



**Planning Commission Regular Meeting
March 20, 2025 6:30PM
City Hall
102 Butler Street, Saugatuck, MI**

1. Call to Order/Roll Call:

2. Approval of Agenda: (Voice Vote)

3. Approval of Minutes: (*Voice Vote*)

A. Regular Meeting Minutes – February 20, 2025

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

5. Old Business:

- A. 450 Spear - Special Land Use request for rental of an Accessory Dwelling Unit.
- B. 515 St Joseph - Special Land Use request for rental of an Accessory Dwelling Unit.
- C. 306 Mary St - Special Land Use request for rental of an Accessory Dwelling Unit.

6. New Business:

- A. 825 Bridge St – Public Hearing for a Special Land Use request for rental of an Accessory Dwelling Unit.
- B. Review of Zoning Districts
- C. Review of Accessory Dwelling Units - Kitchens and Cooking
- D. Updates to Sign Regulations
- E. Chickens

NOTICE:

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

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

Then enter "Meeting ID":
2698572603

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

F. Master Planning

7. Communication:**8. Reports of Officers and Committees:**

Planning and Zoning Report

9. Public Comment: (Limit 3 minutes)**10. Commissioner Comments:****11. Adjourn** (Voice Vote)***Public Hearing Procedure**

- A. Hearing is called to order by the Chair
- B. Summary by the Zoning Administrator
- C. Presentation by the Applicant
- D. Public comment regarding the application
 - 1) Participants shall identify themselves by name and address
 - 2) Comments/Questions shall be addressed to the Chair
 - 3) Comments/Questions shall be limited to **three** minutes
- 1. Supporting comments (audience and letters)
- 2. Opposing comments (audience and letters)
- 3. General comments (audience and letters)
- 4. Repeat comment opportunity (Supporting, Opposing, General)
- E. Public comment portion closed by the Chair
- F. Commission deliberation
- G. Commission action



Planning Commission Meeting Minutes - *Proposed*

The Planning Commission met for a Regular Committee Meeting, February 20, 2025, at
6:30 p.m. at City Hall,
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Chair Manns at 6:30 p.m.

Present: Commission members: Bagierek, Baldwin, Clark, Gaunt, LaChey, Manns, & Marineau.

Absent: None.

Others Present: Planning & Zoning Director Thompson, Deputy Clerk Williams.

2. Approval of Agenda:

Motion by Lachey, second by Bagierek, to approve the agenda for February 20, 2024. Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion Marineau, second by LaChey, to approve the amended minutes for the regular meeting January 16, 2024. The minutes were amended to include that Commissioner Baldwin was in attendance. Upon voice vote, motion carried unanimously.

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

5. Old Business:

1. 450 Spear St – Special Land Use request for rental of an Accessory Dwelling Unit.

Motion by Clark, second by Bagierek, to postpone the application for 450 Spear Street until the March 20th, 2025, Planning Commission Meeting. This is due to ongoing discussions since November 2024, regarding an ADU Ordinance to be passed by Planning Commission to send to City Council for approval. City Council approved the ADU Ordinance at their last meeting and it will take effect on February 27th, 2025. Upon roll call vote, motion carried unanimously. The Public Hearing remains open.

2. 515 St. Joseph St – Special Land Use request for rental of an Accessory Dwelling Unit.

Motion by Bagierek, second by Clark, to postpone the application for 515 St. Joseph Street until the March 20th, 2025, Planning Commission Meeting. This is due to ongoing discussions since November 2024, regarding an ADU Ordinance to be passed by Planning Commission to send

to City Council for approval. City Council approved the ADU Ordinance at their last meeting and it will take effect on February 27th, 2025. Upon roll call vote, motion carried unanimously. The Public Hearing remains open.

3. 306 Mary St – Special Land Use request for rental of an Accessory Dwelling Unit.

Motion by Marineau, second by LaChey, to postpone the application for 306 Mary Street until the March 20th, 2025, Planning Commission Meeting. This is due to ongoing discussions since November 2024, regarding an ADU Ordinance to be passed by Planning Commission to send to City Council for approval. City Council approved the ADU Ordinance at their last meeting and it will take effect on February 27th, 2025. Upon roll call vote, motion carried unanimously. The Public Hearing remains open.

4. Bed and Breakfast accessory structures in the R-4 City Center Transitional Residential District – Review of Draft Code Ordinance Amendment and continuation of Public Hearing for a proposed text amendment.

Motion by LaChey, second by Gaunt, to recommend approval of an ordinance to amend Title XV, Chapter 154, of the Code of the City of Saugatuck to amend Section 154.005 to revise the definition of Bed and Breakfast Establishment; to amend Section 154.022(H)(7) to expand on the habitation options of accessory structures; to amend 154.022(R) to allow Bed and Breakfast establishments to host guests in Accessory Guest Buildings in the R-4 City Center Transitional Residential (CER) Zoning District if certain conditions are satisfied; to amend 154.025(B)(4) to allow Bed and Breakfast establishments as permitted uses when guest rooms are in the principal building; and to amend Section 154.025(C) to allow Bed and Breakfast establishments with Accessory Guest Buildings as Special Land Uses as presented to us with the change in the definition of Bed and Breakfast as proposed to change “from under certain circumstances” to “within certain districts”. Upon roll call vote, motion carried unanimously. The Public Hearing was closed at 7:18pm.

6. New Business:

A. 991 Ridgeview Lane – Public Hearing for a Special Land Use request for rental of an accessory dwelling unit.

Public Hearing

A. Hearing was called to order by Chair Manns on 2/20/25 at 7:20pm.

B. Summary by Zoning Director:

Planning & Zoning Director Thompson said that the applicant has applied for special land use approval to rent an existing attached accessory dwelling unit (ADU) in accordance with Section 154.026(C)(3) of the Zoning Ordinance.

C. Presentation by the Applicant.

D. Public comment regarding the application:

1. Supporting comments: None.
2. Opposing comments: None.
3. General comments: None.
4. Repeat comment opportunity (Supporting, Opposing, General): None.

E. Public comment portion closed by Chair Manns at 7:25 pm.

F. Commission deliberation:

The commission deliberates and makes a motion to approve the application.

G. Commission action:

Motion by Marineau, second by Baldwin, to approve the special land use request to allow the rental of the attached ADU at 991 Ridgeview Lane based on compliance with the ADU requirements of Section 154.022(W), compliance with the ADU rental requirements of Section 154.092(J), satisfaction of site plan approval standards of Section 151.060, and the positive findings related to the special land use standards of approval in Section 154.080 that are documented in the staff memo dated February 14, 2025. Upon roll call vote, motion carried unanimously.

7. Communications: None.

8. Reports of Officers and Committees:

A. Zoning Administrator Activity Report: Planning and Zoning Director Thompson reviewed his report, including open and closed cases.

9. Public Comments: None.

10. Commissioner Comments:

- Baldwin – He hopes every meeting is as clean as this one.
- LaChey - He thanked Planning & Zoning Director Thompson for including his Zoning Report.
- Clark – He is happy to get the changes in for Bed & Breakfasts. He said that he thought they had good dialogue during the meeting but thought it was important when making changes to change them in the right direction. He thinks that they should get the chicken coop topic on the agenda so they can have the discussion. He is not convinced that there is 100% support on City Council as of yet but thinks it should be on the PC agenda.
- Marineau – He would like two topics to be added to future agenda: Chicken coop ordinance in Saugatuck, taking a look back over the ADU and either defining what cooking means or taking it out of the ordinance.

- Gaunt – She agrees with Marineau in terms of both of his recommendations. She would also like to add the Tri-Community Master Plan on a future agenda for discussion. She also urged the commission to all start looking at the consistency among ordinances and districts.
- Bagierek – He agrees that the Chicken coop topic should be added to a future agenda.
- Manns – He acknowledged ongoing discussions about agenda priorities and the challenge of addressing all issues in a timely manner. He expressed satisfaction with the recommendation to city council regarding successor guest units, emphasizing their long-term benefits for the city. Additionally, they propose discussing potential regulations for keeping chickens in the city, suggesting a review of other city ordinances and council input before drafting any changes. Lastly, they highlight the importance of aligning city priorities with the council’s guidance, as recently presented and published.

11. Adjournment:

Motion by Gaunt, second by Bagierek, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned the meeting at 7:36 pm.

Respectfully Submitted,

Sara Williams, Deputy Clerk

MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	September 13, 2024	Meeting Date:	September 19, 2024
Request:	Special Land Use	Applicant:	Paul Whitfield
Address:	450 Spear Street	Project Name:	ADU Rental Proposal
Parcel:	03-57-209-046-10	Plan Date:	Unknown
Lot Size:	.22 ac.	Zoning District:	R-1 Community Residential
Complete:	Yes	Recommendation:	TBD based on ADU s.f.
City Staff:	Luke Thompson	Consultant:	David M. Jirousek, AICP

Overview

The applicant has applied for special land use approval to rent an existing detached accessory dwelling unit (ADU) in accordance with Section 154.026 (C)(3) of the Zoning Ordinance. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with developing findings related to special land use and site plan standards and specific requirements for the rental of ADUs.

Background

The detached ADU is located in the rear yard of the subject property and was remodeled in 2018 based on assessing records. The gross finished floor area provided by the applicant is 356.5 square feet.

The owner wishes to rent the ADU, and the principal dwelling will not be rented. If it is a short-term rental, all applicable requirements will also need to be met in accordance with Section 154.022 (V) and a license shall be required pursuant to the City of Saugatuck's Short-Term Rental Licensing Ordinance, Chapter 99.5 of the City Code.

Review Process and Standards

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

- Section 151.060 Site Plan
- Section 154.022 W- Accessory Dwelling Unit
- Section 154.080 Special Land Use
- Section 154.092 J- Rental of an Accessory Dwelling Unit

Site Plan Standards of Approval

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

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable. No site work is proposed as part of the proposal.

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

Comment: As a single residential dwelling with an existing ADU in an established residential area, screening is not necessary or recommended.

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

Comment: Site improvements were previously approved by all applicable City departments. Additional permitting will be required if the intent is for the ADU to be a short-term rental. Fire inspections will be required if established as a short-term rental.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No changes to pedestrian access are proposed.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No changes to vehicle or pedestrian access are proposed.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No changes to site drainage are proposed.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No changes to loading or trash storage are proposed.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No additional lighting is proposed.

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

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

Accessory Dwelling Unit

In accordance with Section 154.022 W, an accessory dwelling unit shall meet the following criteria:

- 1. An accessory dwelling unit shall be permitted on a lot where the principal use is an existing single-family detached dwelling.*

Comment: The principal use is an existing single-family detached dwelling.

- 2. Occupancy of an accessory dwelling unit permitted by right shall be limited to the following:*
 - a. Owners/occupants of the single-family detached dwelling on the same property.*
 - b. Non-renting invited guests of the owners/occupants of the single-family detached dwelling on the same property, such as family or friends.*
 - c. Renters of the single-family detached dwelling on the same property if both the single-family detached dwelling and accessory dwelling unit are rented under a single contract. Renting both the single-family detached dwelling and the accessory dwelling unit under a single contract does not require a special land use approval. If an accessory dwelling unit is rented in conjunction with a single-family detached dwelling for less than 31 days, each dwelling unit must*

obtain a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals.

Comment: Until it is approved for renters, the ADU occupancy is limited to owner/occupants and non-renting guests.

3. *An accessory dwelling unit shall have a minimum of 375 square feet of gross finished floor area and shall not exceed the lesser of 30% of the gross finished floor area contained within the single-family detached dwelling or 600 square feet of gross finished floor area; except, in the CRC zone district when the parcel on which the accessory dwelling unit is located is two or more acres in area, the floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principal residence or 1,500 square feet. For purposes of this section, the floor area of an accessory dwelling unit is the total gross finished floor area intended for living, sleeping, bathing, eating and cooking. In the case of an accessory dwelling unit attached to or incorporated with a detached accessory building intended for other purposes, such as accessory studio, shop, or storage space, there shall be no internal access and connection to the additional floor area intended for the other purpose if the result of the connection would exceed the maximum gross finished floor area required for the accessory dwelling unit.*

Comment: The applicant stated that the gross finished floor area is 356.5 square feet. However, assessing data shows the overall footprint as 384 square feet. From the information available, the ADU appears to be nonconforming, as the gross finished floor area is less than minimum of 375 square feet. The applicant may wish to re-measure the interior of the ADU by hand.

FLOOR AREA, GROSS FINISHED. The sum of all gross horizontal areas of all floors of a building or buildings measured from the inside dimensions of the inside face of the outside wall. Unenclosed and uncovered porches, court yards or patios shall not be considered as part of the GROSS FINISHED FLOOR AREA.

4. *An accessory dwelling, which is not located within the single-family detached dwelling, shall not be located between the front door of the single-family detached dwelling and the public right-of-way, unless located above an existing detached accessory structure.*

Comment: Not applicable.

5. *An accessory dwelling shall be subject to all setback and lot coverage requirements applicable to a single-family detached dwelling in the district in which it is located.*

Comment: The building was previously confirmed as compliant with dimensional requirements for the subject zoning district.

6. *No more than one accessory dwelling unit is permitted on any lot.*

Comment: Only one ADU exists on the site.

7. *Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the single-family detached dwelling.*

Comment: The building was previously confirmed as compliant.

8. *An accessory dwelling unit attached to a single-family detached dwelling shall have a separate entrance from the exterior of the single-family detached dwelling.*

Comment: Not applicable. The ADU is detached.

9. *A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city.*

Comment: Parking for the ADU is available on an existing driveway. The applicant stated that four spaces are available, which is compliant.

10. *The rental of an accessory dwelling unit independently from the single-family detached dwelling on the same parcel shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § 154.092(J).*

Comment: The applicant is seeking approval for renting the ADU.

Special Land Use Standards of Approval

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

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

Comment: The existing principal dwelling and ADU are compatible with nearby properties and land uses. Permits were secured for improvements to the dwelling and construction of the detached accessory building.

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

Comment: Except for the size requirement mentioned earlier, all other standards and zoning requirements have been met for the ADU and its rental.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU. No changes to the site are proposed.

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

Comment: Renting the existing ADU may have a minor increase, but negligible impact on public services, as there may be more frequent turnover than if it were only used for guests or by the primary resident.

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

Comment: Renting the existing ADU will have no additional impact on public health, safety, welfare, or the social and economic well-being of the community.

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

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

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

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

Comment: The rental of the existing ADU will have a negligible impact on traffic conditions. Sufficient parking exists in the driveway (four spaces).

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

Comment: Renting the existing ADU will not impede the use of adjacent properties or negatively impact them.

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

Comment: This standard is not applicable. The site is already developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

Rental of an Accessory Dwelling Unit

In accordance with Section 154.092 J, a rental accessory dwelling unit shall conform to all regulations in Section 154.022(W) and the following requirements.

1. *A rented accessory dwelling unit shall only be permitted on a parcel that contains a single-family detached dwelling that is occupied and used by the owner as his or her primary, year-round residence. Under no circumstances may a single-family detached dwelling and an accessory dwelling unit on the same parcel be rented to separate parties or under separate contracts.*

Comment: The owner intends to remain the primary occupant of the principal detached single-family dwelling. This will remain an ongoing requirement for renting the ADU.

2. *Accessory dwelling units rented for less than 31 days shall require a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5*

of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals

Comment: If intended to be rented on a short-term basis, the proper permit must be secured by the applicant.

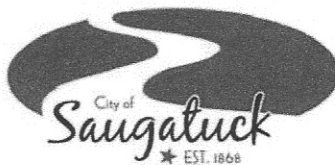
Recommendation

Based on the findings in this report, all approval standards have been satisfied, except that it is unclear how the ADU was originally approved to be 356.6 square feet. Section 154.092(J) states that to rent an ADU, all requirements of 154.022(W) must be met, yet it appears that the ADU does not conform to the square footage requirements at the present time.

There is the possibility that there is an inconsistency of information or that additional details can be provided. In any case, the applicant should re-confirm the interior gross finished floor area and address this issue to the best of their ability.

If the ADU is nonconforming and unable to be approved, the Planning Commission may consider reviewing the zoning ordinance further in a separate discussion. It may be worthwhile to assess the zoning text and consider reasonable provisions to allow the rental of ADUs that do not comply with certain zoning requirements.

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



Special Land Use Application

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

LOCATION INFORMATION

Address 450 Spear Street Parcel Number _____

APPLICANTS INFORMATION

Name Paul Whitfield Address / PO Box 450 Spear Street
City Saugatuck State MI Zip 49453 Phone 313-268-4708
Interest In Project Owner E-Mail pwhit@umich.edu

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

Signature Paul Whitfield Date 7/30/24

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____
City _____ State _____ Zip _____ Phone _____
E-Mail _____

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

Signature _____ Date _____

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

Name _____ Contact Name _____
Address / PO Box _____ City _____
State _____ Zip _____ Phone _____ Fax _____
E-Mail _____
License Number _____ Expiration Date _____

PROPERTY INFORMATION

17 of 98

Depth _____ Width _____ Size _____ Zoning District R1 Current Use PRE & ADU

Check all that apply:

Waterfront _____ Historic District _____ Dunes _____ Vacant _____

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

See attachments for lot layout and photos of house and ADU

The ADU is 352.5 sq ft

The main house is 1772 sq ft

30% of 1772 is 533 sq ft so the ADU is appropriate in size

The ADU is located at the back of our property

The principle use of the property is detached single-family dwelling

It is the only ADU on our property

The utilities to the ADU are fed from the main house

The ADU has a separate entrance

There is room for 4 parking spaces

We would not rent the main house separate from the ADU. The main house will not be rented at all

The ADU is set back at least 7 feet on the sides and 10 feet in the back



Special Land Use Application

SITE PLAN REQUIREMENTS (SECTION 154.061)

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

Y N NA

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

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

Y N NA

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



Special Land Use Application

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

STANDARDS FOR SPECIAL LAND USE APPROVAL (SECTION 154.082)

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

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

N/A - ADU is already existing

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

ADU will be rented as an STR, with the main house being the principal residence of the owner.

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

ADU will be rented as an STR, with the main house being the principal residence of the owner. This means the neighborhood has permanent neighbors and the businesses in town get visitors to support their businesses.



Special Land Use Application

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

N/A

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

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

Yes, parking spaces exist for homeowners and visitors

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

N/A

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

Owners live on site and are able to control any concerns



Special Land Use Application

STANDARDS FOR SITE PLAN APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

*Note: Not all questions will apply for all requests.

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

N/A - ADU is already existing

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

N/A - ADU is already existing



Special Land Use Application

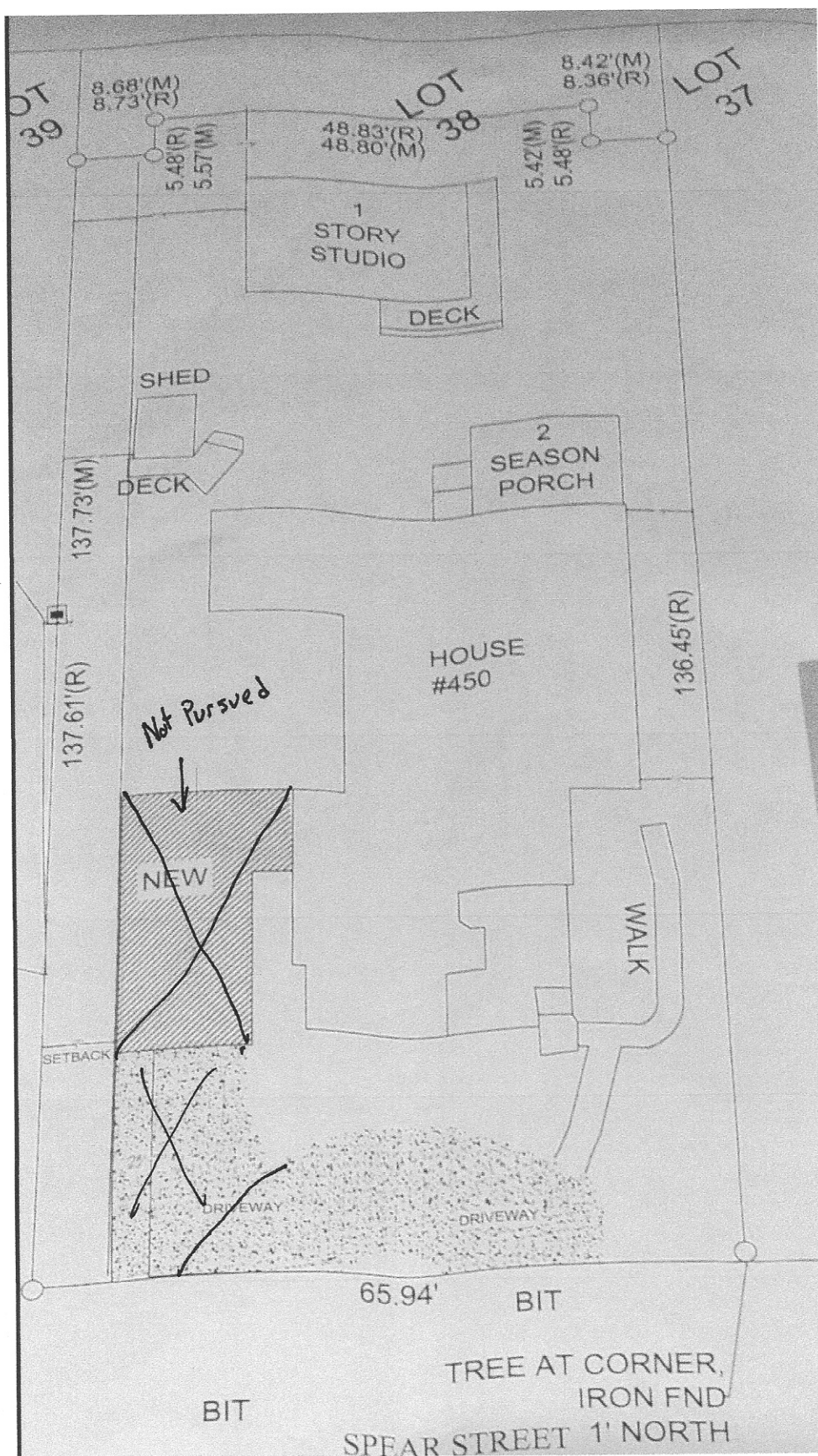
- (8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds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

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

N/A - ADU is already existing

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

N/A - ADU is already existing

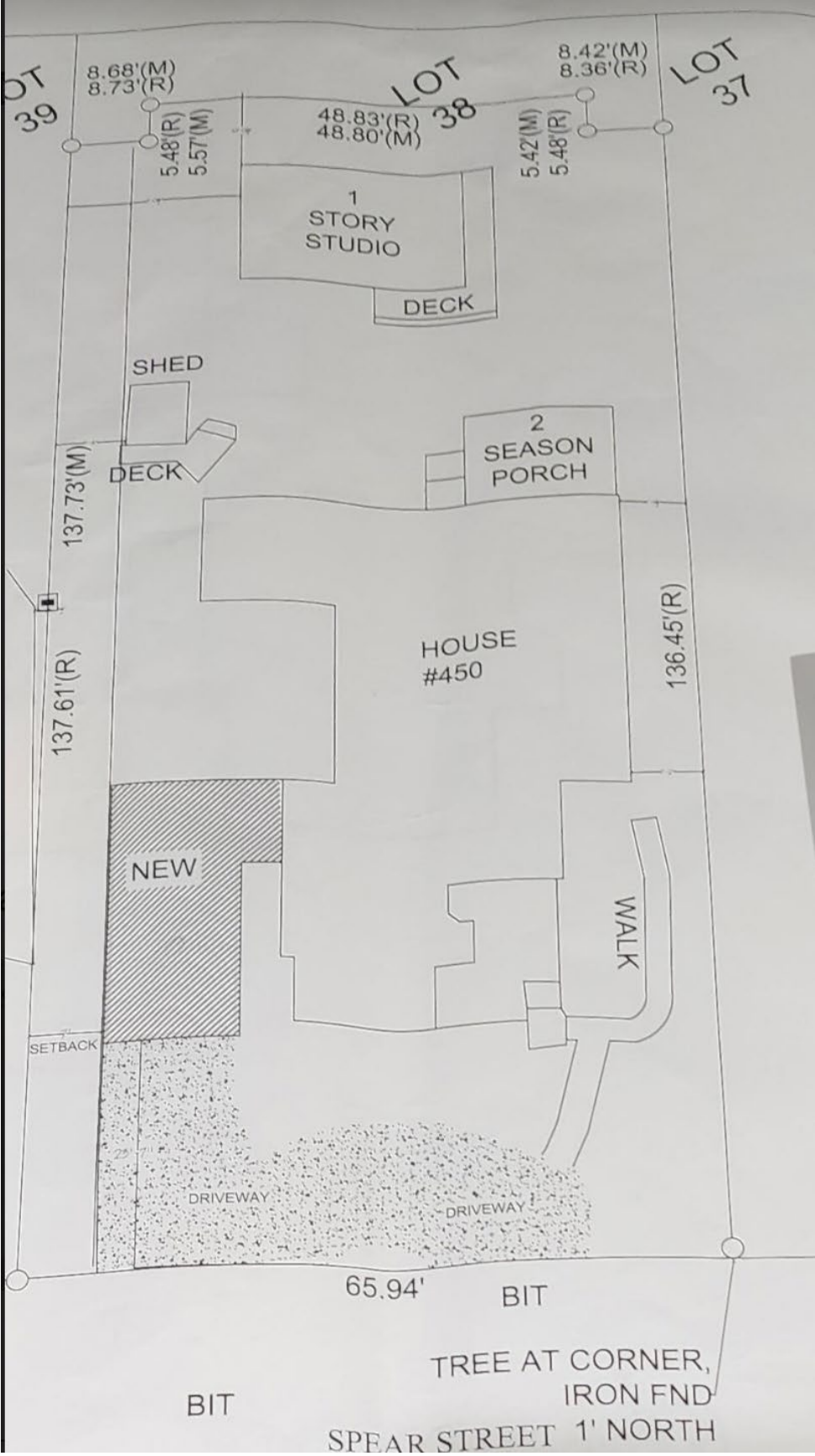


MAIN HOUSE



ADU





MAIN HOUSE



ADU



MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	October 12, 2024	Meeting Date:	October 17, 2024
Request:	Special Land Use	Applicant:	Doug & Bonnie Lowe
Address:	515 St. Joseph	Project Name:	ADU Rental Proposal
Parcel:	03-57-203-008-00	Plan Date:	N/A
Lot Size:	0.40	Zoning District:	R-1 Community Residential
Complete:	Yes	Recommendation:	Ord. Amendment Necessary
City Staff:	Luke Thompson	Consultant:	David M. Jirousek, AICP

Overview

The applicant has applied for special land use approval to rent an existing detached accessory dwelling unit (ADU) in accordance with Section 154.026 (C)(3) of the Zoning Ordinance. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with developing findings related to special land use and site plan standards and specific requirements for the rental of ADUs.

Background

The detached ADU is located behind the principal dwelling and above a three-car garage. The applicant provided an interior measurement of 589 square feet (gross finished floor area).

The owner wishes to rent the ADU, and the principal dwelling will not be rented. If it is a short-term rental, all applicable requirements will also need to be met in accordance with Section 154.022 (V), and a license shall be required pursuant to the City of Saugatuck's Short-Term Rental Licensing Ordinance, Chapter 99.5 of the City Code.

Review Process and Standards

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

- Section 151.060 Site Plan
- Section 154.022 W- Accessory Dwelling Unit
- Section 154.080 Special Land Use
- Section 154.092 J- Rental of an Accessory Dwelling Unit

Site Plan Standards of Approval

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

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage.

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

Comment: This standard is not applicable. No site work is proposed as part of the proposal.

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

Comment: Screening is not necessary or recommended for a single residential dwelling with an existing ADU in an established residential area.

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

Comment: Site improvements were previously approved by all applicable City departments. The City previously issued rental permits for the ADU, and the dwelling was subject to two

fire inspections over the years. As part of an effort to secure a short-term rental permit, an additional inspection will be required.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No changes to pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No changes to vehicle or pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No changes to site drainage are proposed.

- I. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be*

screened by an opaque wall or landscaped screen not less than six feet in height. (See §§ 154.142 through 154.144).

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No changes to loading or trash storage are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No additional lighting is proposed.

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

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

Accessory Dwelling Unit

In accordance with Section 154.022 W, an accessory dwelling unit shall meet the following criteria:

- 1. An accessory dwelling unit shall be permitted on a lot where the principal use is an existing single-family detached dwelling.*

Comment: The principal use is an existing single-family detached dwelling.

- 2. Occupancy of an accessory dwelling unit permitted by right shall be limited to the following:*
 - a. Owners/occupants of the single-family detached dwelling on the same property.*
 - b. Non-renting invited guests of the owners/occupants of the single-family detached dwelling on the same property, such as family or friends.*
 - c. Renters of the single-family detached dwelling on the same property if both the single-family detached dwelling and accessory dwelling unit are rented under*

a single contract. Renting both the single-family detached dwelling and the accessory dwelling unit under a single contract does not require a special land use approval. If an accessory dwelling unit is rented in conjunction with a single-family detached dwelling for less than 31 days, each dwelling unit must obtain a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals.

Comment: Until it is approved for renters, the ADU occupancy is limited to owner/occupants and non-renting guests. As stated within the application, the ADU received two three-year rental permits in the last several years but has yet to receive special land use approval.

3. *An accessory dwelling unit shall have a minimum of 375 square feet of gross finished floor area and shall not exceed the lesser of 30% of the gross finished floor area contained within the single-family detached dwelling or 600 square feet of gross finished floor area; except, in the CRC zone district when the parcel on which the accessory dwelling unit is located is two or more acres in area, the floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principal residence or 1,500 square feet. For purposes of this section, the floor area of an accessory dwelling unit is the total gross finished floor area intended for living, sleeping, bathing, eating and cooking. In the case of an accessory dwelling unit attached to or incorporated with a detached accessory building intended for other purposes, such as accessory studio, shop, or storage space, there shall be no internal access and connection to the additional floor area intended for the other purpose if the result of the connection would exceed the maximum gross finished floor area required for the accessory dwelling unit.*

Comment: The ground floor is 1,020 square feet and the Assessor's data shows the second floor measured at 765 square feet. Excluding the storage areas and closets, the applicant states that the gross finished floor area is 589 square feet. If the area under the dormers is counted, the square footage is 660.75 square feet. It is questionable whether the area under the dormers was previously considered "area intended for living, sleeping, bathing, eating and cooking."

FLOOR AREA, GROSS FINISHED. The sum of all gross horizontal areas of all floors of a building or buildings measured from the inside dimensions of the inside face of the outside wall. Unenclosed and uncovered porches, court yards or patios shall not be considered as part of the GROSS FINISHED FLOOR AREA.

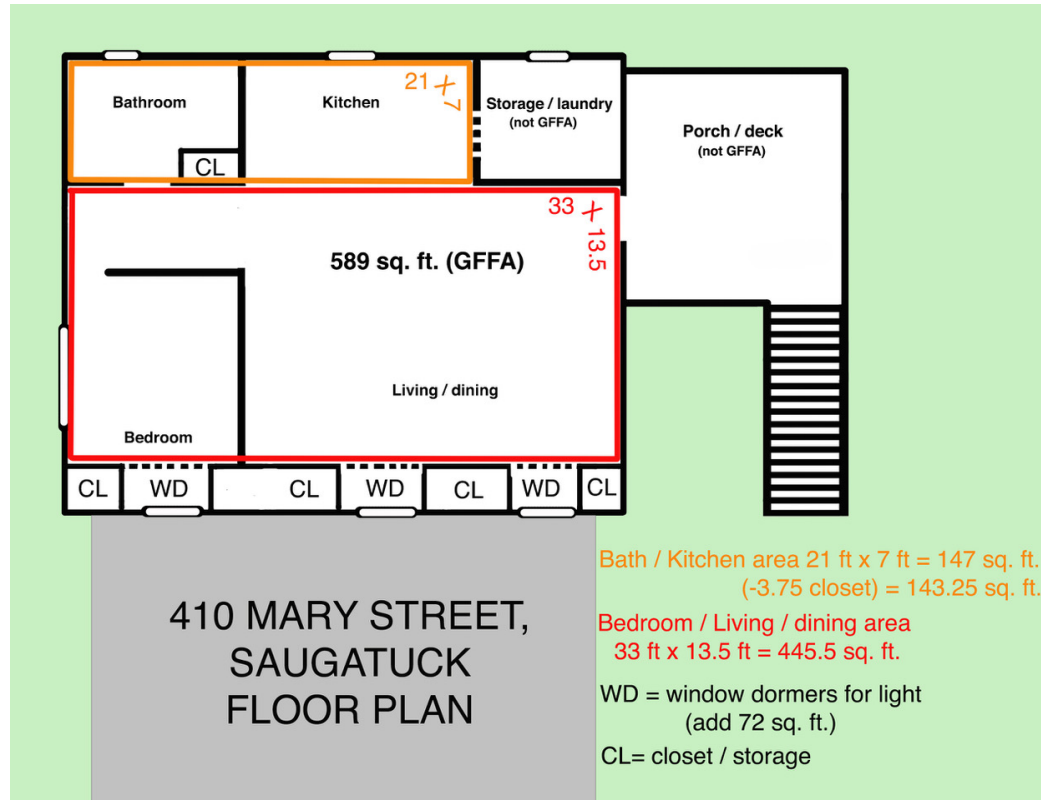


Figure 1: Image and Measurements Provided by Applicant

4. *An accessory dwelling, which is not located within the single-family detached dwelling, shall not be located between the front door of the single-family detached dwelling and the public right-of-way, unless located above an existing detached accessory structure.*

Comment: The ADU complies with this requirement.

5. *An accessory dwelling shall be subject to all setback and lot coverage requirements applicable to a single-family detached dwelling in the district in which it is located.*

Comment: The building was previously confirmed as compliant with dimensional requirements for the subject zoning district.

6. *No more than one accessory dwelling unit is permitted on any lot.*

Comment: Only one ADU exists on the site.

7. *Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the single-family detached dwelling.*

Comment: The building is served by separate water, sewer, electric, gas, and internet service. The ADU does not comply with this requirement.

8. *An accessory dwelling unit attached to a single-family detached dwelling shall have a separate entrance from the exterior of the single-family detached dwelling.*

Comment: Not applicable. The ADU is detached.

9. *A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city.*

Comment: Parking for the ADU is available on an existing driveway. The garage includes three bays, and at least three cars can be accommodated in the driveway.

10. *The rental of an accessory dwelling unit independently from the single-family detached dwelling on the same parcel shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § 154.092(J).*

Comment: The applicant is seeking approval for renting the ADU.

Special Land Use Standards of Approval

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

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

Comment: The existing principal dwelling and ADU are compatible with nearby properties and land uses. Permits were secured for improvements to the dwelling and construction of the detached accessory building.

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

Comment: Except for the size and utility service requirements mentioned earlier, all other standards and zoning requirements have been met for the ADU and its rental.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage. No changes to the site are proposed.

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

Comment: Renting the existing ADU may have a minor increase but negligible impact on public services, as there may be more frequent turnover than if it were only used for guests or by the primary resident.

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

Comment: Renting the existing ADU will have no additional impact on public health, safety, welfare, or the social and economic well-being of the community.

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

Comment: This standard is not applicable to a single ADU.

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

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

Comment: The rental of the existing ADU will have a negligible impact on traffic conditions. Sufficient parking exists in the garage and driveway (six spaces).

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

Comment: Renting the existing ADU will not impede the use of adjacent properties or negatively impact them.

9. *That in the nature, location, size, and site layout of the use, be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping*

habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and characteristic groupings of uses of the district; and

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU over a garage.

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

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

Rental of an Accessory Dwelling Unit

In accordance with Section 154.092 J, a rental accessory dwelling unit shall conform to all regulations in Section 154.022(W) and the following requirements.

1. *A rented accessory dwelling unit shall only be permitted on a parcel that contains a single-family detached dwelling that is occupied and used by the owner as his or her primary, year-round residence. Under no circumstances may a single-family detached dwelling and an accessory dwelling unit on the same parcel be rented to separate parties or under separate contracts.*

Comment: The owner intends to remain the primary occupant of the principal detached single-family dwelling. This will remain an ongoing requirement for renting the ADU.

2. *Accessory dwelling units rented for less than 31 days shall require a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals*

Comment: If intended to be rented on a short-term basis, the proper permit must be secured by the applicant.

Recommendation

Based on the findings in this report, all approval standards have been satisfied, except for the restriction on separate services and utilities for the ADU. Additionally, the Planning Commission should consider whether the gross finished floor area under the dormers should be counted as “living space.” Section 154.092(J) states that to rent an ADU, all requirements of 154.022(W)

must be met, yet it appears that minor nonconformities may exist. As such, it appears that a zoning text amendment will be required to formally approve the special land use.

September 17, 2024

Saugatuck Planning Commission
102 Butler Street
Saugatuck, MI 49453

Dear Planning Commission members,

In 1998 my husband and I bought the double lot across the street from us from the Estelle Dowding's estate. My husband is an artist and wanted someplace specially set aside for a painting studio. So, we built our house on one lot of the parcel and built a three-car garage (to store all of the items he collects to use in his artwork) with a painting studio above on the other lot. Over the years, as we have gotten older, Doug has moved away from painting and into assemblage sculpture. The painting studio became a guest house for family and friends.

We are both retired now and decided to rent the space when no family or friends were visiting. We have had two three-year rental certificates and two inspections by the fire department. The building followed all the setback and lot coverage requirements when it was built. This building is on its own lot, but that lot is part of our parcel. It has always had its own water, sewer, electric, gas, and internet service billed separately from ours. The building footprint is 30 ft by 34 ft but because of the roofline the upstairs space is slightly smaller. It has its own entrance, driveway, and parking for 3 vehicles, but it is only a one-bedroom. So, we normally rent to one or two people. Sometimes we have a special request to have a third friend and child also present. As far as we know, this rental has never caused a problem for any of our neighbors. Some of our neighbors have asked to use the rental when they have too many house guests.

We turned in the forms to renew of STR certificate, but the new licensing requires us to submit the attached Special Land Use Application to the Planning Commission.

Respectfully,

Doug and Bonnie Lowe
515 St. Joseph Street, P O Box 655
Saugatuck, MI 49453



Special Land Use Application

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

LOCATION INFORMATION

Address 515 ST JOSEPH + 410 MARY Parcel Number 0357-203-008-00

APPLICANTS INFORMATION

Name Doug + Bonnie Lowe Address / PO Box 515 ST JOSEPH / PO Box 655
City SAUGATUCK State MI Zip 49453 Phone 269 455-9192
Interest In Project TRUSTEES E-Mail lynlee@wmol.com

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

Signature Douglas Lowe Bonnie Lowe Date 9-17-24

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____ Address / PO Box _____
City _____ State _____ Zip _____ Phone _____
E-Mail _____

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

Signature _____ Date _____

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

Name _____ Contact Name _____
Address / PO Box _____ City _____
State _____ Zip _____ Phone _____ Fax _____
E-Mail _____
License Number _____ Expiration Date _____

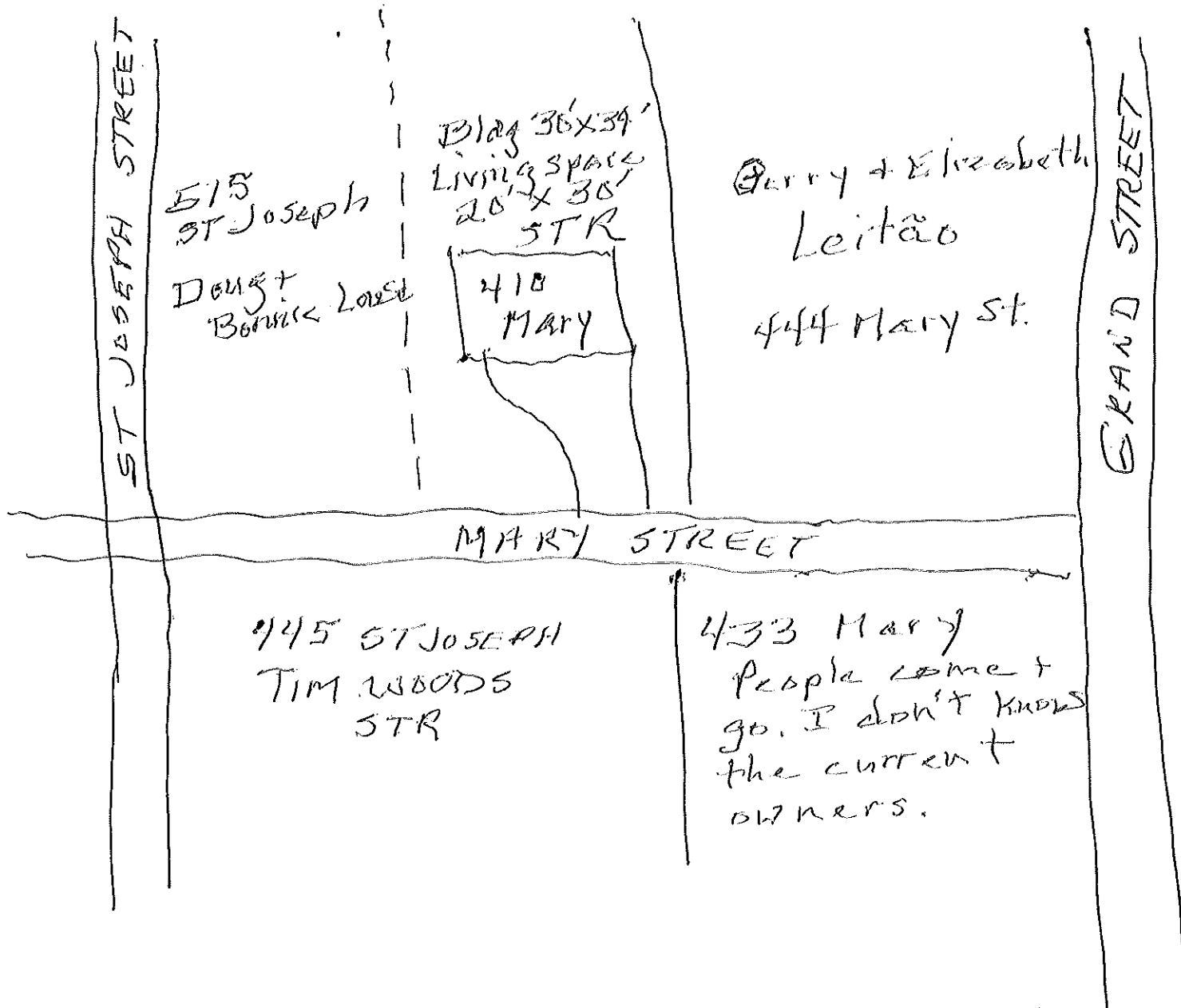
PROPERTY INFORMATION

Depth _____ Width _____ Size _____ Zoning District R-1 Current Use STR ^{39 of 98}

Check all that apply: 1 parcel of 2 lots 66x132 each for 410 Mary

Waterfront _____ Historic District _____ Dunes _____ Vacant _____

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)





SITE PLAN REQUIREMENTS (SECTION 154.061)

A) Applications for preliminary site plan approval shall consist of the following information unless waived by the Zoning Administrator. *This is not a site plan request.*

Y N NA

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

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

Y N NA

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



Special Land Use Application

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

STANDARDS FOR SPECIAL LAND USE APPROVAL (SECTION 154.082)

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

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

The building met all the set-back and height requirements when it was built.

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

It is basically a one-bedroom single family home on its own lot.

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

The same as all the buildings here on the hill. This one may be smaller.

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

This lot will eventually have a single family home on it considering the demand in the area and the lack of available lots.

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

The building has been inspected by the fire department several times for the STR certificate.



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

No hazards

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

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

YES

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

YES - there is adequate off street parking.

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

There has been no impact to adjacent land, buildings or their values in the years this extra building has been on one of the two lots.

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

This building was okayed as a STR under the certificate system. The license system has made this request necessary.

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

This is a one bedroom STR. We live next to it. We do not know of any complaints by neighbors about anything. Some has asked to use it when they have an overshow of visitors.



STANDARDS FOR SITE PLAN APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

*Note: Not all questions will apply for all requests.

- The building was built on a residential lot following set back rules.*
- (1) How will the elements of the site plan be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of the buildings? Will the site be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter?

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

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

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

There is a wide short driveway off Mary street.

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

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

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

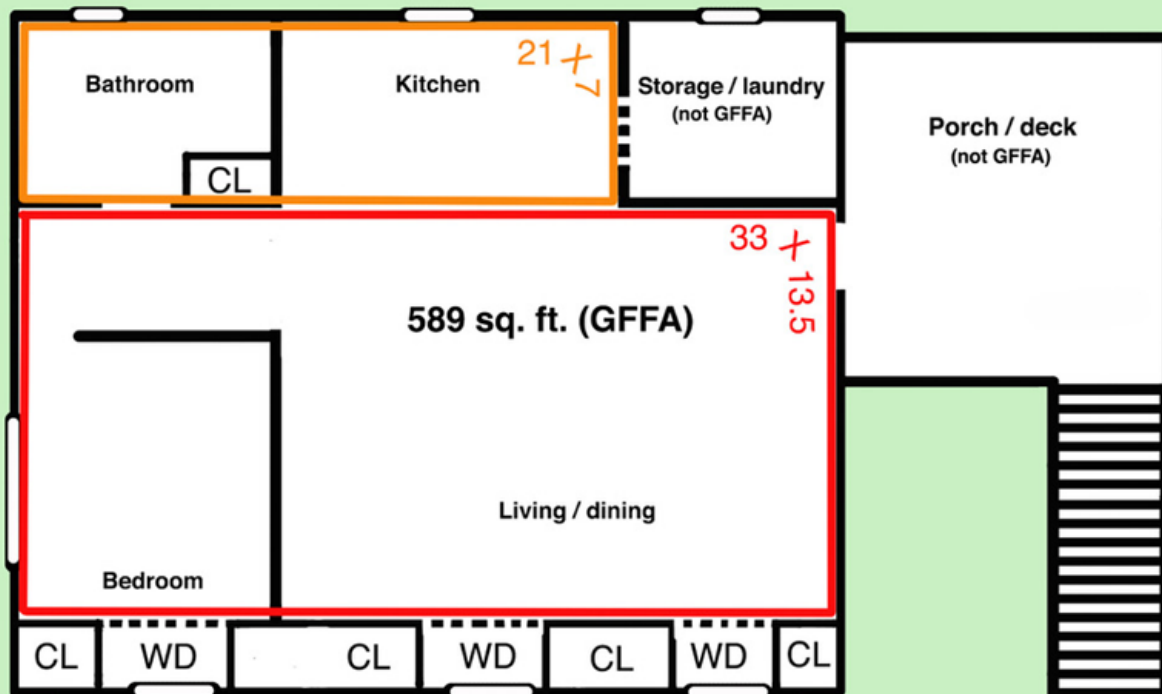


Special Land Use Application

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

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

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



410 MARY STREET,
SAUGATUCK
FLOOR PLAN

Bath / Kitchen area 21 ft x 7 ft = 147 sq. ft.
(-3.75 closet) = 143.25 sq. ft.

Bedroom / Living / dining area
33 ft x 13.5 ft = 445.5 sq. ft.

WD = window dormers for light
(add 72 sq. ft.)

CL= closet / storage

MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	December 13, 2024	Meeting Date:	December 19, 2024
Request:	Special Land Use	Applicant:	Philip Huffman
Address:	306 Mary	Project Name:	ADU Rental Proposal
Parcel:	03-57-204-012-00	Plan Date:	N/A
Lot Size:	0.40	Zoning District:	R-1 Community Residential
Complete:	Yes	Recommendation:	Ord. Amendment Necessary
City Staff:	Luke Thompson	Consultant:	David M. Jirousek, AICP

Overview

The applicant has applied for special land use approval to rent an existing detached accessory dwelling unit (ADU) in accordance with Section 154.026 (C)(3) of the Zoning Ordinance. The purpose of this memo is to provide a compliance review related to all applicable zoning standards and requirements and to assist the Planning Commission with developing findings related to special land use and site plan standards and specific requirements for the rental of ADUs.

Background

The detached ADU is located east of the principal dwelling and a detached garage. The applicant provided an interior measurement of 985 square feet for the two-story ADU (gross finished floor area).

The owner wishes to rent the ADU, and the principal dwelling will not be rented. If it is a short-term rental, all applicable requirements will also need to be met in accordance with Section 154.022 (V), and a license shall be required pursuant to the City of Saugatuck's Short-Term Rental Licensing Ordinance, Chapter 99.5 of the City Code.

Review Process and Standards

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

- Section 151.060 Site Plan
- Section 154.022 W- Accessory Dwelling Unit
- Section 154.080 Special Land Use
- Section 154.092 J- Rental of an Accessory Dwelling Unit

Site Plan Standards of Approval

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

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU.

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

Comment: This standard is not applicable. No site work is proposed as part of the proposal.

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

Comment: Screening is not necessary or recommended for a single residential dwelling with an existing ADU in an established residential area.

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

Comment: Site improvements were previously approved by all applicable City departments. A fire inspection will be required as part of short-term rental permitting.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No changes to pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No changes to vehicle or pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No changes to site drainage are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No changes to loading or trash storage are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No additional lighting is proposed.

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

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

Accessory Dwelling Unit

In accordance with Section 154.022 W, an accessory dwelling unit shall meet the following criteria:

- 1. An accessory dwelling unit shall be permitted on a lot where the principal use is an existing single-family detached dwelling.*

Comment: The principal use is an existing single-family detached dwelling.

- 2. Occupancy of an accessory dwelling unit permitted by right shall be limited to the following:*

- a. Owners/occupants of the single-family detached dwelling on the same property.*
- b. Non-renting invited guests of the owners/occupants of the single-family detached dwelling on the same property, such as family or friends.*
- c. Renters of the single-family detached dwelling on the same property if both the single-family detached dwelling and accessory dwelling unit are rented under a single contract. Renting both the single-family detached dwelling and the accessory dwelling unit under a single contract does not require a special land use approval. If an accessory dwelling unit is rented in conjunction with a*

single-family detached dwelling for less than 31 days, each dwelling unit must obtain a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals.

Comment: Until it is approved for renters, the ADU occupancy is limited to owner/occupants and non-renting guests.

3. *An accessory dwelling unit shall have a minimum of 375 square feet of gross finished floor area and shall not exceed the lesser of 30% of the gross finished floor area contained within the single-family detached dwelling or 600 square feet of gross finished floor area; except, in the CRC zone district when the parcel on which the accessory dwelling unit is located is two or more acres in area, the floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principal residence or 1,500 square feet. For purposes of this section, the floor area of an accessory dwelling unit is the total gross finished floor area intended for living, sleeping, bathing, eating and cooking. In the case of an accessory dwelling unit attached to or incorporated with a detached accessory building intended for other purposes, such as accessory studio, shop, or storage space, there shall be no internal access and connection to the additional floor area intended for the other purpose if the result of the connection would exceed the maximum gross finished floor area required for the accessory dwelling unit.*

Comment: The ADU significantly exceeds the 600-square-foot maximum gross finished floor area requirement, which means it does not comply with this requirement.

FLOOR AREA, GROSS FINISHED. The sum of all gross horizontal areas of all floors of a building or buildings measured from the inside dimensions of the inside face of the outside wall. Unenclosed and uncovered porches, court yards or patios shall not be considered as part of the GROSS FINISHED FLOOR AREA.

4. *An accessory dwelling, which is not located within the single-family detached dwelling, shall not be located between the front door of the single-family detached dwelling and the public right-of-way, unless located above an existing detached accessory structure.*

Comment: The front of the ADU is closer to the street than the front door of the principal dwelling. As such, it does not comply.

5. *An accessory dwelling shall be subject to all setback and lot coverage requirements applicable to a single-family detached dwelling in the district in which it is located.*

Comment: The building was previously confirmed as compliant with dimensional requirements for the subject zoning district.

6. *No more than one accessory dwelling unit is permitted on any lot.*

Comment: Only one ADU exists on the site.

7. *Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the single-family detached dwelling.*

Comment: The building is served by separate electric and gas services. The ADU does not comply with this requirement.

8. *An accessory dwelling unit attached to a single-family detached dwelling shall have a separate entrance from the exterior of the single-family detached dwelling.*

Comment: Not applicable. The ADU is detached.

9. *A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city.*

Comment: Parking for the ADU is available on an existing driveway dedicated to the unit.

10. *The rental of an accessory dwelling unit independently from the single-family detached dwelling on the same parcel shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § 154.092(J).*

Comment: The applicant is seeking approval for renting the ADU.

Special Land Use Standards of Approval

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

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

Comment: The existing principal dwelling and ADU are compatible with nearby properties and land uses. Permits were secured for improvements to the dwelling and construction of the detached accessory building.

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

Comment: Except for the size and utility service requirements mentioned earlier, all other standards and zoning requirements have been met for the ADU and its rental.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU. No changes to the site are proposed.

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

Comment: Renting the existing ADU may have a minor increase but negligible impact on public services, as there may be more frequent turnover than if it were only used for guests or by the primary resident.

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

Comment: Renting the existing ADU will have no additional impact on public health, safety, welfare, or the social and economic well-being of the community.

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

Comment: This standard is not applicable to a single ADU.

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

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

Comment: The rental of the existing ADU will have a negligible impact on traffic conditions. Sufficient parking exists on the dedicated driveway.

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

Comment: Renting the existing ADU will not impede the use of adjacent properties or negatively impact them.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling, detached garage, and a detached ADU.

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

Comment: This standard is not applicable to a single-family residential dwelling with an ADU.

Rental of an Accessory Dwelling Unit

In accordance with Section 154.092 J, a rental accessory dwelling unit shall conform to all regulations in Section 154.022(W) and the following requirements.

Comment: As mentioned earlier, the ADU does not conform to all of the regulations in Section 154.022(W)

1. *A rented accessory dwelling unit shall only be permitted on a parcel that contains a single-family detached dwelling that is occupied and used by the owner as his or her primary, year-round residence. Under no circumstances may a single-family detached dwelling and an accessory dwelling unit on the same parcel be rented to separate parties or under separate contracts.*

Comment: The owner intends to remain the primary occupant of the principal detached single-family dwelling. This will remain an ongoing requirement for renting the ADU.

2. *Accessory dwelling units rented for less than 31 days shall require a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals*

Comment: If intended to be rented on a short-term basis, the proper permit must be secured by the applicant.

Recommendation

Section 154.092(J) states that to rent an ADU, all requirements of 154.022(W) must be met. The ADU cannot be approved for rental because it does not comply with the size, placement, and service/utility requirements. A zoning text amendment will be required to approve the special land use.

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

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Special Land Use Application

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

LOCATION INFORMATION

Address 306 Mary St.

Parcel Number 57-204-012-00

APPLICANTS INFORMATION

Name Philip Huffman

Address / PO Box 306 Mary St.

City Saugatuck

State MI

Zip 49453

Phone 616-322-3119

Interest In Project owner

E-Mail Huffdaddy2023@gmail.com

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

Signature Philip Huffman

Date 11/18/24

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name _____

Address / PO Box _____

City _____

State _____

Zip _____

Phone _____

E-Mail _____

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

Signature _____

Date _____

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

Name NA

Contact Name _____

Address / PO Box _____

City _____

State _____

Zip _____

Phone _____

Fax _____

E-Mail _____

License Number _____

Expiration Date _____

PROPERTY INFORMATION

Depth 132 Width 132 Size 17,424 sq/ft Zoning District R1 Current Use Residence 56 of 98

Check all that apply:

Waterfront ☐ Historic District ☐ Dunes ☐ Vacant ☐

+ vacant
guest house

PROJECT DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

We would like to use our guest house as a rental property.

Rent June - Aug. to Saugatuck Center for the Arts.
Rent Sept - May short term and guest accommodations
for friends + family.



SITE PLAN REQUIREMENTS (SECTION 154.061)

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

Y N NA

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

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

Y N NA

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



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

STANDARDS FOR SPECIAL LAND USE APPROVAL (SECTION 154.082)

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

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

The property is slightly smaller than adjacent properties.

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

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

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

No change

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

No change



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

NA

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

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

yes, it already is

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

yes, no changes

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

No change

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

No change

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

No change



STANDARDS FOR SITE PLAN APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

*Note: Not all questions will apply for all requests.

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

No change

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

NA

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

No change

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

No change

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

NA

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

NA

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

NA



Special Land Use Application

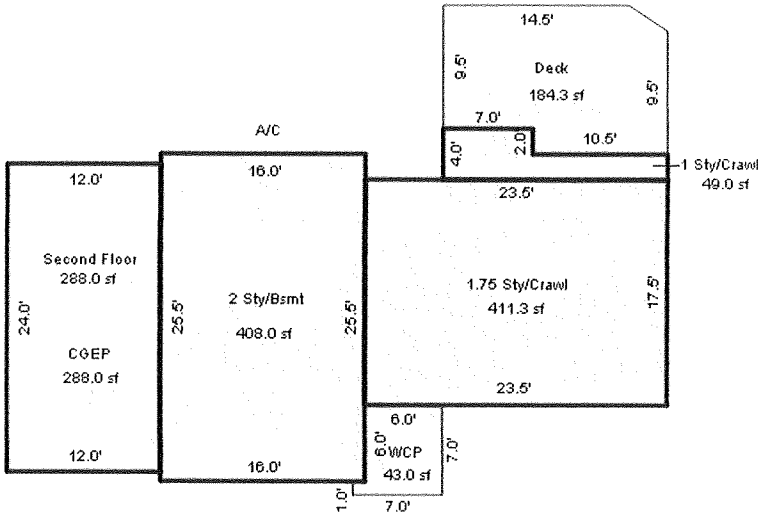
- (8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems. No change
-
-

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

- (10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted. No change
-
-



Image/Sketch for Parcel: 57-204-012-00



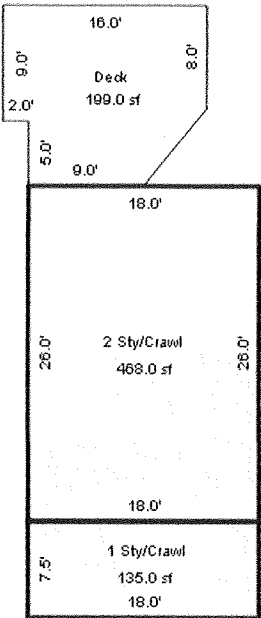
Sketch by Apex Medina™

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Primary Residence
306 Mary St.

Image/Sketch for Parcel: 57-204-012-00



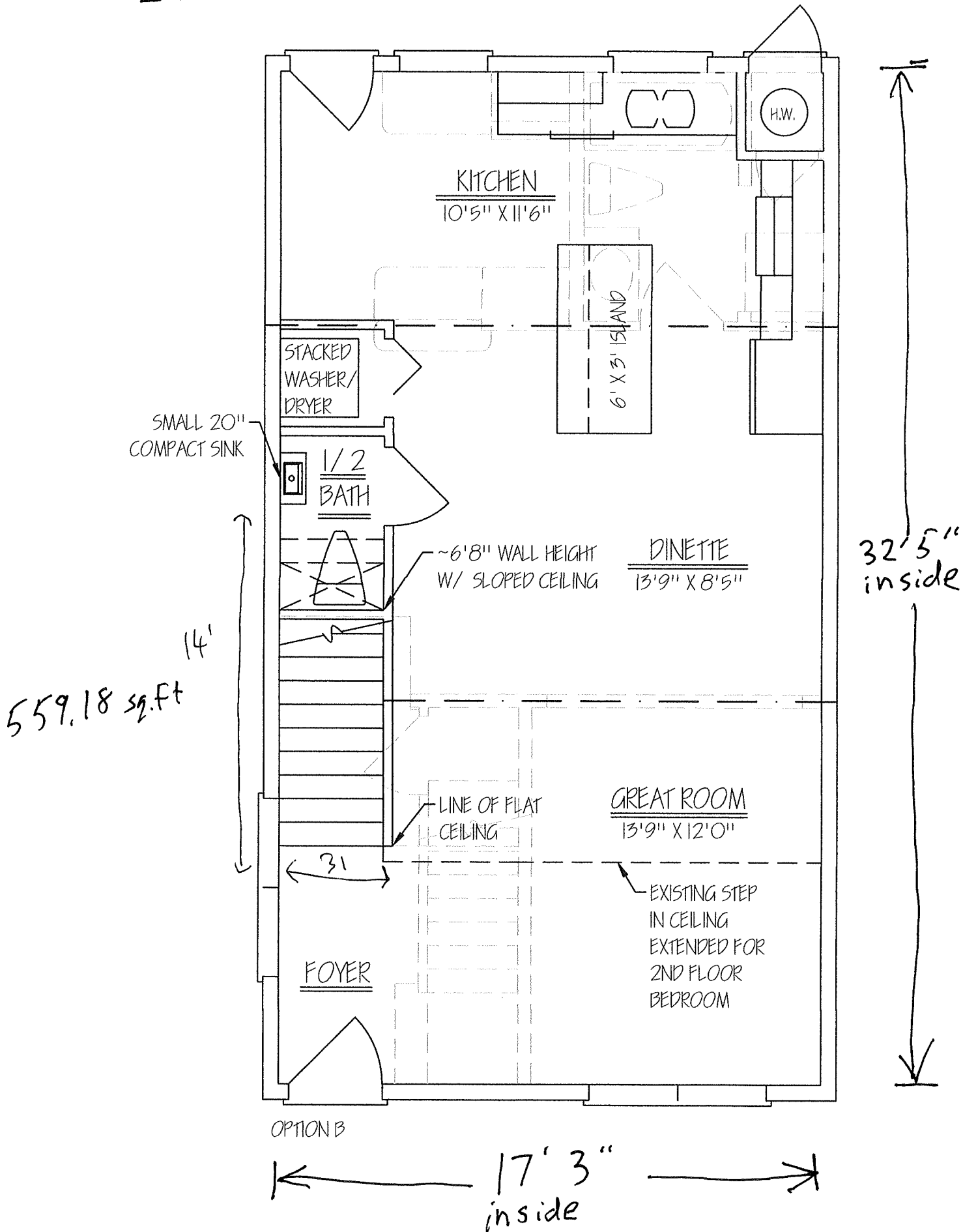
Sketch by Apex Medina™

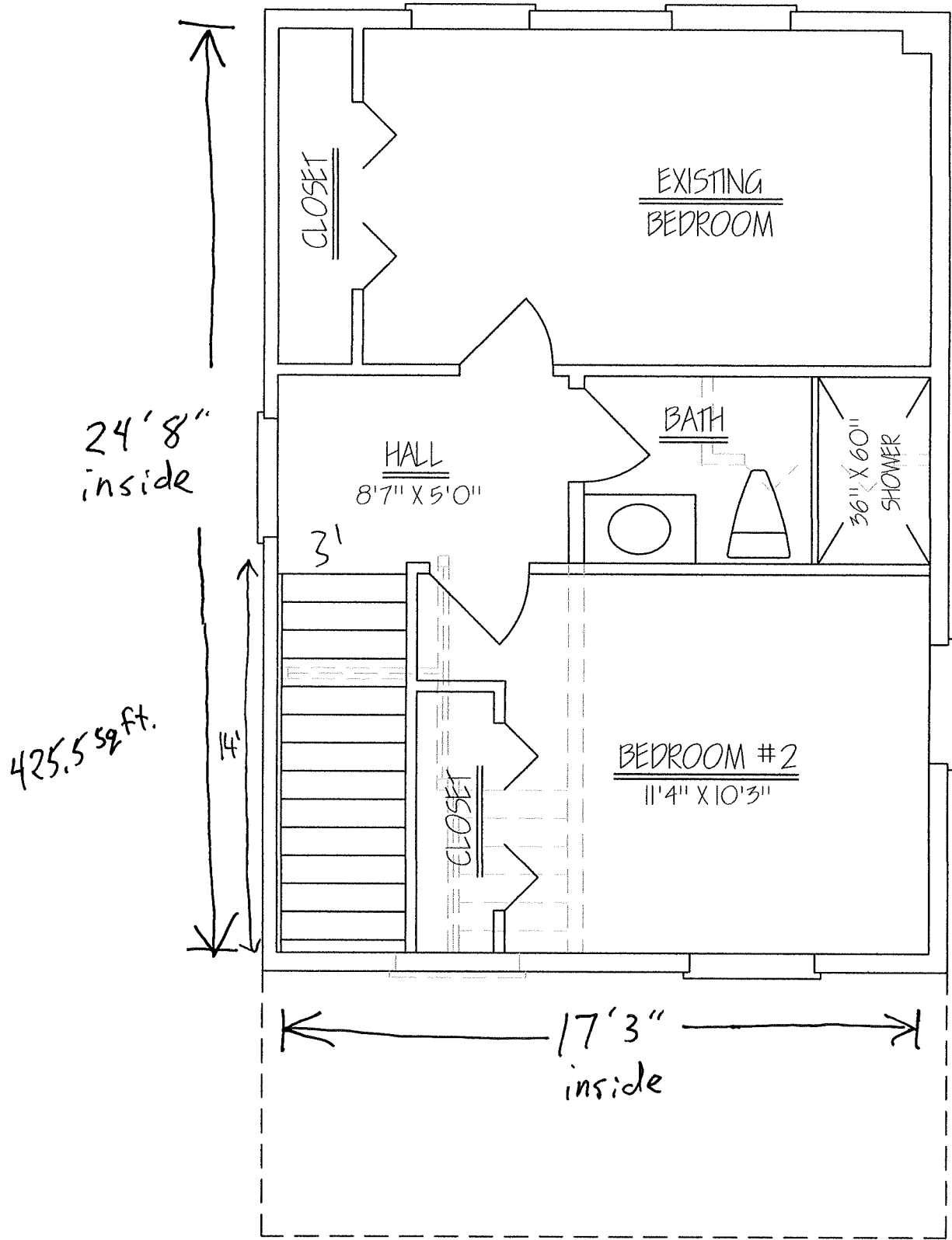
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Proposed Special Land
Use

24'3" to Peak

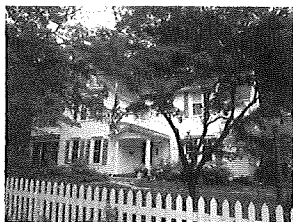




OPTION D

306 MARY ST SAUGATUCK, MI 49453 (Property Address)

Parcel Number: 57-204-012-00



Item 1 of 13 11 Images / 2 Sketches

Property Owner: HUFFMAN PHILIP N & ELIZABETH D**Summary Information**

- > Residential Building Summary
 - Year Built: 1938
 - Full Baths: 3
 - Sq. Feet: 2,854
 - Bedrooms: 5
 - Half Baths: 0
 - Acres: 0.400
- > Assessed Value: \$410,500 | Taxable Value: \$217,138
- > Property Tax information found
- > 4 Building Department records found

Owner and Taxpayer Information

Owner	HUFFMAN PHILIP N & ELIZABETH D REVOCABLE LIVING TRUSTS 306 MARY ST SAUGATUCK, MI 49453	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2024

Property Class	401 RESIDENTIAL-IMPROVED	Unit	57 CITY OF SAUGATUCK
School District	SAUGATUCK PUBLIC SCHOOLS	Assessed Value	\$410,500
MAP #	374 & 375	Taxable Value	\$217,138
USER NUM IDX	86	State Equalized Value	\$410,500
SEE IN YEAR	Not Available	Date of Last Name Change	02/12/2018
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	No	Census Block Group	Not Available
USER ALPHA 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** 02/26/2009

Principal Residence Exemption	June 1st	Final
2024	67.0000 %	67.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2023	\$303,300	\$303,300	\$206,799
2022	\$282,500	\$282,500	\$196,952
2021	\$248,000	\$248,000	\$190,661

Land Information

Zoning Code	CR-COMM RES R-1	Total Acres	0.400
Land Value	\$336,600	Land Improvements	\$1,862
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	Not Available	Mortgage Code	No Data to Display
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	132.00 ft	132.00 ft
Total Frontage: 132.00 ft		Average Depth: 132.00 ft

Legal Description

Date of Last Split/Combine	<i>No Data to Display</i>	Number of Splits Left	0
Date Form Filed	<i>No Data to Display</i>	Unallocated Div.s of Parent	0
Date Created	01/01/0001	Unallocated Div.s Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	<i>Not Available</i>
Split Number	0	Courtesy Split	<i>Not Available</i>
Parent Parcel	<i>No Data to Display</i>		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
04/23/2009	\$0.00	WD	HUFFMAN PHILIP & ELIZABETH D LIVING	HUFFMAN PHILIP N & ELIZABETH D	14-INTO/OUT OF TRUST	3323-275
06/18/2007	\$0.00	OTH	HUFFMAN PHILIP & ELIZABETH D	HUFFMAN PHILIP & ELIZABETH D	03-ARM'S LENGTH	3133/25
04/26/2006	\$525,000.00	WD	TAYERLE JEAN P	HUFFMAN PHILIP & ELIZABETH D	03-ARM'S LENGTH	2980/247

Building Information - 1783 sq ft 2 STORY (Residential)

General

Floor Area	1,783 sq ft	Estimated TCV	\$300,554
Garage Area	528 sq ft	Basement Area	48 sq ft
Foundation Size	799 sq ft		
Year Built	1938	Year Remodeled	2011
Occupancy	Single Family	Class	C
Effective Age	64 yrs	Tri-Level	No
Percent Complete	100%	Heat	Forced Heat & Cool
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	<i>Not Available</i>
1st Floor Rooms	4	Sewer	<i>Not Available</i>
2nd Floor Rooms	4	Style	2 STORY
Bedrooms	3		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
1.75 Story	Crawl Space	Siding	411 sq ft	1.75 Story
2 Story	Basement	Siding	48 sq ft	2 Story
2 Story	Crawl Space	Siding	340 sq ft	2 Story

Area Detail - Overhangs

Area	Story Height	Exterior	Included in Size for Rates
288 sq ft	1 Story	Siding	No

Basement Finish

Recreation	0 sq ft	Recreation % Good	0%
Living Area	0 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Fixture Bath	2
-----------------------	---

Fireplace Information

Exterior 2 Story	1
-------------------------	---

Garage Information

Area	528 sq ft	Exterior	Siding
Foundation	42 Inch	Common Wall	Detached
Year Built	<i>No Data to Display</i>	Finished	Yes
Auto Doors	2	Mech Doors	0

Depth Information

Deck Information

Treated Wood 184 sq ft

Subject of special land
use application

Building Information - 1071 sq ft 2 STORY (Residential)

General

Floor Area	1,071 sq ft	Estimated TCV	\$175,062
Garage Area	0 sq ft	Basement Area	0 sq ft
Foundation Size	603 sq ft		
Year Built	No Data to Display	Year Remodeled	2006
Occupancy	Single Family	Class	CD
Effective Age	48 yrs	Tri-Level	No
Percent Complete	100%	Heat	Forced Heat & Cool
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	Not Available
1st Floor Rooms	3	Sewer	Not Available
2nd Floor Rooms	2	Style	2 STORY
Bedrooms	2		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
2 Story	Crawl Space	Siding	468 sq ft	2 Story
1 Story	Crawl Space	Siding	135 sq ft	1 Story

Basement Finish

Recreation	0 sq ft	Recreation % Good	0%
Living Area	0 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Fixture Bath 1

Deck Information

Treated Wood 199 sq ft

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MEMORANDUM

City of Saugatuck Planning Commission

Memo Date:	March 14, 2025	Meeting Date:	March 20, 2025
Request:	Special Land Use	Applicant:	Wilma Kosal
Address:	825 Bridge	Project Name:	ADU Rental Proposal
Parcel:	03-57-512-011-00	Plan Date:	N/A
Lot Size:	5,096.5	Zoning District:	Resort District C-4
Complete:	Yes	Recommendation:	Approval
City Staff:	Luke Thompson	Consultant:	David M. Jirousek, AICP

Overview

The applicant has applied for special land use approval to rent an existing detached accessory dwelling unit (ADU) in accordance with Section 154.026 (C)(3) of the Zoning Ordinance. This memo provides a compliance review of all applicable zoning standards and requirements and assists the Planning Commission in developing findings related to special land use and site plan standards and specific requirements for renting ADUs.

Background

The existing detached ADU is approximately 230 square feet (12.5'x18.4'). The ADU has been rented for 24 years but has not received special land use approval. The owner wishes to continue to rent the detached ADU, and the principal dwelling will not be rented. If it is a short-term rental, all applicable requirements will also need to be met in accordance with Section 154.022 (V), and a license shall be required pursuant to the City of Saugatuck's Short-Term Rental Licensing Ordinance, Chapter 99.5 of the City Code.

Review Process and Standards

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

- Section 151.060 Site Plan
- Section 154.080 Special Land Use
- Section 154.092 J- Rental of an Accessory Dwelling Unit

Site Plan Standards of Approval

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

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable. No site work is proposed as part of the proposal.

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

Comment: Screening is not necessary or recommended for a single residential dwelling with an existing ADU in an established residential area.

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

Comment: Site improvements were previously approved by all applicable City departments. A fire inspection will be required if a short-term rental permit is available.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No changes to pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No changes to vehicle or pedestrian access are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No changes to site drainage are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No changes to loading or trash storage are proposed.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No additional lighting is proposed.

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

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

Special Land Use Standards of Approval

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

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

Comment: The existing principal dwelling and detached ADU are compatible with nearby properties and land uses.

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

Comment: All rental requirements have been met.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU. No changes to the site are proposed.

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

Comment: Renting the existing ADU may have a minor increase but negligible impact on public services, as there may be more frequent turnover than if it were only used for guests or by the primary resident.

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

Comment: Renting the existing ADU will have no additional impact on public health, safety, welfare, or the social and economic well-being of the community.

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

Comment: This standard is not applicable to a single ADU.

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

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

Comment: The rental of the existing ADU will have a negligible impact on traffic conditions. Sufficient parking exists on the property.

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

Comment: Renting the existing ADU will not impede the use of adjacent properties or negatively impact them.

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

Comment: This standard is not applicable. The site has already been developed and improved with a single-family dwelling and a detached ADU.

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

Comment: This standard is not applicable to a single-family residential dwelling with an a detached ADU.

Rental of an Accessory Dwelling Unit

In accordance with Section 154.092 J, a rental accessory dwelling unit shall comply with the following requirements:

1. *A rented accessory dwelling unit shall only be permitted on a parcel that contains a single-family detached dwelling that is occupied and used by the owner as his or her primary, year-round residence. Under no circumstances may a single-family detached dwelling and an accessory dwelling unit on the same parcel be rented to separate parties or under separate contracts.*

Comment: The owner intends to remain the primary occupant of the principal dwelling. This will remain an ongoing requirement for renting the ADU.

2. *Accessory dwelling units rented for less than 31 days shall require a short-term rental license pursuant to the City of Saugatuck's Short-Term Rental Ordinance, Chapter 99.5 of the City Code, and shall otherwise adhere to all of this chapter's requirements concerning short-term rentals*

Comment: If intended to be rented on a short-term basis, the proper permit must be secured by the applicant.

Recommendation

Staff recommends special land use approval for the rental of the detached ADU. Please note that we recommend that motions to approve special land uses specifically reference the findings against the special land use standards in this report.

The following sample motion is provided for your use:

I move to approve the special land use request to allow the rental of the detached ADU at 825 Bridge Street based on compliance with the ADU rental requirements of Section 154.092 J, satisfaction of site plan approval standards of Section 151.060, and the positive findings related to the special land use standards of approval in Section 154.080 that are documented in the staff memo dated March 14, 2025.



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



Special Land Use Application

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

LOCATION INFORMATION

Address 3825 Bridge Str. Parcel Number _____

APPLICANTS INFORMATION

Name Wilma Kosal Address / PO Box _____
City Saugatuck State Mi Zip 49453 Phone 269-857-7122
Interest In Project _____ E-Mail wilmakos@gmail.com

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

Signature Wilma Kosal Date _____

OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Wilma Kosal Address / PO Box 3825 Bridge Str.
City Saugatuck, Mi State Mi Zip 49453 Phone 269-857-7122
E-Mail _____

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

Signature Wilma Kosal Date 12-2-24

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

Name _____ Contact Name _____
Address / PO Box _____ City _____
State _____ Zip _____ Phone _____ Fax _____
E-Mail _____
License Number _____ Expiration Date _____



Special Land Use Application

SITE PLAN REQUIREMENTS (SECTION 154.061)

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

Y N NA

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

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

Y N NA

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



Special Land Use Application

STANDARDS FOR SITE PLAN APPROVAL (SECTION 154.063)

Please respond to each of the following questions by explaining how the proposed development will meet the standards for site plan approval:

*Note: Not all questions will apply for all requests.

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

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

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

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

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

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

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



Special Land Use Application

- (8) How will appropriate measures be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system? Will provisions be made to accommodate storm water, prevent erosion and the formation of dust? The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, create puddles in paved areas or create erosion problems. _____
-
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- (9) How will all loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six feet in height? (See §§ 154.142 through 154.144).
-
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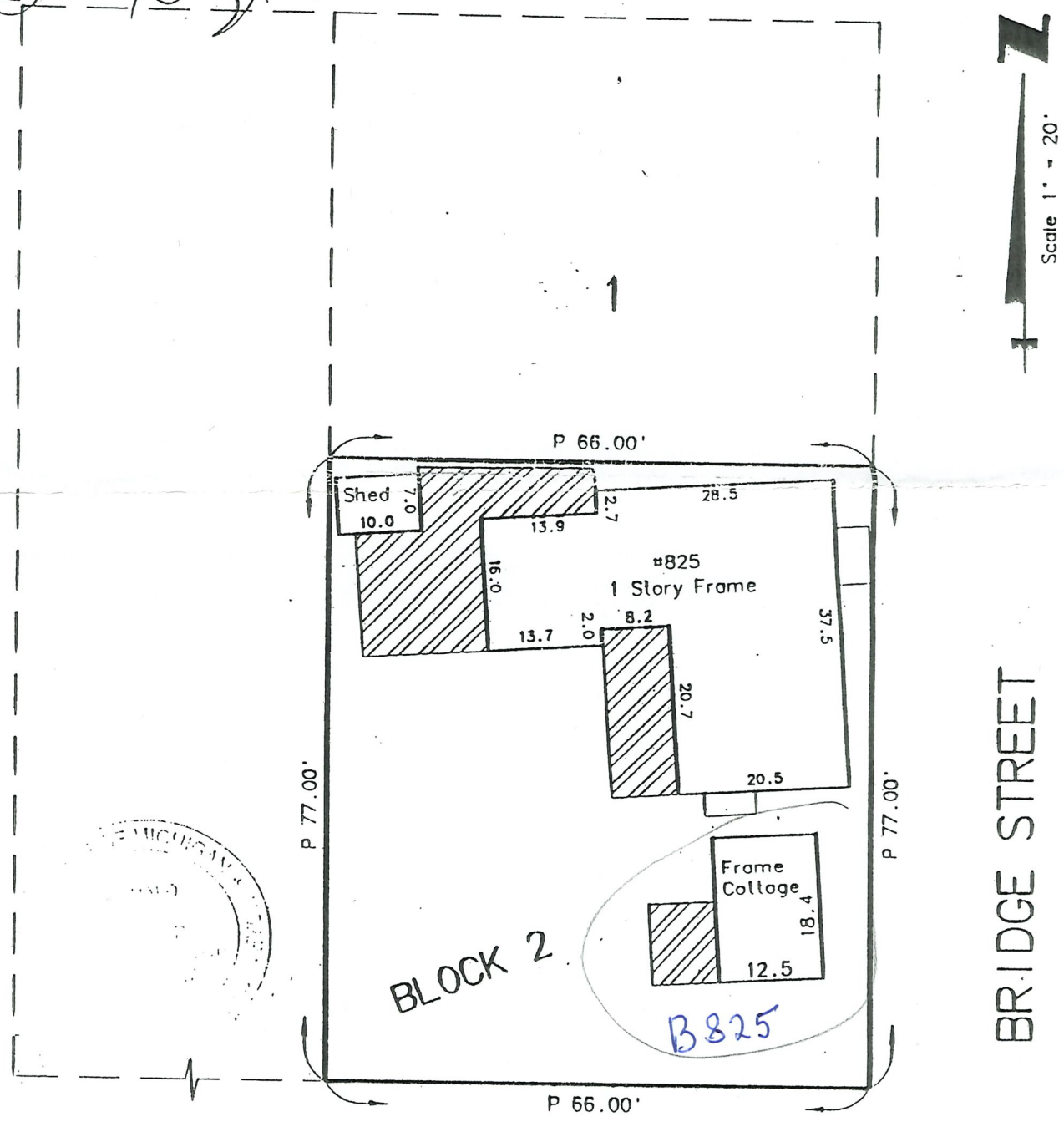
- (10) How will exterior lighting be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets? Flashing or intermittent lights shall not be permitted.
-
-
-

This is to certify to Lakeland Mortgage
that we have examined the premises herein described, that the buildings are located entirely thereon as shown, and that they do not encroach except as shown hereon. This report, prepared for mortgage purposes only, does not represent a property line survey, and no property corners were set. This report is not to be used for the establishment of any fence, building, or other improvements. The locations of fences, walls, or other indications of occupancy along or near boundary lines are not shown. This report was made from the legal description shown below. The description should be compared with the abstract of title or title policy for accuracy, easements, and exceptions. This examination was prepared for the mortgagee in connection with a new mortgage, and no responsibility is extended herein to the present or future land owner. The Surveyor's liability for any and all claims, including but not limited to those arising out of the Surveyor's professional services, negligence, gross misconduct, warranties or misrepresentations shall be deemed limited to an amount no greater than the service fee.

LEGAL DESCRIPTION

The South 1/2 of Lot 1, Block 2, Morrison and Densmores Addition to the Village of Saugatuck, Michigan, according to the recorded plat thereof in Liber 35 of Plats, on Page 279, Village (now City) of Saugatuck, Allegan County, Michigan. ALSO the South 11.00 feet of the North 1/2 of Lot 1, Block 2, Morrison and Densmores Addition to the Village of Saugatuck, Michigan according to the recorded plat thereof in Liber 35 of Plats, on Page 279, Village (now City) of Saugatuck, Allegan County, Michigan.

[Handwritten signature]



LEGEND

- SET STEEL BAR
- FOUND IRON STAKE
- FOUND CONCRETE MONUMENT
- R RECORDED DIMENSION
- SET WOOD STAKE
- P PLAT DIMENSION
- M MEASURED DIMENSION
- D DESCRIPTION DIMENSION
- C CALCULATED DIMENSION
- FENCE
- POWER LINE
- CONCRETE
- ▨ WOOD DECKING

[Handwritten signature]
Registered Land Surveyor No. 25867

RECERTIFIED 06-01-99 BY JEV

HOLLAND ENGINEERING, INC.
418 E. 8TH STREET
HOLLAND, MICHIGAN 49423 / 616 302 5010



Memorandum

To: City of Saugatuck Planning Commission
Date: March 14, 2025
From: David M. Jirousek, AICP
RE: Review of Zoning Districts

Overview

As one of the City's priorities for 2025, an analysis of the residential and commercial zoning districts is planned. Similar to the analysis and conversations as part of the Waterfront Preservation District, an exercise is recommended to compare and assess the City's zoning districts. As part of this effort, the following is recommended:

- Review district intent statements against the Master Plan future land use guidance and the existing conditions within each district.
- Review the land use and dimensional requirements of each district and compare them against existing conditions within each district.
 - Are the allowable uses compatible with the existing uses?
 - Are there concerning permitted uses that should be reclassified as special land uses?
 - Are there uses that are appropriate that are not allowable?
 - Are the dimensional requirements generally consistent with the built environment?
 - Are there common nonconformities in specific neighborhoods or district-wide?
 - Are there undesirable scenarios that would be allowable under current regulations?
 - Are there desirable scenarios that would not be allowable under current regulations?
- Compare all land use and dimensional requirements in combined tables (one for residential and one for commercial).
 - Are the districts distinct enough when comparing allowable land uses?
 - Are the districts distinct enough when comparing dimensional requirements?
 - Is there an opportunity to consolidate districts?
 - Is there an opportunity to create more distinction?
 - Do we need a new district or districts to satisfy a certain need?

Once completed, the Planning Commission can make an informed decision on potential changes to the menu of zoning districts available within the Zoning Ordinance. Concerning the timing as it relates to the Master Plan update, the Planning Commission can certainly update the zoning districts prior to the master planning effort to satisfy current concerns and issues. As long as changes are not inconsistent with the current Master Plan, there is no concern. However, if it is anticipated that the Master Plan input and planning process would help to inform and guide the zoning effort, the zoning review and amendments could happen currently or later as an implementation step of the Master Plan update.

Vision

Saugatuck is an inclusive waterfront community that welcomes all. City residents enjoy a great quality of life living in one of the country's highest-rated tourist destinations. Saugatuck is a vibrant, inviting community with a talented and dedicated staff, great schools, an active tourist-based economy, stable property values, and sense of history as the community moves into the future. Residents and visitors enjoy a unique, small-town atmosphere, exceptional parks, and access to beautiful natural resources.

Goals and Priorities

Saugatuck City Council sets the goals and priorities that reflect our vision and guide decision-making. The priorities-setting process forms the basis of Council's consensus on the projects that impact City residents, businesses, visitors, and the community as a whole. City Administration uses Council's vision and priorities to direct work activities and allocate staff and financial resources. City Council's priorities are dynamic and will be reviewed and modified as needed to reflect citizen input and changes in the external environment.

Operations, Public Health and Safety

Goal: We will maintain a culture of fiscal responsibility and friendly, honest, and transparent government. We will partner with the Fire District and Sheriff's office to ensure we take the right measures to keep our community safe.

Infrastructure

Goal: We will focus on maintaining and improving current infrastructure while planning and saving for future needs.

Parks and Recreation

Goal: We understand that our natural resources are the foundation of residents' quality of life and our tourism economy and will invest to sustain and enhance them.

Priorities

- Finish new water-sewer agreement
- Update water-sewer infrastructure fees
- Manage Dune Ridge litigation (potentially multi-year)
- Evaluate and implement solutions to parking issues (multi-year)
- Evaluate and implement Wildlife Committee recommendations
- Negotiate sale or lease of old landfill
- Update Land Use/Tri-Community Master Plan (multi-year)
- Improve profits from Oval Beach concessions
- Update zoning districts and signage regulations
- Refresh website
- Review and update older policies
- Develop and implement safety protocols, including for parades

Priorities

- Complete Maple Street design and construction
- Finalize AT&T cellular agreement and installation
- Make repairs to seawall, sidewalks, and stairs
- Inspect culverts
- Plan for Park Street improvements
- Renovate City Hall interior (potentially multi-year)
- Develop more comprehensive Capital Improvement Plan (CIP)
- Evaluate long-term funding options for CIP
- Maintain and resurface roads
- Repair Chain Ferry landing and arbor
- Plan for lead service line replacement
- Begin planning for Elizabeth Street design and construction
- Update signage and wayfinding

Priorities

- Construct Mt. Baldhead bathroom
- Complete Mt. Baldhead platform design; begin construction
- Restore Mt. Baldhead vegetation
- Treat invasive species
- Refresh Village Square Courts (donor funded)
- Continue to advance Blue Star Trail (multi-year)
- Monitor and mitigate low water level impacts
- Evaluate community foundation options to accept citizen donations
- Expand holiday lighting to Water and Griffith streets



Memorandum

To: City of Saugatuck Planning Commission
Date: March 14, 2025
From: David M. Jirousek, AICP
RE: Accessory Dwelling Units- Kitchens and Cooking

Overview

A question arose concerning kitchen requirements for Accessory Dwelling Units (ADUs), specifically the areas intended for “cooking.” The reference to cooking is found in Section 154.022(W)(3). The purpose of this reference is to assist with the measurement of gross finished floor area to ensure compliance with the maximum size limits for ADUs:

For purposes of this section, the floor area of an accessory dwelling unit is the total gross finished floor area intended for living, sleeping, bathing, eating and cooking.

This particular reference does not require kitchen and cooking facilities. An ADU is a “dwelling unit,” as defined below. The zoning Ordinance and building code require a dwelling unit to include all the elements required to be a legal, habitable, and long-term living area.

DWELLING UNIT, ACCESSORY. *A dwelling unit located on the same lot as a principal use, located either within the principal use or within a detached accessory building.*

DWELLING UNIT. *A dwelling unit is any building or portion thereof having independent cooking, bathing, and sleeping, facilities, which is occupied wholly as the home, residence, or sleeping place, either permanently or transiently, with an independent entrance not located within another dwelling. In no case shall a motor home, trailer coach, automobile chassis, tent, or portable building be considered a dwelling. In case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this section and shall comply with the provisions thereof relative to dwellings. A DWELLING UNIT shall include both manufactured units (mobile homes and modular homes) and site built units. Hotels, motels, bed and breakfasts, and inns are not included in the definition of a DWELLING UNIT.*

There are undoubtedly other arrangements and rental scenarios that allow for overnight accommodations without cooking facilities, such as formal commercial establishments (i.e., hotels, inns, B&Bs), and many other less formal arrangements such as renting a private room, couch space, tent, RV, treehouse, etc. Airbnb and other platforms have made these less formal arrangements much more common than traditional accommodations. While it is not suggested that ADU regulations be amended, the Planning Commission may wish to discuss other unique accommodations further and decide whether allowing and regulating them is appropriate.



Memorandum

To: City of Saugatuck Planning Commission
Date: March 14, 2025
From: David M. Jirousek, AICP
RE: Updates to Sign Regulations

Overview

The City's sign regulations must be reviewed and updated based on case law and best practices for content-neutral regulations. After the 2015 U.S. Supreme Court decision of *Reed v. the Town of Gilbert* (AZ), sign regulations can no longer make distinctions between sign types based on content. In *Reed*, Justice Thomas found that the temporary sign distinctions in Gilbert were "...plainly content-based and thus subject to strict scrutiny. The distinctions- between political signs, temporary directional signs, and ideological signs- depended entirely on the communicative content of the sign." The critical point is that content-based regulation of speech is determined to be unconstitutional, especially for non-commercial signs.

Content Neutrality

In general, the *Reed* decision embraced content-neutral ordinances, which limit sign regulations to reasonably regulate the time, place, and manner of sign placement, including but not limited to size, number, building materials, illumination, spacing, electronic displays, moving parts, and portability.

The Zoning Ordinance includes multiple sign types that are specifically distinguished by their content, including but not limited to construction signs, garage sale signs, informational signs, political/election signs, opinion signs, real estate signs, and rental signs. Temporary sign regulations are included in Section 150.30, outside the Zoning Ordinance, and are heavily based on content. On a side note, if regulated outside the Zoning Ordinance, no sign can be protected by a legal-nonconforming status to continue.

Conclusion

All content-based definitions and regulations in the City Code of Ordinances should be deleted or revised. Additionally, a common way to address this issue is to "standardize" temporary yard sign regulation, meaning that signs related to elections, real estate, and construction should be regulated similarly. This will require amendments to the Chapter 150 Building Regulations - Section 150.30 Temporary Sign Regulations, as well as Chapter 154 Zoning Code.



Memorandum

To: City of Saugatuck Planning Commission
Date: March 14, 2025
From: David M. Jirousek, AICP
RE: Chickens

Overview

Many local governments find themselves in the position to make important, and in some cases, contentious, policy decisions concerning keeping chickens for family food production. As a result, numerous communities have developed regulations for backyard chickens, while many have decided to prohibit them. At the state level, there is an effort as part of House Bill No. 4049 to preempt local ordinances that restrict chickens on residential properties at least one-quarter acre in size. However, it is unknown if this bill will gain any traction.

Sound planning practices start with a review of methods to balance backyard chickens with valid community concerns. Some of the components of local zoning regulations include the following:

- Administration. Permitting and review process to establish procedures to ensure compliant proposals and permit revocation for violations.
- Location. Allowable zoning districts, yard location, and setbacks.
- Number and Lot Size. An appropriate limit on the number of chickens based on the space available for adequate, sanitary, and humane living conditions, as well as to minimize impact on neighboring property.
- Confinement. Requirements for shelter and fencing.
- Sanitation. Manure management and general sanitation rules.

This list of considerations is certainly not exhaustive. If the Planning Commission is open to this conversation, it is recommended that a more comprehensive review of options and regulations be completed for a future discussion. However, based on the priorities for 2025, the Planning Commission should consider the timing and effort involved in this conversation versus the master plan effort, zoning code update, and sign regulation amendments.



Memorandum

To: City of Saugatuck Planning Commission
Date: March 14, 2025
From: David M. Jirousek, AICP
RE: Master Planning

Overview

A community's master plan guides growth, preservation, investment, and future decision-making. It is the vision of the City's citizens and officials. The master plan includes a comprehensive community profile, an inventory of existing land use, resources, and infrastructure, and a needs assessment to identify challenges and opportunities. The plan establishes the City's goals and guiding principles, providing a framework for decision-making. It also serves as a key opportunity for civic engagement, ensuring public input shapes the future plan. A future land use plan and implementation strategy help guide zoning, land use decisions, and capital improvements, ensuring sustainable and strategic development.

The Michigan Planning Enabling Act requires the Planning Commission to review the Master Plan every five years. While the plan is not required to be updated every five years, a review may identify necessary changes to address changing conditions or new priorities. Master plans typically build on previous planning efforts unless they are completely rewritten.

In March, the Planning Commission should discuss the timing for completion, initial priorities, thoughts on the current plan, and the extent of the project scope. This memo may assist with an understanding of the formal steps, the planning process, and ideas for a meaningful and effective plan.

Formal Steps

1. Notification letters to adjacent jurisdictions and relevant agencies.
2. Planning process, including:
 - a. Public input
 - b. Resource and community facilities assessment
 - c. Goals, principles, and actions
 - d. Future land use plan and map
3. Formal draft plan.
4. Recommendation to City Council to distribute the formal draft plan to adjacent jurisdictions and relevant agencies for review.

5. City Council resolution to approve distribution for formal draft plan review and assert the right of final approval.
6. Formal review period:
 - a. 42-day review for updated master plan
 - b. 63-day review for new master plan
7. Public notice 15 days in advance of the public hearing.
8. Public hearing after expiration of 42/63-day review.
9. Planning Commission approval/recommendation by resolution
10. City Council approval by resolution.
11. Approval notification letters to adjacent jurisdictions and relevant agencies.

Planning Process

The planning process, noted as step #2 in the list above, is the primary effort of the plan update or rewrite. The initial step typically involves discussions with the Planning Commission to address housekeeping issues, such as the project timeframe, milestones, and expectations. The Planning Commission should determine the project goals and confirm the general scope and direction. Concurrently, a formal review and assessment of the current Master Plan and inventory data would occur.

Character Analysis

A character analysis is crucial for understanding the unique qualities of the City and its neighborhoods beyond what a traditional existing land use map can reveal. Instead of a simple inventory of land use, a character analysis delves deeper into the physical and functional attributes that define different districts, neighborhoods, and corridors. By identifying areas based on their distinct characteristics, such as different types of commercial and residential development, the Planning Commission can gain a more nuanced understanding of how these areas function and relate to each other.

Key elements to study include scale, block and lot patterns, street networks, sidewalks, pathways, parking, building types, and land uses. This approach provides valuable insight into whether an area should be preserved, enhanced, or transformed, forming a strong justification for future land use plans and zoning decisions. In the end, the character analysis will ensure that planning efforts align with the existing character and context through thoughtful growth and development policies.

Public Involvement

Public involvement is essential in the master planning process to ensure community buy-in and long-term success. When people have a voice in shaping their city's future, they are more likely to support and advocate for the plan's implementation. Engaging a diverse range of stakeholders allows for a balanced perspective, ensuring that policies and strategies reflect the community's actual needs and priorities. Stakeholders engaged could include neighborhood leaders, schools/students, business associations, advocacy and non-profit groups, developers, church leaders, and larger landowners.

During initial discussions, the Planning Commission should also determine the level of public input desired for the planning process. Public involvement could include, but is not limited to, a community survey, open house workshops, and other pop-up events. This input is essential for understanding the various stakeholder and resident perspectives.

In addition to background needs assessment and mapping efforts, the information gained from this process will serve as the foundation of the plan and its goals, principles, implementation steps, and future land use mapping. Several meetings would likely follow the public involvement effort to discuss the results, major focus area topics, plan content, and recommendations.

Effective Master Plans

Master plans are most effective when they incorporate strong public involvement and buy-in, ensuring that community members have a voice in shaping the future of their community. A policy-based approach is crucial, establishing clear decision-making guidelines and outlining what actions will be taken when specific situations arise. An action-oriented plan is essential to translate the vision into tangible results, incorporating achievable steps such as zoning amendments, new programs, strategic partnerships, and capital improvements. An annual work plan is also necessary to keep the master plan dynamic and responsive, allowing it to evolve as conditions change and ensuring it remains a living document that guides ongoing community development efforts.

Future Land Use Map

A Future Land Use Map is a planning tool that guides future development by outlining how land should be used over time. It establishes clear land use categories and descriptions, helping communities plan for growth while ensuring compatibility between different uses. Unlike zoning maps with rigid regulations and boundaries, a Future Land Use Map allows for some flexibility, recognizing that incremental changes and slight departures may be appropriate as conditions evolve. It also includes a zoning plan, allowing us to compare future land use categories with zoning districts and recommend adjustments.

One of the primary concerns with the Future Land Use Map in the Tri-Community Plan is that it is much too generalized to be a practical guide to assist with zoning decisions. Only five future land use categories are classified in the plan, yet there are 20 zoning districts. While a one-to-one ratio is not always necessary, the planning effort should be more specific and recognize differences between distinct neighborhoods.

Visionary Plan

While the future of the downtown area is generally described, the plan lacks a clearly defined vision. Redevelopment opportunities or public improvements could be shown visually, with drawings and photos demonstrating desired building placement, scale, style, and massing, as well as streetscape and public land concepts.

Project Focused

While some master planning efforts are highly policy-based, the planning effort could help to determine projects that will add value to the City, such as gateway signage, sidewalks, crosswalks, pathways, public art, wayfinding, streetscaping, public parking, lighting, and public infrastructure. The plan could also identify opportunities to improve mobility options for pedestrians, cyclists, and disabled citizens. Strategies to create a sense of place with both private and public improvements could be considered. The plan should serve as a basis for future public expenditure and should directly relate to a Capital Improvements Plan (CIP).

Zoning Plan and Implementation

As part of the planning process, it will be essential to understand the adopted zoning laws and whether they are effective in implementing the building form and land use goals of the plan. In many communities, zoning prevents the development envisioned by the plan. As such, the planning process could include a higher-level zoning review and may include specific recommendations concerning new or revised zoning districts and requirements. The master planning process could also recommend zoning tools to help ensure future development lives up to the City's design and placemaking principles.

The Master Plan should be a dynamic document serving as an annual work plan. The update should ensure that recommended actions are appropriate, feasible, and achievable. A shorter list of achievable actions is typically desirable over an exhaustive and overwhelming list. Further, accountability can be incorporated by identifying priorities, responsible parties, and timeframes.

City Plan vs. Joint Effort

Although there has been significant support from Planning Council members for a tri-community effort, we understand it may not be the case for all three communities. Although a regional effort ensures a cooperative spirit, includes more stakeholders, and identifies issues of common concern, oftentimes, it can result in a lengthier process and less focus on City issues. A City-only plan would focus on a much smaller geography, involve a concentrated effort, and result in a shorter and more concise plan. Additionally, a City-only plan does not rule out coordination, as we can still ensure outreach and collaboration with neighboring communities even if they are not formally part of the plan update.

Conclusion

Based on this information and your thoughts and priorities, the Planning Commission should determine the focus and timing of the master plan process. It should also consider the timing and need for zoning updates. Your input will help develop a scope and budget for the project.



Planning, Zoning and Project Report

March 10, 2025

Planning and Zoning

- Attended scheduled internal meetings.
- Created Reports for STR Analysis.
- Updated shapefile for Granicus.
- Reviewed past 3 years Planning and Zoning and Historic Budget.
- Created proposed 2025-26 Budget.
- Attended multiple meetings with members of the public.
- Followed up on STR hotline complaints.
- Had discussions with legal counsel.
- Reached out to Business's with prior EODA's.
- Made contact Douglas and Saugatuck Township regarding Tri-Community Master Plan.
- Made adjustments to water-sewer permit processes.
- Met with concerned residents about STR regulations and transfer definitions.
- Had further discussions with Allegan County regarding Lot Splits.
- Went onsite to perform final inspections and to investigate potential compliance issues.
- Discussed sanitation requirements with Building Official.
- Reviewed property transfer affidavits.
- Spoke with fire department regarding enforcement.
- Followed up on general code enforcement.
- Issued permits and completed casework as outlined below.

Open Casework

515 St Joseph	STR Renewal of Accessory Structure. No SLU obtained, advised they need to go before the PC. Had meeting to discuss case. Received SLU App. Requested information on Gross Finished Floor Measurements. Postponed until later date. Notified applicants that their case will be at the March PC Meeting.	PC
450 Spear	SLU app for rental of an accessory dwelling unit. Need fee paid and app signed. Schedule for September PC meeting. Received signed app. Received fee. Dimensions too small. ZBA agreed to look at regulations and bring this back before the commission after that date. Notified applicants that their case will be at the March PC Meeting.	Zoning
550 Dunegrass Circle	Received notice of violation from EGLE. Researched property to ensure process shall be followed, in talks with developer in regards to potential development, will address requirements in regards to egle violation when determined. Had discussion with contract planner to determine how to move forward with proposed development. Further research done on SLU and Site Plan approval for 500 and 550 Dunegrass. sent legal questions for appropriate next steps. Reached out to developer with information regarding potential future project and also with plans to resolve EGLE violations. Reps from site will be required to submit vegetation removal plan to the PC. Developer stated that they would be reaching out to an environmental consulting firm to put together information. had discussion with environmental consultants on what needs to be provided to the PC. Received questions from environmental consultants, scheduled call with developer for further discussion.	Enforcement
568 Mason	Emailed Contractor about damaged water line. Sent application to engineer. Asked applicant for more information. Confirmed Drawings are being made. Spoke with developers about issue. Still awaiting complete application and drawings for work completed onsite to address waterline issue. Had further discussions about what happened on site and emailed engineer and KLWSA to determine appropriate action. Recommendations received from Kal Lake and City Engineer, passed on to Contractor. discussion on utility work continues. Invoice for Asphalt work sent to Contractor. Further confirmation still needed, discussion with contractor, engineer, and KLWSA continue. Spoke with contractor for update. discussions continue with Contractor and Kal-Lake. Reached out to contractor to again discuss reimbursement for Kal-Lake.	KLWSA
306 Mary St	Application for SLU for ADU STR. Scheduled for 12-19 PC. Postponed due to potential regulatory changes. Notified applicants that their case will be at the March PC Meeting.	PC

129 Griffith Unit 2	Received concerns from MTS that change of use is occurring without proper permits. Continued discussion with MTS, change of use application expected. Had discussion with applicant on processes. Provided resources. Discussions continue with applicant and fire department. Spoke with applicant about timelines for approval. Continued discussion with applicant and fire department.	Zoning
825 Bridge St	Application for STR ADU SLU received. Had discussion about minimum size not meeting requirements. Applicant explained structure had been rented since 2011. suggested waiting for the 12-19-2024 Meeting for discussion on regulations before submitting application. Spoke further about minimum size requirements and how to best relay concerns to the PC. Spoke to owner again about potential timeline for review. Owner picked up checks for application, still intends to apply for SLU at future time. SLU Application received, still need payment.	PC
405 Park St	Received application for addition of bathrooms and interior renovation. Sent to Contract planner for discussions. Administrative review deemed inappropriate due to location and scope of project, Formal site plan review scheduled for pc. Site plan review approved contingent upon applicable flood plain requirements being met. Waiting on owner to send additional documentation. Emailed owner regarding conditioned site plan approval and asked about required documentation.	Zoning
401 Elizabeth St	Answered questions and provided resources for future repaving project for Saugatuck Public Schools. Discussion continues.	Zoning
150 Taylor St	Application for STR renewal received. More information needed from applicant. Info provided, sent to Fire Department. Sent email to applicant explaining that due to transfer of ownership to LLC, application is currently pending.	STR
842 Lake St Unit 7	Str application with no required documentation provided, sent back to local agent. Info received, still need payment.	STR
807 Lake St 7	Incomplete STR application received. Sent back to local agent. Received info, asked for further information. Info received, sent to fire department.	STR
249 Mason	Change of Use application received. Had discussion with fire department and sent request for more information to applicant.	
304 Lucy St	Received STR renewal with new owners. Noted a different license holder on application from previous years. Transfer occurred Jan 2024, existing certificate never updated. Application denied due to unauthorized transfer of ownership. Email and letter sent to owner. Discussions with the owner and local agent in regards to appropriateness of denial was had. Owner to provide timeline of events for argument to be sent to legal. Explained to owner that their application is considered denied due to transfer.	STR
940 Pleasant	Received site plan review from fire department. Reached out to Ryan with questions. Sat down with owner to discuss plan. More information needed.	Zoning

40 Butler St	HDC application for Fence received. Sent to Contract planner. HDC approved contingent upon material used being wood. Sent applicant Zoning permit application for next steps.	HDC
555 Griffith St	STR application received. Sent to fire department. Notified of pipe burst at property, inspection postponed until further notice.	STR
618 Water St	Spoke to sign company in regards to requirements for monument sign in the historic District. Discussion continues on requirements of HDC.	HDC
1020 Holland St	Addition to res structure received. Waiting on topo survey. Reached out to contractor to confirm topo survey is on the way. Topographic survey received.	Zoning
419 Lake St	STR application received. Sent to fire department	STR
409 Lake St	STR application received with no supporting documents. Request for more info. Info provided, sent to fire department.	STR
413 Lake St	STR application received with no supporting documents. Request for more info. Info provided, sent to fire department.	STR
31 Butler St	HDC application received to reside building. Advised that payment is still needed.	HDC
338 Park St	Application received for existing STR. Noted transfer from owner to LLC, notified owner that license is currently pending. Sent email to applicant explaining that due to transfer of ownership to LLC, application is currently pending. Spoke with applicant about upcoming City Council Workshop.	STR
781 Manchester Dr	STR application received. Sent email to applicant explaining that due to transfer of ownership to LLC, application is currently pending.	
997 Singapore Dr	Spoke to resident about STR regulations and applying for a license early. Application received, sent to fire department.	STR
231 Grand St	STR Application received. Local Agent outside of allowed radius, notified owner.	STR
825 Bridge St	SLU Application received, still need payment. Payment received. Sent out public notice. Mailer sent out.	PC
332 Mary St	Discussion with STR owner, resources provided.	STR
611 Lake St	Application for HDC permit for sauna received. Location of sauna does not meet Zoning Code, left message for applicant to discuss further. Had discussion about placement of structure not conforming with Zoning regulations. Awaiting response regarding new placement. Notified applicant that changing location will require new meeting, advised that location is chosen prior to meeting. Contractors stated that the applicants will be applying for a variance upon HDC approval, I illustrated concerns and potential issues that they may run into. Forwarded dimensional concerns raised by Horizon to applicant.	HDC
589 Hoffman St	STR application received. Sent to fire department.	STR
540 Campbell Rd	STR application received. Sent to fire department.	STR
714 Park	STR application received. Sent to fire department.	STR
231 North St	STR application received. More information needed. Information provided sent to fire department.	STR

234 Butler St	HDC application for reroof.	HDC
540 Mason St	STR Application received. More information needed. Sent to fire department.	STR
152 Butler St	Spoke to applicant about replacing exterior tiles at commercial property. Provided resources.	HDC
131 Mason St	Fire department notified me of fence blocking egress, owner intends to remove panel of fence, emailed HDC chair to confirm that administrative approval is appropriate for modification of a fence behind a building line.	HDC
329 Water St	STR application. More information needed.	STR
530 S Maple	STR Application. Sent to fire department.	STR
129 Griffith St Unit 7	STR Application. Need more information. Sent to fire department.	STR

Closed Casework

991 Ridgeview Ln	Spoke to resident regarding SLU requirements for ADU STR. Application received, awaiting payment. Payment and application received, scheduled for Feb meeting, sent info to contract planner. Notified applicants that their case will be at the March PC Meeting. SLU approved, sent further resources for gaining license to applicant.	PC
638 Allegan St	Realty sign observed in City ROW. Realtor agreed to relocate sign to private property.	Enforcement
125 Elizabeth St	Realty sign observed in City ROW. Realtor agreed to relocate sign to private property.	Enforcement
STR	Had discussions with realty company in regards to City Boundaries.	STR
202 Butler St	Began discussions for SLU requirement for outdoor seating at pumpnickels. Also discussed Expanded outdoor seating regulations. Provided resources. No further action at this time.	PC
120 Mary St	Had meeting regarding spa project at 120 Mary. Discussed HDC and Zoning Requirements. Spoke to architect for project in regards to original historic approval.	Zoning
129 Griffith ST	Had discussion on standards for STR.	STR
107 Butler St	Observed trash and debris on City ROW outside of establishment. Contacted owner to remedy.	Enforcement
1064 Holland St	Spoke to local agent about expiration dates for multiple properties they manage.	STR
120 Mary	Zoning App. Sent concerns to applicant. Responses sent back to Planner. Emailed builder with concerns. Emailed contractor with request for information. Spoke with the contractor on 12-2, still waiting on updates to the plans. Spoke with Building official concerned with use of property, advised that at this time use of property is unclear due to pending text amendments. Stop work order issued for 120 Mary by MTS due to questions of property use. Reached out to the applicant regarding revised plans. Revised plans showing non Tapered columns received. had discussion with architect in regards to incoming Zoning permit for Spa.	Zoning
220 Brook St	STR Application received, sent to fire department. License issued.	STR
254 Francis St	Spoke to new resident about STR regulations and fines for renting without a license.	STR
638 Allegan St	Spoke to realtor about lot lines and a lot split which happened in 2017.	Zoning

312 Hoffman	Had meeting with resident regarding request to transfer property into trust. Advised that doing so may void STR license.	STR
888 Holland St	Had discussion with realtor about a change of use from SF Res to B&B.	Zoning
B&B Text Amendment	Spoke to concerned resident about lack of bathroom requirements in amendment. Explained that this is addressed within Michigan residential code.	Zoning
810 Allegan	Spoke to Realtor about renting ADU's at properties which already have SLU Approval.	Zoning
825 Bridge St	Spoke to concerned resident about ADU standards to rent.	STR
720 Park St	Received notification of EGLE application. Reached out to applicant to notify that there project may need Zoning Approvals.	Zoning
304 Lucy	Had discussion about upcoming City Council Workshop	STR
306 Mary	Spoke about setbacks for upcoming project.	Zoning
201 Culver St	Applicant reached out to renew EODA for the year. Asked for updated insurance. Insurance provided, sent invoice.	EODA
309 Grand St	Had meeting with resident about residential project. Discussed nonconformities of structure and restrictions that would impose.	Zoning