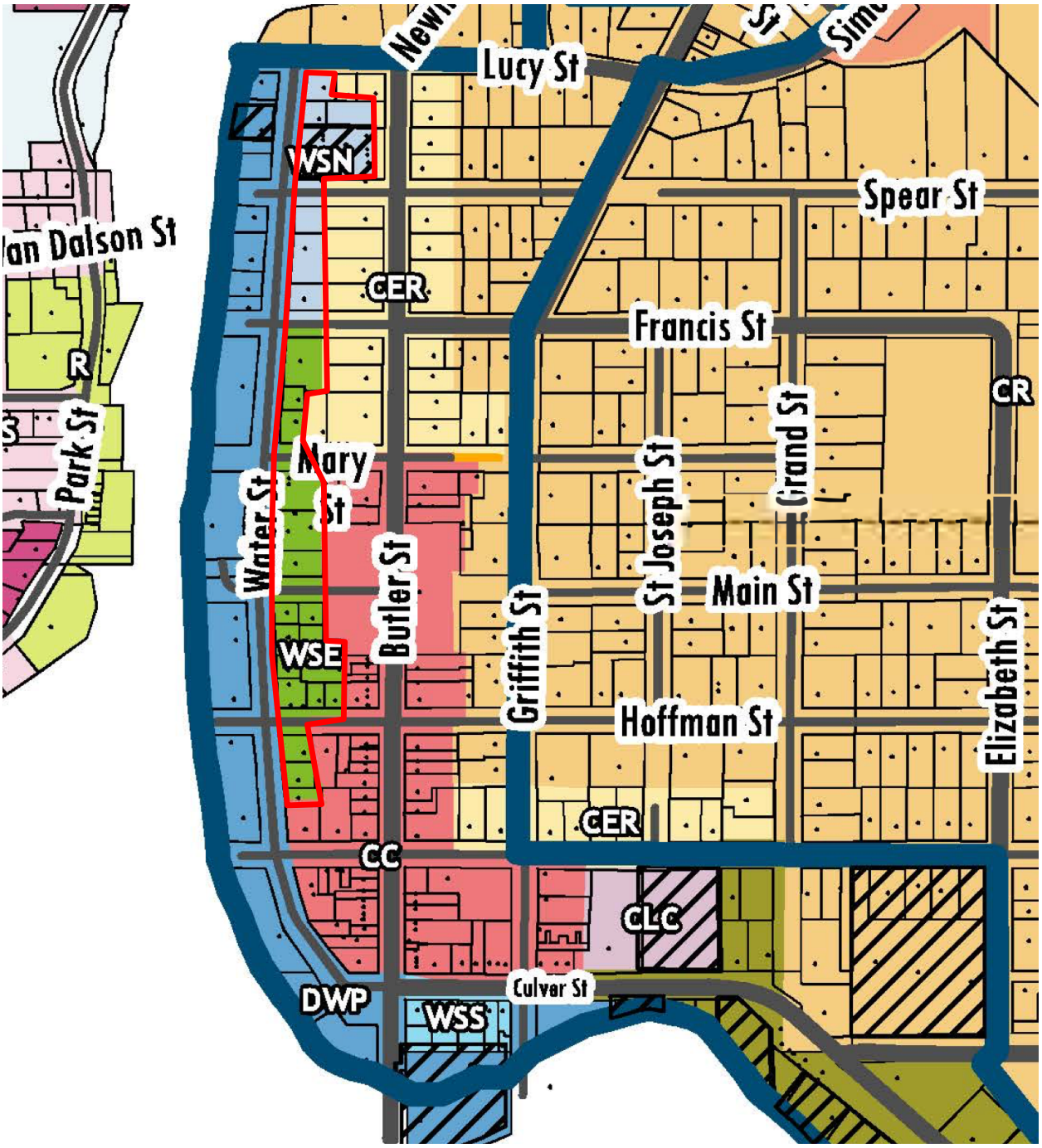
Initial WSC Zoning District Intent Statement

The following paragraph is a general description of the proposed district.

> *The C-3 Water Street Commercial (WSC) is intended to accommodate a diverse mix of commercial, mixed-use, and residential development along the east side of Water Street. Serving as a transitional zone between the C-1 City Center Commercial zoning district and the C-2 Downtown Waterfront Preservation zoning district, the WSC District supports a flexible range of building types and land uses that reinforce the walkable, small-town character of Water Street and the downtown area. Permitted uses include retail establishments, accommodations, restaurants, and other hospitality-related uses, as well as residential dwellings such as single-family detached dwellings, two-family dwellings, and single-family attached dwellings. The district also supports mixed-use buildings with residential units located above ground-floor commercial or other non-residential uses, embracing both economic activity and housing diversity in a context-sensitive manner.*

City of Saugatuck
June 14, 2025

Zoning Map- Proposed WSC Outlined in Red



Dimensional Requirements

The following table shows the existing C-1 WSN and C-2 WSE dimensional requirements and the new concept of C-3 Water Street Commercial zoning district.

	Existing					Proposed	
	C-1/WSN			C-2/WSE		C-3/Water Street Commercial	
Requirement	**Note 1**	**Note 2**	**Note 3**	**Note 4**	**Note 5**	**Non-Res.**	**Res.**
Min. Front Setback	0 ft.	15 ft.	0 ft.	0 ft.	0-10 ft.*	0 ft.	10 ft.
Min. Side Setback	0 ft.	5 ft.	0 ft.	10 ft.	10 ft.	5 ft.	5 ft.
Min. Rear Setback	0 ft.	10 ft.	0 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Min. Lot Area	4,560 s.f.	6,600 s.f.	8,712 s.f.	4,356 s.f.	8,712 s.f.	4,356 s.f.	4,356 s.f.
Min. Lot Width	66 ft.	66 ft.	66 ft.	N/A	66 ft.	66 ft.	66 ft.
Max. Lot Coverage	100%	50%	50%	65%	65%	65%	65%

Note 1. Restaurants and recreational transportation rental facilities.
Note 2. Single-family dwellings, two-family dwellings, and home businesses.
Note 3. Bed and breakfast, hotel/inn, and motel/motor court.
Note 4. Permitted uses (except as noted), amusement and recreation services and recreational transportation rental facilities.
*Note 5. Hotel/inn, motel/motor court, theater, and dwelling unit, single-family detached. *front setback shall be 10 feet for Single- family dwellings.*

Land Use Regulation

The following table includes ideas for land use regulation, including the categories and names of new and existing land uses and definitions. Please note that certain uses may include specific use requirements, which are restrictions above and beyond the dimensional requirements mentioned earlier. As you work through the table, please use the following abbreviations under P/S/NP as part of land use regulation worksheet exercise:

- P: permitted use
- S: special land use
- NP: not permitted

C-3 Water Street Commercial			
Type	**Name**	**P/S/ NP**	**Definition**
Accessory	Accessory dwelling units		An independent attached or detached dwelling that is secondary and subordinate to a principal single-family detached dwelling that contains living space, bedroom(s), a full bathroom facility, and a full kitchen facility, although a bedroom and living space may be combined as a studio (new).
	Home businesses		A home occupation exhibiting a level of impact exceeding the home occupation standards of this chapter due to increased levels of non-resident employees, client trips, identification signage and/or other external factors. A home business shall meet the home business standards of the ordinance (existing).
	Home occupations		An occupation customarily conducted in a dwelling unit or accessory building that is a clearly incidental and secondary use of the dwelling and which meets the home occupation standards of the ordinance. Without limiting the foregoing, a single-family residence used by an occupant of the residence to give instruction in a craft or fine art within the residence shall be considered a home occupation (existing).
	Rental of accessory dwelling units		The leasing or occupancy of an accessory dwelling unit (ADU) by a person or household in exchange for compensation, monetary or otherwise. Rental of an ADU may be for long-term or short-term tenancy as defined by this ordinance and the Short-Term Rental Ordinance, subject to specific use and licensing requirements (new).
Accommodations	Bed & breakfast		A residential building occupied by the owner(s) or resident manager, along with associated accessory guest buildings allowable under certain circumstances, which has sleeping rooms available for rent by transient people on a short-term basis (existing).
	Hotel/motel/inn		A building or buildings under single management that provides rooms or suites intended primarily as sleeping accommodations for public rental on a daily or longer basis for registered guests. Other supportive facilities may include meeting rooms, incidental retail sales, restaurants, lounges, swimming pools, recreational and fitness facilities, and similar facilities/services intended primarily to serve registered guests (revised).
	Motor court		A grouping of single story attached, semi-detached, or detached, furnished rental units each containing a bedroom, bathroom, and closet space, with or without a kitchen, less than 700 square feet in floor area, in which transient, overnight, lodging, or boarding are offered to the public for compensation. A motor court may contain shared amenities (for example, a swimming pool) for renters of the units and their guests but not separate commercial uses - for example, restaurants, gift or retail shops (existing).

C-3 Water Street Commercial			
Type	**Name**	**P/S/ NP**	**Definition**
	Short-term rental of a dwelling unit		A dwelling unit which is rented to a person for less than thirty-one (31) consecutive days, or is advertised to be rented for any period less than thirty-one (31) days.
Hospitality	Brewery, distillery, and winery		The industrial production of beer, wine, and spirits operated and duly licensed by the State of Michigan Liquor Control Commission (new).
	Restaurant		A business establishment whose method of operation involves either the delivery of prepared food by servers to customers seated at indoor or outdoor areas or prepared food is acquired by customers at a counter, window, or cafeteria line and consumed on-site or for take-out. The service of alcoholic beverages by the drink is incidental to the service of food, and food receipts exceed 50 percent of sales. Accessory uses may include an outdoor dining area or sidewalk café (revised).
	Tavern		A commercial establishment licensed to sell at retail and serve beer, wine, liquor, or other alcoholic beverages for consumption on the premises and where the service of food is incidental to the sales and consumption of such beverages. The service of alcoholic beverages exceeds 50 percent of sales. Taverns include nightclubs, lounges, and bars (new).
Public and Semi-Public	Essential public service		Public and private underground or overhead telephone, cable television, gas, electrical, steam or water transmission, or distribution system, collection, communication, supply or disposal system (including towers, structures, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, electric substations, telephone substations, gas regulator stations and other similar equipment and accessories in connection therewith) reasonably necessary for the furnishing and adequate service by such public utilities for the public health, safety or general welfare. Cellular wireless antennas/towers are not included in the definitions of essential public services (revised).
	Government building		Buildings, structures, and facilities that include administrative offices, public works services, law enforcement, fire protection, libraries, museums, cemeteries, recreational centers, and storage areas for public equipment and materials for local, county, state, and federal public agencies (new).
	Parking facility		A land surface or facility providing vehicular parking spaces off of a street along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of three or more automobiles or trucks (existing).

C-3 Water Street Commercial			
Type	**Name**	**P/S/ NP**	**Definition**
Residential	Dwelling, single-family detached		A dwelling unit exclusively for use by one family which is entirely surrounded by open space or yards on the same lot and which meets the single family detached dwelling standards of the ordinance (existing).
	Dwelling, two-family		A detached building used or designed for use exclusively by two families living independently of each other, providing each family with its own cooking, sleeping and bathing facilities in separate dwelling units. It may also be termed a duplex or a two-flat (existing).
	Dwelling, attached		A group of two or more single-family dwelling units joined to one another by a common party wall, but not a common floor-ceiling. Each unit shall have its own outside entrance. For the purposes of this chapter, dwellings such as semi-detached, row-houses, patio- houses and townhouses shall be deemed single-family attached dwellings (existing).
	Dwelling, multiple-family		A building or portion thereof, used or designed for use, as an apartment for three or more families living independently of each other. This definition does not include mobile homes, single-family attached dwellings or two-family dwellings (existing).
	Dwelling, mixed use (upper floors)		A dwelling unit attached to a commercial building on an upper floor (new).
	Dwelling, mixed use (ground floor)		A dwelling unit attached to a commercial building on the ground floor (new).
Retail, Offices, and Services	Art gallery		A commercial establishment primarily engaged in the exhibition, display, and sale of original works of art, including but not limited to paintings, sculpture, photography, ceramics, glass, fiber, and other visual art forms. Art galleries may host artist receptions, temporary exhibitions, and related cultural events. On-site sales of exhibited artwork and art-related merchandise are permitted as an accessory use (new).
	General offices		Establishments that offer financial, business, business support, medical, personal, professional, and administrative services. 1. Business Services. Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, and travel agencies. 2. Business Support Services. Establishments providing services to other businesses, including, but not limited to, computer rental and repair, copying, quick printing, and mailing and mailbox services. 3. Financial Services. Financial institutions, including, but not limited to, banks, credit agencies, investment companies, security, and commodity exchanges. 4. Medical. A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal

C-3 Water Street Commercial			
Type	**Name**	**P/S/ NP**	**Definition**
			health care services are provided on an outpatient basis, including, but not limited to, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff. 5. Personal Services. Establishments providing non-medical services to individuals, including, but not limited to, barber and beauty shops, tattoo parlors, self-serve laundry facility, dry cleaning pick-up and drop-off, small appliance repair, laundromats, massage therapists, shoe repair shops, and tanning salons. These uses may include incidental retail sales related to the services they provide. 6. Professional and Administrative Services. Office-type facilities occupied by businesses or agencies that provide professional or government services or are engaged in the production of intellectual property (new).
	Retail stores		Stores and shops that sell goods and merchandise to the general public. The uses may include incidental repair services (new).
Tourism and Recreation	Community cultural facilities		A public or non-profit facility that provides educational and cultural experiences for the general public. Examples include aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers, and theaters predominantly used for live performances. The use may also include accessory retail uses such as gift shops and restaurants (new).
	Indoor commercial recreation		A facility, open either to the general public or to members and their guests, located in an enclosed building that is designed to accommodate sports, recreational activities, training, or related enterprises, including but not limited to a gymnasium, swimming pool, tennis, racquetball and/or handball courts, and other indoor sports activities. Also included are accessory uses that are clearly in support of the primary use, such as sporting goods shops, food service, and party/banquet facilities serving patrons of the indoor recreation use, spectator accommodations, changing/locker rooms, and employee offices (new).
	Parks		An open area intended to be used for passive or active recreation by the public or a private group of individuals (existing).

MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	**June 13, 2025**	**Meeting Date:**	**June 19, 2025**
Request:	**Special Land Use**	**Applicant:**	**Pumpernickels**
Address:	**202 Butler**	**Project Name:**	**Expanded Outdoor Seating**
Parcel:	**03-57-300-146-00**	**Plan Date:**	**N/A**
Lot Size:	**3,016 square feet**	**Zoning District:**	**City Center C-1**
Complete:	**No**	**Recommendation:**	**Conditional Approval**
Staff:	**Luke Thompson**	**Consultant:**	**David M. Jirousek, AICP**

Overview

The applicant requests an amended special land use and site plan approval for a restaurant with expanded outdoor seating and alcoholic beverage service within the public right-of-way. This memo provides a compliance review related to all applicable zoning standards and requirements and assists the Planning Commission with developing findings related to special land use and site plan standards and specific requirements for the use.

Background

The Planning Commission and Historic District Commission approved the expanded outdoor seating area in 2024. However, the arrangement has changed, and dining is now proposed within parallel on-street parking spaces. Fenced dining is proposed within one Mason Street parking space and two Butler Street spaces. The Mason Street dining area will include three tables with four chairs each. The Butler Street dining area will include seven tables with four chairs each. Additionally, three tables are proposed directly south of the building, and two are proposed directly east of the building, with both areas on the sidewalk. In total, seating for 60 is proposed.

The parking space dining areas will be enclosed by four-foot-high Menards picket fence panels placed on eight-inch hollow concrete block posts. No significant exterior changes or site improvements are proposed as part of the project.

Review Process and Standards

The application requires review in accordance with the following sections of the City of Saugatuck Zoning Ordinance:

- Site Plan approval in accordance with Section 151.060
- Special Land Use approval in accordance with Section 154.080
- Design standards in accordance with Section 154.092 O(2)
- Design standards in accordance with Section 154.092 P

Site Plan Standards of Approval

The following standards for site plan review and approval apply to the project per Section 154.063. Findings related to each standard are provided for consideration by the Planning Commission.

A. *All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

   Comment: The building exists, and the site is already developed. The existing design is harmonious and compatible with nearby properties and land uses. The operation is not anticipated to cause external impacts to neighboring property.

B. *The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.*

   Comment: This standard is not applicable as the site has already been developed.

C. *The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.*

   Comment: This standard is not applicable as the site has already been developed.

D. *All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.*

   Comment: This standard is not applicable as the site has already been developed.

E. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state, and local barrier free requirements shall be met.

Comment: This standard is not applicable. Sidewalks are present within the adjacent public right-of-way.

F. The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan.

Comment: This standard is not applicable.

G. All streets shall be developed in accordance with city specifications, unless developed as a private road.

Comment: This standard is not applicable.

H. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

Comment: This standard is not applicable as the site has already been developed.

I. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ 154.142 through 154.144).

Comment: This standard is not applicable as the site has already been developed.

J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

Comment: Lighting information was not provided.

K. In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § 154.173).

Comment: A financial guarantee is not necessary. The site is already developed.

Special Land Use Standards of Approval

In accordance with Section 154.080, before any special land use permit is granted, the Planning Commission shall make findings of fact based upon competent evidence certifying compliance with the specific regulations governing individual special land uses and, in addition, ensure that the following general standards have been met. Findings related to each standard are provided for consideration by the Planning Commission (Section 154.082).

1. *In location, size, height and intensity of the principal and/or accessory operations, be compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property;*

   Comment: As stated earlier, the building is already in existence, and the site is already developed. The proposed outdoor dining areas are not anticipated to cause external impacts on neighboring properties. The number and location of tables and chairs do not detract from the overall character of the property and other lots in the vicinity.

2. *Be consistent with and promote the intent and purpose of this chapter;*

   Comment: Outdoor dining options are consistent with the City's vision and the intent and purpose of the zoning ordinance.

3. *Be compatible with the natural environment and conserve natural resources and energy;*

   Comment: This standard is not applicable as the site has already been developed.

4. *Be consistent with existing and future capabilities of public services and facilities affected by the proposed use;*

   Comment: The expanded outdoor seating area is not anticipated to impact public services and facilities.

5. *Protect the public health, safety, and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the City as a whole;*

Comment: The outdoor dining areas are not anticipated to affect neighboring property and will not have an additional impact on public health, safety, and welfare, as well as the social and economic well-being of the community.

6. *Not create any hazards arising from storage and use of inflammable fluids;*

   Comment: Not applicable.

7. *Not be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development. In particular:*

   (a) The property shall be easily accessible to fire and police; and
   (b) Not create or add to any hazardous traffic condition.

   Comment: The placement of furniture and materials within the right-of-way will not impact pedestrian traffic routes as long as a compliant clear area is maintained.

8. *Be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;*

   Comment: This standard is not applicable as the site has already been developed.

9. *That in the nature, location, size, and site layout of the use, be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district; and*

   Comment: The use will add to the vibrancy of the downtown area, and the overall existing design is harmonious and compatible with nearby properties and land uses.

10. *That in the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for that district within which the special land use is proposed to be located.*

    Comment: The operation is not anticipated to cause objectionable impacts.

Expanded Outdoor Dining Areas- Section 154.092 (O)(2)

Any lawfully permitted restaurant may utilize an Outdoor Dining Area in a public property or right-of-way (hereafter, "Expanded Outdoor Dining Areas") upon receipt of special land use approval and site plan review pursuant to this Section, regardless of the zoning district. Expanded Outdoor Dining Areas shall be permitted within public rights-of-way or public sidewalks notwithstanding any setback requirements in this chapter to the contrary, provided the standards of this subsection are satisfied.

a. *Standards: Expanded Outdoor Dining Areas shall comply with the following supplemental special use standards:*

   1. *The restaurant seeking to utilize the Expanded Outdoor Dining Area shall be in full compliance with this chapter.*

      Comment: The restaurant complies with the zoning ordinance.

   2. *The Expanded Outdoor Dining Area shall not pose any safety or health concerns and shall be consistent with the general character of the surrounding area.*

      Comment: Aside from minor compliance issues noted later in this review, the sidewalk and parking space dining areas are proposed in appropriate locations. The overall design will not detract from the overall character of the property and other lots in the vicinity.

   3. *The Expanded Outdoor Dining Area shall only be located in the areas of the public property or public right-of-way authorized by the City (the "Permitted Space"). The Expanded Outdoor Dining Area shall not extend past the building frontage of the Applicant's business.*

      Comment: The outdoor dining areas are directly in front of the building and within street parking spaces. However, the Mason Street parking space dining area extends north beyond the building frontage and must be shortened accordingly.

   4. *The Expanded Outdoor Dining Area shall be aesthetically pleasing and consistent with the general character of the surrounding area. Planters, plants, and organic materials are required parts of the Expanded Outdoor Dining Area.*

      Comment: No planters, plants, and organic materials are proposed as part of the expanded outdoor dining area.

   5. *The Expanded Outdoor Dining Area shall be adequately lit by electrical lighting 24 hours per day. Overhead and underground electrical cords are permitted. Electrical cords may not run along the ground and onto the sidewalk. All illumination shall be*

appropriately shielded and directed so as to not disturb adjacent uses or vehicular traffic.

Comment: Lighting information was not provided.

6. *Expanded Outdoor Dining Areas occupying public streets or parking spaces shall be marked with traffic reflectors to promote visibility for traffic.*

   Comment: Although the fence specification was provided, information concerning traffic reflectors was not provided.

7. *The Expanded Outdoor Dining Area shall be on a fully improved surface of concrete, paver brick, or other solid material. No carpeting or ground coverings of any kind are permitted.*

   Comment: The outdoor dining areas are proposed on existing concrete surfaces and on-street parking spaces.

8. *The Expanded Outdoor Dining Area shall not interfere with required fire access or any fire department equipment. Fire lanes, fire hydrants, and other fire department connections will not be blocked by the Expanded Outdoor Dining Area.*

   Comment: Fire department approval is required.

9. *The Expanded Outdoor Dining Area shall not disrupt street or sidewalk drainage or impound water.*

   Comment: The tables and chairs will have no impact on drainage.

10. *The Expanded Outdoor Dining Area shall be arranged to not interfere with pedestrian travel or the opening of car doors, and the Expanded Outdoor Dining Area shall not unreasonably interfere with the flow of pedestrian or vehicular traffic or the use of adjacent parking spaces.*

    Comment: The dining area will have no impact on nearby parked vehicles, and sufficient clear area can be preserved.

11. *For all Expanded Outdoor Dining Areas, a five-foot wide, unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction.*

    Comment: A sufficient clear area is proposed to be maintained and is shown on the site plan. Although it appears as though five feet is maintained, it should be indicated on the site plan.

12. *Expanded Outdoor Dining Areas occupying public streets or parking spaces shall have a barrier which clearly defines the perimeter of the area to prevent pedestrians from entering or exiting from the street. Barriers must be made of non-flexible materials, including wood, plastic or metal, but excluding concrete or cinder blocks. Flexible materials, such as rope and canvas, are not permitted.*

    Comment: The parking space dining area is proposed to be enclosed by Menards picket fence panels, which are four feet in height, placed on eight-inch hollow concrete block posts.

13. *Expanded Outdoor Dining Areas within parallel parking spaces shall not extend more than 8 feet from the face of the curb or exceed 40 feet in length.*

    Comment: The parking space dining area on Mason Street is eight (8) feet from the curb and 22 feet long. While the Butler Street parking space dining area is also eight (8) feet deep from the curb, it is proposed to be 46 feet long and exceeds the maximum by six (6) feet. This area must be shortened by six (6) feet, which should also confirm compliance with the requirement that the dining area not extend beyond the building frontage.

14. *Expanded Outdoor Dining Areas within angled street parking zones shall not extend more than 15 feet from the face of the curb or exceed 40 feet in length.*

    Comment: Not applicable.

15. *No tents or enclosures are permitted within the Expanded Outdoor Dining Area.*

    Comment: Ongoing requirement.

16. *If alcohol is served, the area shall meet all additional applicable local, state, and federal regulations.*

    Comment: Ongoing requirement.

17. *No Expanded Outdoor Dining Area shall operate between November 1 and April 1 of each year. All items used in the Expanded Outdoor Dining Area shall be removed from the Permitted Space no later than November 10 of each year and may not be reinstalled until March 20 of each year.*

    Comment: Ongoing requirement.

18. *Expanded Outdoor Dining Areas shall comply with all additional applicable local and county ordinances, applicable State laws, applicable building, electrical, and mechanical codes, COVID limitations, and City policies.*

Comment: Ongoing requirement.

19. *The City's Department of Public Works shall be allowed access to the Expanded Outdoor Dining Area for any maintenance purposes.*

    Comment: Ongoing requirement.

20. *The Expanded Outdoor Dining Area shall be kept free of debris and in a neat, clean, safe, reasonable, and orderly condition, and all objects and items located thereon shall be kept in good and safe maintenance and repair.*

    Comment: Ongoing requirement.

21. *The Expanded Outdoor Dining Area shall not create a nuisance of any kind.*

    Comment: Ongoing requirement. Additionally, based on special land use findings, nuisance impacts are not anticipated.

b. *Application Requirements: In addition to the standards set forth in Section 154.083(B), an application for an Expanded Outdoor Dining Area shall include the following:*
   1. *A site plan.*
   2. *An executed Revocable License Agreement between the City and Applicant.*
   3. *A one-time application fee and annual fee.*
   4. *Current photos of the front of the business, including the curb strip and parking area.*
   5. *Description or photos of proposed barriers, tables, or chairs to be used in the Expanded Outdoor Dining Area.*
   6. *Certificate of Insurance, demonstrating general and product liability coverage in the amount of $500,000 per person/$500,000 per incident with the City listed as a named insured.*
   7. *Certificate of umbrella insurance with policy limits of at least $1,000,000, with the City listed as a named insured.*
   8. *Michigan Liquor Control Commission License (if appliable).*
   9. *Health Department Food Service License (if applicable).*
   10. *Attestation form from Applicant, indicating that the Outdoor Dining Area will be lit 24 hours per day by both electrical lighting and traffic reflectors.*
   11. *Written approval from the Fire Department for heating equipment (if applicable).*
   12. *Attestation from Applicant that all property taxes, including personal property taxes, are current.*

   Comment: The applicant has provided sufficient site plan and operational information for the Planning Commission to make an informed decision. It is recommended that the remaining items on this list be confirmed administratively as a condition of approval.

c. Site Plan.

Comment: The applicant provided a site plan showing locations for outdoor dining.

Service of Alcoholic Beverages Standards (Section 154.092 P)

1. *Any new establishment seeking a license for the sale and consumption of beer, wine, or alcoholic beverages on-premises shall require special land use approval and site plan review in accordance with this division.*
2. *The applicant shall provide a copy of any licensing materials submitted to the Michigan Liquor Control Commission.*
3. *The applicant shall provide a site plan illustrating the proposed location where the alcohol sales would occur, as well as all other locations where on-premises sales presently exist within a one thousand-foot radius of the closest lot lines of the subject site.*
4. *The proposed establishment must promote the city's economic development goals and objectives, and must be consistent with the city's master plan and zoning ordinance.*
5. *Given the character, location, development trends and other aspects of the area in which the proposed use or change in use is requested, the applicant shall demonstrate that the use will: rejuvenate an underutilized property or an identifiable area within the city; provide a unique business model, service, product, or function; add to the diversity of the to the city or to an identifiable area within the city; or, that the addition of the use or proposed change in use will be otherwise a benefit or asset to the city or identifiable area.*
6. *The applicant must demonstrate that the use or change in use as constructed and operated is compatible with the area in which it will be located, and will not have appreciable negative secondary effects on the area, such as:*
   a. *Vehicular and pedestrian traffic, particularly during late night or early morning hours that might disturb area residents;*
   b. *Noise, odors, or lights that emanate beyond the site's boundaries onto property in the area on which there are residential dwellings;*
   c. *Excessive numbers of persons gathering outside the establishment; or*
   d. *Peak hours of use that add to congestion or other negative effects in the neighborhood.*

Comments: The applicant must demonstrate compliance with all conditions to serve alcoholic beverages outdoors in the new proposed arrangement. No information was provided.

Recommendation

Staff recommends conditional approval of the special land use and site plan amendment:

I move to conditionally approve the special land use and site plan amendment for an expanded outdoor dining area with alcohol service at 202 Butler Street based on a review against sections 154.092 O(2) and 154.092 P, satisfaction of the site plan approval standards of Section 151.060, and the positive findings related to the special land use standards of approval in Section 154.080 that are documented in the staff memo dated June 13, 2025. Approval is contingent upon the following:

1. *Provide a compliant lighting plan.*

2. *Provide reflector specifications for the parking space dining area fencing.*

3. *Provide decorative planters, plants, and organic materials as part of the site plan.*

4. *Update the site plan to decrease the length of the Butler Street parking space dining area not to exceed 40 feet and to not extend past the north end of the building frontage.*

5. *Update site plan to indicate at least five feet of clear sidewalk area along and in between outdoor seating areas.*

6. *Secure all other applicable approvals from City departments, the fire department, and applicable outside agencies.*

7. *Provide all expanded outdoor dining area checklist items in accordance with Section 154.092 (O)(2)b (license agreement, fees, certificates of insurance, MLCC license, food service license, lighting/reflector attestation, and tax attestation).*

8. *Demonstrate compliance with all conditions to serve alcoholic beverages outdoors in the new proposed arrangement.*

Application Fee: $1,000
Escrow Deposit: $2,000

Special Land Use Application

City of Saugatuck Zoning Code: https://codelibrary.amlegal.com/codes/saugatuck/latest/saugatuck_mi/0-0-0-4355

LOCATION INFORMATION

Address 202 Butler St Parcel Number 57-300-146-00

APPLICANTS INFORMATION

Name Pumpernickels Address / PO Box 12501 Westwood LN

City Wayland State MI Zip 49348 Phone 616 890-4734

Interest In Project owner E-Mail rschafer@pumpernickelssaugatuck.com

I agree the statements made in this application and submitted plans are true, and if found not to be true, any zoning permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. I understand that this application will not be processed until it is deemed complete and the required fees and escrow deposit (if applicable) are paid. Further, I agree the permit that may be issued is with the understanding all applicable sections of the City of Saugatuck Zoning Ordinance and all other applicable laws, ordinances and regulations will be complied with. Finally, I understand this is a zoning permit application (not a permit) and that a zoning permit, if issued, does not include any representation or conveyance of rights in any other statute, building code, fire code, deed restriction or other property rights.

Signature _____ Date 3/24/25

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Fred Gerigery Address / PO Box 5121 Hidden Harbor Rd

City Sarasota State FL Zip 34242 Phone 561 889-3255

E-Mail fredgerigery@gmail.com

I hereby authorize the applicant listed above to make this application for proposed work as my agent. I agree the statements made in this application and submitted plans are true, and if found not to be true, any zoning permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree the permit that may be issued is with the understanding all applicable sections of the City of Saugatuck Zoning Ordinance and all other applicable laws, ordinances and regulations will be complied with. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed. Finally, I understand this is a zoning permit application (not a permit) and that a zoning permit, if issued, does not include any representation or conveyance of rights in any other statute, building code, fire code, deed restriction or other property rights.

Signature Fred Gerigery Fred Gerigery (Mar 24, 2025 11:00 EDT) Date 24/03/2025

CONTRACTORS/ DEVELOPERS INFORMATION (UNLESS PROPOSED WORK IS TO BE DONE BY THE PROPERTY OWNER)

Name _____ Contact Name _____

Address / PO Box _____ City _____

State _____ Zip _____ Phone _____ Fax _____

E-Mail _____

License Number _____ Expiration Date _____

seating app

Final Audit Report 2025-03-24

Created:	2025-03-24
By:	ron schafer (rschafer@c2gw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAsYzf-d75JsosgOMSTXor9knsDd5JA_wE

"seating app" History

Document created by ron schafer (rschafer@c2gw.com)
2025-03-24 - 2:54:07 PM GMT- IP address: 24.180.149.73

Document emailed to Fred Gerigery (fredgerigery@gmail.com) for signature
2025-03-24 - 2:54:10 PM GMT

Email viewed by Fred Gerigery (fredgerigery@gmail.com)
2025-03-24 - 2:59:37 PM GMT- IP address: 104.28.57.245

Document e-signed by Fred Gerigery (fredgerigery@gmail.com)
Signature Date: 2025-03-24 - 3:00:35 PM GMT - Time Source: server- IP address: 73.255.236.40

Agreement completed.
2025-03-24 - 3:00:35 PM GMT

Special Land Use Application

SITE PLAN REQUIREMENTS (SECTION 154.061)

A) Applications for preliminary site plan approval shall consist of the following information unless waived by the Zoning Administrator.

Y	N	NA	
☒	☐	☐	Property dimensions
☐	☐	☒	Significant vegetation
☐	☐	☒	Water courses and water bodies, including human-made surface drainage ways
☐	☐	☒	Existing public right-of-way, pavements and/or private easements
☐	☐	☒	Existing and proposed uses, buildings, structures and parking areas
☐	☐	☒	Zoning classification of abutting properties
☐	☐	☒	The name, address and telephone number of the person and firm who prepared the site plan, and the date on which it was prepared
☒	☐	☐	A north arrow

B) Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. One (1) paper copy of a final site plan (no greater than 11" x 17") and one (1) digital copy, at a scale of not less than one inch equals ten feet, shall include:

Y	N	NA	
☐	☐	☒	Dimensions of property of the total site area,
☐	☐	☒	Contours at 2-foot intervals
☒	☐	☐	Locations of all buildings
☒	☐		Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property
☒	☐	☐	Parking areas
☒	☐		Driveways
☐	☐	☒	Required and proposed building setbacks
☐	☐	☒	Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
☐	☐	☒	Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
☐	☐	☒	Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
☐	☐	☒	Proposed water supply and wastewater systems locations and sizes;
☐	☐	☒	Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
☐	☐	☒	Proposed common open spaces and recreational facilities, if applicable;
☐	☐	☒	Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
☐	☐	☒	Signs, including type, locations and sizes;

Special Land Use Application

- ☐ ☐ ☒ Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;
- ☐ ☐ ☒ Exterior lighting showing area of illumination and indicating the type of fixture to be used.
- ☐ ☐ ☒ Elevations of proposed buildings drawn to an appropriate scale shall include:
  1. Front, side and rear views;
  2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
  3. Exterior materials and colors to be used.
- ☐ ☐ ☒ Location, if any, of any views from public places to public places across the property;
- ☐ ☐ ☒ Location, height and type of fencing; and
- ☐ ☐ ☒ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.

STANDARDS FOR SPECIAL LAND USE APPROVAL (SECTION 154.082)

Please respond to how the request will meet each of the following standards for special land use:

(1) How will the location, size, height and intensity of the principal and/or accessory operations, compatible with the size, type and kind of buildings, uses and structures in the vicinity and on adjacent property?

N/A

(2) How will the proposed request consistent with, and will promote the intent and purpose of this chapter?

Outside dining is consitent with other requests to provide outside dining to increase the accesibility for tourists to our city.

(3) How will the proposed request compatible with the natural environment and will it conserve natural resources and energy?

By utilizing outside seating we decrease the use of indoor utilities. We also add beautification to sidewalk and street areas with additional floral greenery.

(4) How will the proposed request consistent with existing and future capabilities of public services and facilities?

n/a

(5) How will the proposed request protect the public health, safety and welfare as well as the social and economic well-being of those who will use the land use or activity, residents, businesses and landowners immediately adjacent and the city as a whole?

Many of the visitors to our city enjoy the availability of outside seating to enjoy the beautiful enviroment that many of the businesses have worked very hard to create. The economy of the city is driven by tourism which provides financial means to the city in turn allowing the city to provide many services to the full time residents of Saugatuck

Special Land Use Application

STANDARDS FOR SITE PLAN APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:
*Note: Not all questions will apply for all requests.

(1) How will the elements of the site plan be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings? Will the site be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter?

The elements will again be made to previous standards set for outdoor seating for the period of time permitted by the city.

(2) How will the landscape be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter?

The outdoor seating area will be temporary for the permitted period of time allowed by the city.

(3) How will the site plan provide reasonable visual and sound privacy for all dwelling units located therein? How will fences, walks, barriers and landscaping shall be used, as appropriate, be used to accomplish these purposes?

The seating area will be established with the use of landscape fencing and signage consistent with the use of area for dinig.

(4) How will all buildings or groups of buildings be arranged so as to permit necessary emergency vehicle access as required by the Fire Department?

The materials will be moveable if the need for emergency access if required.

(5) How will there be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic? (All federal, state and local barrier free requirements shall be met.)

The sidewalk areas will remain clear and accessible for pedestrians.

(6) How will the arrangement of public or common ways for vehicular and pedestrian circulation be connected to existing or planned streets and pedestrian or bicycle pathways in the area? Will streets and drives which are part of an existing or planned street pattern serving adjacent development be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan?

N/A

(7) How will all streets be developed in accordance with city specifications, unless developed as a private road?

N/A

Special Land Use Application

(6) How will the proposed request create any hazards arising from storage and use of inflammable fluids?

No

(7) How will the proposed request not be in conflict with convenient, safe and normal vehicular and pedestrian traffic routes, flows, intersections and general character and intensity of development? In particular:

(a) Will the property be easily accessible to fire and police?

Yes

(b) Will measures be taken as to not create or add to any hazardous traffic condition?

Yes, we will follow the previous established guidelines to create the outdoor seating area.

(8) How will the proposed request be of such a design and impact that the location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping on the site not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof?

Yes

(9) How will the nature, location, size and site layout of proposed request be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district?

Yes

(10) How will the location, size, intensity and site layout be such that operations will not be objectionable to nearby dwellings, by reason of noise, fumes, pollution, vibration, litter, refuse, glare or flash of lights to an extent which is greater than would be operations of any use permitted by right for that district within which the special land use is proposed to be located?

The request will not be objectable to other businesses as it will not create any of the fore mentioned conditions.

PROPERTY INFORMATION

Depth 70' Width 66.42' Size _____ Zoning District CC Current Use RESTAURANT

Check all that apply:

Waterfront_____ Historic District ✓ Dunes _____ Vacant _____

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Special Land Use Application

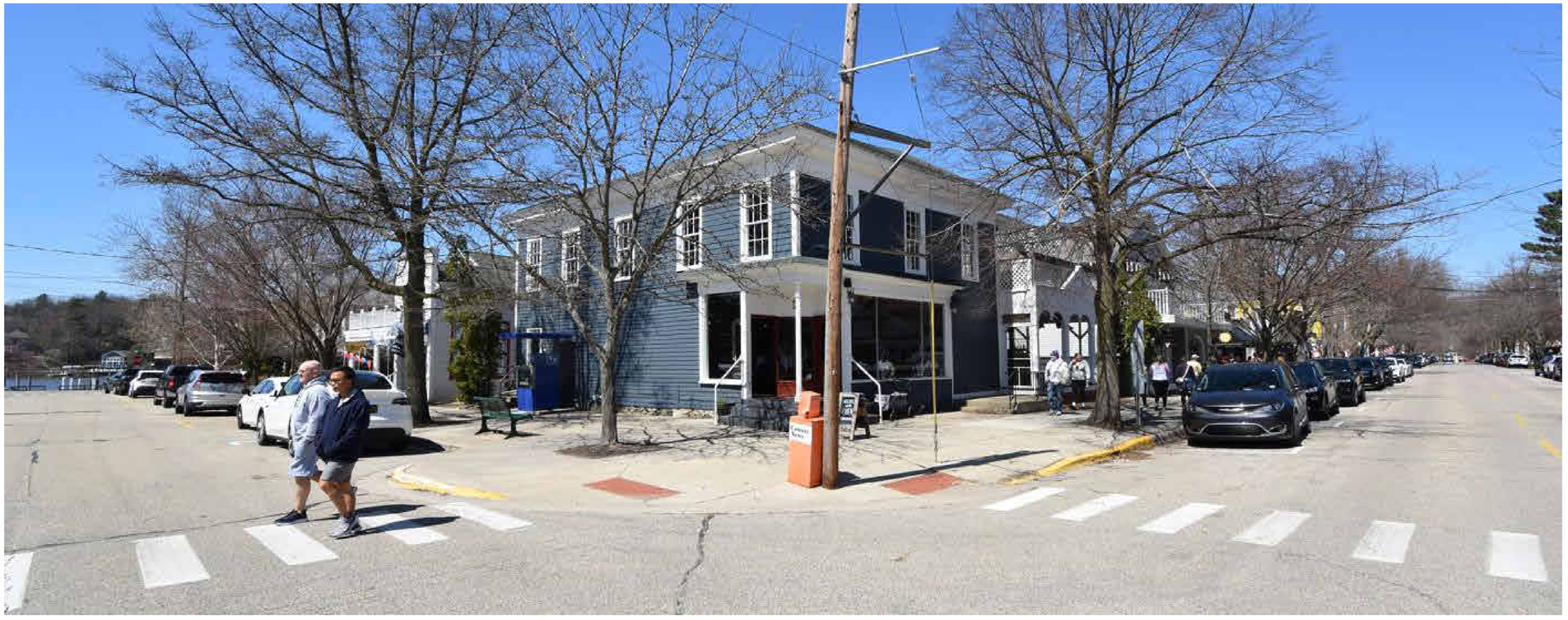
(8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems. N/A

(9) How will all loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height? (See §§ 154.142 through 154.144).

N/A

(10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted.

N/A



Pumpernickels, Saugatuck

202 Butler Street, Saugatuck, Michigan 49453

Drawing Index:

A-01 Index & South East Perspective
A-02 Site Plan
A-03 Outdoor Dining Plan
A-04 Fence Details & Survey

Architectural Symbols

Site Plan

- BM-1 — Bench Mark Number
- 680.0 — (Elevation in Feet)
- TB-1 — Test Boring Number
- MH — Manhole
- CB — Catch Basin
- Light Pole
- Fire Hydrant
- Power or Telephone Pole
- Curb Inlet
- Remove 12" Oak — Existing Tree to be Removed
- 10" OAK — Existing Tree to Remain
- 960 960 — New Topo Contour Line
- 960 960 — Existing Topo Contour
- W — Water Line
- E — Electric Line
- F.O. — Fuel Oil Line
- SS — Storm Sewer
- FD — Foundation Drain Tile
- Contract Limit Line
- Property Line
- Fence
- S — Sanitary Sewer
- RD — Roof Drain Tile Loop
- G — Gas Line
- T — Telephone Line

Reference Symbols

- NORTH — North Arrow Designation Plan Views
- Detail Number / Sheet Number: 1 / D2 — Detail Designation Plan Views & Detail Views
- Sheet Number / Direction of View / Sheet Number: 1 / 12 — Elevation Designation Plan Views
- Footing Type: F-1; E.F. - Elevation TOP OF FOOTING: 99'-4" — Footing Designation Plan Views
- Location of Step: Step 100'-0", Footing 102'-0" — Step Footing Designation Plan Views
- Elevation Notes: 100'-0" T/S — Spot Elevation Designation Plan Views
- Elevation: 101'-4" TOP OF WALL; Notes — Vertical Elevation Designation Plan, Section, Elevation Views
- Room Name: Storage; Room Number: 106 — Room Number Designation Plan Views
- Door Number: 007; Arrows indicate direction of view — Door Number Designation Plan Views
- Cutting Plane Line: 1 / A-8 — Cross Section Designation Plan Views
- Arrow may point to object or note change. See notes for revision dates. Design revision number. — Design Revision Designation Plan, Section, Elevation Views
- Arrow may point to equipment item. See eq. schedule for notes. Equipment item number: 04 — Equipment Number Designation Plan, Section, Elevation Views
- Column number, see schedule for notes: C1 — Column Number Designation Plan Views & Detail Views
- LINTEL NUMBER See schedule for notes: L1 — Lintel Number Designation Plan Views & Detail Views

Material Indications

- Concrete wall, plan view
- Brick veneer on stud wall, plan view
- Rigid insulation, cross section
- Dimensional lumber, sized, cross section- continious member
- Dimensional lumber sized, cross section, intermittent
- Plywood, cross section
- Earth, cross section
- Existing construction to be removed, (wall plan view)
- Existing construction to remain, (wall plan view)
- Fire rated wall plan view construction, see notes.
- Concrete block wall
- Batt insulation, cross section view
- Wood stud wall, plan view
- Steel, cross section
- Gravel, cross section
- Sand, cross section
- Stucco plaster finish, cross section, over concrete block wall
- Wood flooring, plan view
- Brick paving, basket weave pattern plan view
- Tile flooring, plan view
- Stone paving, plan view
- Center line, plan view
- Ceiling cove trim, plan view
- Roof overhang line, plan view
- Hidden line, all views

Architectural Workshop, Inc.
Richard Schramm, Architect
7540 Stadium Drive
Kalamazoo, MI 49009
Phone: 269.375.2472
www.ArchWorks.us
FAX: 269.372.7272

Index and S.E. Perspective View

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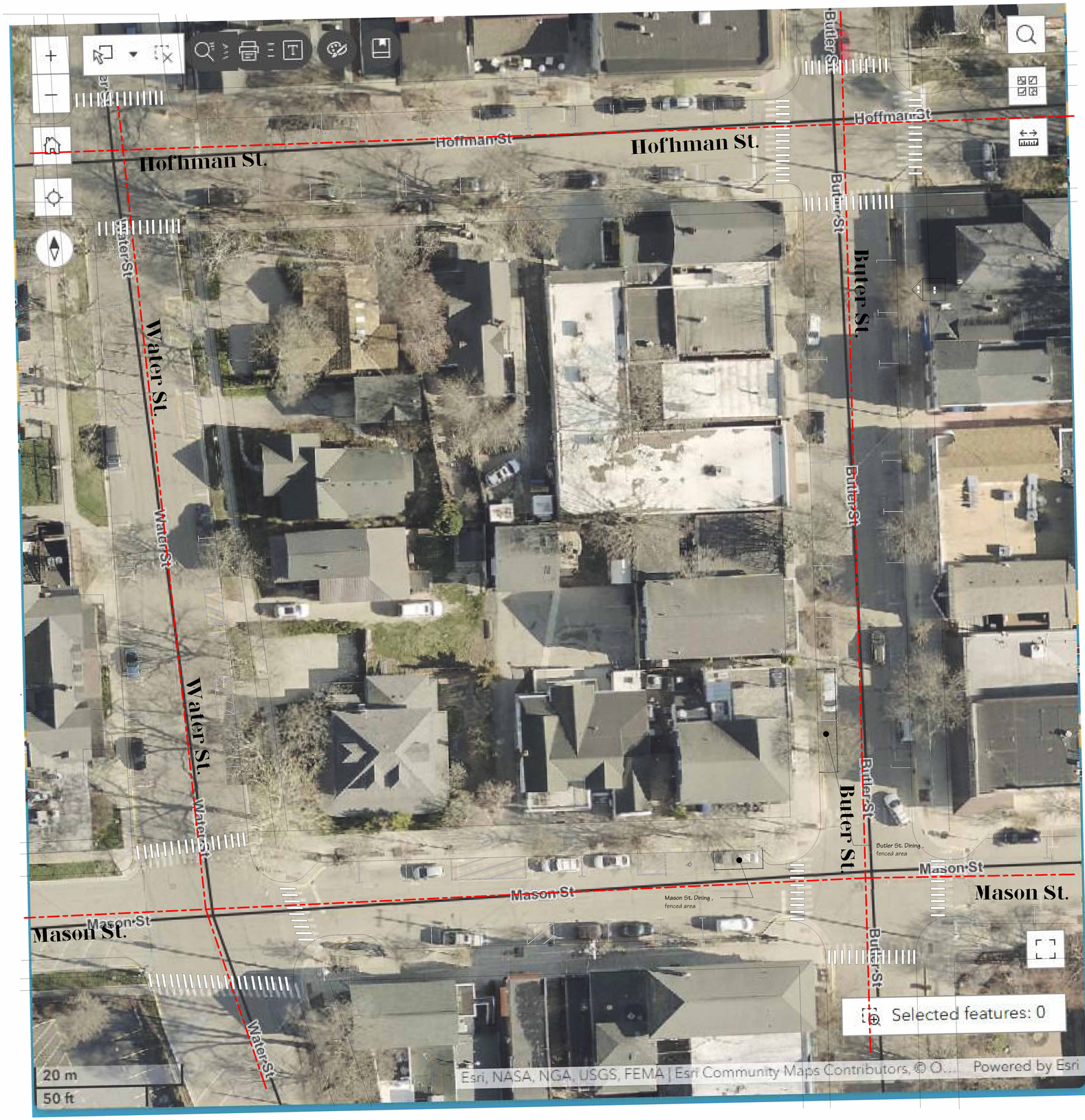
Pumpernickels, Saugatuck
202 Butler Street, Saugatuck, Michigan 49453

Architect's Seal

NOTE: Official drawings prepared by the Architect bear his embossed seal below.

Date: 3/23/2025
Revised:
Drawn by: R.A.S.
Project: 1022.101

Sheet Number
A-01



1 A-02 **GIS Site Plan**

SCALE: 1" = 20'-0"

0' 5' 10' 20' 30'

Architectural Workshop, Inc.
Richard Schramm, Architect
7540 Stadium Drive *Phone: 269.375.2472*
Kalamazoo, MI 49009 *www.ArchWorks.us* *FAX: 269.372.7272*

Site Plan

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Pumpernickels, Saugatuck

202 Butler Street, Saugatuck, Michigan 49453

Architect's Seal

NOTE: Official drawings prepared by the Architect bear his embossed seal below.

Date: 3/23/2025
Revised:
Drawn by: R.A.S.
Project: 1022.101

Sheet Number

A-02



Architectural Workshop, Inc.
Richard Schramm, Architect
7540 Stadium Drive
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www.ArchWorks.us

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Pumpernickels, Saugatuck

202 Butler Street, Saugatuck, Michigan 49453

Outdoor Dining Plan

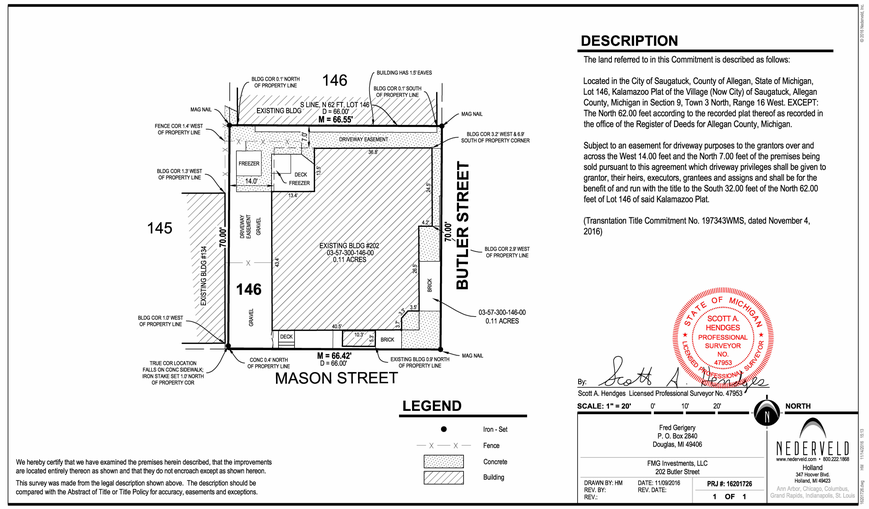
Architect's Seal

NOTE: Official drawings prepared by the Architect bear his embossed seal below.

Date:	3/23/2025
Revised:	
Drawn by:	R.A.S.
Project:	1022.101

Sheet Number

A-05



LEGEND

- Iron - Set
- Fence
- Concrete
- Building

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

DESCRIPTION

The land referred to in this Commitment is described as follows:

Located in the City of Saugatuck, County of Allegan, State of Michigan, Lot 146, Kalamazoo Plat of the Village (Now City) of Saugatuck, Allegan County, Michigan in Section 9, Town 3 North, Range 16 West. EXCEPT: The North 62.00 feet according to the recorded plat thereof as recorded in the office of the Register of Deeds for Allegan County, Michigan.

Subject to an easement for driveway purposes to the grantors over and across the West 14.00 feet and the North 7.00 feet of the premises being sold pursuant to this agreement which driveway privileges shall be given to grantor, their heirs, executors, grantees and assigns and shall be for the benefit of and run with the title to the South 32.00 feet of the North 62.00 feet of Lot 146 of said Kalamazoo Plat.

(Transnation Title Commitment No. 197343WMS, dated November 4, 2016)

STATE OF MICHIGAN · SCOTT A. HENDGES · PROFESSIONAL SURVEYOR NO. 47953 · LICENSED PROFESSIONAL SURVEYOR

By: Scott A. Hendges
Scott A. Hendges Licensed Professional Surveyor No. 47953

SCALE: 1" = 20' 0' 10' 20'

NORTH

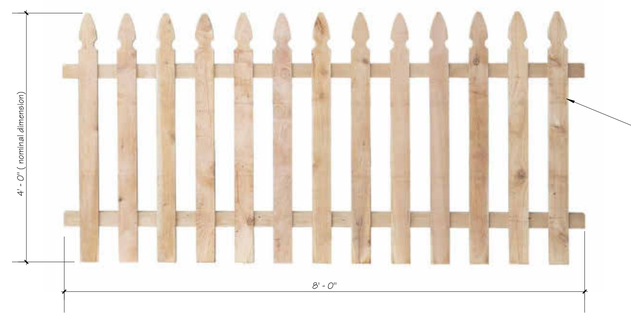
Fred Gerigery
P. O. Box 2840
Douglas, MI 49406

FMG Investments, LLC
202 Butler Street

DRAWN BY: HM DATE: 11/09/2016 PRJ #: 16201726
REV. BY: REV. DATE: 1 OF 1
REV.:

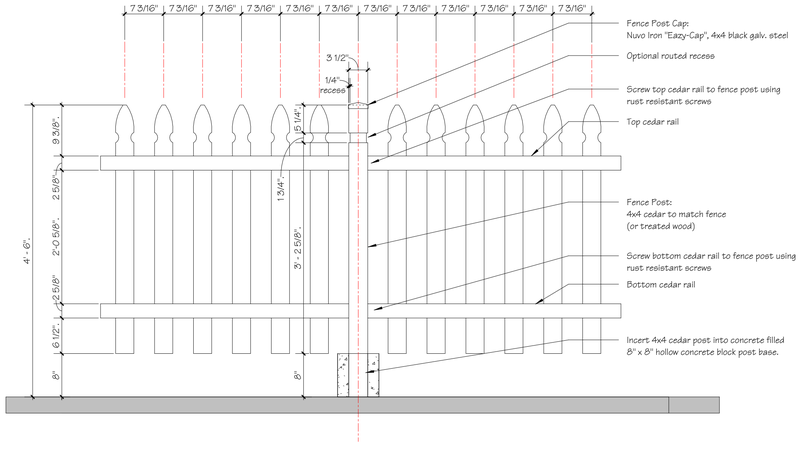
NEDERVELD
www.nederveld.com • 800.222.1868
Holland
347 Hoover Blvd.
Holland, MI 49423
Ann Arbor, Chicago, Columbus, Grand Rapids, Indianapolis, St. Louis

1 A-04 **Survey**
SCALE: 1" = 20'-0" 0' 5' 10' 20' 30'



MENARDS PICKET FENCE PANELS:
4 x 8 Cedar French Gothic Spaced Picket Wood Fence Panel
(Nominal Size: 48"H x 96"W)
Model Number: 1731491 Menards ® SKU: 1731491
Premium cedar pickets with prestained back rails
4' H x 8' W
Preassembled with (13) 5/8" x 3-1/2" pickets
Automated assembly
Ring-shanked galvanized fasteners
Posts sold separately
Naturally resistant to rot and decay
Nominal size
Preassembled for easier installation
Naturally insect resistant

2 A-04 **Picket Wood Fence Panel**
SCALE: 1" = 1'-0" 0' 6" 1' 2'



3 A-04 **Picket Fence Post Detail**
SCALE: 1" = 1'-0" 0' 6" 1' 2'

Architectural Workshop, Inc.
Richard Schramm, Architect
7540 Stadium Drive
Kalamazoo, MI 49009
Phone: 269.375.2472
FAX: 269.372.7272
www.ArchWorks.us

Fence Details & Survey

© Copyright Richard Schramm 2024 / Do not copy or duplicate without written permission. The Architect's embossed seal is required on this document.

Pumpernickels, Saugatuck

202 Butler Street, Saugatuck, Michigan 49453

Architect's Seal

NOTE: Official drawings prepared by the Architect bear his embossed seal below.

Date: 3/23/2025
Revised:
Drawn by: R.A.S.
Project: 1022.101

Sheet Number
A-04

MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	**June 13, 2025**	**Meeting Date:**	**June 19, 2025**
Request:	**Site Plan Review**	**Applicant:**	**Lulu Cadieux**
Address:	**249 Mason Street**	**Project Name:**	**Outdoor Space**
Parcel:	**03-57-300-170-00**	**Plan Date:**	**N/A**
Lot Size:	**4,809 square feet**	**Zoning District:**	**City Center C-1**
Complete:	**Yes**	**Recommendation:**	**Conditional Approval**
City Staff:	**Luke Thompson**	**Consultant:**	**David M. Jirousek, AICP**

Overview

The applicant proposes a 600-square-foot outdoor deck under the former Huntington Bank drive-thru canopy and another 1,000 square feet of decking adjacent to this area. The intent is to provide a usable and comfortable outdoor space while minimizing the impact of the existing asphalt drive lanes. This report covers the site plan standards of approval.

Background

The project was reviewed and approved by the Historic District Commission in November of 2024.

Site Plan Standards of Approval

The following standards for site plan review and approval apply to the project. Findings related to each standard are provided for the Planning Commission to consider.

A. *All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

Comment: The decking will provide an attractive and usable outdoor space in the drive-through lane, which is not necessary for the building and use. Impact on nearby properties is not anticipated.

B. The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter.

Comment: Only an area of existing asphalt will be affected. Improvement may result in a decrease in the associated heat island impact of the asphalt drive lanes.

C. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.

Comment: No screening or buffering is recommended.

D. All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.

Comment: Fire Department review of site access is required as part of the site plan review process.

E. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic. All federal, state, and local barrier free requirements shall be met.

Comment: This standard is not applicable.

F. The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan.

Comment: The drive-through lane exit to Mason Street will no longer be necessary. The existing one-way ingress and egress driveways will be retained.

G. All streets shall be developed in accordance with city specifications, unless developed as a private road.

Comment: This standard is not applicable. No streets are proposed.

H. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

Comment: The improvements are not anticipated to impact stormwater as the applicable area is already impervious asphalt.

I. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ 154.142 through 154.144).

Comment: This standard is not applicable. No changes to loading or trash storage are proposed.

J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

Comment: This standard is not applicable. No additional lighting is proposed.

K. In approving the site plan, the Planning Commission may recommend that a bond or other financial guarantee of ample sum be furnished by the developer to ensure compliance for such requirements as drives, walks, utilities, parking, landscaping and the like (see § 154.173).

Comment: No bond or financial guarantee is necessary or recommended.

Recommendation

Staff recommends conditional approval of the site plan amendment:

I move to approve the conversion of an existing drive-through lane and covered service area with outdoor amenity space at 249 Mason Street based on satisfaction of the site plan approval standards of Section 151.060 documented in the staff memo dated June 13, 2025. Approval is contingent upon the following:

1. *All applicable approvals are granted, including but not limited to:*
    a. *Fire Department*
    b. *City Engineer*

Application Fee: $750
Escrow Deposit: $2,000

Site Plan Review Application

City of Saugatuck Zoning Code: https://codelibrary.amlegal.com/codes/saugatuck/latest/saugatuck_mi/0-0-0-4355

Location Information

Address 249 Mason Street _____ Parcel Number _____

Applicants Information

Name Lulu Cadieux _____ Address / PO Box P.O. BOX 33 _____

City Saugatuck _____ State MI _____ Zip 49453 _____ Phone 810-252-8083 _____

Interest In Project Owner _____ E-Mail terrywalker@lulucadieux.com _____

I agree the statements made in this application and submitted plans are true, and if found not to be true, any zoning permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. I understand that this application will not be processed until it is deemed complete and the required fees and escrow deposit (if applicable) are paid. Further, I agree the permit that may be issued is with the understanding all applicable sections of the City of Saugatuck Zoning Ordinance and all other applicable laws, ordinances and regulations will be complied with. Finally, I understand this is a zoning permit application (not a permit) and that a zoning permit, if issued, does not include any representation or conveyance of rights in any other statute, building code, fire code, deed restriction or other property rights.

Signature _____ Date 4/25/2025

Owners Information (if different from applicants)

Name _____ Address / PO Box _____

City _____ State _____ Zip _____ Phone _____

E-Mail _____

I hereby authorize the applicant listed above to make this application for proposed work as my agent. I agree the statements made in this application and submitted plans are true, and if found not to be true, any zoning permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree the permit that may be issued is with the understanding all applicable sections of the City of Saugatuck Zoning Ordinance and all other applicable laws, ordinances and regulations will be complied with. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed. Finally, I understand this is a zoning permit application (not a permit) and that a zoning permit, if issued, does not include any representation or conveyance of rights in any other statute, building code, fire code, deed restriction or other property rights.

Signature _____ Date _____

Contractors/ Developers Information (unless proposed work is to be done by the property owner)

Name _____ Contact Name _____

Address / PO Box _____ City _____

State _____ Zip _____ Phone _____ Fax _____

E-Mail _____

License Number _____ Expiration Date _____

PROPERTY INFORMATION

Depth 132' Width 198' Size _____ Zoning District_____ Current Use Retail

Check all that apply:

Waterfront_____ Historic District X Dunes _____ Vacant _____

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Convert existing structure (former bank drive-through) into an attractive outdoor green space with decking and planters. Approximately 600 sf deck installed between concrete curbs of drive-through. An additional 1000' sf low profile deck to be continued to back of building to minimize the heat and visibility of asphalt.

There is no change to the ingress of the parking lot from Mason Street. There is no change to the ingress of the parking lot from Griffith Street. There is no change to the egress from the parking lot onto Mason Street. Closure of the two former bank drive-through lanes prevents egress onto Mason Street; however, the function of the drive-through no longer exists.

This plan has been approved by the Historic Society.

Site Plan Review Application

SITE PLAN REQUIREMENTS (SECTION 154.061)

A) Applications for preliminary site plan approval shall consist of the following information unless waived by the Zoning Administrator.

Y	N	NA	
☐	☐	☐	Property dimensions
☐	☐	☐	Significant vegetation
☐	☐	☐	Water courses and water bodies, including human-made surface drainage ways
☐	☐	☐	Existing public right-of-way, pavements and/or private easements
☐	☐	☐	Existing and proposed uses, buildings, structures and parking areas
☐	☐	☐	Zoning classification of abutting properties
☐	☐	☐	The name, address and telephone number of the person and firm who prepared the site plan, and the date on which it was prepared
☐	☐	☐	A north arrow

B) Applications for final site plan approval shall consist of the following information unless waived by the Zoning Administrator. One (1) paper copy of a final site plan (no greater than 11" x 17") and one (1) digital copy, at a scale of not less than one inch equals ten feet, shall include:

Y	N	NA	
☐	☐	☐	Dimensions of property of the total site area,
☐	☐	☐	Contours at 2-foot intervals
☐	☐	☐	Locations of all buildings
☐	☐	☐	Other structures on adjacent properties within 100 feet of the property, including those located across the street from the property
☐	☐	☐	Parking areas
☐	☐	☐	Driveways
☐	☐	☐	Required and proposed building setbacks
☐	☐	☐	Location of abutting streets and proposed alignment of streets, drives and easements serving the development, including existing rights-of-way and pavement widths;
☐	☐	☐	Location, screening, dimensions and heights of proposed buildings and structures, such as trash receptacles, utility pads and the like, including accessory buildings and uses, and the intended uses thereof. Rooftop or outdoor appurtenances should also be indicated, including proposed methods of screening the equipment, where appropriate;
☐	☐	☐	Location and dimensions of parking areas, including computations of parking requirements, typical parking space dimensions, including handicapped spaces, and aisle widths;
☐	☐	☐	Proposed water supply and wastewater systems locations and sizes;
☐	☐	☐	Proposed finished grades and site drainage patterns, including necessary drainage structure. Where applicable, indicate the location and elevation of the 100-year floodplain;
☐	☐	☐	Proposed common open spaces and recreational facilities, if applicable;
☐	☐	☐	Proposed landscaping, including quantity, size at planting and botanical and common names of plant materials;
☐	☐	☐	Signs, including type, locations and sizes;

Site Plan Review Application

☐ ☐ ☐ Location and dimensions of all access drives, including driveway dimensions, pavement markings, traffic-control signs or devices, and service drives;

☐ ☐ ☐ Exterior lighting showing area of illumination and indicating the type of fixture to be used.

☐ ☐ ☐ Elevations of proposed buildings drawn to an appropriate scale shall include:

1. Front, side and rear views;
2. Heights at street level, basement floor level, top of main floor, top of building, and if applicable, height above water level; and
3. Exterior materials and colors to be used.

☐ ☐ ☐ Location, if any, of any views from public places to public places across the property;

☐ ☐ ☐ Location, height and type of fencing; and

☐ ☐ ☐ The name and address of the person and firm who drafted the plan, the seal of the professional responsible for the accuracy of the plan (licensed in the state) and the date on which the plan was prepared.

STANDARDS FOR APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:
*note: not all questions will apply for all requests.

(1) How will the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings? Will the site be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter? _____

Convert an unused former bank drive-through into an attractive outdoor hospitality green space.

(2) How will the landscape be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter? _____

No change to topography or vegetation.

(3) How will the site plan provide reasonable visual and sound privacy for all dwelling units located therein? How will fences, walks, barriers and landscaping shall be used, as appropriate, be used to accomplish these purposes? _____

No sound or privacy issues.

(4) How will all buildings or groups of buildings be arranged so as to permit necessary emergency vehicle access as required by the Fire Department? _____

No change in access for emergency vehicles.

(5) How will there be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of schools, playgrounds, local shopping areas and other uses which generate a considerable amount of pedestrian traffic? (All federal, state and local barrier free requirements shall be met.) _____

No change in pedestrian circulation or vehicular circulation systems.

Site Plan Review Application

(6) How will the arrangement of public or common ways for vehicular and pedestrian circulation be connected to existing or planned streets and pedestrian or bicycle pathways in the area? Will streets and drives which are part of an existing or planned street pattern serving adjacent development be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the City's land use plan?

No patterns changed; unused former bank drive-through is no longer in use.

(7) How will all streets be developed in accordance with city specifications, unless developed as a private road?

No changes.

(8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems.

No change to existing asphalt and concrete.

(9) How will all loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height? (See §§ 154.142 through 154.144).

No changes.

(10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted.

No changes.

North

(Mason St)

198ft

Previous Egress

Planter Boxes

Lot Egress

Lot Ingress

79 ft

93 ft

Covered Deck

624 sqft

Planter Boxes

24 ft

Lulu Cadieux

5056 sqft

64 ft

1014 sqft

Deck Height Aprox. 6"

26 ft

Planter Boxes

39 ft

Planter Boxes

West

Parking Lot

East

(Huron St)

132 ft

LULU CADIEUX

68 ft

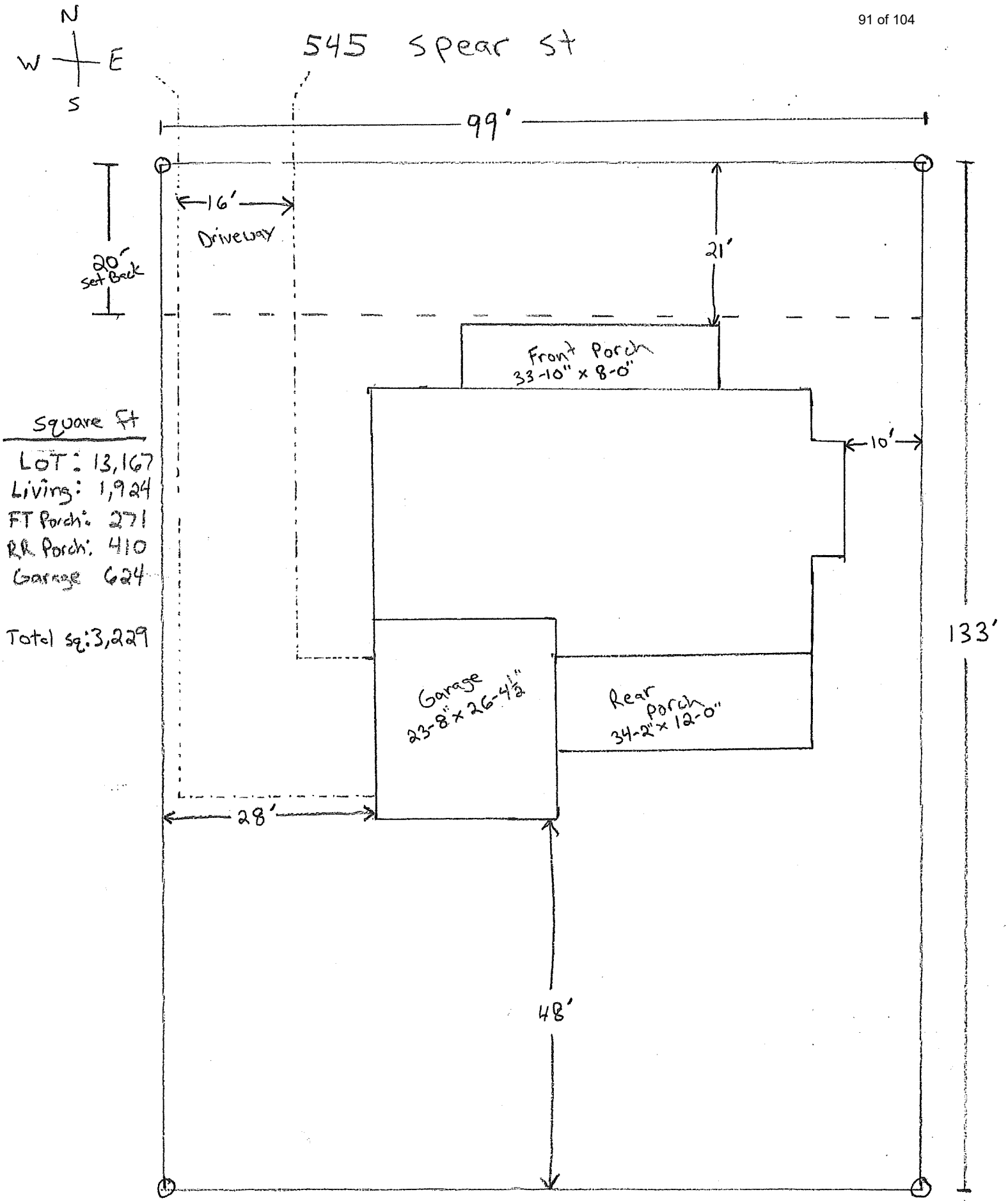
Lot Ingress/Egress

249 Mason St.
Saugatuck, MI 49453

Total Property Sqft: 21,784

134 ft

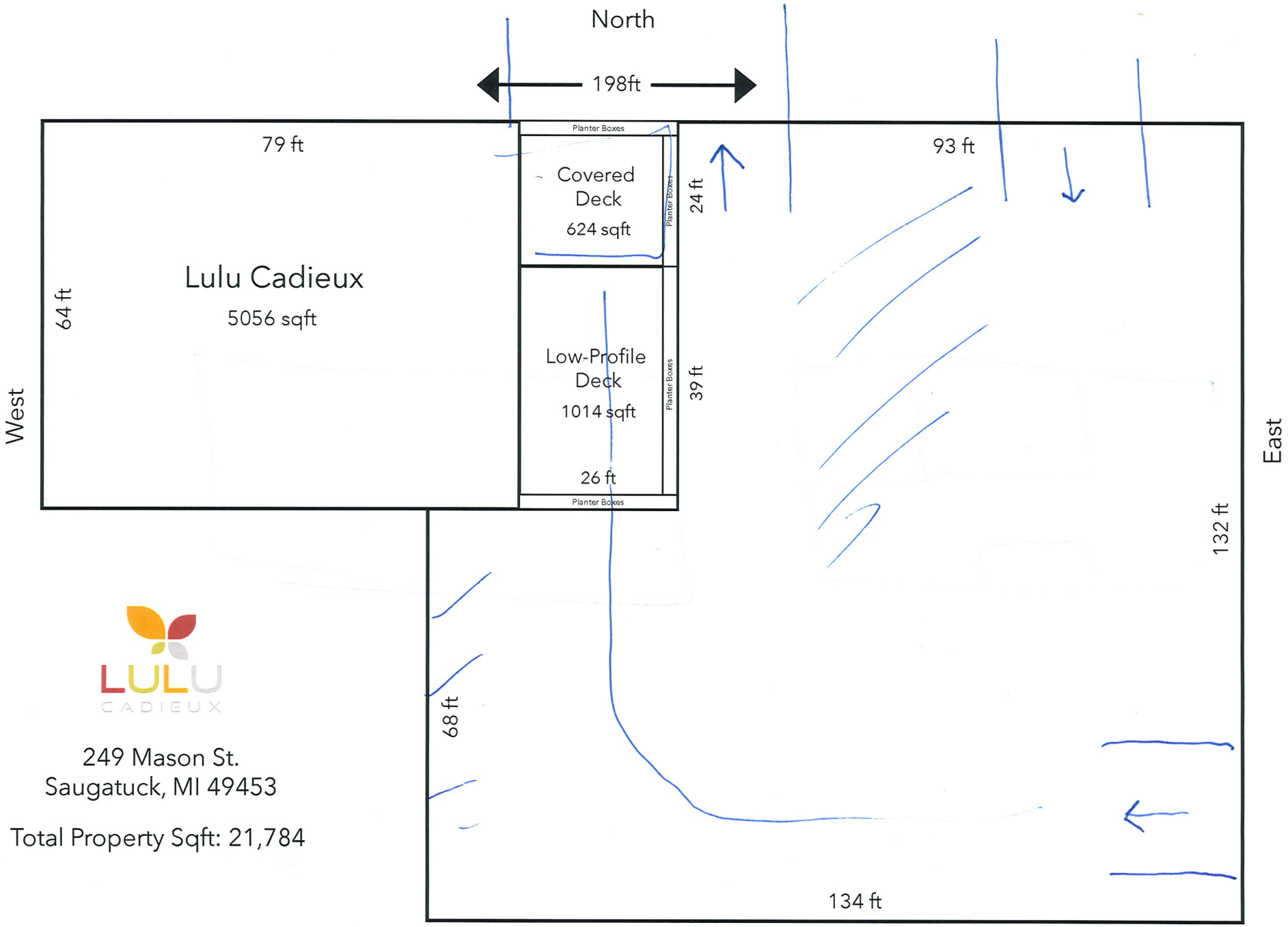
South



Square Ft

LOT: 13,167
Living: 1,924
FT Porch: 271
RR Porch: 410
Garage 624

Total sq: 3,229



LULU CADIEUX

249 Mason St.
Saugatuck, MI 49453

Total Property Sqft: 21,784

Planning, Zoning and Project Report

May 27, 2025

Planning and Zoning

- Participated in scheduled internal team meetings.
- Prepared for and participated in Planning Commission Meeting.
- Had meeting with resident regarding Rezoning.
- Had meetings regarding offsite parking requirements.
- Spoke with legal regarding various topics.
- Spoke with MTS regarding various topics.
- Followed up on unpaid escrow accounts.
- Contacted contractors regarding site standards.
- Prepared HDC applications on behalf of the City.
- Met with residents on site regarding complaints about site.
- Met with residents regarding residential project.
- Continued discussions regarding Issued stop work orders.
- Had discussions regarding amendments to sign regulations.
- Explained ZBA process and variance standards to multiple residents.
- Created letters to address potential enforcement situation.
- Created notice for upcoming SLU request.
- Spoke to residents regarding permitted ownership transfers for STR’s.
- Created reports at the request of City Manager.
- Performed onsite visits at the request of MTS.
- Maintained general code enforcement follow-up efforts.
- Issued permits and completed casework as detailed below.

Open Casework

550 Dunegrass Circle	Received notice of violation from EGLE. Researched property to ensure process shall be followed, in talks with developer in regards to potential development, will address requirements in regards to EGLE violation when determined. Had discussion with contract planner to determine how to move forward with proposed development. Further research done on SLU and Site Plan approval for 500 and 550 Dunegrass. sent legal questions for appropriate next steps. Reached out to developer with information regarding potential future project and also with plans to resolve EGLE violations. Reps from site will be required to submit vegetation removal plan to the PC. Developer stated that they would be reaching out to an environmental consulting firm to put together information. had discussion with environmental consultants on what needs to be provided to the PC. Received questions from environmental consultants, scheduled call with developer for further discussion. Emailed environmental consultants with expectations for site plan review application. Application received, invoice sent. Scheduled for may PC meeting. Site plan application approved with conditions. Sent email to applicant discussing easement processes and sent site plan to fire department for review.	Enforcement
568 Mason	Emailed Contractor about damaged water line. Sent application to engineer. Asked applicant for more information. Confirmed Drawings are being made. Spoke with developers about issue. Still awaiting complete application and drawings for work completed onsite to address waterline issue. Had further discussions about what happened on site and emailed engineer and KLWSA to determine appropriate action. Recommendations received from Kal Lake and City Engineer, passed on to Contractor. discussion on utility work continues. Invoice for Asphalt work sent to Contractor. Further confirmation still needed, discussion with contractor, engineer, and KLWSA continue. Spoke with contractor for update. discussions continue with Contractor and Kal-Lake. Reached out to contractor to again discuss reimbursement for Kal-Lake. Called Alex for update, left voicemail. Advised MTS that occupancy permits would not be issued while an outstanding balance exists and sidewalk unfinished. Had discussion on timeline for side walk. Sidewalk to be poured week of 05-12-2025.	KLWSA
807 Lake St 7	Incomplete STR application received. Sent back to local agent. Received info, asked for further information. Info received, sent to fire department.	STR

249 Mason	Change of Use application received. Had discussion with fire department and sent request for more information to applicant. Had meeting with owner regarding proposed deck, agreed that major site plan amendment is necessary. Received site plan review application, Scheduled for June pc meeting.	PC
405 Park St	Received concerns for a floating dock at 405 Park which has no permits. Reached out to owner for clarification. Owner claims dock placed 4 years prior. No permits issued for dock. Spoke with Legal regarding enforcement action. Issued stop work order as work being done requires Minor site plan amendment. Provided resources to owner.	Enforcement
403 Water St	Received notice of proposed change of use. Provided resources. Application expected.	Zoning
421 Water St	STR Application received. More info needed. Sent to fire department.	STR
347 Water St	Potential enforcement case noticed. Emailed legal for discussion.	Enforcement
125 Elizabeth	Sent letter regarding obstruction to City ROW stating options for correction. Received contact from Legal representative of 125 Elizabeth on 05-07-2025 that the owners intend to petition to Vacate white alley, but would first contact the neighboring properties for support.	ROW
717 Water St 5	STR application received, More info needed. Sent to fire department.	STR
449 Water St	Renewal of EODA, 4 spaces for 6 months. Invoice sent, waiting on insurance info. Left voicemail on 04-17-2025 to notify owner that EODA remains unpaid and work may not begin until payment is received, also noted that City Hall is closed 04-18-2025. Reached out stating that city still has not received payment. Applicant stated that the check is in the mail.	EODA
615 Park St 8	Applicant paid str renewal, supplied no application. Resources sent to applicant. Sent to fire department. License issued.	STR
842 Lake St 10	STR application received, sent to fire department.	STR
97 Park St	Received insurance information for STR. Sent STR application to owner.	STR
1039 N Maple St	had discussion regarding multi unit fence project. Send app and fence regulations.	Zoning
230 Griffith St	Application received, no payment. Sent invoice.	STR
444 N Maple St	Application received, no payment. Sent invoice. Invoice paid. Sent to fire department.	STR
673 Lake St	Zoning application received for poolhouse and pool in rear yard, provided review of project to applicant and advised lot coverage is being exceeded.	Zoning
347 Water St #2	STR Application received, need signature for Fire inspection. Sent to Fire Department. License issued.	STR

347 Water St #3	STR Application received, need signature for Fire inspection. Sent to Fire Department. License issued.	STR
345 Griffith	STR Application received, sent to fire department.	STR
245 Spear St	STR Application received, sent to fire department. License issued.	STR
611 Lake St	HDC application received for Sauna in rear yard.	HDC
347 Park St	STR Application received, more information needed. Info received, sent to fire department. License issued.	STR
165 Elizabeth St	STR Application received, sent to fire department. License issued.	STR
743 Allegan St	STR Application received, sent to fire department. License issued.	STR
202 Butler St	Application for EODA SLU Received , PC meeting June 19. Check too high. Applicant said keep additional in escrow. Ensure SLU mailer is done by 05-23-2025. Mailer information sent to Clerks office and newspaper.	EODA
545 Spear St	SF residential application received. Sent invoice and asked for survey of property. Applicant provided info regarding plans for storm water mitigation but no survey.	Zoning
515 Water St 2	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner.	STR
547 Water St 3	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner.	STR
533 Water St 5	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner.	STR
533 Water St 6	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner.	STR
533 Water St 7	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner.	STR
615 Park St	Issued stop work order to site due to deviation from approved plan regarding material of dock. Provided resources for site plan amendment. Emailed contractor with determination that major site plan amendment is required.	Enforcement
133 Mason	Applicant notified me of windows that were to be installed on 05-13-2025. Explained that they are in the Historic District and HDC permits as well as Building permits would be required. Sent HDC application and explained processes.	HDC
865 Holland st	Had meeting with resident regarding converting his non conforming duplex into a SF Res with ADU. Provided resources.	Zoning
401 Elizabeth St	Application for Accessory Structure received. Invoice sent.	Zoning
842 Lake St 9	STR Application received. More info needed. Info received, local agent outside of allowed radius. App updated, sent to fire department.	STR
1064 Holland St	STR application received. More info needed. Sent to fire	STR

	department. Reinspection required.	
807 Lake St #9	STR application received, send to fire department.	STR
129 Griffith St 10	STR application received. More information needed.	STR

Closed Casework

510 S Maple	Spoke to owner regarding lot line adjustments and lot splits.	Zoning
630 Holland St	STR Application received, sent to fire department. Invoice not updated, emailed treasurer to confirm payment has been received. License issued.	STR
135 Grant St	STR Application received, More info needed. Info received, sent to fire department. License issued.	STR
825 Bridge St	STR app for ADU received, waiting on insurance info. Insurance info received. Fee paid from escrow. Sent to fire department. License issued.	STR
865 Holland st	Had meeting with resident regarding converting his non conforming duplex into a SF Res with ADU. Provided resources.	Zoning
245 Spear St	STR Application received, sent to fire department. License issued.	STR
100 Park St	Water Service replacement application received. Spoke to engineer regarding proposed work. Permit issued.	Zoning
97 Park St	STR Application received, sent to fire department. License issued.	STR
807 Lake St 1	Application received, more info needed. Info provided, sent to fire department. License issued.	STR
813 Allegan St	SF residential application received. Sent invoice. Invoice paid, sent questions to applicant regarding height and eve encroachment. No concerns from engineer. Applicant provided updated plans. Permit issued.	Zoning
129 Griffith St 4	Answered inspection questions	STR
134 Butler St	Window Sign application received within Historic District. Invoice sent. Fees paid. Confirmed frontage on building. Permit issued.	HDC
807 Lake St 10	Application received, no payment. Sent invoice. Payment received. Sent to fire department. License issued.	STR
555 Griffith St	STR application received. Sent to fire department. Notified of pipe burst at property, inspection postponed until further notice. Inspection received. License issued.	STR
208 N Maple	Spoke to resident regarding concerns for STR's in the township.	STR
129 Griffith St	Sign application received. Invoice sent. Invoice paid. Chair confirmed admin approval 05-22-2025. Permit issued.	HDC
633 Butler St	STR Application received, more info needed. Info received, sent to Fire Department. License issued.	STR

615 Park St 8	Applicant paid str renewal, supplied no application. Resources sent to applicant. Sent to fire department. License issued.	STR
230 Griffith St	STR Application received, sent to fire department. License issued.	STR
10 Park St	Answered questions regarding rezoning of properties and standards for overflow parking.	Zoning

Planning, Zoning and Project Report

June 9, 2025

Planning and Zoning

- Participated in scheduled internal team meetings.
- Prepared for and participated in HDC meeting.
- Cancelled ZBA Meeting.
- Created labels and mailer for upcoming SLU request.
- Prepared for and participated in Frontier Fiberoptic Cable installation review.
- Had meetings regarding regulation changes.
- Spoke with legal regarding various topics.
- Spoke with MTS regarding various topics.
- Created a reference map to assist trash enforcement.
- Investigated concerns regarding potential structure in ROW.
- Had meeting with Legal and Planning regarding current stop work order.
- Met with various residents regarding personal projects.
- Met with City Manager to discuss ongoing projects and case list.
- Spoke to business owners regarding code violations occurring on weekends.
- Issued Citations for sidewalk repair.
- Created mailer for minor waterfront construction application.
- Performed onsite visits at the request of MTS.
- Maintained general code enforcement follow-up efforts.
- Issued permits and completed casework as detailed below.

Open Casework

568 Mason	Emailed Contractor about damaged water line. Sent application to engineer. Asked applicant for more information. Confirmed Drawings are being made. Spoke with developers about issue. Still awaiting complete application and drawings for work completed onsite to address waterline issue. Had further discussions about what happened on site and emailed engineer and KLWSA to determine appropriate action. Recommendations received from Kal Lake and City Engineer, passed on to Contractor. discussion on utility work continues. Invoice for Asphalt work sent to Contractor. Further confirmation still needed, discussion with contractor, engineer, and KLWSA continue. Spoke with contractor for update. discussions continue with Contractor and Kal-Lake. Reached out to contractor to again discuss reimbursement for Kal-Lake. Called Alex for update, left voicemail. Advised MTS that occupancy permits would not be issued while an outstanding balance exists and sidewalk unfinished. Had discussion on timeline for side walk. Sidewalk to be poured week of 05-12-2025.	KLWSA
807 Lake St 7	Incomplete STR application received. Sent back to local agent. Received info, asked for further information. Info received, sent to fire department.	STR
249 Mason	Change of Use application received. Had discussion with fire department and sent request for more information to applicant. Had meeting with owner regarding proposed deck, agreed that major site plan amendment is necessary. Received site plan review application, Scheduled for June pc meeting.	PC
405 Park St	Received concerns for a floating dock at 405 Park which has no permits. Reached out to owner for clarification. Owner claims dock placed 4 years prior. No permits issued for dock. Spoke with Legal regarding enforcement action. Issued stop work order as work being done requires Minor site plan amendment. Provided resources to owner.	Enforcement
403 Water St	Received notice of proposed change of use. Provided resources. Application expected.	Zoning
421 Water St	STR Application received. More info needed. Sent to fire department.	STR
347 Water St	Potential enforcement case noticed. Emailed legal for discussion.	Enforcement

125 Elizabeth	Sent letter regarding obstruction to City ROW stating options for correction. Received contact from Legal representative of 125 Elizabeth on 05-07-2025 that the owners intend to petition to Vacate white alley, but would first contact the neighboring properties for support. Called representative and left message asking for update on process. received email stating that they are gauging interest of neighbors, asked for estimated timeline. letters from home owner to surrounding home owners will go out this week.	ROW
717 Water St 5	STR application received, More info needed. Sent to fire department.	STR
842 Lake St 10	STR application received, sent to fire department.	STR
230 Griffith St	Application received, no payment. Sent invoice.	STR
673 Lake St	Zoning application received for pool house and pool in rear yard, provided review of project to applicant and advised lot coverage is being exceeded.	Zoning
345 Griffith	STR Application received, sent to fire department.	STR
245 Spear St	STR Application received, sent to fire department. License issued.	STR
611 Lake St	HDC application received for Sauna in rear yard.	HDC
347 Park St	STR Application received, more information needed. Info received, sent to fire department. License issued.	STR
165 Elizabeth St	STR Application received, sent to fire department. License issued.	STR
743 Allegan St	STR Application received, sent to fire department. License issued.	STR
202 Butler St	Application for EODA SLU Received , PC meeting June 19. Check too high. Applicant said keep additional in escrow. Ensure SLU mailer is done by 05-23-2025. Mailer information sent to Clerks office and newspaper.	EODA
545 Spear St	SF residential application received. Sent invoice and asked for survey of property. Applicant provided info regarding plans for storm water mitigation but no survey. Survey provided, Zoning review complete, waiting on Fire department site plan review. Updated applicant on where we are at in the process.	Zoning
615 Park St	Issued stop work order to site due to deviation from approved plan regarding material of dock. Provided resources for site plan amendment. Emailed contractor with determination that major site plan amendment is required. Discussions continued regarding site, site plan review application submitted which addressed 1 of the 2 identified issues with the site, sent email explaining that addressing 1 issue would not lift the stop work order.	Enforcement
133 Mason	Applicant notified me of windows that were to be installed on 05-13-2025. Explained that they are in the Historic District and HDC permits as well as Building permits would be required. Sent HDC application and explained processes.	HDC

401 Elizabeth St	Application for Accessory Structure received. Invoice sent.	Zoning
1064 Holland St	STR application received. More info needed. Sent to fire department. Reinspection required.	STR
660 Lake St	HDC application to build Garage in rear yard received. Zoning permit also received.	HDC
347 Water St	Letter sent to owners regarding driveway vendor.	Zoning
233 Butler St	Received sign permit application. sent questions to applicant.	Sign
226 Butler St	ROW app to Remove portion of sidewalk to determine sewer issue. Attach or repair sewer line depending on discovery. Invoice sent.	ROW
700 N Maple	Letter sent regarding use of septic tank and requirement to connect to City Sewer.	Zoning
560 Mill St	Continued discussions regarding denied ROW Hardscaping request. Followed up on letter sent and asked for timeline regarding continued removal of hardscaping. Representative reached out stating that work has begun and boulders have been removed, currently discussing reading work with landscaping companies.	Enforcement
951 Holland St	Potential enforcement case noticed. Left voicemail for owner. Firepit constructed without permits a year and a half ago. Owner was unaware that he needed permits, provided him with applications to apply for retroactive approvals.	Enforcement
842 Lake St 8	STR application received. More info needed.	STR
612 Lake St	STR application received. More info needed.	STR
444 Park St	STR application received. More info needed.	STR
717 Water St 7	STR application received. More info needed.	STR
712 Lake St	STR application received. More info needed.	STR
450 Spear St	ADU STR application received. Sent to fire department.	STR
648 Francis St	STR application received. More info needed.	STR

Closed Casework

568 Mason St	Resident asked questions regarding process for fence permits. Provided resources.	Zoning
128 Hoffman St	asked truck blocking road to move out of the ROW.	ROW
142 Butler	Met with contractor regarding signs. Provided resources.	Zoning
254 Francis St	Civil Infraction notice and fine sent regarding failure to repair sidewalk.	Enforcement
220 Culver	Observed clothing rack blocking sidewalk, corrected. Follow up at later date.	Enforcement
807 Lake St #9	STR application received, send to fire department. License issued.	STR
444 N Maple St	Application received, no payment. Sent invoice. Invoice paid. Sent to fire department. License issued.	STR
421 Water St	Received sign permit application. sent questions to applicant. further information provided. Sign Issued.	HDC
449 Water St	Renewal of EODA, 4 spaces for 6 months. Invoice sent, waiting on insurance info. Left voicemail on 04-17-2025 to notify owner that EODA remains unpaid and work may not begin until payment is received, also noted that City Hall is closed 04-18-2025. Reached out stating that city still has not received payment. Applicant stated that the check is in the mail. payment received.	EODA
651 Holland St	Sent email to owner of property regarding overgrown vegetation.	Enforcement
546 Butler	Answered questions regarding HDC standards and provided resources.	HDC
660 Lake St	Admin Approval for Fixing damage caused by tree limb and replacing materials when necessary. damaged areas include Soffit, fascia, roof and rear door.	HDC
100 Park St	ROW permit for Replacement of Service Line. Sent to Engineer, sent invoice to MI gas. Invoice paid, permit issued.	ROW
515 Water St 2	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner. Sent to fire department. License issued.	STR
547 Water St 3	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner. Sent to fire department. License issued.	STR
533 Water St 5	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner. Sent to fire department. License issued.	STR
533 Water St 6	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner. Sent to fire department. License issued.	STR
533 Water St 7	STR Application received, Sent to fire department. No fire department Checklist form. Sent email to owner. Sent to fire department. License issued.	STR

842 Lake St 9	STR Application received. More info needed. Info received, local agent outside of allowed radius. App updated, sent to fire department. License issued.	STR
660 Lake St	Answered questions regarding ROW and water connection standards.	ROW
129 Griffith St 10	STR application received. More information needed. Sent to fire department.	STR
550 Dunegrass Circle	Received notice of violation from EGLE. Researched property to ensure process shall be followed, in talks with developer in regards to potential development, will address requirements in regards to EGLE violation when determined. Had discussion with contract planner to determine how to move forward with proposed development. Further research done on SLU and Site Plan approval for 500 and 550 Dunegrass. sent legal questions for appropriate next steps. Reached out to developer with information regarding potential future project and also with plans to resolve EGLE violations. Reps from site will be required to submit vegetation removal plan to the PC. Developer stated that they would be reaching out to an environmental consulting firm to put together information. had discussion with environmental consultants on what needs to be provided to the PC. Received questions from environmental consultants, scheduled call with developer for further discussion. Emailed environmental consultants with expectations for site plan review application. Application received, invoice sent. Scheduled for may PC meeting. Site plan application approved with conditions. Sent email to applicant discussing easement processes and sent site plan to fire department for review. Received Easement documentation, and reviewed EGLE Permits and Engineering sign off. Permit issued.	Enforcement
408 Mason St	STR Application received, sent to fire department. License issued.	STR
865 Holland st	Had meeting with resident regarding converting his non conforming duplex into a SF Res with ADU. Provided resources. No further action needed at this time.	Zoning
1039 N Maple St	had discussion regarding multi unit fence project. Send app and fence regulations. Plans and payment received. Permit issued.	Zoning
97 Park St	Received insurance information for STR. Sent STR application to owner. Application received. Sent to fire department. License issued.	STR
720 Butler St	Answered questions relating to the STR's, and the effect on previously issued certificates.	STR