CITY COUNCIL WORKSHOP AGENDA

May 6, 2026, 4:00 p.m.

This is an in-person meeting at Saugatuck City Hall, 102 Butler St, Saugatuck, MI 49453.
The meeting will also be available live, virtually on Zoom.

1. **Call to Order**

2. **Roll Call**

3. **Agenda Changes** *(Additions/Deletions)*

4. **Guest Speaker**

5. **Public Comment on Agenda Items Only** *(Limit 3 minutes)*

6. **Action Items:** *(Roll Call)*
   - **A.** Regular City Council Meeting Minutes – April 27, 2026. *Pg.2*

7. **Discussion Items:**
   - **A.** Conditional Rezoning Request – 510 Bulter Street. *Pg.7*
   - **B.** Zoning Ordinance Amendment to Update Signage Regulations to Regulate Signs in a Content-Neutral Manner. *Pg.77*

8. **Public Comments** *(Limit 3 minutes)*

9. **Council Comments**

10. **Adjourn**

Notice:

https://us06web.zoom.us/j/2698572603?omn=85461571003
Join by phone by dialing:
(312) 626-6799 -or-
(646) 558-8656

Then enter "Meeting ID": **2698572603**

Please send questions or comments regarding meeting agenda items prior to meeting to: rcummins@saugatuckcity.com
Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck City Clerk at 269-857-2603 or jwolters@saugatuckcity.com for further information

CITY COUNCIL REGULAR MEETING
April 27, 2026

The City Council met to have a Regular Council Meeting at City Hall at 6:30 p.m.
102 Butler St., Saugatuck, MI 49453.

Call to Order:
The meeting was called to order by Mayor Anderson at 6:30 p.m.

Pledge of Allegiance was recited.

Attendance:
Present: Mayor Anderson, Mayor Pro-Tem Clark and Councilmembers Dean, Gardner, Muncey and Stanton.
Absent: Peterson

Motion by Muncey, second by Gardner to excuse councilmember Peterson. Via voice vote, motion carried 6-0.

Others Present: City Manager Cummins, Attorney Witte, Clerk Wolters and Treasurer Bredeweg.

Mayor's Comments:
Mayor Holly Anderson opened the meeting by calling it to order and then offering reflective comments on the nature of public service. Mayor Anderson recalled a passage she memorized in fifth grade from Thomas Paine's "The American Crisis," specifically the line, "These are the times that try men's souls," and the contrast between "the summer soldier and the sunshine patriot" and those who stand by their country in difficult moments. She framed this quote as a reminder of the duty and resilience required of public servants, noting that everyone present, including a candidate in the audience who would be speaking later, is there to serve the community. She concluded by emphasizing this sense of purpose as the reason they are gathered.

City Manager Comments:
City Manager Ryan Cummins began by updating the council on several ongoing projects and initiatives. He reported that work on Mary Street—including the gate balls and concrete boardwalk—is scheduled to begin on Wednesday, with contractors still on track to complete the project by the end of May, despite earlier weather-related delays. He noted that equipment has already been delivered to Public Works and that work on Maple Street will follow. He also mentioned that the city's logo and branding survey is live and encouraged participation, acknowledging some minor internet issues delaying a reminder. In addition, he announced an open house at City Hall for the Elizabeth Street project scheduled for the next day, with specific time windows and staff and engineers available for questions and feedback. Finally, he shared good news that the bathroom at Mount Baldhead is now open for the season, with only minor brick cleanup remaining, and he referenced positive comments received on social media about this improvement.

Agenda Changes: None.

Guest Speakers: None.

Public Comment on Agenda Item Only: None.

Consent Agenda:

A. Approval of City Council Workshop Minutes – April 22, 2026.
B. Special Event – Jazz for Justice.
C. Palette Sign and Right of Way Signage – Saugatuck Douglas Garden Club.
D. Schedule the Fiscal Year 2026/2027 Budget Hearing for June 8 at 6:30 p.m.

Motion by Stanton, second by Gardner to approve the consent agendas presented in the agenda packet. Via roll call vote, motion carried 6-0.

Approval of Accounts Payable:

Motion by Clark, second by Dean, to approve the accounts payable in the amount of $151,905.39. *Via roll call, motion carried 6-0.*

Public Hearing: None.

Unfinished Business: None.

New Business:

Resolution No. 260427-A – A Resolution to Censure Planning Commissioner Christopher Bagierek:

Motion by Stanton, second by Dean to approve resolution 260427-A, a resolution to censure planning commissioner Christopher Bagierek. Via roll call vote, motion carried 4-2. Yes – Anderson, Clark, Dean, Stanton. No – Gardner, Muncey.

Staff Reports, Boards, Commissions & Committees:

Monthly department activity reports were provided by the City Manager and Police Sgt. along with the following board and committees:

Fire District Administration Board:

City of Saugatuck representative, Dan Fox reported on the fire district's April 20 meeting, focusing on recent and upcoming active-shooter training coordinated with the county sheriff, Douglas Police, local schools, and the Fire District, including a follow-up planning meeting at the school. He updated council on the 415 Wiley fire station project, noting that an agreement has essentially been finalized with Brivar Construction of Brighton, a firm experienced in building fire stations and highly recommended by local fire leadership. Brivar provided detailed cost estimates needed for bonding, and the district hopes to begin construction as early as June, with the new structure adjacent to the existing building in place by winter. Fox also described the rollout of color-coded hydrant rings that indicate hydrant flow rates, which help firefighters avoid connecting to low-flow hydrants in emergencies; he recommended Saugatuck adopt the same system. Finally, he reviewed March incident statistics: overall call volume is down 14.6% year-to-date, EMS remains the dominant call type, response times vary by call location, and there have been several notable highway incidents, including a suspected intentional wrong-way driver crash that fortunately did not injure the truck drivers involved.

Interurban Board:

Councilmember Gregory Muncey reported that the Interurban received a $13,250 grant to support the 2026 parking shuttle, doubling last year's grant and allowing Friday–Sunday service from 1–9 p.m., with signage and QR codes at the high school to direct users to park-and-ride options when the shuttle is not operating. He

highlighted ongoing strong ridership, with March setting another record at just under 4,900 riders, about 22% of trips now booked through the Interurban app, over 200 new riders added recently, nearly 3,000 app users, and a 97% rider satisfaction rating. Capital projects funded by a $250,000 grant and an additional grant have enabled building expansion, office tech upgrades, furniture, and bus equipment improvements. Service to Laketown Township is being discontinued because the dedicated funding and private donations covering that area have been fully exhausted. He also reported progress on adding Fennville to the Interurban Transportation Authority (administrative filings pending) and described an upcoming millage request targeted for the August 2026 ballot; if it fails, the authority would face significant service cuts and could not return to the ballot for 12–18 months. To meet growing demand, the fleet is expanding from 8 to 12 vehicles by early summer (four additional vans plus two larger buses funded by grants), with the large buses arriving later this year or next.

Kalamazoo Lake Sewer & Water Authority (KLSWA):
Mayor Pro-Tem Clark reported that at the most recent KLSWA meeting there was continued emphasis on hiring and back-office capacity. A new office administrative assistant has joined and is already easing workload pressures. The board's next staffing focus is recruiting a finance manager to handle increasingly complex billing and financial operations across the community; strong candidates are being evaluated by the new manager. Clark also updated council on the State Revolving Fund (SRF) loan: the state (EGLE) approved the loan but reduced the portion covering complete biosolids removal and certain capital work (like pond maintenance, parking lot, and HMA improvements), meaning these necessary projects will still proceed but require drawing from KLSWA fund balances to cover the unfunded share. Finally, he noted that township manager Daniel DeFranco is stepping down from the board and is expected to be replaced by Jon Helmrich at an upcoming meeting.

Kalamazoo Lake Harbor Authority: None.

Zoning Board of Appeals (ZBA): None.

Historic District Commission:
Councilmember Scott Dean reported the next meeting is scheduled for Thursday, May 7th at 6 p.m.

Planning Commission:
Councilmember Russ Gardner delivered a detailed Planning Commission update. He noted a change in officers: CJ Bagierek stepped down as vice chair and Craig Baldwin was unanimously elected as the new vice chair. The commission held a public hearing for a special land use request for the property at 405 Park, the special land use was unanimously approved. Another public hearing addressed a special land use request for expanded outdoor dining at Scooters, which also passed 6–0. In old business, a request from The Wickwood (a rezoning/conditional rezoning amendment) was denied 6–0. The commission discussed a sign ordinance amendment and voted 6–0 to forward it to council for consideration, and they reviewed ongoing work on the master plan, with emphasis on completing that process. Finally, Gardner noted the resignation of Planning Commissioner Bobbie Gaunt, recognizing her departure, and mentioned that staff provided an update on the Parking Improvements Task Force.

Parks & Public Works Committee (PPW):
Councilmember Lauren Stanton informed that the upcoming PPW meeting has been canceled, largely because staff are heavily engaged in recruiting a new DPW director. She and several others (Mayor Pro-Tem Clark, City Manager Cummins and DPW's Supervisor Kerridge) recently spent two days interviewing candidates, including from both local and out-of-state locations, and were impressed with the quality and interest level; second-round interviews are planned, and optimism is high about finding a strong fit. The Kalamazoo River Greenway is hosting an open house at the township office the following date from 5:30 p.m. – 7:30 p.m. to discuss the lower river trail.

Tri-Community Non-Motorized Trail Study Committee: None.

Water System Operations Contract Advisory Committee:
City Manager Ryan Cummins referenced a scheduled meeting on May 15 and confirmed there would be no additional updates until that date.

Logo and Branding Advisory Committee:
City Manager Ryan Cummins encouraged everyone, including council and the public, to complete the survey if they had not already, indicating that community input will be important as the city refines its logo, branding, and wayfinding strategy. This aligns with later discussion that improved, consistent signage and wayfinding will be a key piece of addressing perceived parking and navigation issues downtown.

Parking Improvements Task Force:
Councilmember Gregory Muncey gave a report on the Parking Improvements Task Force's April 7 meeting. He stated that the city has 1,802 total parking spaces (about 1,436 on-street and 366 off-street, including the high school and public lots), a number higher than many expected. A recent survey of over 600 respondents, mostly residents and local stakeholders, found that most people can usually find parking within five minutes, are generally willing to walk a block or two, and are strongly opposed to paid on-street parking. Feedback from about ten stakeholder groups (property managers, event organizers, marinas, arts groups, etc.) closely matched these findings: parking problems are largely seasonal and location-specific, concentrated downtown at peak times. The task force reviewed a conceptual parking structure, with cost estimates between $7–10 million plus ongoing maintenance; the group and public sentiment lean strongly against a structure due to high cost, limited added capacity, and negative impacts on community character. Similarly, the task force is not currently favoringpaid parking. Instead, they see higher-impact, lower-cost steps: better enforcement, improved turnover downtown, clearer and more consistent signage/wayfinding, a dedicated parking information presence on the city website, and strategies for employee parking (including use of remote lots and shuttles, potentially coordinated with Douglas). Data collection by consultants is planned the week of May 2 and again during peak season in July to observe real-world parking behavior. Task force members will work on draft recommendations before the next meeting (May 13), and Task force member Wendy Colsen, has volunteered to survey local businesses to quantify employee parking demand. Muncey emphasized that the core issue appears to be management and communication—not raw parking capacity—and that any final set of recommendations will likely focus on optimizing existing assets rather than large new construction.

Public Comment:
Heidi Wolf provided comment.

Correspondence:
City Clerk Wolters provided notice.
Phil Huffman and Bobbie Guant provided correspondence.

Council Comments:
Councilmember Lauren Stanton thanked the Department of Public Works (DPW) for the successful spring junk cleanup day, noting how many residents took advantage of it and how items often get repurposed by neighbors. She also observed how busy town had been over the weekend and wished fellow business owners good luck as the busy season approaches.

Councilmember Gregory Muncey echoed excitement for the upcoming season, remarking on how busy the restaurants and town had already been. He encouraged people to visit Holland for Tulip Time. He offered condolences to the White family on the passing of longtime resident Betty White, and shared details of her visitation and interment so the community could pay their respects.

Councilmember Scott Dean stated he had nothing further to add for council comments that evening.

Councilmember Joe Clark praised the interview process for the new DPW director, complimenting Ryan and staff on well-prepared questions and a strong slate of candidates. He also commended the DPW for their work at Oval Beach, including moving sand to get the beach ready for the season.

Councilmember Russ Gardner asked a clarifying question about a budget hearing date but then turned to comments, expressing enthusiasm about the planned Mt. Baldhead bathrooms and mentioning resident Vic Bella's long advocacy for them. He also joined in recognizing the passing of Betty Ann White, recalling her as a longtime neighbor known for bringing blueberry pie to the neighborhood block party and noting that her loss is another small piece of the community gone.

Councilmember Holly Anderson used her mayor's comments to recognize and thank Planning Commissioner Bobby Gunn for her service. She described Councilmember Gunn as a model planning commissioner—always prepared, thoughtful, and faithful to her citizen planner responsibilities—who inspired her own service. Councilmember Anderson said she was heartbroken about Gunn's resignation but deeply respected her principled and kind approach and her decision to step down on principle. After comments concluded, she entertained and approved a motion to adjourn.

Adjournment:

Motion by Muncey, second by Dean to adjourn the meeting. Upon voice vote, motion carried 6-0. Mayor Anderson adjourned at 7:26 p.m.

Respectfully Submitted

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Jamie Wolters, City Clerk

DRAFT

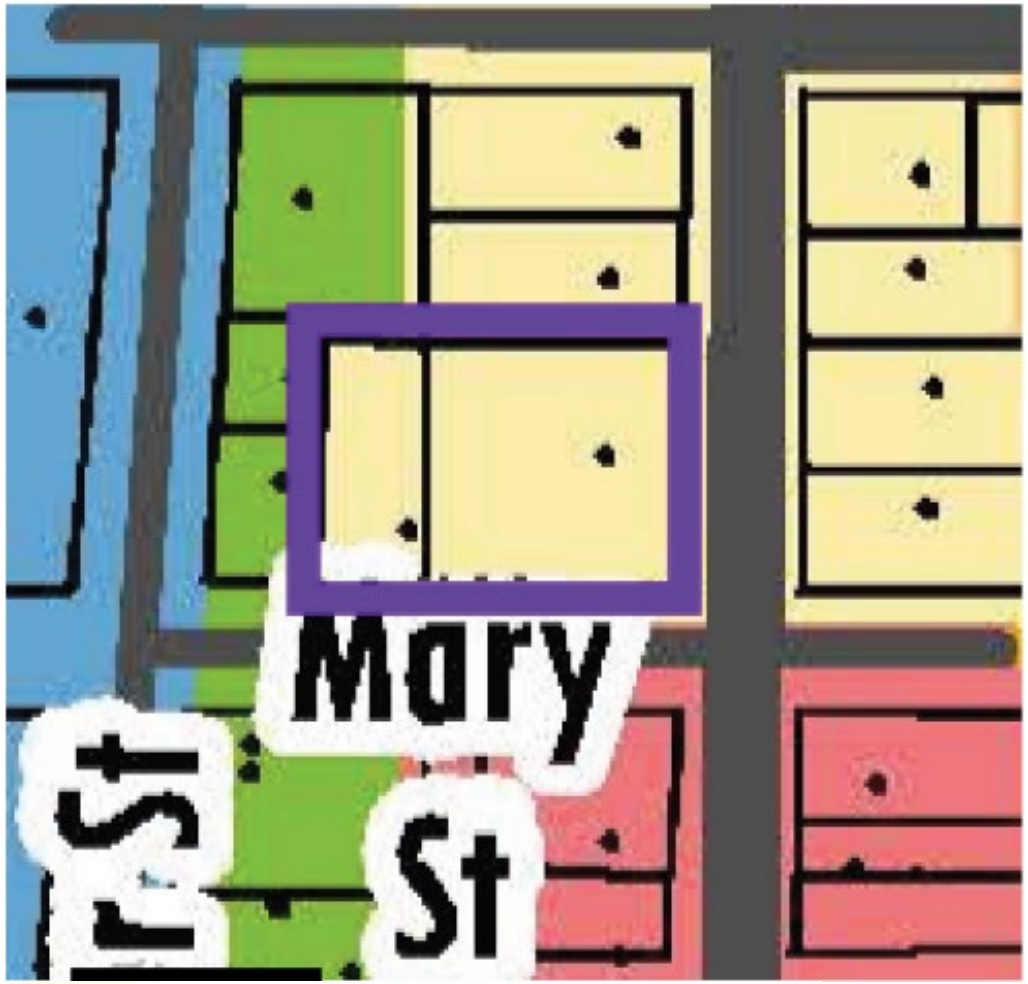
510 Butler –
Conditional Rezoning Request

R-4 City Center Transitional Residential District

requested rezoning to

C-2 Water Street East District

Zoning Map

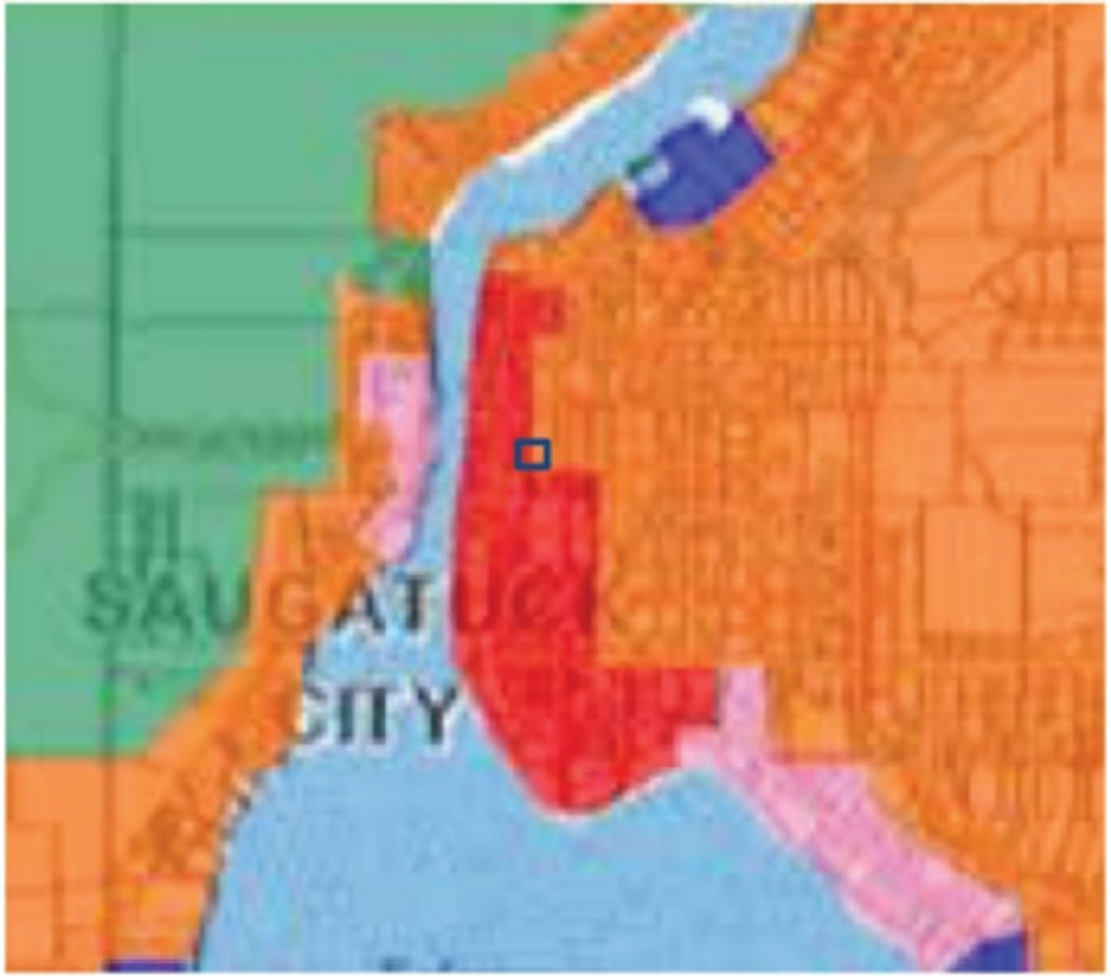


CENTER RESIDENTIAL - R-4

WATER STREET EAST - C-2

CITY CENTER - C-1

Future Land Use Map



Legend

Rural Low Density Single Family Residential/Agricultural

Medium to High Density Single and Multi-Family Residential

Commercial

Industrial

Conditional Rezoning Overview

1. **Applicant proposes rezoning and provides voluntary conditions**
2. **Planning Commission review**
   - Requires at least 1 public hearing
   - Issues recommendation to City Council
3. **City Council review** 

   - Considers Planning Commission recommendation and rezoning criteria
   - Options: approve, deny, or direct consideration of amended conditions
4. **If amendments are considered**
   - Council & Applicant must agree on revised conditions
   - Council refers amended proposal back to PC
   - PC issues report on amended conditions within a specified timeframe
   - Council then takes final action (approve or deny, with or without amendments)

Background

2023

- 120 Mary St. rezoned from C-2 Water St. East (WSE) to R-4 City Center Transitional Residential District (R-4).

2025

- Zoning Ordinance amendment to allow accessory guest buildings for bed & breakfast establishments.
  - The accessory building at 510 Butler has not yet received building permits for its conversion & renovation.

Additional Options Discussed

- Amending provisions of the R-4 zoning district
- Rezoning to C-1 City Center Commercial District (C-1 CC)
- Creating a new land use designation for an “inn” with specific use requirements

Conditions Volunteered on January 23, 2026

1. **The following principal land uses are prohibited:**
   - motion picture facilities;
   - amusement and recreational services;
   - recreational transportation rental facilities;
   - parking facilities as the principal use of land;
   - domestic business repairs, and expanded outdoor dining.

   This provision shall not be deemed to prevent the Landowner from establishing permissible accessory uses that would be allowed under the applicable provisions of the Zoning Ordinance.
2. **The maximum number of guests at any special event, or at simultaneous special events, shall not exceed 125 people.**
3. **The front setback shall be increased from zero (0) feet to 20 feet.**
   - However, if structures are established on at least 40% of the parcels on the same side of the street between two intersecting platted streets and at least half of the established structures are built within the required front yard setback, the front yard setback for new construction may be reduced to the lesser established front yard setback, provided that no new construction may be established closer than seven (7) feet to the front street line.
4. **Maximum lot coverage shall be decreased from 65 percent to 27 percent.**

Conditions Volunteered on April 3, 2026

1. **Limit land use to hotel(inn), instead of a motel/motor court, and any other use that is allowed in both C-2 WSE and R-4 CER. After comparing these districts, these uses would be the following:**
   - Single-family dwellings (floor area ratio not exceeding 0.3:1)
   - Home occupations
   - Short-term rental (of a single-family dwelling)
   - Bed and breakfasts (without accessory guest buildings)
   - Essential public services
2. **Add restrictions on a future hotel/inn use by referencing certain bed and breakfast establishment limitations from the Zoning Ordinance.**
3. **Lower the lot coverage of C-2 WSE from 65% to 27%.**
4. **Increase the front setback from zero (0) feet to 20 feet (with potential reductions based on established setbacks on neighboring property).**
5. **Limit kitchen expansion, indoor dining capacity, hours of operation, cooking space, and dining space.**
6. **Limit events to 75 attendees.**
7. **Prohibit expanded outdoor dining within the public right-of-way.**

Factors to Consider

A rezoning or conditional rezoning has lasting impacts on a parcel, as a future owner may pursue more intensive uses than those intended by the current owner. Accordingly, review of a rezoning request should focus on the land itself and the full range of potential implications, rather than the use currently proposed, which will require separate review and approval and is not guaranteed to be pursued.

1. *Whether the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan.*
2. *Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.*
3. *Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning.*
4. *Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.*

Relevant Historical Case for Consideration

121 Mary (449 Water) Site Plan & Special Land Use Approval via Consent Agenda (July 2022)

- Outdoor occupancy limited to 30 persons inside & 60 persons outside.
- Hours of operation limited to 11:00 AM to 10:00 PM.
- Music, live or recorded, is limited to indoor only with no amplification.
- Outdoor seating covers (permanent & temporary), are not permitted except for umbrellas.

*All terms of the Consent Judgment listed above are unique and should not be viewed as setting precedent. However, the prior matter is recognized as involving similar considerations, and is referenced solely for contextual understanding.

MEMORANDUM

City of Saugatuck – City Council Workshop

Memo Date:	**April 29, 2026**	**Meeting Date:**	**May 6, 2026**
Request:	**C-2 WSE Conditional Rezoning**	**Applicant:**	**Christopher Khorey/ McKenna**
Address:	**120 Mary/510 Butler**	**Project Name:**	**Wickwood Inn**
Parcel:	**57-300-055-00 and 57-300-053-50**	**Plan Date:**	**N/A**
Lot Size:	**24,729 s.f.**	**Zoning District:**	**R-4 CER**
Complete:	**Yes**	**Recommendation:**	**Planning Commission-Denial**
City Staff:	**Grayson Moore**	**Consultant:**	**David M. Jirousek, AICP**

Overview

The applicant requests the rezoning of 120 Mary Street and 510 Butler Street from the R-4 City Center Transitional Residential District (R-4) to the C-2 Water Street East District (C-2 WSE) with voluntary conditions, in accordance with Section 405 of the Michigan Zoning Enabling Act and Section 154.176(I) of the Zoning Ordinance.



The application intends to expand the Wickwood Inn's business operations beyond the current bed and breakfast establishment allowances to include hotel/inn accommodations, an accessory restaurant use, and special events.

Conditional Rezoning

A conditional rezoning process follows the same formal steps as a traditional rezoning process. However, coordination is required when written voluntary conditions are translated into the official ordinance language to conditionally rezone land. This is because the text is sometimes

amended to ensure it is appropriate from technical zoning and legal perspectives. As such, once the ordinance is prepared, the applicant must accept the conditions, as written, for them to be considered voluntarily submitted. Additional or amended conditions cannot be applied by the City Council.

If City Council approves a conditional rezoning, the conditions must also be formalized in a "statement of conditions," which is a separate legal instrument required by the Zoning Ordinance that must be recorded.

A rezoning or conditional rezoning has lasting impacts on a parcel, as a future owner may pursue more intensive uses than those intended by the current owner. Accordingly, review of a rezoning request should focus on the land itself and the full range of potential implications, rather than the use currently proposed, which will require separate review and approval and is not guaranteed to be pursued. The Council should consider all uses that would be permitted on the property under the proposed zoning.

Background

Previous Rezoning Approval

The property at 120 Mary Street was previously zoned C-2 Water Street East (WSE); however, in 2023, the owner requested rezoning to R-4 City Center Transitional Residential District to rent the first and second floors on a short-term basis. The R-4 zoning district permitted this, while the C-2 WSE zoning district allows short-term rentals only on upper floors. Since that time, the owner decided to incorporate 120 Mary Street into the overall bed and breakfast establishment.

Previous Special Land Use Approval

In 2025, the Zoning Ordinance was amended to allow accessory guest buildings for bed and breakfast establishments. The owner then secured special land use approval to incorporate the residential dwelling at 120 Mary Street and the accessory building at 510 Butler Street as accessory guest accommodation buildings for the Wickwood Inn. While the three-unit building at 120 Mary has been converted to guest accommodations, the accessory building at 510 Butler has not yet received a building permit for its conversion and renovation.

Current Request

Since the special land use approval, City staff and advisors have had multiple conversations with the owner's representatives regarding future uses and desired business activities. Staff determined that these uses and activities would not comply with the requirements for bed and breakfast establishments and the R-4 zoning district.

Subsequent conversations covered options such as amending the provisions of the R-4 zoning district, rezoning to C-1 City Center Commercial District (C-1 CC), rezoning to C-2 WSE, or

creating a new land use designation for an "inn" with specific use requirements. Because the desired commercial uses at the Wickwood Inn would no longer be consistent with the intent of the R-4 zoning district, the applicant chose to pursue a rezoning to C-2 WSE as part of a broader expansion of the operation.

The applicant has described their intent to establish the facility as a hotel(inn) with the following services and activities:

- *Obtain a liquor license and serve alcohol as part of their food service.*
- *Offer a wider variety of dining options to their guests, beyond the current breakfast service.*
- *On a reservation-only basis, open their dining room to the public. The operational model would be that reservations would only be opened to the general public if overnight guests do not fill all available spots for a given meal service.*
- *Host events that are consistent in scale with the property's size and layout.*

Along with the rezoning, the applicant voluntarily offered limitations on January 23, 2026, in an effort to reduce the potential impacts of future commercial expansion on nearby R-4 zoned lands and the neighborhood as a whole. These conditions were formalized within a conditional rezoning ordinance as follows:

a) *The following principal land uses are prohibited: motion picture facilities; amusement and recreational services; recreational transportation rental facilities; parking facilities as the principal use of land; domestic business repairs, and expanded outdoor dining. This provision shall not be deemed to prevent the Landowner from establishing permissible accessory uses that would be allowed under the applicable provisions of the Zoning Ordinance.*

b) *The maximum number of guests at any special event, or at simultaneous special events, shall not exceed 125 people.*

c) *The front setback shall be increased from zero (0) feet to 20 feet. However, if structures are established on at least 40% of the parcels on the same side of the street between two intersecting platted streets and at least half of the established structures are built within the required front yard setback, the front yard setback for new construction may be reduced to the lesser established front yard setback, provided that no new construction may be established closer than seven (7) feet to the front street line.*

d) *Maximum lot coverage shall be decreased from 65 percent to 27 percent.*

After reviewing these conditions and a public hearing on March 19, 2026, the Planning Commission was not supportive. Opposition centered on concerns about the evolving and uncertain scope of the proposal, land use compatibility, and timing. Commissioners noted that the request has changed incrementally over time, making it difficult to fully understand and evaluate the ultimate intensity and impacts. There was also skepticism that the "motel/motor court" classification, which was initially proposed, accurately reflected the proposed operations, along with concerns about parking, noise, and the potential for incremental commercial encroachment into a transitional residential area.

Commissioners also expressed concern that rezoning to C-2 WSE could permit a broader range of commercial uses than currently proposed. Additional hesitation related to the complexity of the conditions offered in the application submittal and a preference to defer action until the City completes its Master Plan and future land use planning for similar transition areas. Based on the concerns, the applicant agreed to reassess the conditions and resubmit a new offer at a future meeting.

The applicant then withdrew the previous conditions and presented a new list within a revised letter, dated April 3, 2026. These conditions generally included:

- Limit land use to hotel(inn), instead of a motel/motor court, and any other use that is allowed in both C-2 WSE and R-4 CER. After comparing these districts, these uses would be the following:
    - Single-family dwellings (floor area ratio not exceeding 0.3:1)
    - Home occupations
    - Short-term rental (of a single-family dwelling)
    - Bed and breakfasts (without accessory guest buildings)
    - Essential public services
- Add restrictions on a future hotel/inn use by referencing certain bed and breakfast establishment limitations from the Zoning Ordinance.
- Lower the lot coverage of C-2 WSE from 65% to 27%.
- Increase the front setback from zero (0) feet to 20 feet (with potential reductions based on established setbacks on neighboring property).
- Limit kitchen expansion, indoor dining capacity, hours of operation, cooking space, and dining space.
- Limit events to 75 attendees.
- Prohibit expanded outdoor dining within the public right-of-way.

The revised conditions were more comprehensive and seemed to address some of the concerns brought up at the March 19, 2026, Planning Commission meeting. However, at the April 16,

2026, meeting, the Planning Commission agreed with Staff that a new public hearing would be required due to the extent of changes to the conditions offered by the applicant and based on a reading of Section 154.176 I(2)(h) of the Zoning Ordinance, which requires the Planning Commission to hold a new public hearing when new conditions are offered and previous conditions are withdrawn:

> *(h) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if the withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.*

In response, the applicant verbally amended their request during the April 16, 2026, meeting to revert to the conditions offered on January 23, 2026, to avoid the need for a new hearing and a delay of the Planning Commission's recommendation by another month. However, the applicant did not provide the original conditional rezoning ordinance and conditions during the meeting, as part of their request to revert to their initial submittal. Further, City Staff members were not aware of this change of strategy before the applicant's announcement during the meeting.

Commissioners expressed concern about the intensity of the proposed use, including the potential number of event attendees on a small site, parking demand, and enforcement of conditions running with the land. They also questioned extending increased commercial intensity further from Water Street prior to completion of the Master Plan. It was noted that the proposal does not clearly fit the hotel(inn) definition. Commissioners indicated that future land use and zoning for Butler Street should be addressed through the upcoming master planning effort and related text amendments, and reiterated concerns with expanding commercial intensity closer to residential areas.

Considering the lack of support for the original conditions at the March 19, 2026, meeting, the absence of paperwork and packet materials related to the reversion to the original request, and an analysis of the standards for considering a rezoning from Section 154.176(C)(1)(b) of the Zoning Ordinance, the Planning Commission unanimously recommended denial of the request to rezone the subject land to C-2 WSE with the original conditions.

Proposed Hotel(Inn) Use

Questions also remained at the Planning Commission meeting about whether the proposed use meets the definition and requirements of a "hotel(inn)." The definition specifies interior hallway access to guestrooms and references a single *building*, which conflicts with Wickwood's existing layout, which includes multiple guest buildings and exterior-access guest units (primarily for the two-unit accessory building). However, the applicant has also submitted a Zoning Ordinance text amendment to address this issue in the event that the conditional rezoning request is approved.

*HOTEL (INN). **A building** comprised of attached, furnished, sleeping rooms, containing bathroom facilities, which are **accessible by interior hallways**, in which transient lodging or boarding are offered to the public for compensation. A hotel may contain a restaurant(s), gift and specialty shop(s), swimming pool and exercise facilities, lounge(s), and conference rooms(s); provided these uses are clearly accessory to the hotel. A hotel shall not be considered or construed to be a motel, bed and breakfast establishment, multiple- family dwelling, or similar facility.*

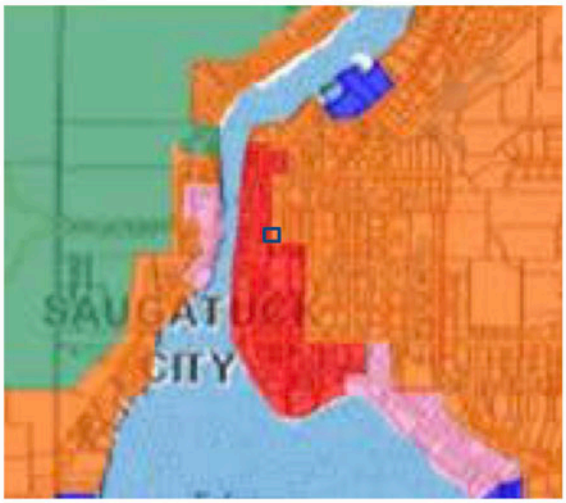
Section 154.176 (C)(1)(b) Factors to Consider

When reviewing a rezoning application, with or without proposed conditions, the Planning Commission and City Council must consider the following factors:

1. *Whether the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan.*

   Comment: The property at 120 Mary Street is classified as "Commercial" on the Future Land Use Map of the Tri-Communities Master Plan, while 510 Butler Street is designated as "Medium to High Density Single and Multiple-Family Residential." Extending C-2 WSE zoning to 120 Mary Street would be consistent with the property's past zoning and the future land use plan. Designating 510 Butler Street as C-2 WSE is a minor departure from the plan, as it is at the edge of the future land use boundary and would extend commercial zoning northward along Butler Street to Mary Street.

   Since the future land use map serves as a guide, minor deviations can be considered, but in conjunction with all other factors. Considering the proposed restrictions on the front setback, maximum lot coverage, and limitations on commercial uses, the departure could be considered less concerning than it would be if voluntary conditions were not offered. However, the Planning Commission still felt that increased usage, even if site conditions remained the same, would negatively affect the nearby residential blocks.



2. *Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.*

   Staff Comments: If rezoned with the proposed conditions, the remaining allowable land uses include essential public services, retail stores, personal service establishments, art galleries, single-family detached dwellings, and apartments, including first-floor (with restrictions) and upper-floor units. Allowable dwelling units or apartments could be used for short-term rentals, and home occupations are also permitted. Subject to special land use approval, the landowner may also establish a hotel/inn, motel/motor court, restaurant, and business or professional offices.

   It should be noted that C-2 WSE does not allow accessory guest buildings for bed and breakfast establishments, so the current accessory use at 120 Mary would become nonconforming, and the secondary two-unit accessory guest building at 510 Butler could not be converted under the proposed zoning district. The applicant is addressing this under a separate text amendment request, which is planned for May consideration by the Planning Commission.

   While future site development would be restricted by tighter setbacks and lower lot coverage than C-2 WSE authorizes, the opportunity and feasibility of redeveloping the site or reusing it for a different permitted or special land use altogether remain. These unknowns, along with the number of event attendees (125), concerned the Planning Commission.

3. *Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning.*

Staff Comments: Rezoning to a more intensive land use has the potential to increase demands on public services and facilities. While the proposed voluntary conditions may mitigate some impacts, they do not fully address the anticipated effects associated with higher-intensity commercial use of the property. These impacts may include increased traffic, noise, and overall activity levels, particularly related to events and other permitted uses. The Planning Commission found that the voluntary conditions did not adequately address these potential impacts.

4. *Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.*

Staff Comments: While there is value in supporting the expansion of the Wickwood Inn, the currently proposed conditions provide less predictability than the previously offered (and since rescinded) conditions. Although certain uses would still require special land use approval, the range of uses permitted under the proposed zoning introduces the potential for future uses—by the current or subsequent owners—that may be less compatible with the surrounding area than those allowed under the existing R-4 zoning, which supports a boutique bed and breakfast establishment.

Recommendation

The Planning Commission recommended denial by a unanimous vote (6-0) at their meeting on April 16, 2026.

Motion by Marineau, supported by LaChey, to recommend denial of the proposed ordinance to amend the zoning map at the City of Saugatuck. I recommend denial of the rezoning of 120 Mary Street and 510 Butler Street with voluntary conditions, as offered by staff based on the findings related to 154.176 (C)(1)b of the zoning ordinance as outlined in the memo dated February 13, 2026, and as discussed by planning commissioners with reservations they had during the discussion at the April 16th and March 19th Planning Commission meetings.

December 1, 2025

Planning Commission
City of Saugatuck
102 Butler St.
Saugatuck MI, 49453

RE: Determination Letter – Bed & Breakfast Establishment

Planning Commission:

You have requested a formal determination of the permitted scope of operations which take place in or in relation with a Bed & Breakfast Establishment. This request arose during the November 20, 2025 Planning Commission meeting where 510 Butler St./120 Mary St. presented a Special Land Use request to serve alcoholic beverages on site. During their presentation the applicant requested the ability to provide the service of alcoholic beverages to patrons, patrons guests, and other visitors by reservation. The applicant confirmed that the request was in part to the events including weddings and other gatherings that are hosted at the existing Bed & Breakfast Establishment calling into question the definition and intention of such establishment and of establishments similar in nature.

Applicable Definitions

Section 154.005 of the City of Saugatuck's Zoning Ordinance defines as follows:

BED AND BREAKFAST ESTABLISHMENT. A residential building occupied by the owner(s) or resident manager, along with associated accessory guest buildings allowable within certain districts, which has sleeping rooms available for rent by transient people on a short-term basis.

HOTEL (INN). A building comprised of attached, furnished, sleeping rooms, containing bathroom facilities, which are accessible by interior hallways, in which transient lodging or boarding are offered to the public for compensation. A hotel may contain a restaurant(s), gift and specialty shop(s), swimming pool and exercise facilities, lounge(s), and conference rooms(s); provided these uses are clearly accessory to the hotel. A hotel shall not be

considered or construed to be a motel, bed and breakfast establishment, multiple- family dwelling, or similar facility.

MOTEL. A commercial enterprise oriented to the public traveling by motor vehicle, with individual sleeping rooms typically exiting directly to the outside, with patron parking located at or near each room exit. A motel may contain an accessory restaurant, gift and specialty shop, lounge, swimming pool, and exercise facilities.

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).

MOTEL/MOTOR COURT. A series of attached, semi-detached or detached, furnished, rental units each containing a bedroom, bathroom and closet space in which transient, overnight, lodging or boarding are offered to the public for compensation. The design of a motel is oriented to the public traveling by motor vehicle with individual sleeping rooms typically exiting directly to the outside with patron parking located at or near each room exit. A motel may contain a restaurant, gift and specialty shop, lounge and swimming pool and exercise facilities, provided, these are uses clearly accessory to the motel.

Analysis

The operational intent of a Bed & Breakfast Establishment is residential in character and limited to the provision of sleeping rooms to transient guest on a short-term basis. The definition does not authorize commercial food and beverage services, public-facing hospitality amenities, or event-oriented activities. The absence of such allowances indicates a deliberate expectation that the use remains low-intensity and residentially compatible.

Other lodging categories – including hotels, motels, and motor courts – are expressly permitted to operate restaurants, retail establishments, and event spaces as accessory uses. These allowances recognize higher operational intensity and broader public-facing activity which aligns with the permitted Zoning Districts. The lack of comparable accessory permissions in the Bed & Breakfast definition underscores that such commercial functions

are not intended to be associated with a Bed & Breakfast Establishment. The Zoning Ordinance provides a distinction between residential lodging and commercial hospitality operations.

Providing alcoholic beverages to individuals who are not registered overnight guests—including event attendees, reservation-only visitors, or other non-lodgers—constitutes a separate commercial activity not incidental to lodging. This type of service aligns with hotel lounge operations and is not authorized within the definition of a Bed & Breakfast Establishment. Expanding alcohol service to the general public or to event participants exceeds the intended operational boundaries of the use.

Under regulation as a Special Land Use the Planning Commission may find it permissible to allow for the service of alcohol beverages to overnight guests in an incidental manner where location and proposed operation are taken into consideration.

Weddings, receptions, and comparable gatherings introduce operational impacts such as increased parking demand, elevated noise levels, higher traffic volumes, and intensified site activity. These impacts are inherently inconsistent with the low-intensity, residential character of a Bed & Breakfast Establishment. While they may not cause an issue under certain circumstances such as when they are located near commercial districts, the Zoning Ordinance currently contains no provision allowing a Bed & Breakfast to function as an event venue or assembly use. Accordingly, at present, event hosting falls outside the permissible scope of the use category.

When a Bed & Breakfast begins introducing alcohol service to non-lodgers or hosting recurring events, its operational profile shifts beyond the definition of a Bed & Breakfast and into the territory of a commercial hospitality venue. These activities align with those expressly contemplated for a Hotel (Inn) or similar commercial lodging classification. The ordinance treats these categories as distinct and not interchangeable. A Bed & Breakfast engaging in these expanded activities effectively operates outside its permitted use classification.

Determination

A Bed & Breakfast Establishment, as defined in Section 154.005 of the City of Saugatuck Zoning Ordinance, is limited to transient lodging within a residential building occupied by an owner or resident manager. Alcohol service may occur only when it is incidental to lodging

and exclusively for registered overnight guests. Alcohol service to non-lodgers—whether by reservation or event attendance—is not permitted and constitutes a separate commercial use. Hosting weddings, receptions, or similar gatherings is not within the authorized scope of a Bed & Breakfast Establishment. These functions correspond to the operational profile of a commercial lodging category, such as a Hotel, and therefore exceed what is allowable under the Bed & Breakfast definition.

Sincerely,

Grayson Moore

Director of Planning & Zoning

Wickwood Inn Conditional Rezoning Request

Saugatuck City Commission
May 6, 2026

MCKENNA

Thank You for Your Consideration

- **About Wickwood Inn**
- **What are Wickwood's Goals?**
- **Why a Conditional Rezoning?**
- **What else would be required?**
- **What Voluntary Conditions is Wickwood Offering?**
- **Why should the City Council approve the request?**


THE
WICKWOOD
INN

A Heritage of Hospitality in a Design-Forward Inn

Originally built in 1937 as the Colonial revival home of Frank Wicks, former mayor of Saugatuck, the property has always stood at the heart of town — just steps from the many delights of downtown Saugatuck, the Chain Ferry, and the Kalamazoo River. In 1981, Sue and Stub Louis transformed the house into the Wickwood Inn – Saugatuck's first bed-and-breakfast, modeled after London's charming Brown's Hotel.

A decade later, gourmet food veteran Julee Rosso – co-author of *The Silver Palate Cookbook* – and her partner, Bill Miller, took the reins. Together, they made the Wickwood a farm-to-table culinary destination, celebrated in Travel + Leisure and The New York Times for its soulful food and gracious hospitality.

In 2021, the inn entered a new chapter under the stewardship of **Shea Soucie** and **Martin Horner**, co-founders of Chicago-based luxury interior design firm **Soucie Horner Design Collective**. The pair's intention? To redefine boutique hospitality by inviting guests to explore the intersection of thoughtful design, culinary creativity, and Midwestern warmth.

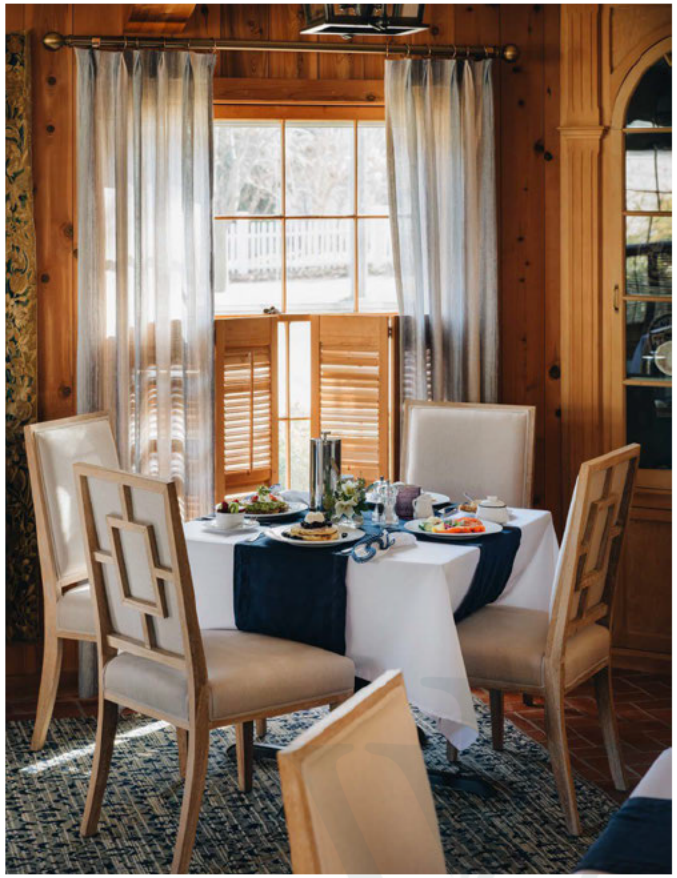
Today, The Wickwood continues to evolve, providing visitors with memorable stays hosted by Executive Chef and General Manager Rose Duong. A trusted SHDC partner for more than two decades, Rose collaborates continuously with Shea and Martin to create and curate opportunities for food, design, and hospitality to converge.

More than a chef or a general manager, Rose is the architect of a hospitality experience where food, interiors, and service meld into a memorable whole. From her dynamic, seasonal breakfast menus to delectable lunches, poolside snacks, and inventive mocktails, Rose's leadership of the Wickwood Inn mirrors SHDC's design philosophy: refined, regionally inspired, and deeply personal.













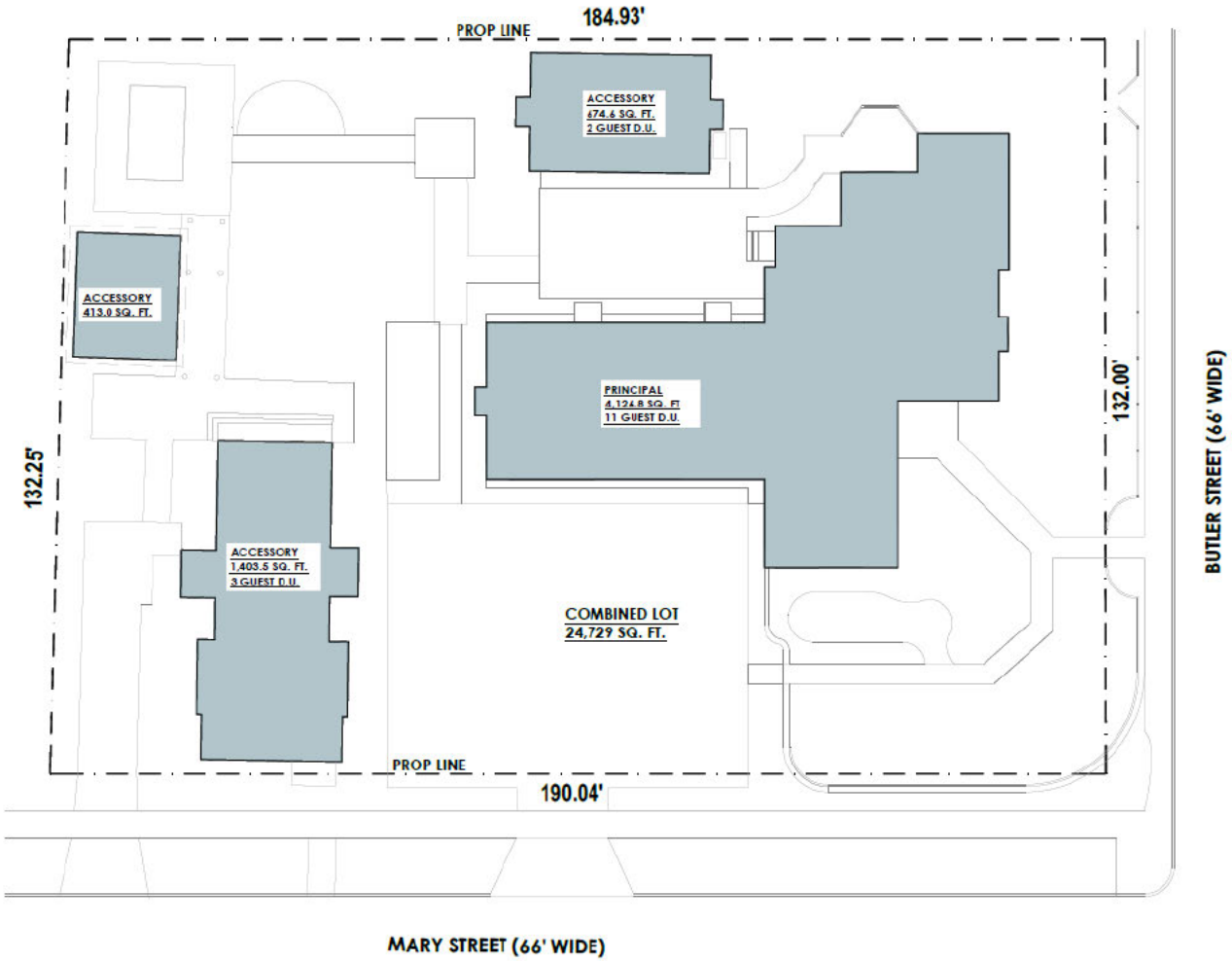






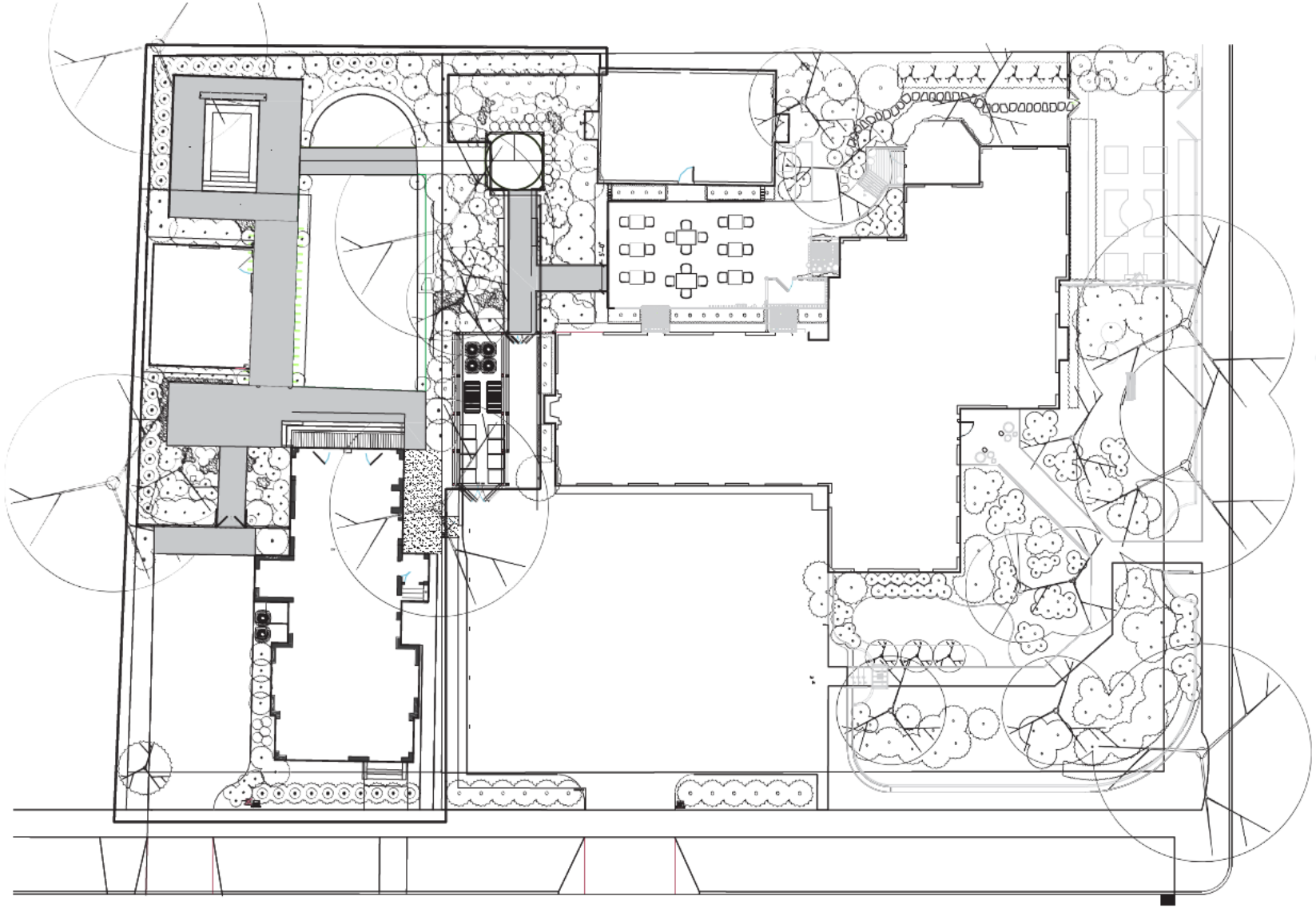


Wickwood Inn



Guest Rooms

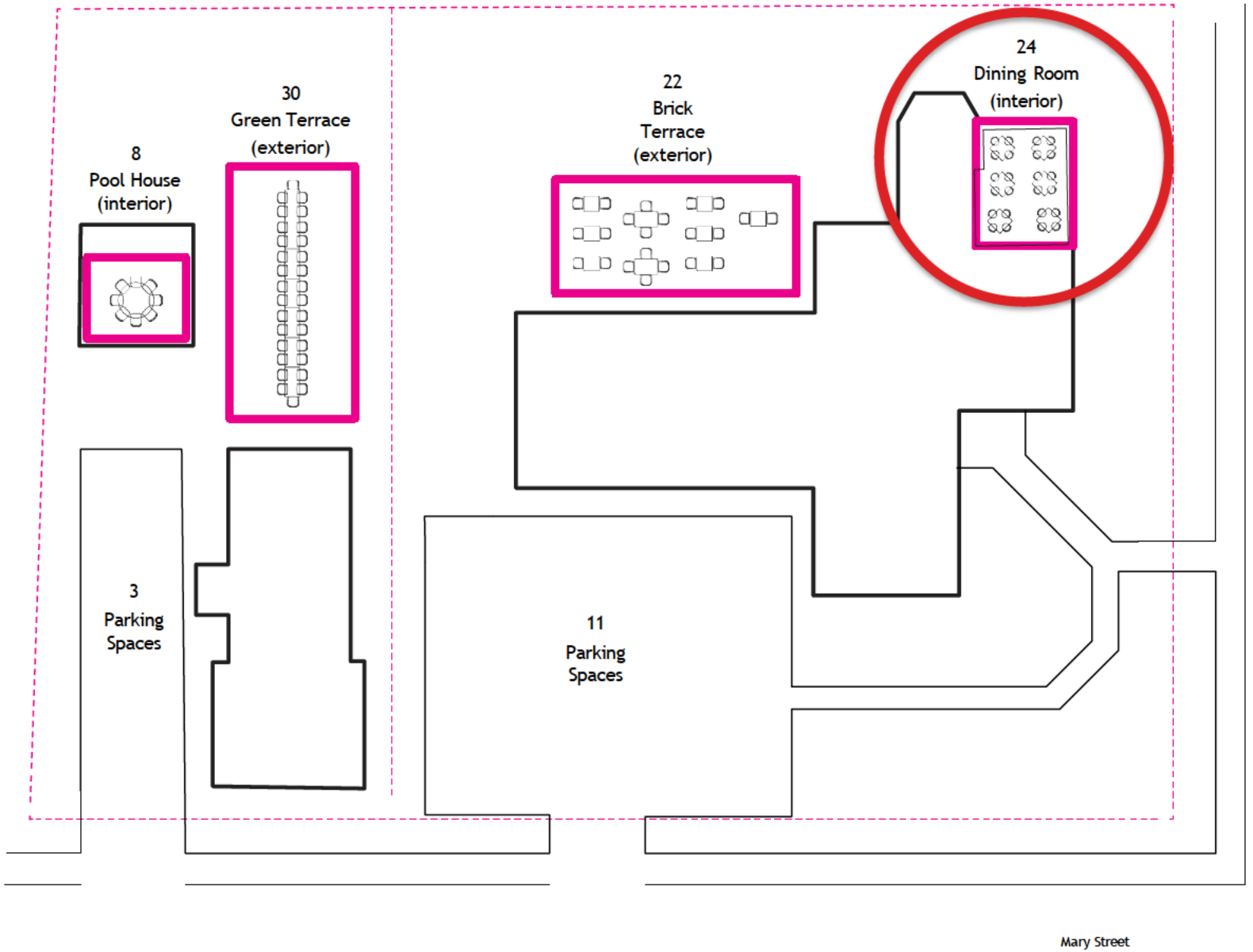
- 14 Guest Rooms
  - ✓ 11 in Main House
  - ✓ 3 in Bungalow
- 2 Rooms Approved for Carriage House (future phase)



Dining

- **Dining**
  - ✓ Seating Capacity: **24**
  - ✓ Breakfast Included in Room Rate
  - ✓ Other Meals Can Be Served to Guests*
  - ✓ **Cannot Serve Food to General Public**
  - ✓ **Not Currently Approved for Alcohol Sales but can apply for license under a Bed & Breakfast**

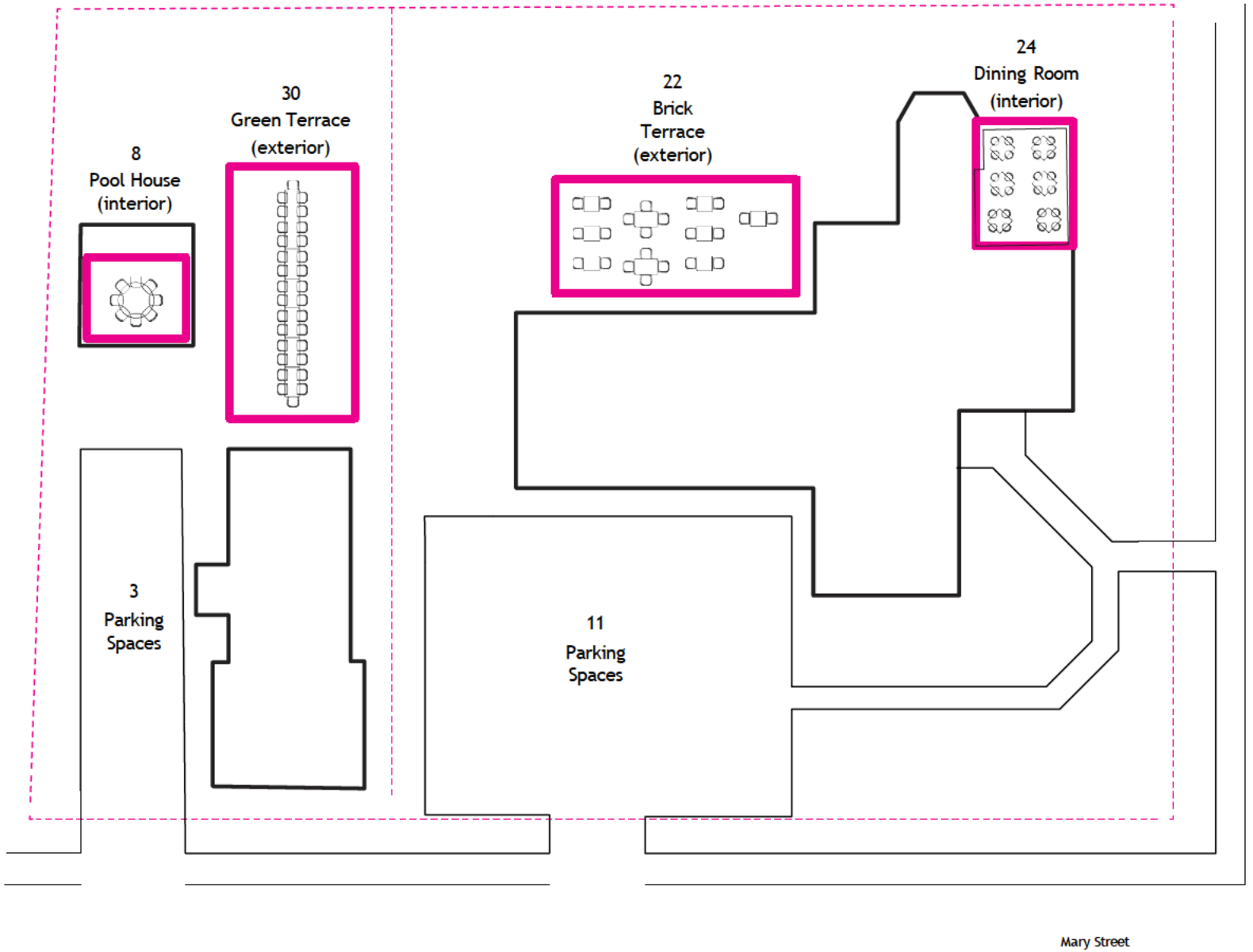
**Confirmed by Planning and Zoning Director Grayson Moore*


8
Pool House
(interior)
30
Green Terrace
(exterior)
22
Brick
Terrace
(exterior)
24
Dining Room
(interior)
3
Parking
Spaces
11
Parking
Spaces
Butler
Street
Mary Street

“Activities” (Events)

- **“Activities” (Events)**
  - ✓ Seating Capacity: **84**
  - ✓ Capacity without Seating: **~125**
  - ✓ Limited to **Overnight Guests***

**Clarified by Planning and Zoning Director Grayson Moore*


8
Pool House
(interior)
30
Green Terrace
(exterior)
22
Brick
Terrace
(exterior)
24
Dining Room
(interior)
3
Parking
Spaces
11
Parking
Spaces
Butler
Street
Mary Street

Wickwood's Goals

- More **Shoulder Season** Offerings
- Become an Amenity for the **Local** Community
- Keep Reputation for **Refined Luxury**
- Keep **"Boutique"** Scale
- **Preserve** Historic Butler Street

Wickwood's Goals

- Serve **Alcohol** as part of Food and Beverage Services.
- Allow Non-Guests to **Attend Events**.
- Offer **Limited** Dining Opportunities to the General Public.
  - ✓ **Reservation-Only**
  - ✓ Available **Only** if Dining Slots are **Not Filled** by Overnight Guests
  - ✓ Seating Capacity: **24** Diners **(No Expansion Plans)**

Current Zoning Status

- Zoned **R-4/CER**
- Classified as **Bed and Breakfast Establishment**
- **Limitations:**
  - ✓ No Food Service to General Public
  - ✓ Events Limited to Overnight Guests
  - ✓ Need Special Use Approval to Serve Alcohol
  - ✓ Amenities (pool, etc) Limited to Overnight Guests
  - ✓ Additional Noise/Nuisance Restrictions
  - ✓ Limits on Number of Guests and Length of Stay

Requested Zoning District

- **C-2/WSE**
- *Could be* Classified as **Hotel (Inn)**
  - ✓ Would need **Special Use Approval**
- **Major Changes in Regulations:**
  - ✓ Food Service to General Public **Permitted**
  - ✓ No Restrictions on Event Guests
  - ✓ No **Special Use Approval** to Serve Alcohol
    - Liquor License Still Required

Saugatuck Zoning Map



ZONING

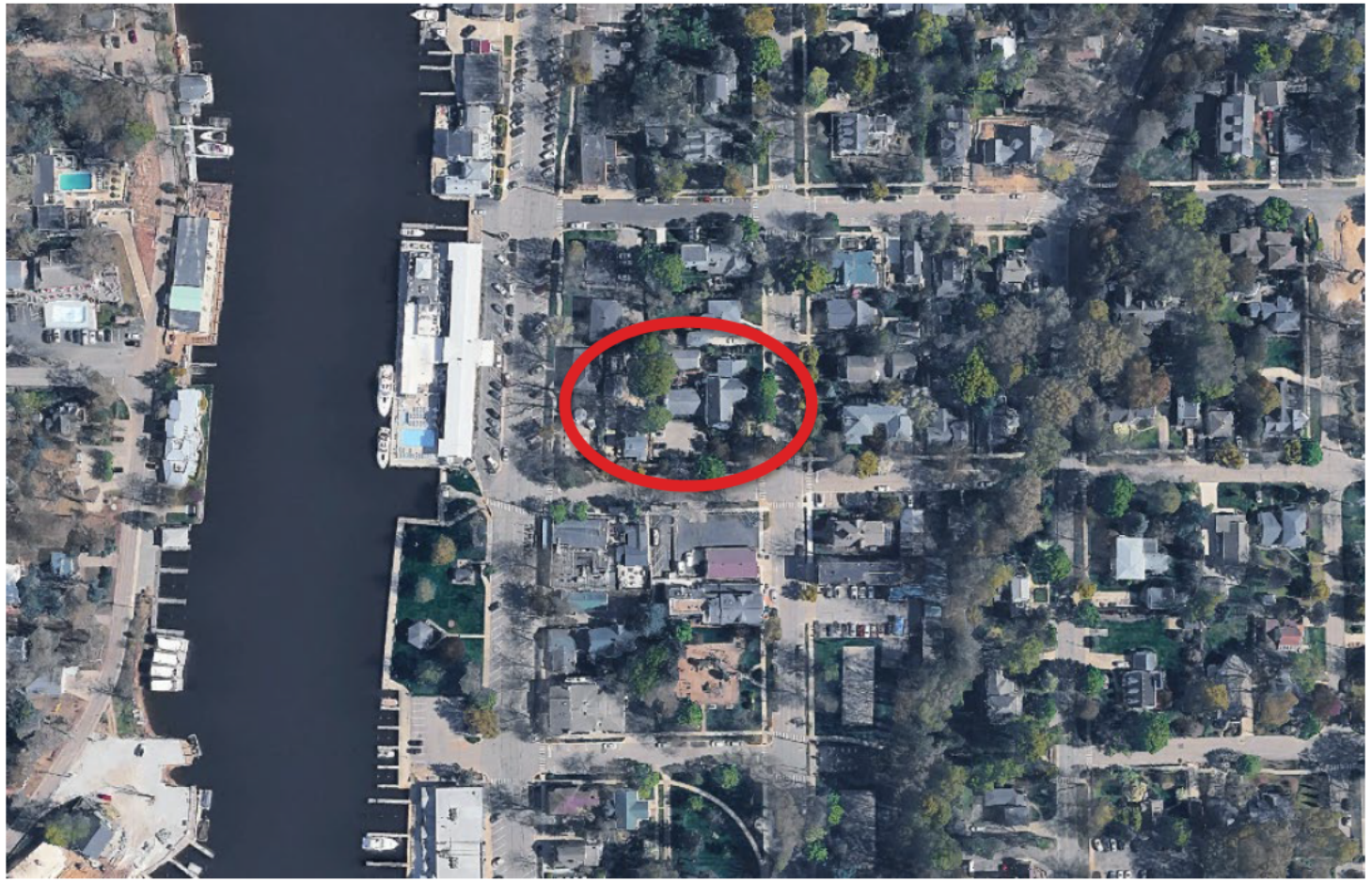
- Blue Star District - LI-1
- Center Residential - R-4
- City Center - C-1
- Community Residential - R-1
- Conservation, Recreation & Camp - CRC
- Cultural Community
- Lake Street - R-2
- Maple Street - R-1
- Multi-Family Residential - MR
- Neighborhood Marine - NHM
- Peninsula North (Duneside) - R-1
- Peninsula North (Riverside) - R-1
- Peninsula South - R-1
- Peninsula West - R-1
- Resort District - C-4
- Summer Resort & Park Association - SRP
- Water (Rivers/Lakes) - W
- Water Street Commercial - C-2
- Water Street East - C-2
- Water Street North - C-1
- Water Street South - C-2

Tri-Community Master Plan

"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable ***bed and breakfast establishments***"

"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to ***mitigate impacts of the city center on adjoining residential areas****."*

Wickwood is the Transition Point



Voluntary Conditions

- **City and Wickwood Share a Vision:**
  - ✓ **Boutique** Scale
  - ✓ Historic **Preservation**
  - ✓ **Quality** over Quantity
  - ✓ Transition from **Downtown/Waterfront** to **Residential**

Voluntary Conditions

- C2/WSE Principal Uses **Not** Permitted:
  - ✓ Motion Picture Facilities
  - ✓ Amusement and Recreation Services
  - ✓ Recreational Transportation Facilities
  - ✓ Parking Facilities

Voluntary Conditions

- No **Sidewalk Cafes**
- Limit of **125** attendees at Events.
- Maximum Lot Coverage Reduced from **65%** to **27%**
  - ✓ ***No building expansions permitted.***

Voluntary Conditions

- **R-4/CER** Standards instead of C-2/WSE:
  - ✓ Setbacks
  - ✓ Building Height
  - ✓ Signage
  - ✓ Lighting

Additional Voluntary Conditions

- Wickwood **tried to propose** these to the Planning Commission.
- Doing so would have **delayed the process** into the high season.
- Wickwood would accept these as **Conditions of a Special Use Permit** to re-classify to Hotel(Inn).

Additional Voluntary Conditions

- Prohibit **all** uses that are allowed in C-2/WSE but **not** R-4/CER, except Hotel(Inn).
- **Reduce** maximum number of event attendees (**75-85**)
- Prohibit **expansion** of Kitchen and/or Dining Room.
- Limit **Dining Hours** to 8 AM to 8 PM.
- Keep some Bed and Breakfast **Limits** in Place:
  - ✓ 2 Adults per Guest Room
  - ✓ No Stays Longer than 14 Days
  - ✓ Noise/Nuisance Limitations

Conclusion

- Wickwood is a **valuable asset** to Saugatuck's tourist industry.
- Wickwood wants to **serve locals**, not just tourists.
- Wickwood wants to stay at an **appropriate scale**.
- Wickwood creates a natural **land use transition**.

Conclusion

- Wickwood is willing to **voluntarily limit** its operations and future expansion.
- Wickwood would need **additional approvals** and is willing to accept **further limitations** during that process.



Thank You for Considering our Request

MCKENNA

MCKENNA

April 28, 2026

City Council
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

Subject: Proposed Conditional Rezoning of Wickwood Inn

Dear Council Members,

On behalf of Wickwood Inn's application for a Conditional Rezoning from R-4/CER to C-2/WSE, below please find an overview of the proposal and responses to the questions on the application form.

PURPOSE OF REQUEST

Wickwood Inn is proposing to rezone the parcels at 510 Butler Street and 120 Mary Street from R-4/CER to C-2/WSE, and has proposed voluntary conditions in a draft Conditional Rezoning Agreement (which is attached). The purpose of the conditions is to ensure the preservation of the character of the Butler Street corridor, as described in the Tri-Community Master Plan, which is a goal of both Wickwood and the City.

Wickwood is requesting the Conditional Rezoning due to a desire to increase their offerings for their guests, Saugatuck residents, and other visitors to the City. Specifically, they intend to:

- On a reservation-only basis, open their dining room to the public. The operational model would be that reservations would only be opened to the general public if overnight guests do not fill all available spots for a given meal service.
- Host events at the Bed and Breakfast that are consistent in scale with the property's size and layout, without restrictions on whether all of the attendees are overnight guests.
- Serve alcohol as part of their meal service and event operations.

To that end, Wickwood wishes to be rezoned to the C-2/WSE District, in order to then subsequently request Special Use Approval to be re-classified as a **Hotel(Inn).** The rezoning would allow alcohol sales (pending liquor license approval). The other two operational elements would require Special Use Approval from the Planning Commission.

VOLUNTARY CONDITIONS

In order to preserve the character of both the Wickwood site and the broader Butler Street corridor, Wickwood is proposing the following voluntary conditions on the rezoning:

- The following land uses, which would otherwise be permitted by Special Use Permit in the C-2/WSE District, shall not be permitted as principal uses on the property:
    - Motion Picture Facilities

GRAND RAPIDS
124 East Fulton Street
6th Floor, Suite B
Grand Rapids, Michigan 49503
O 616.226.6375
F 248.596.0930
MCKA.COM

  - Amusement and Recreation Services
  - Recreational Transportation Rental Facilities
  - Parking Facilities (as a principal use of land).

- Expanded Outdoor Dining, which is defined in Section 154.092.O.2 as outdoor dining within a public right-of-way, shall not be permitted accessory to Wickwood Inn.

- The maximum number of people attending any special event, or simultaneous special events, shall be 125.

- The maximum lot coverage shall be reduced from 65% to 27%.

- For the purposes of zoning regulations not specifically listed above, the property shall be subject to the provisions of the R-4/CER District. This includes, but is not limited to:

  - Dimensional standards such as setbacks and building heights.
  - Lighting requirements.
  - Signage requirements.

PLANNING COMMISSION RECOMMENDATION

On April 16, the Planning Commission recommended denial of the Conditional Rezoning. However, we respectfully request that the City Council reconsider that position. Wickwood's request is limited in scope by the voluntary conditions and could be limited further by the Special Use Approval. In fact, Wickwood attempted to submit additional voluntary conditions to further limit itself, but was told that doing so would delay a decision on the application.

On the following pages, please find our responses to the application form questions.

APPLICATION FORM QUESTION 1

Please explain how the Conditional Rezoning is consistent with the polices and uses proposed for that area in the city's Master Land Use Plan.

The proposed Conditional Rezoning would expand the C-2/WSE district to the parcels highlighted below.



In the Tri-Community Master Plan that covers the Cities of Saugatuck and Douglas, as well as Saugatuck Township, that area is on the edge of the "Commercial" and "Medium to High Density Single and Multi-Family Residential" categories.

Specifically, on Page 10-5, the Plan states *"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable bed and breakfast establishments*" and, on Page 10-6, *"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to mitigate impacts of the city center on adjoining residential areas."*

The Conditional Rezoning is intended to allow reasonable expansions of the Wickwood Inn operation without threatening the character of the Butler Street corridor, as described in the Master Plan. The restrictions on intensive uses and the retention of R-4/CER site and building design standards will ensure that the historic,

residential character of Butler Street is preserved, while also expanding Saugatuck's hospitality offerings for residents and guests.

The site's location right on the edge of the downtown commercial/mixed use core makes the proposal particularly appropriate as a transitional land use between that core and the more residential blocks to the north.

QUESTION 2

Please explain how all of the uses allowed under the proposed Conditional Rezoning would be compatible with other zones and uses in the surrounding area.

The Conditional Rezoning protects the residential uses to the north and east by prohibiting intensive uses and only expanding the authorized uses on the site to those that can be operated accessory to the existing lodging facility.

Additionally, given the layout of the site, any noticeable increases in activity would likely take place on the Mary Street side of the facility, where the parking entrance is, and where adjacent land uses are more commercial and mixed use in nature.

QUESTION 3

Please explain how public services and facilities would not be significantly adversely impacted by development or use allowed under the requested Conditional Rezoning.

While the operations of Wickwood Inn would expand in nature, the expansion in scale would be minor, and would not increase substantially increase Wickwood's need for public services and facilities.

QUESTION 4

Please explain if the uses allowed under the proposed Conditional Rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

Operating a lodging use under the regulations for Bed and Breakfast Establishments ensures that the facility remains quaint and harmonious with residential and historical surroundings, like the area around Wickwood. However, those regulations are also highly limiting on the operations of the facility, which can negatively impact the guest experience. Being able to offer limited public dining experience, as well as events for a broader set of attendees, would allow Wickwood to give its guests a more customizable experience, especially during "shoulder season." This will enhance the economic viability not only of Wickwood itself, but of Downtown Saugatuck more broadly.

Additionally, the creation of a "buffer zone" between C-1/CC and R-4/CER would further protect the historic residential character of the blocks to the north. Wickwood already serves as a transition point between the core downtown and the residential area, and this Conditional Rezoning would allow it to do so for many years into the future.

We look forward to discussing this request with the Planning Commission at any upcoming meeting.

Respectfully Submitted,

McKenna

Christopher Khorey, AICP
Vice President

Kyle Mucha, AICP
Principal Planner

Rezoning / Amendment Application

LOCATION INFORMATION — **APPLICATION NUMBER** ____ - _____

Address 510 Butler Street / 120 Mary Street Parcel Number 57-300-055-00
57-300-053-50

APPLICANTS INFORMATION

Name Christopher Khorey (McKenna) AICP Address / PO Box [redacted]

City Grand Rapids State MI Zip 495[redacted]

Interest In Project Consulting Planner E-Mail [redacted]

Signature _____ Date 1-23-26

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Wickwood Inn Address / PO Box 510 Butler Street

City Saugatuck State MI Zip 49453 Phone [redacted]

I hereby authorize that the applicant as listed above is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. 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.

Signature _____ Date _____

REQUEST:

Map Amendment X Text Amendment ___

Description of Requested Amendment See attached proposed conditional rezoning agreement

Rezoning/ Amendment Application

Application # ___-____

STANDARDS FOR APPROVAL PER SECTION 154.176

1. Please explain how the rezoning is consistent with the policies and uses proposed for that area in the city's Master Land Use Plan; See attached

2. Please explain how all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area; See attached

3. Please explain how any public services and facilities would not be significantly adversely impacted by a development or use allowed under the requested rezoning; and See attached

4. Please explain if the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land. See attached.

OFFICE USE ONLY:

Application Complete _____ Date _____ Fee Paid _____ Date Paid _____

Notices Sent Paper _____ Resident Notification _____

Notes: _____

MCKENNA

January 23, 2026

Planning Commission
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

Subject: Proposed Conditional Rezoning – Supporting Materials and Application Form Responses

Dear Commissioners,

In support of Wickwood Inn's application for a Conditional Rezoning from R-4/CER to C-2/WES, below please find an overview of the proposal and responses to the questions on the application form.

PURPOSE OF REQUEST

Wickwood Inn is proposing to rezone the parcels at 510 Butler Street and 120 Mary Street from R-4/CER to C-2/WES, and has proposed voluntary conditions in a draft Conditional Rezoning Agreement (which is attached). The purpose of the conditions is to ensure the preservation of the character of the Butler Street corridor, as described in the Tri-Community Master Plan, which is a goal of both Wickwood and the City.

Wickwood is requesting the Conditional Rezoning due to a desire to increase their offerings for their guests, Saugatuck residents, and other visitors to the City. Specifically, they intend to:

- Serve breakfast, lunch, and dinner from their on-site restaurant, which currently only serves breakfast.
- Open their restaurant to the general public, instead of its current limitation of only serving guests at the inn.
- Host on-site events, such as retreats and weddings.
- Open their gift shop to the general public.

To that end, Wickwood wishes to be rezoned to the C-2/WES District, which allows the following land uses:

- Motel/Motor Courts by Special Land Use
  - *Wickwood wishes to be classified as this land use for zoning purposes and intends to apply for a Special Use Permit if the Conditional Rezoning is approved – see below.*

- Restaurants, which are permitted by right, and are not limited to service to overnight guests, when accessory to Motel/Motor Courts per Section 154.092.B.3.b.

- Retail stores, by right.

- Meeting and/or conference rooms, which are permitted by right when accessory to Motel/Motor Courts, but are limited "exclusively" to guests per Section 154.092.B.3.c. Wickwood has applied for separately to change that wording to "primarily" in order to allow non-guests to attend events alongside overnight guests. That application is under separate cover, with further explanation included.

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CLASSIFICATION AS MOTEL/MOTOR COURT

While Wickwood has no plans to alter the character of their lodging and will continue to market themselves to the general public as a “Bed and Breakfast”, they wish to seek approval to be classified as a Motel/Motor Court under the Zoning Ordinance. It is acknowledged that a Special Use Permit would be required, subsequent to the Conditional Rezoning, to be granted that classification.

The definition of Motel/Motor Court, from Section 154.005, is as follows:

MOTEL/MOTOR COURT. *A series of attached, semi-detached or detached, furnished, rental units each containing a bedroom, bathroom and closet space in which transient, overnight, lodging or boarding are offered to the public for compensation. The design of a motel is oriented to the public traveling by motor vehicle with individual sleeping rooms typically exiting directly to the outside with patron parking located at or near each room exit. A motel may contain a restaurant, gift and specialty shop, lounge and swimming pool and exercise facilities, provided, these are uses clearly accessory to the motel.*

Wickwood’s current operation, including the previously approved Accessory Guest Units, is consistent with this definition. Therefore, provided that Special Use and Site Plan requirements can be met, it would be appropriate for Wickwood to be considered a Motel/Motor Court, and be subject to those regulations, rather than those for Bed and Breakfast Establishments.

VOLUNTARY CONDITIONS

In order to preserve the character of both the Wickwood site and the broader Butler Street corridor, Wickwood is proposing the following voluntary conditions in the Conditional Rezoning Agreement.

- The following land uses, which would otherwise be permitted by Special Use Permit in the C-2/WES District, shall not be permitted on 510 Butler or 120 Mary. The Conditional Rezoning Agreement includes language ensuring that appropriate facilities for guests are not deemed to be included on this list.
    - Motion Picture Facilities
    - Amusement and Recreation Services
    - Recreational Transportation Rental Facilities
    - Parking Facilities (as a principal use of land).
- Expanded Outdoor Dining, which is defined in Section 154.092.O.2 as outdoor dining within a public right-of-way, shall not be permitted accessory to 510 Butler or 120 Mary.
- The maximum number of people attending any special event, or simultaneous special events, shall be 125.
- For the purposes of zoning regulations not specifically listed in the agreement, 510 Butler and 120 Mary shall be subject to the provisions of the R-4/CER District. This includes, but is not limited to:
    - Dimensional standards such as setbacks and building heights.
    - Landscaping requirements.
    - Lighting requirements.
    - Signage requirements.

Wickwood is willing to consider additional voluntary conditions that do not interfere with their purpose for proposing the Conditional Rezoning, as described above.

APPLICATION FORM QUESTION 1

Please explain how the Conditional Rezoning is consistent with the polices and uses proposed for that area in the city's Master Land Use Plan.

The proposed Conditional Rezoning would expand the C-2/WES district to the parcels highlighted below.



In the Tri-Community Master Plan that covers the Cities of Saugatuck and Douglas, as well as Saugatuck Township, that area is on the edge of the "Commercial" and "Medium to High Density Single and Multi-Family Residential" categories.

Specifically, on Page 10-5, the Plan states *"Downtown Saugatuck features larger, older homes that contribute to the downtown's charm, many of which have been converted to profitable bed and breakfast establishments"* and, on Page 10-6, *"Downtown Saugatuck will continue to serve as the major center for commercial tourist activities. This should be encouraged. However, the downtown area should not be permitted to expand outside the area presently zoned for downtown commercial use. Appropriate measures should be instituted as necessary to mitigate impacts of the city center on adjoining residential areas."*

The Conditional Rezoning is intended to allow reasonable expansions of the Wickwood Inn operation without threatening the character of the Butler Street corridor, as described in the Master Plan. The restrictions on intensive uses and the retention of R-4/CER site and building design standards will ensure that the historic, residential character of Butler Street is preserved, while also expanding Saugatuck's hospitality offerings for residents and guests.

The site's location right on the edge of the downtown commercial/mixed use core makes the proposal particularly appropriate as a transitional land use between that core and the more residential blocks to the north.

QUESTION 2

Please explain how all of the uses allowed under the proposed Conditional Rezoning would be compatible with other zones and uses in the surrounding area.

The Conditional Rezoning protects the residential uses to the north and east by prohibiting intensive uses and only expanding the authorized uses on the site to those that can be operated accessory to the existing lodging facility.

Additionally, given the layout of the site, any noticeable increases in activity would likely take place on the Mary Street side of the facility, where the parking entrance is, and where adjacent land uses are more commercial and mixed use in nature.

QUESTION 3

Please explain how public services and facilities would not be significantly adversely impacted by development or use allowed under the requested Conditional Rezoning.

While the operations of Wickwood Inn would expand in nature, the expansion in scale would be minor, and would not increase substantially increase Wickwood's need for public services and facilities.

QUESTION 4

Please explain if the uses allowed under the proposed Conditional Rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

Operating a lodging use under the regulations for Bed and Breakfast Establishments ensures that the facility remains quaint and harmonious with residential and historical surroundings, like the area around Wickwood. However, those regulations are also highly limiting on the operations of the facility, which can negatively impact the guest experience. Being able to offer full service dining and retail, as well as special events, would allow Wickwood to give its guests a broader and more customizable experience. This will enhance the economic viability not only of Wickwood itself, but of Downtown Saugatuck more broadly.

Additionally, the creation of a "buffer zone" between C-1/CC and R-4/CER would further protect the historic residential character of the blocks to the north. Wickwood already serves as a transition point between the core downtown and the residential area, and this Conditional Rezoning would allow it to do so for many years into the future.

We look forward to discussing this request with the Planning Commission at any upcoming meeting.

Respectfully Submitted,

McKenna



Christopher Khorey, AICP
Vice President

DRAFT Conditional Rezoning Agreement

Parcel: 510 Butler Street and 120 Mary Street (Parcels 57-300-055-00 and 57-300-053-50)

Property Owner: 510 Butler St LLC

Current Zoning: R-4/CER City Center Traditional Residential

Proposed Zoning: C-2/WSE Water Street East with Conditions

The City of Saugatuck and 510 Butler St LLC, Property Owner of the parcels at 510 Butler Street and 120 Mary Street agree to the following:

1) The Parcels at 510 Butler Street and 120 Mary Street shall be rezoned from R-4/CER City Center Traditional Residential to C-2 WSE Water Street East, with the following conditions:

    a) The permitted uses on the Parcel shall be the following:

        a. The permitted uses in the C-2/WSE District, as listed in Section 154.039.B of the Zoning Ordinance. No other uses shall be considered permitted by right on the subject properties.

    b) The uses permissible by Special Use Approval on the Parcel shall be the following:

        a. The uses permissible by Special Use Approval in the C-2/WES Water Street East district, as listed in Section 154.039.C, except for the following, which shall be prohibited on the parcels:

            i. Motion Picture Facilities

            ii. Amusement and Recreational Services.

                1. This provision shall not be deemed to prohibit in-room entertainment at a Bed and Breakfast, nor shall be it be deemed to prohibit games and activities for guests of a Bed and Breakfast located within common spaces, provided those games and activities do not generate noise or other impacts discernable on neighboring properties.

            iii. Recreational Transportation Rental Facilities.

            iv. Parking Facilities.

                1. This provision shall be understood to mean parking facilities as the principal use of land. Parking accessory to permitted and/or approved uses shall not be prohibited.

v. Domestic Business Repairs.

c) Outdoor dining shall be permitted on the subject parcels, accessory to any approved restaurant, provided that the standards of Section 154.092.O.1 are met. Expanded Outdoor Dining on public rights-of-way, as described in Section 154.092.O.2 shall not be permitted and shall not be considered an approvable Special Use for the subject parcels.

d) Special events may take place on the premises, consistent with any regulations on such events in the C-2/WSE District adopted by the City. However, the maximum number of total guests at any special event, or simultaneous special events, shall not exceed 125 people.

e) The parcels shall be considered to be zoned within the C-2/WSE Water Street East District for the purposes of Section 154.131, and shall be exempt from off-street parking requirements, except when the Planning Commission determines that off-street parking is necessary under Section 154.131.B.

f) The parcels shall be considered to be zoned within the C-2/WSE Water Street East District for the purposes of Section 154.049 regarding approval of the sale of alcoholic beverages.

g) For all aspects of the Zoning Ordinance not listed above, the standards of the C-2/WSE District shall apply to the Parcel. This shall include, but not be limited to:

a. Dimensional standards, such as setbacks and building heights.

b. Landscaping Requirements.

c. Lighting Requirements.

d. Signage Requirements.

2) In the event that <u>any</u> of the following occur, this agreement shall be void and the City shall have the right to rezone the Parcel to the R-4/CER zoning district, or any other district deemed appropriate by the City Council:

a) The Parcel is used for a use that is not permitted under this agreement.

b) The use on the Parcel is determined to be out of compliance with any standards of this agreement, conditions of any applicable Special Use Approvals, or any applicable standards in the Zoning Ordinance.

c) The Property Owner submits a statement, in writing, to the City Council, voluntarily voiding this agreement.

3) The City and Property Owner further agree to the following:

a) All existing zoning approvals, including Special Use Permits, applicable to the site shall remain in force, and shall not be considered altered by this agreement. However, this agreement does not constitute any new zoning permit or any approval for any specific use under the Zoning Ordinance not previously authorized on the parcels. The Property Owner must obtain all required approvals, including Site Plan Approvals, Variances (if any), and/or Special Parcel Use permits (if any), prior to constructing any improvements on the Parcel and/or beginning operations of any uses not previously approved by the City.

b) The conditional rezoning was proposed by the Applicant to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms in the conditional rezoning agreement.

c) The conditions and conditional rezoning agreement are authorized by all applicable state and federal laws and constitutions, and that the conditional rezoning agreement is valid and was entered into on a voluntary basis, representing a permissible exercise of authority by the City.

d) As long as this agreement is in force, the Parcel in question shall not be developed or used in a manner that is inconsistent with this conditional rezoning agreement.

e) Until voided by an action described above, the approval and conditional rezoning agreement shall be binding on and inure to the benefit of the Property Owner and the City, and their respective heirs, successors, assigns, and transferees in perpetuity.

f) If the conditional zoning becomes void as described above, no development shall be undertaken or permits for development issued until a new zoning district classification of the Parcel has been established by resolution of the City Council.

g) Each of the requirements and conditions in the conditional rezoning agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.

Signed:

_____	_____
Representative	*Representative*
Title	*Title*
City of Saugatuck	510 Butler St LLC
Date:_____	Date:_____

Fahey Schultz
Burzych Rhodes

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MEMORANDUM

TO: City Council for the City of Saugatuck

FROM: Trent Cunningham (tcunningham@fsbrlaw.com)

DATE: April 27, 2026

RE: Sign Regulations: New Scheme vs. Old Scheme

The Planning Commission has been considering amendments to the City's current sign regulations to align those provisions with recent constitutional precedent from the Supreme Court that effectively prohibits content-based sign regulations. The City's current sign regulations contain many potentially content-based regulations. Over several meetings, the Planning Commission crafted a draft amendment that removes all content-based regulations and implements a content-neutral regulatory scheme for signs.

The City Council previously provided feedback on the proposed sign amendment, and that feedback has been incorporated into this new draft. Generally, the permitting requirements have been reduced (which reduces the administrative burden) and the ability to display signs has been increased.

To summarize, this new draft reduces the permitting requirements for murals, simplifies the regulations pertaining to temporary yard signs to allow both residential and non-residential properties to display the same amount of temporary yard signage, removes the distinction between on-premises and off-premises signs, clarifies the definition of "Residential Property" and "Non-Residential Property," adds an exception to allow properties hosting a garage sale to place temporary signs in the right-of-way (without a permit), and authorizes the Zoning Administrator to approve signs in the right-of-way instead of the City Council (unless the Zoning Administrator refers the particular application to City Council).

The following table is meant to show a comparison between the allowable signage under the new proposed sign regulations and the allowable signage under the current sign regulations. Note that these tables do not address every possible sign that is allowed under the regulatory scheme. Rather, these tables are meant to illustrate the main categories of allowable signage to illustrate the relevant distinctions.

Allowable Signage for Residential Dwelling Unit		
Sign Type	**New Regulations**	**Old Regulations**
Flags	• Allows any number of flags as long as total square footage does not exceed 48 square feet. • Individual flags cannot exceed 24 square feet • Must be on temporary or permanent flagpole • No permit	• Maximum of 24 square feet • Bottom of flag must be 7 feet off ground • Flags can be "official governmental flags," "educational institution, "sports teams," or "other decorative flags"
Temporary Yard Sign	• Up to 48 square feet of total • Individual signs must be 6 square feet or smaller. • Not illuminated • No permit	• Construction Sign: 1 sign per frontage; 32 square feet • Real Estate Sign: 1 sign per frontage; 6 square feet; no permit • Rental Sign: 1 sign per rental; 4 square feet; no permit • Election Sign: 4 square feet each; no maximum; no permit • Opinion Sign: 4 square feet; 6 feet max height; no permit
Attached Sign	• Up to 4 attached signs • Cannot exceed 2 square feet each • No permit	• 1 sign • Up to 2 square feet • Listing the name of the structure, the occupants, street address, or other non-commercial message • No permit
Murals	• Must receive approval from HDC (if located in Historical District) • Must have noncommercial message • No permit	• Definition: A work of art applied to or made integral with a wall surface. • No applicable regulations
Garage Sale Sign	• Up to 4 temporary yard signs • Max of 6 square feet each • May be displayed in the right-of-way adjacent to an intersection so long as there is only one (1) sign per intersection • Only displayed during duration of garage sale • No permit	• Up to 3 signs • Maximum of 2 square feet each • Only allowed 48 hours before and must be removed 24 hours after the sale. • No permit

Allowable Signage for Non-Residential Property (e.g., Businesses)		
Sign Type	**New Regulations**	**Old Regulations**
Flags	• Allows any number of flags as long as not distracting to motorists • Must be on temporary or permanent flagpole • No permit	• Maximum of 24 square feet • Bottom of flag must be 7 feet off ground • Only allows "official governmental flags"; No permit
Temporary Yard Sign	• Up to 48 square feet of total • Individual signs must be 6 square feet or smaller. • Not illuminated • No permit	• Construction Sign: 1 sign per frontage; 32 square feet • Real Estate Sign: 1 sign per frontage; 6 square feet; no permit • Rental Sign: 1 sign per rental; 4 square feet; no permit • Garage Sale Sign: 3 signs; 2 square feet; no permit • Election Sign: 4 square feet each; no maximum; no permit • Opinion Sign: 4 square feet; 6 feet max height; no permit
Attached Sign (No Permit)	• Up to 4 attached signs • Cannot exceed 2 square feet each • No permit	• Up to 2 wall signs • Not to exceed 0.75 square feet per linear foot of building frontage • Permit required
Murals	• Must receive approval from HDC (if located in Historical District) • Must have noncommercial message • No permit	• Definition: A work of art applied to or made integral with a wall surface. • No applicable regulations
Freestanding Sign (Residential Zoning District)	• 1 freestanding sign • Formula for calculating allowable square footage to maximum of 16 square feet (if in residential district) or 32 square feet (if in non-residential district) • Maximum height of 6 feet • 5 foot setback • At least 25 feet from another freestanding sign • Permit required	• One sign per frontage • Formula for calculating allowable square footage to maximum of 32 square feet. • Maximum height of 12 feet • 5 foot setback • At least 25 feet from another freestanding sign • Permit required
Attached Sign	• Up to 2 wall signs • Not to exceed 0.75 square feet per linear foot of building frontage • Permit required	• Up to 2 wall signs • Not to exceed 0.75 square feet per linear foot of building frontage • Permit required
Banner	• Up to 1 banner • Maximum of 16 square feet • Displayed no more than 3, 14-day periods during any calendar year • Not illuminated; permit required	• Up to 1 banner • Maximum of 16 square feet • Displayed no more than 3, 14-day periods during calendar year • Not illuminated; permit required
Sandwich Board	• Maximum of 6 square feet • Maximum height of 42 inches • A 5 foot unobstructed space must be maintained on the sidewalk at all times • Permit required (and ROW permit if applicable)	• Maximum of 6 square feet • Maximum height of 42 inches • Not obstruction to pedestrian traffic • Permit required (and ROW permit if applicable)

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 regulations and definitions applicable to signage within the City. Section 154.140 shall now read as follows:

(A) Purpose. The purpose of this Section 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 Section 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 been determined to be "abandoned" for a period of thirty (30) days or longer as determined by the Zoning Administrator. The following conditions may be considered by the Zoning Administrator to determine whether a sign has been abandoned:

(1) Whether the sign displays advertising for a product or service which is no longer available.

(2) Whether the sign displays advertising for a business which is no longer licensed.

(3) Whether the sign is in disrepair as determined by the Zoning Administrator, including but not limited to, signs that are missing portions of the display, have chipped or dilapidated paint or other components, or have structural components that have fallen into disrepair.

(4) Whether the sign advertises a business that is no longer doing business on the parcel where the sign is located, if the business was originally located on that parcel.

(5) Whether the purpose of the sign has lapsed.

(6) Whether the sign has historical significance for the City as determined by the Zoning Administrator.

(7) Whether there are plans to repair the sign, including adding a new display or transitioning to a different display, or to repair any structural damage or disrepair.

BANNER. A temporary 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 permanent sign on a parcel of land which does not include another principal structure.

DARK-SKY FRIENDLY. Lighting designed to minimize light pollution by directing light downward. Dark sky compliant fixtures are fully shielded, energy-efficient, and use appropriate colors (such as warm colors designed to minimize short-wavelength light) to reduce glare and skyglow.

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 that is hung from a pole, a bracket, or attached to the side of a building.

FLAGPOLE, PERMANENT. A freestanding pole permanently mounted with a foundation on the ground and used for the sole purpose of displaying a flag or flags.

FLAGPOLE, TEMPORARY. A temporary pole that can be mounted on a structure or building, or affixed or driven into the ground, for the sole purpose of displaying a flag.

ILLUMINATED SIGN. Any sign that is illuminated by any light source other than non-reflected natural daylight.

(1) ***EXTERNALLY ILLUMINATED SIGN.*** A sign that is illuminated by an external source, which reflects light off the surface of a sign face.
(2) ***INTERNALLY ILLUMINATED SIGN***. A sign with internal electronic circuitry emitting light through the sign face.
(3) ***NEON SIGNS.*** A sign illuminated by luminous gas-discharge tubes containing rarefied neon or other gases (such as helium, argon, krypton, xenon, or mercury vapor) that produce a visible ambient light when connected to an electric current, or by similar electronic technologies, such as light-emitting diodes (LEDs), designed to create a static ambient light display.

MURAL. A permanent noncommercial work of art applied to or made integral with a wall or structure. A mural shall not include any signs with words, letters, characters, or numbers intended to identify a business.~~permanent noncommercial work of art applied to or made integral with a wall surface. A "mural" shall not include a painted wall sign with words, letters, characters, or numbers intended to identify a business~~

NON-RESIDENTIAL PROPERTY. Any use of property or a portion of a property that is not a "residential property," as defined herein. The common areas of a multi-family dwelling unit (such as an apartment complex) or a housing development with multiple dwelling units shall be considered non-residential for purposes of allowable signage. In the case of a mixed use property, the non-residential portions shall be entitled to the allowable signage for non-residential properties, whereas any residential dwelling units within the mixed use property shall each be categorized as residential property for purposes of this Section.

~~***OFF PREMISES SIGN.*** A sign that advertises or is meant to draw attention to an entity, business, person, activity, good, product, event, or service offered or existing elsewhere than upon the same lot where the sign is displayed.~~

~~***ON PREMISES SIGN***. A sign that advertises the sale or lease of the property on which the sign is located or is meant to draw attention to an entity, business, person, activity, good, product, event, or service offered or existing upon the same lot where the sign is displayed.~~

~~***ON SITE SERVICE***. Work or services that are performed on a particular property that are not typically offered on the particular property and are for the benefit of the particular property as opposed to the general public, including but not limited to, construction, landscaping, painting, pest control, interior improvements, moving services, and similar services.~~

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. Except for signage falling under another definition herein, any sign designed to be moved easily and not permanently or temporarily attached to the ground or other structure, including but not limited to: flashing A-frames, searchlights, beacons, balloons, umbrellas, trailers, wheeled or non-wheeled carts, or signs leaning against parked vehicles.

RESIDENTIAL PROPERTY. Any dwelling unit and the real property on which it is located, not including bed and breakfasts, inns, hotels, the common areas of a multiple family dwelling, or the portions of a mixed use property that are not used as a dwelling unit. For purposes of this Section, each dwelling unit on a particular property, except an accessory dwelling unit, is entitled to its own sign allowance as set forth herein. For example, a two-family dwelling would contain two dwelling units, and each dwelling unit could display the allowable amount of signage as set forth herein.

SANDWICH BOARD SIGN. A temporary freestanding 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 attached to the wall or window of a building, including:

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

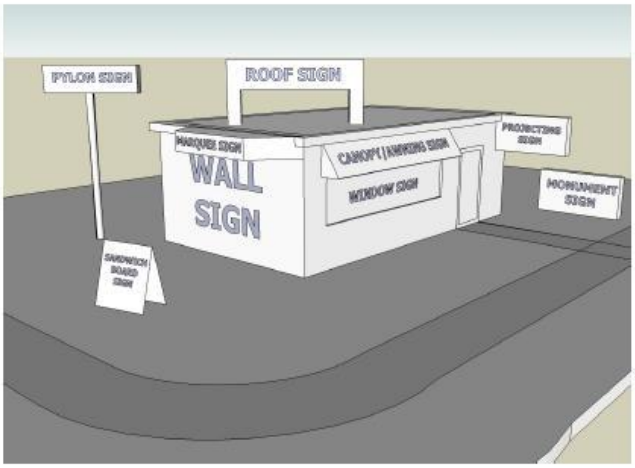
(2) ***PROJECTING SIGN.*** A double-faced sign attached at an angle or perpendicular to the wall of a building.

(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. Wall sign does not include "murals," as defined herein.

(5) ***WINDOW SIGN.*** A sign attached directly to the interior or exterior surface of a glass window or door, also including any sign that is installed inside of a building within two (2') feet of the window that is legible from outside of the building.

(6) ***MARQUEE SIGN.*** A changeable message sign attached to a building.



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 YARD SIGN. Any sign that is not constructed or intended for long term use or is not permanently attached to a building, window, or structure. A temporary yard sign is often double-faced and supported by metal legs or wooden post(s) anchored into a lawn or landscaped area with no permanent foundation. The sign face is typically made from lightweight materials such as corrugated plastic, cardboard, or wood, making it easy to install and remove.

(C) 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.

(D) Sign permit procedure. Except as provided herein, a sign permit shall be obtained from the Zoning Administrator prior to installation of any sign. 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.

(E) General Standards:

(1) *Illuminated Signs*. The illumination of permanent signs shall be limited to the following:

(a) Internally illuminated signs shall be designed so that the light source is:

1. Ambient and static so as to not include flashing, blinking, or changes in brightness intensity; and

2. Not causing a distraction to motorists or otherwise causing a visual nuisance; and

3. Dark-sky friendly.

(b) Externally illuminated signs shall be designed so that the light source is:

1. of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face; and

2. enclosed and directed to prevent light from shining directly onto the public right-of-way or neighboring property.

3. Dark-sky friendly.

(c) Neon signs are allowed on non-residential properties in non-residential zoning districts as window signs and are limited to twelve (12) square feet in size. Neon signs are limited to ambient light and do not include flashing, blinking, or changes in brightness 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.

(4) *Sign Maintenance and Abandonment*. All signs shall be properly maintained in good condition. A sign that has fallen into disrepair or has become an abandoned sign as determined by the Zoning Administrator must be repaired, properly

maintained, or removed within thirty (30) days of notice being sent informing the owner of the noncompliant sign conditions. For purposes of this section, repairing or properly maintaining an abandoned sign may require repairs or improvements to the underlying sign structure or the sign display or both. Failure to remove or repair an abandoned sign shall be considered a violation of this Ordinance.

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

(1) Any sign not expressly permitted.

~~(2) Except as otherwise provided herein, off-premises temporary yard signs on non-residential properties.~~

~~(3)~~(2) Billboards.

~~(4)~~(3) Signs within a public right-of-way except as authorized herein. ~~where expressly authorized in writing by the City or another appropriate authority for signs in the right-of-way.~~

~~(5)~~(4) Pennants, feather flag signs, windfeather signs, and portable signs.

~~(6)~~(5) Signs that create a traffic vision obstruction.

~~(7)~~(6) 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.

~~(8)~~(7) 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.

~~(9)~~(8) Any sign that includes flashing, blinking, moving illumination, or illumination that changes color or intensity.

~~(10)~~(9) Any sign that projects into any air space so as to interfere with public safety, including vehicular or pedestrian movement.

(G) Signs Permitted in All Districts

The following signs do not require a permit and are permitted in all Zoning Districts within the City, subject to the following requirements and limitations:

(1) *Flags*:

(a) For residential properties, ~~each dwelling unit may display~~ any number of flags so long as each individual flag does not exceed twenty-four (24) square feet and the total square footage of all flags ~~per dwelling unit~~ does not exceed forty-eight (48) square feet.

(b) For non-residential properties, any number of flags may be displayed provided that the flags are not distracting to motorists or otherwise negatively impacting the public health, safety, and welfare within the City

(c) Flags shall not cause an unreasonable obstruction to pedestrian traffic, vehicular traffic, or to the public right-of-way. Whether an obstruction is unreasonable shall be determined by the Zoning Administrator based on the degree of the obstruction, the location of the obstruction, the degree of pedestrian or vehicular traffic, and any other relevant factor.

(d) For all flags, any illumination shall comply with the illumination requirements in Section 154.140(E)(1)

(e) All flags shall be displayed on permanent or temporary flagpoles.

(f) Temporary flagpoles are limited to six (6) feet in length.

(g) All permanent flagpoles must receive a zoning permit from the Zoning Administrator prior to installation. Applications shall specify the proposed location, setback, and height of the permanent flagpole as well as any additional information requested by the City to determine compliance with the City Code. Permanent flagpoles shall not exceed a height of twenty-five (25) feet or the maximum height of structures within the underlying zoning district, whichever is less. Flagpoles must be setback at least ten (10) feet from all property lines. No more than one (1) permanent flagpole is permitted per lot.

(2) *Temporary Yard Sign:*

(a) Each non-residential property and each residential property ~~For residential properties, each dwelling unit~~ may display ~~on-premises~~ temporary yard signs ~~and off-premises temporary yard signs~~ so long as each individual sign does not exceed six (6) square feet and the total of all temporary yard signs does not exceed forty-eight (48) square feet.

~~(b) For non-residential properties, each parcel may display on-premises temporary yard signs so long as each individual sign does not exceed six (6) square feet and the total of all on-premises temporary yard signs does not exceed forty-eight (48) square feet.~~

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~~(e) Notwithstanding any other provision herein, for non-residential properties, if on-site services are being performed on a property (such as interior renovations, painting, or landscaping), the non-residential property may display off-premises temporary yard signs so long as each individual off-premises temporary yard sign does not exceed six (6) square feet and the total amount of off-premises temporary yard signs on the property does not exceed twelve (12) square feet. These off-premises temporary yard signs may be displayed during the period of time where such on-site service is occurring on the property and must be removed once such on-site service has concluded.~~

~~(d)~~ Except as provided herein, a~~A~~ll temporary yard signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(b)

~~(e)~~(c) Temporary yard signs shall not be illuminated.

(3) Except as otherwise provided herein, ~~For residential properties and non-residential properties, e~~each non-residential property or each residential property~~parcel~~ may display up to four (4) attached signs not to exceed two (2) square feet each.

(4) Attached signs located on boat docks, not to exceed twelve (12) square feet, that are attached to the dock.

(5) Signs that comply with Section 154.022(K)(5).

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

(7) For residential properties having a garage sale, up to four (4) temporary yard signs not exceeding six (6) square feet each may be displayed in the right-of-way adjacent to an intersection without a permit so long as there is only one (1) sign per intersection. These signs shall only be displayed during the duration of the garage sale.

(8) *Murals*. Any non-residential property or residential property may install a mural. While a zoning permit is not required, if a proposed mural will be located within the City's Historical District, the proposed mural must receive approval from the City's Historical District Commission.

~~(6)~~

(H)Signs in Residential Zoning Districts:

Unless otherwise provided in this Ordinance, the following signs shall be permitted in all residential Zoning Districts (R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions and a sign permit being approved by the Zoning Administrator:

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(1) *Freestanding sign.* For non-residential properties one (1) freestanding sign subject to the following requirements:

(a) The area of the freestanding sign cannot exceed 50% of the allowable area for a freestanding sign in a non-residential zoning district under Section 154.140(I)(1).

(b) The height of the freestanding sign cannot exceed 50% of the allowable area for a freestanding sign in a non-residential zoning district under Section 154.140(I)(1).

(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.

~~(b)~~(e) Freestanding signs shall be placed in a manner as to not create a traffic vision obstruction.

~~(c)~~(f) The freestanding sign may only be illuminated via external illumination between the hours of 7:00 AM and 10:00 PM, so long as the external illumination complies with the requirements of this Ordinance.

(2) *Attached sign.* For non-residential properties, one (1) attached sign that complies with the requirements in Section 154.140(I)(2) for attached signs in non-residential zoning districts.

(3) *Banner.* For non-residential properties, one (1) banner that complies with the requirements in Section 154.140(I)(3) for banners in non-residential zoning districts.

~~(3)~~

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

Unless otherwise provided in this Ordinance, the following signs shall be permitted for all non-residential properties in 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 and a sign permit being approved by the Zoning Administrator:

(1) *Freestanding Signs*. Non-residential properties 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 manner as to not create a traffic vision obstruction.

(2) *Attached Signs*. Each non-residential property 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 property 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.

(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 property 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.

(d) The banner shall not be illuminated.

(4) *Sandwich boards*. Each non-residential property 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 pursuant to a permit 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. A five foot (5') unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction. A right-of-way permit for a sandwich board sign does not require annual approval if the sign is placed in the same location, for the same duration, as was previously approved.

(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.

(e) The sandwich board shall not be illuminated.

(f) Unless approved by the City to allow a sandwich board sign to be displayed elsewhere in the City, the sandwich board shall not extend past the building frontage of the underlying non-residential property.

~~(5) *Murals*. Each non-residential property shall be permitted to install a mural. Murals must receive all necessary approvals to be installed, including approval from the City's Historical District Commission.~~

(J) 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.

(K) Administration and enforcement:

(1) *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.

(L) Permitting Signs in the Right-of-Way:

(1) Except as otherwise provided herein, a~~A~~ny sign that will be placed in the right-of-way, such as on City sidewalks, must receive a right-of-way permit from the~~–~~ Zoning Administrator. The Zoning Administrator, according to his or her sole discretion, may refer a permit application and decision as to whether to grant or deny the permit to the City Council~~City Council~~. For purposes of this requirement, a sign placed in the right-of-way

shall include any sign that is located within the right-of-way, but shall not include signs hanging or dangling above the right-of-way, such as flags.

(2) Any sign placed in the right-of-way must be related to the applicant's property or a consenting landowner's property in one of the following ways:

a. The proposed sign is to be placed in the right-of-way directly adjacent to the applicant's property; or

b. The proposed sign is to be placed in the right-of-way directly adjacent to a consenting landowner's property, and the applicant must provide proof to the Zoning Administrator in writing that the consenting landowner has consented to the placement of the sign in the right-of-way.

~~(1)~~

~~(2)~~(3) Permit applications must include:

a. Name, address, and contact information for the application;

b. A description of the proposed sign, including the size of the sign, any illumination on the sign, and whether the sign will be affixed to or temporarily placed in the right-of-way;

c. The duration that the sign will be displayed, if applicable;

d. Payment of permit fees as set by the City; and

~~d.~~e. Proof of consent from a consenting landowner, if applicable

~~e.~~f. Any additional information requested by the City.

~~(3)~~(4) Permit applications shall be submitted to the Zoning Administrator, who shall review the application for completeness and may request additional information from the applicant to assist ~~the City~~ in reviewing the application.

~~(4)~~(5) Permit applications shall be assessed by the Zoning Administrator ~~City Council~~ based upon the following criteria:

a. The potential risk of harm associated with such installation, including, but not limited to potential for the installation to encroach on the motorway, break, malfunction, or cause harm to pedestrians and motorists;

b. Whether the installation aligns with the surrounding area and provides an aesthetic benefit to the community;

c. The ease and cost of removal of the installation;

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d. The proposed size of the installation, including height and width

e. The material of the installation (e.g. plastic, wood, metal, fabric/cloth, etc.); and

f. Review, comment, and recommendations of City staff ~~and department~~.

~~(5)~~(6) Within a reasonable amount of time after receipt of a complete application, the Zoning Administrator ~~City Council~~ shall approve, deny, or approve with conditions the permit application. An issued permit may be revoked by the Zoning Administrator if the applicant fails to abide by the conditions set forth in the permit or fails to maintain the installation. A permit may be automatically revoked if the installation fails to comply with the requirements in this Ordinance, causes or inflicts unreasonable harm on persons or property, or otherwise causes an unreasonable obstruction to the right-of-way.

~~(6) If an applicant has previously been approved for and received a permit under this Section or if a permit issued under this Section has expired, and the applicant wishes to reinstall the same sign at the same location, the Zoning Administrator may administratively approve the permit application so long as there are no material changes to the application or proposed sign compared to the installment that was previously approved by the City Council. Whether a proposed change is considered "material" shall be determined according to the discretion of the Zoning Administrator.~~

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SECTION 2. AMENDMENT TO ZONING ORDINANCE, SECTION 154.141: The City of Saugatuck Zoning Ordinance is amended to repeal the sign regulations in Section 154.141. Section 154.141 will be held in reserve.

SECTION 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 except for signs that comply with the signage regulations in this Chapter.

SECTION 4. AMENDMENT TO ZONING ORDINANCE, SECTION 154.022(K)(5): The City of Saugatuck Zoning Ordinance, Section 154.022(K) is amended to read as follows. The remainder of Section 154.022(K) shall remain the same unless expressly amended herein.

(5) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home business, except for signs that comply with all provisions of the signage requirements in this Chapter. No over-the-counter retail sales or other sales of merchandise or products shall be conducted upon the premises except for incidental products related to the home business or those goods actually produced on the premises.

SECTION 5. 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 6. 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 7. 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

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 regulations and definitions applicable to signage within the City. Section 154.140 shall now read as follows:

(A) Purpose. The purpose of this Section 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 Section 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 been determined to be "abandoned" for a period of thirty (30) days or longer as determined by the Zoning Administrator. The following conditions may be considered by the Zoning Administrator to determine whether a sign has been abandoned:

(1) Whether the sign displays advertising for a product or service which is no longer available.

(2) Whether the sign displays advertising for a business which is no longer licensed.

(3) Whether the sign is in disrepair as determined by the Zoning Administrator, including but not limited to, signs that are missing portions of the display, have chipped or dilapidated paint or other components, or have structural components that have fallen into disrepair.

(4) Whether the sign advertises a business that is no longer doing business on the parcel where the sign is located, if the business was originally located on that parcel.

(5) Whether the purpose of the sign has lapsed.

(6) Whether the sign has historical significance for the City as determined by the Zoning Administrator.

(7) Whether there are plans to repair the sign, including adding a new display or transitioning to a different display, or to repair any structural damage or disrepair.

BANNER. A temporary 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 permanent sign on a parcel of land which does not include another principal structure.

DARK-SKY FRIENDLY. Lighting designed to minimize light pollution by directing light downward. Dark sky compliant fixtures are fully shielded, energy-efficient, and use appropriate colors (such as warm colors designed to minimize short-wavelength light) to reduce glare and skyglow.

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 that is hung from a pole, a bracket, or attached to the side of a building.

FLAGPOLE, PERMANENT. A freestanding pole permanently mounted with a foundation on the ground and used for the sole purpose of displaying a flag or flags.

FLAGPOLE, TEMPORARY. A temporary pole that can be mounted on a structure or building, or affixed or driven into the ground, for the sole purpose of displaying a flag.

ILLUMINATED SIGN. Any sign that is illuminated by any light source other than non-reflected natural daylight.

(1) ***EXTERNALLY ILLUMINATED SIGN.*** A sign that is illuminated by an external source, which reflects light off the surface of a sign face.
(2) ***INTERNALLY ILLUMINATED SIGN***. A sign with internal electronic circuitry emitting light through the sign face.
(3) ***NEON SIGNS.*** A sign illuminated by luminous gas-discharge tubes containing rarefied neon or other gases (such as helium, argon, krypton, xenon, or mercury vapor) that produce a visible ambient light when connected to an electric current, or by similar electronic technologies, such as light-emitting diodes (LEDs), designed to create a static ambient light display.

MURAL. A permanent noncommercial work of art applied to or made integral with a wall or structure. A mural shall not include any signs with words, letters, characters, or numbers intended to identify a business.

NON-RESIDENTIAL PROPERTY. Any use of property or a portion of a property that is not a "residential property," as defined herein. The common areas of a multi-family dwelling unit (such as an apartment complex) or a housing development with multiple dwelling units shall be considered non-residential for purposes of allowable signage. In the case of a mixed use property, the non-residential portions shall be entitled to the allowable signage for non-residential properties, whereas any residential dwelling units within the mixed use property shall each be categorized as residential property for purposes of this Section.

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. Except for signage falling under another definition herein, any sign designed to be moved easily and not permanently or temporarily attached to the ground or other structure, including but not limited to: flashing A-frames, searchlights, beacons, balloons, umbrellas, trailers, wheeled or non-wheeled carts, or signs leaning against parked vehicles.

RESIDENTIAL PROPERTY. Any dwelling unit and the real property on which it is located, not including bed and breakfasts, inns, hotels, the common areas of a multiple family dwelling, or the portions of a mixed use property that are not used as a dwelling unit. For purposes of this Section, each dwelling unit on a particular property, except an accessory dwelling unit, is entitled to its own sign allowance as set forth herein. For example, a two-family dwelling would contain

two dwelling units, and each dwelling unit could display the allowable amount of signage as set forth herein.

SANDWICH BOARD SIGN. A temporary freestanding 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 attached to the wall or window of a building, including:

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

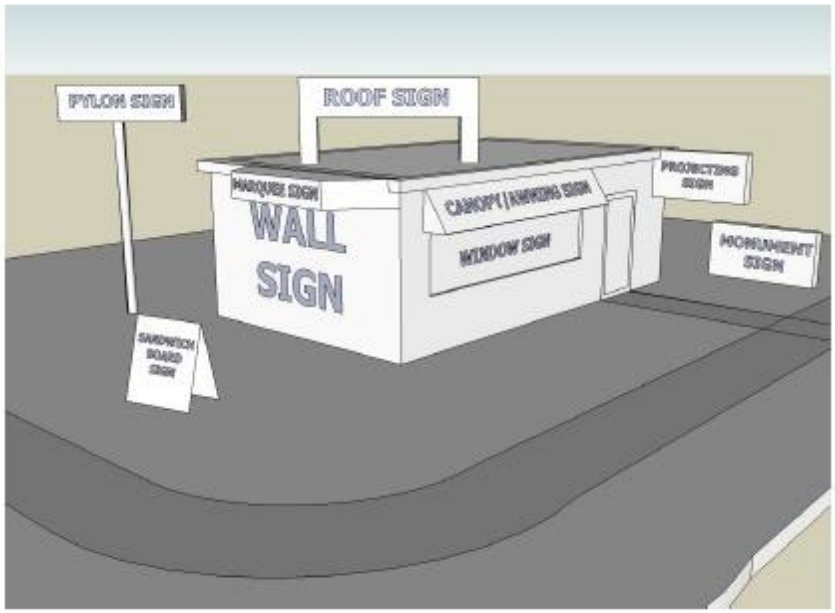
(2) ***PROJECTING SIGN.*** A double-faced sign attached at an angle or perpendicular to the wall of a building.

(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. Wall sign does not include "murals," as defined herein.

(5) ***WINDOW SIGN.*** A sign attached directly to the interior or exterior surface of a glass window or door, also including any sign that is installed inside of a building within two (2') feet of the window that is legible from outside of the building.

(6) ***MARQUEE SIGN.*** A changeable message sign attached to a building.



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 YARD SIGN. Any sign that is not constructed or intended for long term use or is not permanently attached to a building, window, or structure. A temporary yard sign is often double-faced and supported by metal legs or wooden post(s) anchored into a lawn or landscaped area with no permanent foundation. The sign face is typically made from lightweight materials such as corrugated plastic, cardboard, or wood, making it easy to install and remove.

(C) 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.

(D) Sign permit procedure. Except as provided herein, a sign permit shall be obtained from the Zoning Administrator prior to installation of any sign. 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.

(E) General Standards:

(1) *Illuminated Signs*. The illumination of permanent signs shall be limited to the following:

(a) Internally illuminated signs shall be designed so that the light source is:

1. Ambient and static so as to not include flashing, blinking, or changes in brightness intensity; and

2. Not causing a distraction to motorists or otherwise causing a visual nuisance; and

3. Dark-sky friendly.

(b) Externally illuminated signs shall be designed so that the light source is:

1. of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face; and

2. enclosed and directed to prevent light from shining directly onto the public right-of-way or neighboring property.

3. Dark-sky friendly.

(c) Neon signs are allowed on non-residential properties in non-residential zoning districts as window signs and are limited to twelve (12) square feet in size. Neon signs are limited to ambient light and do not include flashing, blinking, or changes in brightness 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.

(4) *Sign Maintenance and Abandonment*. All signs shall be properly maintained in good condition. A sign that has fallen into disrepair or has become an abandoned sign as determined by the Zoning Administrator must be repaired, properly maintained, or removed within thirty (30) days of notice being sent informing the owner of the noncompliant sign conditions. For purposes of this section, repairing or properly maintaining an abandoned sign may require repairs or improvements to the underlying sign structure or the sign display or both. Failure to remove or repair an abandoned sign shall be considered a violation of this Ordinance.

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

(1) Any sign not expressly permitted.

(2) Billboards.

(3) Signs within a public right-of-way except as authorized herein.

(4) Pennants, feather flag signs, windfeather signs, and portable signs.

(5) Signs that create a traffic vision obstruction.

(6) 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.

(7) 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.

(8) Any sign that includes flashing, blinking, moving illumination, or illumination that changes color or intensity.

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

(G) Signs Permitted in All Districts

The following signs do not require a permit and are permitted in all Zoning Districts within the City, subject to the following requirements and limitations:

(1) *Flags*:

(a) For residential properties, any number of flags so long as each individual flag does not exceed twenty-four (24) square feet and the total square footage of all flags does not exceed forty-eight (48) square feet.

(b) For non-residential properties, any number of flags may be displayed provided that the flags are not distracting to motorists or otherwise negatively impacting the public health, safety, and welfare within the City

(c) Flags shall not cause an unreasonable obstruction to pedestrian traffic, vehicular traffic, or to the public right-of-way. Whether an obstruction is unreasonable

shall be determined by the Zoning Administrator based on the degree of the obstruction, the location of the obstruction, the degree of pedestrian or vehicular traffic, and any other relevant factor.

(d) For all flags, any illumination shall comply with the illumination requirements in Section 154.140(E)(1)

(e) All flags shall be displayed on permanent or temporary flagpoles.

(f) Temporary flagpoles are limited to six (6) feet in length.

(g) All permanent flagpoles must receive a zoning permit from the Zoning Administrator prior to installation. Applications shall specify the proposed location, setback, and height of the permanent flagpole as well as any additional information requested by the City to determine compliance with the City Code. Permanent flagpoles shall not exceed a height of twenty-five (25) feet or the maximum height of structures within the underlying zoning district, whichever is less. Flagpoles must be setback at least ten (10) feet from all property lines. No more than one (1) permanent flagpole is permitted per lot.

(2) *Temporary Yard Sign:*

(a) Each non-residential property and each residential property may display temporary yard signs so long as each individual sign does not exceed six (6) square feet and the total of all temporary yard signs does not exceed forty-eight (48) square feet.

(b) Except as provided herein, all temporary yard signs must be located entirely on private property and shall not be erected or attached to a tree, utility pole, rock, or similar feature.

(c) Temporary yard signs shall not be illuminated.

(3) Except as otherwise provided herein, each non-residential property or each residential property may display up to four (4) attached signs not to exceed two (2) square feet each.

(4) Attached signs located on boat docks, not to exceed twelve (12) square feet, that are attached to the dock.

(5) Signs that comply with Section 154.022(K)(5).

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

(7) For residential properties having a garage sale, up to four (4) temporary yard signs not exceeding six (6) square feet each may be displayed in the right-of-way adjacent to an intersection without a permit so long as there is only one (1) sign per intersection. These signs shall only be displayed during the duration of the garage sale.

(8) *Murals*. Any non-residential property or residential property may install a mural. While a zoning permit is not required, if a proposed mural will be located within the City's Historical District, the proposed mural must receive approval from the City's Historical District Commission.

(H) Signs in Residential Zoning Districts:

Unless otherwise provided in this Ordinance, the following signs shall be permitted in all residential Zoning Districts (R-1, R-2, and R-4 Zoning Districts) within the City, subject to the following restrictions and a sign permit being approved by the Zoning Administrator:

(1) *Freestanding sign*. For non-residential properties one (1) freestanding sign subject to the following requirements:

(a) The area of the freestanding sign cannot exceed 50% of the allowable area for a freestanding sign in a non-residential zoning district under Section 154.140(I)(1).

(b) The height of the freestanding sign cannot exceed 50% of the allowable area for a freestanding sign in a non-residential zoning district under Section 154.140(I)(1).

(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 manner as to not create a traffic vision obstruction.

(f) The freestanding sign may only be illuminated via external illumination between the hours of 7:00 AM and 10:00 PM, so long as the external illumination complies with the requirements of this Ordinance.

(2) *Attached sign*. For non-residential properties, one (1) attached sign that complies with the requirements in Section 154.140(I)(2) for attached signs in non-residential zoning districts.

(3) *Banner.* For non-residential properties, one (1) banner that complies with the requirements in Section 154.140(I)(3) for banners in non-residential zoning districts.

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

Unless otherwise provided in this Ordinance, the following signs shall be permitted for all non-residential properties in 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 and a sign permit being approved by the Zoning Administrator:

(1) *Freestanding Signs*. Non-residential properties 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 manner as to not create a traffic vision obstruction.

(2) *Attached Signs*. Each non-residential property 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 property 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.

(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 property 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.

(d) The banner shall not be illuminated.

(4) *Sandwich boards*. Each non-residential property 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 pursuant to a permit 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. A five foot (5') unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction. A right-of-way permit for a sandwich board sign does not require annual approval if the sign is placed in the same location, for the same duration, as was previously approved.

(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.

(e) The sandwich board shall not be illuminated.

(f) Unless approved by the City to allow a sandwich board sign to be displayed elsewhere in the City, the sandwich board shall not extend past the building frontage of the underlying non-residential property.

(J) 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.

(K)Administration and enforcement:

(1) *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.

(L) Permitting Signs in the Right-of-Way:

(1) Except as otherwise provided herein, any sign that will be placed in the right-of-way, such as on City sidewalks, must receive a right-of-way permit from the Zoning Administrator. The Zoning Administrator, according to his or her sole discretion, may refer a permit application and decision as to whether to grant or deny the permit to the City Council. For purposes of this requirement, a sign placed in the right-of-way shall include any sign that is located within the right-of-way, but shall not include signs hanging or dangling above the right-of-way, such as flags.

(2) Any sign placed in the right-of-way must be related to the applicant's property or a consenting landowner's property in one of the following ways:

a. The proposed sign is to be placed in the right-of-way directly adjacent to the applicant's property; or

b. The proposed sign is to be placed in the right-of-way directly adjacent to a consenting landowner's property, and the applicant must provide proof to the Zoning Administrator in writing that the consenting landowner has consented to the placement of the sign in the right-of-way.

(3) Permit applications must include:

a. Name, address, and contact information for the application;

b. A description of the proposed sign, including the size of the sign, any illumination on the sign, and whether the sign will be affixed to or temporarily placed in the right-of-way;

c. The duration that the sign will be displayed, if applicable;

d. Payment of permit fees as set by the City; and

e. Proof of consent from a consenting landowner, if applicable

f. Any additional information requested by the City.

(4) Permit applications shall be submitted to the Zoning Administrator, who shall review the application for completeness and may request additional information from the applicant to assist in reviewing the application.

(5) Permit applications shall be assessed by the Zoning Administrator based upon the following criteria:

a. The potential risk of harm associated with such installation, including, but not limited to potential for the installation to encroach on the motorway, break, malfunction, or cause harm to pedestrians and motorists;

b. Whether the installation aligns with the surrounding area and provides an aesthetic benefit to the community;

c. The ease and cost of removal of the installation;

d. The proposed size of the installation, including height and width

e. The material of the installation (e.g. plastic, wood, metal, fabric/cloth, etc.); and

f. Review, comment, and recommendations of City staff.

(6) Within a reasonable amount of time after receipt of a complete application, the Zoning Administrator shall approve, deny, or approve with conditions the permit application. An issued permit may be revoked by the Zoning Administrator if the applicant fails to abide by the conditions set forth in the permit or fails to maintain the installation. A permit may be automatically revoked if the installation fails to comply with the requirements in this Ordinance, causes or inflicts unreasonable harm on persons or property, or otherwise causes an unreasonable obstruction to the right-of-way.

SECTION 2. AMENDMENT TO ZONING ORDINANCE, SECTION 154.141: The City of Saugatuck Zoning Ordinance is amended to repeal the sign regulations in Section 154.141. Section 154.141 will be held in reserve.

SECTION 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 except for signs that comply with the signage regulations in this Chapter.

SECTION 4. AMENDMENT TO ZONING ORDINANCE, SECTION 154.022(K)(5): The City of Saugatuck Zoning Ordinance, Section 154.022(K) is amended to read as follows. The remainder of Section 154.022(K) shall remain the same unless expressly amended herein.

(5) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home business, except for signs that comply with all provisions of the signage requirements in this Chapter. No over-the-counter retail

sales or other sales of merchandise or products shall be conducted upon the premises except for incidental products related to the home business or those goods actually produced on the premises.

SECTION 5. 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 6. 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 7. 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