Planning Commission Regular Meeting
June 20, 2024 7:00PM
City Hall
102 Butler Street, Saugatuck, MI

NOTICE:
Join online by visiting:
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Then enter "Meeting ID":
2698572603

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

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

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

3. **Approval of Minutes:** *(Voice Vote)*
   - **A.** Regular Meeting Minutes – May 16, 2024

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

5. **Old Business:**

6. **New Business:**
   - **A.** Short Term Rentals – Review and Discussion of Initial Data by Zoning District

7. **Communication:**
   - **A.** Craig Baldwin

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

9. **Public Comment:** (Limit 3 minutes)

10. **Commissioner Comments:**

11. **Adjourn** (Voice Vote)

*Public Hearing Procedure

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

Planning Commission Meeting Minutes - *Proposed*

The Planning Commission met for a Regular Committee Meeting, May 16, 2024, at
7:00 p.m. at City Hall
102 Butler St., Saugatuck, MI 49453.

1. Call to Order/Attendance:

The meeting was called to order by Chair Manns at 7:00 p.m.
Present: Chair Manns, Commission members: Anderson, Bagierek, Broeker, Clark, Gaunt, & LaChey.
Absent: None.
Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, Deputy Clerk Sara Williams

2. Approval of Agenda:

Motion by LaChey, second by Bagierek, to approve the agenda as presented for June 6, 2024. Upon voice vote, motion carried unanimously.

3. Approval of Minutes:

Motion by Gaunt, second by Anderson, to approve the minutes for the regular meeting May 16, 2024. Upon voice vote, motion carried unanimously.

4. Guest Speaker:

Adam Arend introduced himself as a speaker from the Michigan Coastal Management Program and works with a unit within the Water Resources Division under the Department of Environment, Great Lakes and Energy. He said that there are 3,288 linear miles of Great Lakes freshwater coastline and is the longest freshwater coastline in the Great Lakes. It is a very diverse coastline which has bluffs, sandy beaches, gravel beaches, and wetlands. Their program was founded in 1978 and is a state and federal partnership. Their federal partners are the National Oceanic Atmospheric Administration, commonly known as NOAA, and it's a federal and state local partnership structure where they get funds from their federal partners. They match those funds one to one and they offer those funds out in a grant. It is a great opportunity to coastal communities all around the state with a one-to-one match. Their mission is to protect, preserve, restore, and enhance and wisely develop the coastal natural resources on the nation's longest freshwater coastline.

Arend said that they have five focus areas, and one staff member is attached to each focus area. It is a lot of coverage for just one staff person in the state of Michigan, but they do their best. Arend is

the Community Development Coordinator, and he focuses typically on grant projects or technical systems that have to do with community planning and zoning. They have a coastal hazards coordinator, coastal habitat coordinator, coastal waters coordinator, and then public access coordinator. Under his objective they are committed to planning and managing future growth and development as well as protecting natural resources and recreational resources on the Great Lakes coastline.

Arend said that the Greak Lakes Coastal Resilience Program aims to enhance the resilience of the ecosystem on the Great Lakes coast through restoration and stabilization of dunes, installation of green infrastructure, and public access projects. The program focuses on community resilience, with funding for site-specific green infrastructure projects and educational exhibits at lighthouses, and a commitment to protecting and managing coastal waters through planning and nature-based solutions. Arend outlined a pathway to resilience for coastal communities, including education, planning, and engineers. Technical training workshops focus on scenario-based planning, nature-based solutions and adaptation strategies for coastal hazards.

The Michigan Coastal Program provides grants to help communities adapt to coastal hazards through natural shoreline restoration and resilient infrastructure design. Arend explained the four different buckets for funding applications including planning projects, feasibility, design, and land conservation. There is a community project interest form available on their website to initiate communication with staff before application submission.

Arend defined resilience as a community's ability to respond to and adapt to natural coastal hazards, including economic impacts. Community development focus area considers the economy reliant on coastal natural resources, such as tourism and industry, when addressing resilience. He mentioned Master Plan updates, and public access, and suggested funding for research and engineering to inform resiliency. Arend discussed the importance of public access, particularly in areas with waterfronts, and mentioned that funding for stairs and boardwalks has been provided in the past. He provided information on how to access coastal zone boundary data and the application process for grants. The application is due in October and could find out if it is approved by December. If the grant is accepted, you could typically start the project by the following October. He said that there is grant writing support available from regional planning agencies and the state.

5. <u>Public Comment (Agenda Items Only):</u> None.

6. <u>Old Business:</u>

A. Short-Term Rentals: Verbal Update – Discussion.

Zoning Administrator Cummins reminded the Commission of the robust short-term rental conversation at their last meeting relating to caps as it related to residential zoning districts and there was an ask from the Commission for more detailed data to evaluate before moving that discussion forward. Since the last meeting, they have been working with the assessor to gather a lot of data points from the assessing system to help inform our discussion. They have worked with the county on gathering different parcel data and data from the building department system. Cummins said that the assessor was in the middle of equalization and board review time, and then there was a lot of additional data points that they didn't ask for during the

Makenna transition, then there were additional data points that Granicus which is the third-party vendor that they are asking to assist them with the enforcement efforts. It took some time, and they ended up with two different spreadsheets that they couldn't quite mesh well, but they were able to narrow it down to two that they could input into a GIS system that was going to work. David Jirousek is using that information and working with some folks from Williams and Works to map everything out and test the data. It is taking more time than they expected, and he apologized for that. Cummins expects the initial data to be ready by the end of the month, with further updates to follow. He says that as the conversation progresses, they will be able to dive in even more.

Zoning Administrator Cummins gave the Commission an update on where they are at with implementing the taskforce plan as it was a lot of work on behalf of the Commission and City Council to update the ordinances, create a short-term rental licensing ordinance, update the noise ordinance, and the rezoning ordinance. Since City Council passed and approved the short-term rental enforcement plan and fee schedules, they developed a short-term rental enforcement plan, which hit all of the recommendations of the taskforce and brought that to City Council and City Council approved the short-term rental enforcement plan. Staff evaluated and brought to the council updated fee schedules to establish fees for short-term rentals, violation fine amounts, they updated the fine amounts for noise violations and zoning violations that the City Council approved. Carrying out the short-term rental enforcement plan, they wanted to think components of it was using a third-party vendor to help them with enforcement. The City put out a request for proposals, and City Council selected Granicus, who was helping them with a couple different modules. One is address identification where it scours numerous websites and looks for short-term rental related data on the internet and then compares it to what they have as far as who is licensed and properly registered, and then is able to show whether someone is compliant or not. If they aren't, it should provide them evidence on why they believe they are short-term renting. He thinks it is a good evidence gathering tool, but also a compliance tool. They are close to being done with the address identification module due to the time it took to cross-reference data and cleaning up a lot of data to make sure that it is accurate. Granicus will be providing training to some at City Hall, as well as your consulting planner David Jirousek and one of his colleagues that will be helping them with some of the short-term rental portion that they are going to use on a contractual basis. Once that phase has been completed, they will start the setup of the 1-800 number system, where people will be able to call into the 1-800 number, text, or email concerns that they have regarding a particular rental. That 1-800 number will be available 24/7 to contact the person who is responsible for the short-term rental unit to address the particular issue. Deputy Clerk Williams has been helping with a project to make sure that the information that they have in their building department and contact information for owners and responsible parties were updated accurately.

Cummins has met with the fire department and reviewed the new ordinance and the requirements and created a new short-term rental license application based on the new ordinance. They have had a number of new short-term rental license application, and they are being sent to the fire department to go through that process. They have had some that have

been issued on the new annual yearly process. They have created a Good Neighbor guide that you can access on the forms part of the website, which was a recommendation. He said that eventually they will get to the point where they have a separate short-term rental section of their website with frequently asked questions and all the information that someone wants to know. He has not had time to sit down a focus on the time that it needs to help build this out and give it to the clerk to build out. Cummins said that in the meantime they have a small section with the short-term rental application, it has the licensing ordinance there, and the noise ordinance that they are required to have, and the Good Neighbor guide is there as well. If you click on the Good Neighbor guide, there is a one pager that he tried to make simple, straightforward, and something that somebody you know may have an interest in reading if you are coming to the community and renting, try to be welcome but also strike the right balance of this is a community and they want people to be respectful while they are visiting. He tried to include photos of the area and let them know that they are glad that they are here but let's respect noise levels and just give them some basic good highlights of information. He looked at a number of other good neighbor guides from other communities and there were things that he liked and some that he didn't in respect to their guides. He said that some were too long and that most people on vacation are not going to take the time to read through a lengthy packet. He is hoping that the one he created is short and to the point and hopefully short enough with pictures that they will take time out to read it through.

Cummins said that one of the recommendations from the task force was to review using no parking signs on one side of the street for emergency vehicle access. The engineers started some of that work last fall and turned that over to the fire department and the Department of Public Works to take a look at the engineers' comments that were reviewed with City Council a month ago. He had some research and follow-up to do and hopes to have everything ready for a City Council vote on May 29 on whether or not to implement no parking on certain narrower streets, particularly on the hill. He has been working on scheduling a meeting with the Sheriff's office to review the new ordinance and discuss the community's concerns over the last year and how to best approach things this summer. Once Granicus is set-up, he and Dave Jirousek will be meeting with his code enforcement colleague to start rolling that out and start handling some of the code enforcement related concerns off to him to follow-up on at times throughout the week, and then they will be creating a separate short-term rental page on the website. He said that they will have to adjust as they go and see how certain things go.

Chair Manns suggested a special meeting to focus solely on short-term rentals in June and not add it to their June agenda where they have other things on the agenda. He proposed starting the meeting at 5:30 or 6:00pm to consider staff time and the possibility of the meeting running late. He would like to have it late enough for people to participate or listen to it on zoom so that they don't feel that they are trying to have the meeting when no one is available. This gives them the opportunity to participate in the conversation.

7. New Business:

A. 322 Culver Street: Public Hearing and Site Plan Review for a restaurant with outdoor seating and expanded outdoor dining area. (Roll Call Vote)

Public Hearing Information

A. Hearing is called to order by Chair Manns at 7:55 pm.

B. Summary by the Zoning Administrator:

The applicant requests special land use and site plan approval for a restaurant with expanded outdoor seating within the public right-of-way. 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 use.

The expanded outdoor seating area was approved by the Historic District Commission on May 2. The applicant provided specifications for the proposed tables, chairs, planters, barrier materials, and lighting.

Four tables with four chairs each are proposed along the sidewalk against the curb, two two-seat tables against the building, and four tables with four chairs each within the on-street parking spaces. The chairs will be steel and have a rounded back with a black powder-coated finish. The tables will be steel-framed and round with a black finish. Umbrellas are not proposed.

Each barrier post will include a solar light fixture and LED rope lighting, which is color changing or white. The Menards specification sheet states that the barrier will be green pressure treated preassembled railing.

We were not provided with information about garbage cans and sanitation stations as well as the location and number of planters. However, no significant exterior changes or site improvements are proposed as part of the project. All exterior furniture, barriers, and accessory items will be temporary in nature.

C. Presentation by the Applicant:

The applicant, John Torres, said that this is the same plan that they have had for the last two seasons and plan to keep everything the same this season. Umbrellas will be the only thing that they get rid of, since it was mentioned that they were not appropriate. There will be five tables, which is the same from previous years.

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 & letters): None.

2. Opposing Comments (audience & letters): None.
3. General Comments (audience & letters): None.
4. Repeat Comment opportunity (Supporting, Opposing, General): None.

E. Public comment portion closed by the Chair at 8:00 pm.

F. Commission deliberation:

The Commission began deliberations, with Clark voicing that the application is pretty straightforward. Cannarsa said that they were one of the first ones in the City with an outdoor seating area and expanded outdoor dining area, and that they always do a great job. Chair Manns thinks that they have met all the requirements according to the checklist in the packet.

G. Commission action:

Motion by Anderson, second by Gaunt to approve the special land use and site plan request for expanded outdoor dining contingent upon the following:

1. *Demonstrate the compliant placement of electrical cords.*
2. *Provide information concerning the type and replacement of barrier reflectors.*
3. *Secure all other applicable approvals from City departments, the fire department, and applicable outside agencies.*
4. *Provide all Expanded Outdoor Dining Area checklist items in accordance with Section 154.092(O)(2)b (license agreement, fees, certificate of insurance, non-expired MLCC license, lighting attestation, and tax attestation.*

Upon roll call vote, motion carried unanimously.

B. 201 Culver St: Public Hearing and Site Plan Review for a restaurant with outdoor seating and expanded outdoor dining area. (Roll Call Vote)

Public Hearing Information

A. Hearing is called to order by Chair Manns at 8:02 pm.

B. Summary by the Zoning Administrator:

The applicant requests special land use and site plan approval for a restaurant with expanded outdoor seating within the sidewalk area of the public right-of-way. 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 use.

The expanded outdoor seating area was approved by the Historic District Commission on May 2. The applicant provided specifications for the proposed tables, chairs, barrier materials, and lighting.

Two six-seat tables are proposed within an on-street dining area. The proposed tables have a grey metal top with black posts, and grey metal chairs are proposed. The barrier is constructed of horizontal rough-cut timbers with black metal posts, and it is the same as used for three previous seasons. String lighting with white bulbs is proposed around the perimeter.

A small hand sanitizer station is proposed, and an existing garbage can is shown to the corner of the dining area along the sidewalk. No significant exterior changes or site improvements are proposed as part of the project. All exterior furniture, barriers, and accessory items will be temporary in nature.

C. Presentation by the Applicant:

The applicant, Chad Kuntz was in person to present his application and said that everything in the application is the same as previous years.

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 & letters): None.
    2. Opposing Comments (audience & letters): None.
    3. General Comments (audience & letters): None.
    4. Repeat Comment opportunity (Supporting, Opposing, General): None.

E. Public comment portion closed by the Chair at 8:05 pm.

F. Commission deliberation:

The Commission began deliberations with Chair Manns saying that the application is pretty straightforward and that the Commission didn't have any further questions for the applicant.

G. Commission action:

Motion by LaChey, second by Broeker to approve the special land use and site plan request for expanded outdoor dining contingent upon the following:

1. *Secure all other applicable approvals from City departments, the fire department, and applicable outside agencies.*
2. *Provide all Expanded Outdoor Dining Area checklist items in accordance with Section 154.092 (O)(2)b (license agreement, fees, non-expired MLCC license, non-expired food license).*

Upon roll call vote, motion carried unanimously.

B. <u>128 Hoffman Street</u>: Signage for Bed & Breakfast. (Roll Call Vote)

The applicant requests a freestanding sign for a proposed bed and breakfast establishment. Section 154.022 (R) of the Zoning Ordinance requires Planning Commission approval.

A bed and breakfast establishment is a permitted land use in the Center Residential R-4 zoning district. The overall project did not trigger a formal site plan review by the Planning Commission, and the building received zoning and building permit approval for construction. Work is underway, and the applicant wishes to install a small freestanding sign in the front yard.

Motion by Anderson, second by Bagierek to approve the freestanding sign for the Porches on Mason. Upon roll call vote, motion carried unanimously.

8. <u>Communications:</u> None.

9. <u>Reports of Officers and Committees:</u>

A. Zoning Administrator Activity Report: Director of Planning, Zoning, and Project Management Cummins included brief update of his report.

10. <u>Public Comments:</u>

- Diana Decker (128 Elizabeth) – She thanked the STR Task Force and the Planning Commission and recommends property management companies in Michigan obtain associate broker licenses to avoid violations.

11. <u>Commissioner Comments:</u>

- LaChey: He said that on one of the local forums, there was yet again somebody who took the Commission to task, not by name because they wouldn't, regarding the Waterfront Preservation Ordinance. They mentioned how bad it was and all the holes in it and said that it would do the opposite of preservation, et cetera. He said that, as far as he knows, the person who made the comment didn't show up to a single meeting, has no idea basically what they are talking about. He sees it as a general thing that is quite unfortunate when the Commissions, City Council, and City Staff take a lot of time and put in a lot of effort to reach out to the Community in every way that they possibly know how to and enact something that is actually progressive in terms of moving the community forward in exactly the way the community would like us to in terms of goals. And yet, we have people who spit ball comments of negativity without a basis on fact, or any other rational basis.
- Anderson: She thanked City Staff and those doing work on the Short-Term rentals, said that they got a lot done. Putting it into practice is the hard part, thanked them for their diligence and attention to detail. It is very exciting, and she appreciates all of the work.

- Clark: He echoed Holly's comments and said that it is impressive the work that has been done and continues to be done. It makes him proud to sit on this commission knowing that staff is doing the work that makes them all look good.
- Gaunt: She thanked City Council for listening to community concerns and urges continued engagement. She said that there are those who complain but never show up to meetings and create a ton of anxiety as well as work on the part of staff and City Council. As she stated in her last public comment, you have a voice and everybody respects voices, they need to hear those voices. If you don't show up and speak out, to behave in the way that has been described around the table tonight is not fair. In terms of ordinances, she thinks that they are there for a reason and their obligation to the Planning Commission is to either enforce them or change them. The amount of criticism that has happened recently, in terms of actions, that the City has taken on behalf of the community, is just like the work that the Planning Commission has done is all to the benefit of the community which is consistent with the Master Plan. She thanked everyone again for their patience and their doggedness in terms of continuing to do the work and to her colleagues also.
- Manns: He said he reiterates all the comments that have been made here, especially to the staff and the job that Ryan is doing while wearing two hats. He congratulated him on being one of the finalists for the city manager position. He said that when he talks about short-term rentals, he continues to hear people question why it is still on their agenda. He keeps reminding people that the short-term rental task force was very clear at the end that they asked for the Planning Commission and the City Council to continue to review the topics that weren't fully covered like the caps where there wasn't a full resolution from the task force. He reiterated that they are just trying to finish the work that they started 18 months ago that has led them through the new ordinances that they are now implementing, which are all positive. They want to make certain that they look at all aspects and if there is anything else that they would like to implement. It would have to have a positive impact on the community overall, from basically the livability as well as the profitability for the businesses and the citizens.

12. <u>Adjournment</u>:

Motion by Bagierek, second by Anderson, to approve adjournment of the meeting. Upon voice vote, motion carried unanimously. Chair Manns adjourned the meeting at 8:23 pm.

Respectfully Submitted,

_____

Sara Williams, Deputy Clerk

HORIZON
Community Planning

Memorandum

To: City of Saugatuck Planning Commission

Date: June 14, 2024

From: David M. Jirousek, AICP

RE: Short-Term Rental Permit Data

Overview

This report includes the locations of short-term rental (STR) permits and a breakdown of permits by zoning district. Our goal was to have a map showing the locations of STR permits and the specific number of permits per property. For instance, multi-family, townhomes, duplexes, or principal & accessory dwelling unit (ADU) arrangements, in many cases, result in multiple permits per property. The data snapshot for this effort is from April 17, 2024.

Similar to task force GIS mapping endeavors, we found it equally as challenging to map the data in the best possible manner. Each mapping layer and dataset was built separately, and "joining" them based on a common attribute is required. However, the GIS parcel data and zoning data did not cleanly correspond, and the parcel data did not include address data. The City's parcel numbers do not necessarily line up with GIS parcel data. Further, each "property" may have multiple parcel numbers, and each parcel number may or may not have a unique address.

After mapping out all properties with STRs, identifiable multi-permit properties were drawn out manually because of the aforementioned challenge. We are working on a GIS method to automate this, but for the time being, this data is very close to accurate (noting the room for error during manual parcel counting and identification of multi-permit properties).

In summary, the April 17 list included 305 lines. After deleting 26 lines for "holds" or "expired" permits, that left us with 279 STR permits. The locations of 278 were identified on the attached map and summarized in the following table. Properties outlined in green without a number indicate the presence of a single STR permit. Properties with more than one STR permit are indicated with the associated number of permits (red numbers).

Although the map markup is rough, it is very close to accurate. If the Planning Commission wishes to continue analyzing this data by district or neighborhood, our goal is to refine the GIS project to pinpoint STR permit locations and numbers on a clear map. Further, we can also assess the number of permits vs. total properties or total built properties if desired.

ZONING DISTRICT	STR Permits
COMMUNITY RESIDENTIAL - R-1	115
CITY CENTER - C-1	21
LAKE STREET - R-2	21
RESORT DISTRICT - C-4	20
CENTER RESIDENTIAL - R-4	19
WATER STREET EAST - C-2	17
PENINSULA WEST - R-1	16
MAPLE STREET - R-1	9
PENINSULA SOUTH - R-1	9
WATER STREET NORTH - C-1	9
DOWNTOWN WATERFRONT PRESERVATION - C-2	8
MULTI-FAMILY RESIDENTIAL R-3	5
WATER STREET SOUTH - C-2	5
PENINSULA NORTH (DUNESIDE) - R-1	3
NEIGHBORHOOD MARINE	1
BLUE STAR DISTRICT - LI-1	0
CONSERVATION RECREATION CAMP	0
CULTURAL COMMUNITY	0
PENINSULA NORTH (RIVERSIDE) - R-1	0
SUMMER RESORT & PARK ASSOCIATION	0
	278

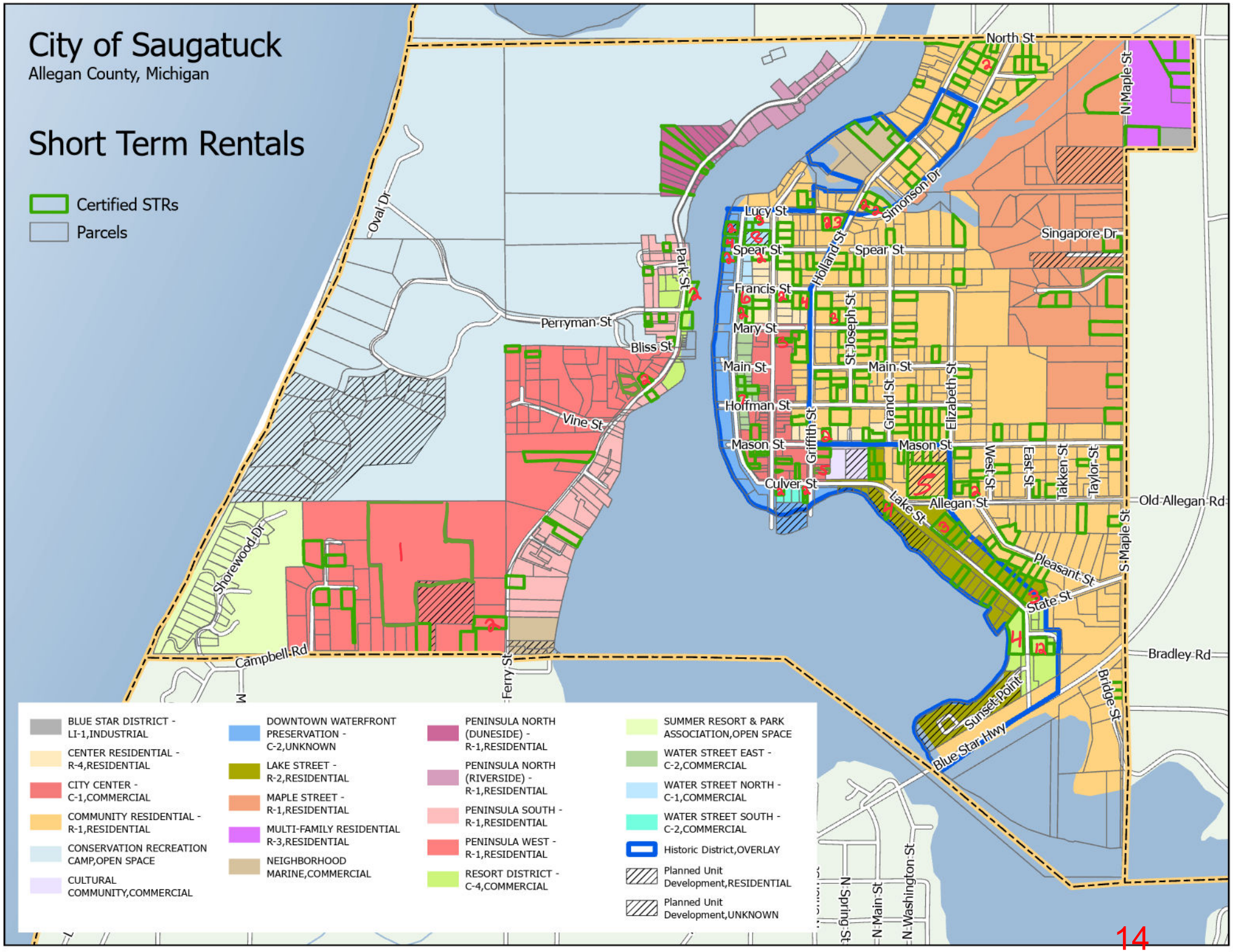
City of Saugatuck

Allegan County, Michigan

Short Term Rentals

Certified STRs

Parcels



From: Craig Baldwin <craigbaldwin312@gmail.com>
Sent: Sunday, June 16, 2024 4:05 PM
To: Jamie Wolters <Jwolters@saugatuckcity.com>
Subject: STR Caps

Please include the following in the packet for the June 20 Planning Commission meeting.

To the Planning Commission:

Thank you in advance for addressing the issue of STR caps at your June 20 meeting. I appreciate the thoughtful and data driven approach you have taken on this issue so far and look forward to your discussion at the next meeting. It is my sincere hope that you recommend reasonable caps in at least our R-1 residential districts to strike a balance between maintaining the population of residents that the city needs to thrive while still supporting the tourism industry that is the heart of our local economy. 412 people have signed my petition on change.org in support of reasonable STR caps in Saugatuck, and close to 100 of those are residents/voters. Please keep that in mind as you debate and discuss an issue that will shape our city's future. Thank you.

Craig Baldwin
City of Saugatuck resident