



**Planning Commission Regular Meeting  
March 16, 2023 7:00PM  
City Hall  
102 Butler Street, Saugatuck, MI**

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

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

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

A. Regular Meeting Minutes – February 16, 2023 (pg. 3)

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

**5. Old Business:**

A. Short-Term Rental Task Force – Verbal Update

**6. New Business:**

A. ZBA Report to Planning Commission (pg. 7)

B. Temporary Waterfront Commercial Development and Construction Moratorium (pg. 9)

C. Temporary Moratorium for Short-Term Rentals (pg. 16)

**7. Communication:**

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

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

**10. Adjourn** (Voice Vote)

**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:  
[rcummins@saugatuckcity.com](mailto:rcummins@saugatuckcity.com)

### **\*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 16, 2023, 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 7:01 p.m.

Present: Chairman Manns, Vice-Chair Broeker, Commission members: Anderson, Gardner, Gaunt, and LaChey.

Absent: Commission member Bagierek.

Others Present: Director of Planning, Zoning, and Project Management Ryan Cummins, City Attorney Jacob Witte, and Deputy Clerk Sara Williams.

### **2. Approval of agenda:**

*Motion by Gaunt, second by LaChey to approve the agenda as presented for February 16, 2022. Upon voice vote, motion carried 6-0.*

### **3. Approval of Minutes:**

*Motion by Anderson, second by Gaunt to approve the minutes as presented for regular meeting January 19, 2023. Upon voice vote, motion carried 6-0.*

*Motion by Anderson, second by Gaunt to approve the minutes as presented for special meeting February 2, 2023. Upon voice vote, motion carried 6-0.*

### **4. Public Comment on Agenda Items: None.**

### **5. Old Business:**

#### **A. Recommendation to Council to create Short-Term Rental Task Force:**

Director of Planning, Zoning, and Project Management Cummins gave a brief update to the Commission. He said that City Council has taken the recommendations from the Planning Commission to form a Short-Term Rental Task Force at their

Workshop meeting last Wednesday, February 8, 2023. They discussed the resolution and there is consensus to form a task force. The Council further discussed the resolution language on Monday, February 13, 2023, during their regular meeting and requested a few changes and clarification be added to the resolution. The City Council met Thursday, February 16, 2023, for a Special Meeting right before the Planning Commission regular meeting. There was a majority vote to pass a resolution forming a Short-Term Rental Task Force. Staff have sent out the application to the public and it is also posted on the City website. The application will be open for a week or two to gauge the interest in the public serving on the task force, and then they will work with the Mayor and Chair Mann's to schedule interviews with those applicants. Ultimately, the Mayor will bring forth recommendations on who will serve on the task force to the City Council for a vote. The task force will be formed and, in the meantime, staff will be working to identify a consultant planner that has familiarity with and experience in working through Short-Term Rental regulations to help guide and facilitate the task force's work. Over the next several months, the Planning Commission will get regular updates on the status of the task force.

**6. New Business:**

**A. 324 N Maple St – Public Hearing for a Special Land Use Request for a Rented Accessory Dwelling Unit and Site Plan Review:**

**Public Hearing Information**

**A. Hearing is called to order by Chair Manns at 7:21 PM.**

**B. Summary by the Zoning Administrator:**

The applicant has applied for a special land use approval to rent an existing accessory dwelling unit (ADU) at 324 North Maple Street (R-1 Maple Street District-MS) in accordance with Section 154.031 (C)(3) of the Zoning Ordinance. The ADU is located above their garage and has already been built. An ADU can be built for the use of guests or others that may be visiting you. Once the owner decides to rent the ADU separate from the single-family home, the single-family home must be owner occupied. In this case, Mr., and Mrs. Bowman will be renting the ADU and require a special land use approval from the Planning Commission. Our Planning consultant has gone to great lengths to provide some comments on the various regulations that apply to their ADU regulations as they relate to special land use. There are General ADU standards, and then there is the overall site plan and special land use standards that are in your zoning ordinance.

**C. Presentation by the Applicant:**

Applicant Chris Bowman presented his and his wife Kelli's application to the Commission.

**D. Public comment regarding the application: None.**

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):

- Terry Shanahan, City of Saugatuck resident.

3. General Comments (audience & letters): None.

4. Repeat Comment opportunity (Supporting, Opposing, General): None.

**E. Public comment portion closed by the Chair.**

**F. Commission deliberation:**

The Commission had some questions regarding how it affects the ADU if the owner decides to rent the home and the ADU or if ownership of the home changes. Director of Planning, Zoning, and Project Management Ryan Cummins explained that if the Applicant later decided to rent the home, it must be rented as one unit with the ADU on a single contract. They would not be able to separately rent the ADU under the zoning ordinance. If the ownership of the home changes, the land use permit carries with the land and same rules would apply as previous property owner. The Commission also questioned how they would monitor the compliance of the ordinance. Chair Manns explained that this would be one of the issues that the task force will be looking into.

**G. Commission action: Chair Manns closed the Public Hearing at 7:43 PM.**

*Motion by Gaunt, second by Anderson to approve the application as presented. Upon voice vote, motion carried 6-0.*

**7. Communications:**

- A. Jim Bouck - Email regarding the proposed Short Term Rental Advisory Committee Resolution.

B. Linda DeWindt – Email in support of STR Task Force and issues with Short Term Rentals.

C. Terri Lynn Shanahan - Email regarding issues with Short Term Rentals.

**8. Reports of Officers and Committees:** None.

**9. Public Comments:** None.

**10. Adjournment:**

*Motion by LaChey, second by Broeker, to approve adjournment of the meeting. Upon voice vote, motion carried 6-0. Chair Manns adjourned at 7:50 PM.*

Respectfully Submitted,

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Sara Williams, City Deputy Clerk & DPW Administrative Assistant

## ZBA Activity - 2022

Variance #	Application Date	Zoning District	Property Address	Parcel #	Description	ZBA Decision
V220001	1/10/2022	P S R -1	143 PARK ST SAUGATUCK, MI 49453	57-700-005-00	Add second dock	Denied
V220002	2/17/2022	CR-COMM RES R-1	336 HOFFMAN ST SAUGATUCK, MI 49453	57-300-116-00	Eight foot high privacy fence	Denied
V220003	3/2/2022	CR-COMM RES R-1	569 HOFFMAN ST SAUGATUCK, MI 49453	57-501-008-00	Side yard setback for addition. Setback of approximately 1.8 feet to the west property line for a variance of 5.2 feet as submitted.	Approved
V220004	3/18/2022	P S R -1	135 VAN DALSON ST SAUGATUCK, MI 49453	57-650-010-00	Expand existing deck in the side and front yard on Van Dalson by approximately 2 feet, add roof cover over existing front door, add outdoor shower in Houtkamp front yard total lot coverage will be 38.99%	Approved
V220005	5/3/2022	P S R -1	181 PARK ST SAUGATUCK, MI 49453	57-700-003-00	2.7 percent of lot coverage for the construction of a single car garage at 181 Park Street for a coverage of 27.7 percent where a maximum of 25 percent is permitted.	Approved
V220006	7/19/2022	CR-COMM RES R-1	1034 HOLLAND ST SAUGATUCK, MI 49453	57-100-005-00	A new house at 1034 Holland Street with an average height of not more than 32.5 feet resulting in a variance of 4.5 feet and a maximum peak height of 34.75 for a variance of 2.75 feet.	Approved
V220007	7/20/2022	WSN-WATER N C1	640 WATER ST SAUGATUCK, MI 49453	57-300-030-00	Construction of a new mixed-use building at 640 and 650 Water Street (C-1 Water Street North District) after the demolition of existing structures, which requires:1. A dimensional variance to increase the maximum height requirement to 32 feet instead of a maximum height of 28 feet, an increase of four feet (4'). Request relates to Section 154.022 (D) of the Zoning Ordinance; and 2. A dimensional variance to reduce the waterfront setback to six feet and two inches (6'2") for the rear building wall and four feet and ten inches (4'10") for balconies instead of the minimum 25-foot setback, a reduction of 18 feet and ten inches (18'10") and 20 feet and two inches (20'2"), respectively. Request relates to Section 154.022 (F)(4) of the Zoning Ordinance; and3. A use variance to allow a dwelling unit ("apartment") on the first floor of the proposed building in a zoning district where dwelling units are only allowed on upper floors. Request relates to Section 154.040 (B) of the Zoning Ordinance.	Dimensional Variances Denied, Use Variance Withdrawn
V220008	8/10/2022	WSE-WATER E C2	221 WATER ST SAUGATUCK, MI 49453	57-300-143-00	A 10-foot by 12-foot shed with zero-foot (0') side and rear setbacks instead of the minimum 10-foot setback requirements; a deck with a zero-foot (0') side setback instead of the minimum seven-foot (7') setback; and a hot tub with a zero-foot (0') side setback instead of the minimum seven-foot (7') setback, with placement and construction consistent with the photo and materials submitted with the variance application, conditioned upon the applicant meeting all other zoning requirements.	Approved

V220009	10/11/2022	CER-CENT RES R4	525 BUTLER ST SAUGATUCK, MI 49453	57-300-044-00	An addition to the existing dwelling at 525 Butler Street (R-4 City Center Transitional Residential District), which requires:1. A dimensional variance to reduce the north side setback to four feet (4') instead of the minimum seven-foot (7') setback, a reduction of three feet (3'). Request relates to Section 154.025 D of the Zoning Ordinance; and2. Approval of an increase of maximum lot coverage to 30 percent instead of the 27.5 percent maximum lot coverage required for the nonconforming 7,920 lot. Request relates to Section 154.025 D of the Zoning Ordinance.	Approved
V220010	12/16/2022	CR-COMM RES R-1	233 LUCY ST SAUGATUCK, MI 49453	57-300-002-00	A dimensional variance to reduce the front setback to five feet and three inches (5'3") instead of the minimum 20-foot setback, a reduction of 14 feet and nine inches (14'9"). Request relates to Section 154.026 (D) of the Zoning Ordinance.	Approved

Total Records:	10
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## Planning Commission Agenda Item Report

**FROM:** Ryan Cummins, Director of Planning and Zoning

**MEETING DATE:** March 16, 2023

**SUBJECT:** Temporary Waterfront Commercial Development and Construction Moratorium

**DESCRIPTION:**

There is a recent increase in the demand to develop or expand structures and buildings along the waterfront. An increase in waterfront commercial development could pose significant environmental risks, due to the close proximity of the Kalamazoo River and Kalamazoo Lake. It is important to ensure that future waterfront commercial development is harmonious with the City by ensuring that existing zoning regulations protect the City's waterways, natural resources, economic land uses, health, safety and general welfare.

The City Council listed a long-term vision for commercial and residential waterfront development as a desirable priority in their recent strategic planning meeting. In October, the Planning Commission raised concern about waterfront development patterns. The Planning Commission established updates to the zoning ordinance regarding waterfront development as a priority for 2023.

Attached is a proposed police power ordinance to enact a temporary moratorium on permitting, approval, and consideration of new building construction, existing building expansion, and site development (parking and site improvements) in all waterfront locations in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts.

City Council is responsible for passing the police power ordinance. However, the Planning Commission is being asked to make a recommendation to City Council on whether to adopt the temporary waterfront commercial development and construction moratorium.

Should City Council impose a moratorium, staff intends to work in partnership with the Planning Commission and our consulting planner, David Jirousek, to:

1. Review of existing ordinance: What does it allow? Will it implement the master plan? Will it result in desirable waterfront development?
2. Review best practices and examples of waterfront commercial development guidelines and requirements.

3. Conduct an online survey with waterfront-focused questions and visual preference options.
4. Prepare zoning recommendations and potentially overlay district boundaries.
5. Conduct a public hearing and approval process.

**LEGAL REVIEW:**

The City Attorney prepared the draft police power ordinance.

**SAMPLE MOTIONS:**

Motion to recommend adoption of an ordinance establishing a temporary waterfront commercial development and construction moratorium.

Motion to not recommend adoption of an ordinance establishing a temporary waterfront commercial development and construction moratorium.

**CITY OF SAUGATUCK  
ALLEGAN COUNTY, MICHIGAN**

**ORDINANCE ESTABLISHING TEMPORARY WATERFRONT COMMERCIAL  
DEVELOPMENT AND CONSTRUCTION MORATORIUM**

**ORDINANCE NO. \_\_\_\_\_**

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the Saugatuck City Hall on \_\_\_\_\_, 2023 at \_\_\_\_\_ p.m., City Council Member \_\_\_\_\_ moved to adopt the following ordinance, which motion was seconded by City Council Member \_\_\_\_\_.

*An ordinance to enact a temporary moratorium until September 30, 2023 or an earlier time in which the City adopts new regulations governing the activities regulated in this ordinance and rescinds this ordinance, on permitting, approval, and consideration of new building construction, existing building expansion, and site development (parking and site improvements) in all waterfront locations in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts. This temporary moratorium does not apply to any interior upfits, interior alterations, or changes in land use that do not require expansions to existing buildings or structures.*

THE CITY OF SAUGATUCK ORDAINS:

**WHEREAS**, the City of Saugatuck (“City”) has enacted a zoning ordinance under the Michigan Zoning Enabling Act (“Zoning Ordinance”) that governs the development of lands within the City for reasons, including, but not limited to, the orderly development of lands, the compatibility of neighboring and nearby land uses, and the general health, safety, and welfare of City residents and visitors. See e.g., MCL 125.3201(1); and

**WHEREAS**, Section 152.04(F) of the City Code provides regulations that allow the City Council to adopt a moratorium to prevent irreparable harm to the resources located within an established historical district and the City’s Historic District includes various areas listed below. Moreover, Michigan courts have interpreted Michigan law as authorizing cities to pass temporary moratoria to protect or promote the public health, safety, and welfare; and

**WHEREAS**, the “Waterfront Commercial Temporary Moratorium Area” is an area of lands that: (1) are waterfront parcels on the Kalamazoo River or Kalamazoo Lake; and (2) are located in either the Water Street North, Water Street South, Water Street Commercial, or Resort Zoning Districts; and

**WHEREAS**, the City is aware that there is a recent increase in the demand to develop or expand structures and buildings within the Waterfront Commercial Temporary Moratorium Area. Given that trend, the City desires to study its zoning regulations and temporarily stop permitting, consideration, and construction within the Waterfront Commercial Temporary Moratorium Area

as specified below to ensure the City can adequately develop land use regulations to protect the public health, safety, and general welfare of the City and its residents; and

**WHEREAS**, the City plans to study its zoning regulations and make any necessary amendments to ensure that future projects in the Waterfront Commercial Temporary Moratorium Area are harmonious with the City by ensuring that existing zoning regulations protect the City's waterways, natural resources, and economic land uses. The City plans to study its zoning regulations to ensure that commercial waterfront development does not cause dangerous traffic or parking conditions, which would adversely impact the health, safety, and general welfare of the City. An increase in waterfront commercial development could pose significant environmental risks, due to the close proximity of the Kalamazoo River and Kalamazoo Lake, and the City wants to ensure its zoning regulations are sufficient to protect the health, safety, and general welfare of the City and its residents; and

**WHEREAS**, given the possible adverse environmental, traffic safety, and economic impacts posed by inappropriate development in the Waterfront Commercial Temporary Moratorium Area, it is appropriate to enact a temporary moratorium on the activities specified below until any necessary revised regulations can be enacted to protect health, safety, and general welfare of the City and its residents.

NOW, THEREFORE, The City of Saugatuck Ordains:

**Section 1. Title:** This ordinance shall be known and cited as the City of Saugatuck Temporary Waterfront Commercial Development and Construction Moratorium.

**Section 2. Temporary Moratorium:** The City enacts a temporary moratorium on permitting, accepting applications, approvals, and consideration of new site development including parking and site improvements, new building construction, and existing building expansion in the Waterfront Commercial Temporary Moratorium Area (an area of lands that: (1) are waterfront parcels on the Kalamazoo River or Kalamazoo Lake; and (2) are located in either the Water Street North, Water Street South, Water Street Commercial, or Resort Zoning Districts) under Michigan law until September 30, 2023 or an earlier time in which the City adopts new regulations governing uses in the Waterfront Commercial Temporary Moratorium Area (and rescinds this ordinance). This temporary moratorium shall not apply to any building interior upfits, building interior alterations, or changes in land use that do not require expansions to existing buildings, structures, or additional site development (parking and other site improvements) in the Waterfront Commercial Temporary Moratorium Area. The City Council may extend this temporary moratorium by resolution from time-to-time to finish adopting new regulations governing uses in the Waterfront Commercial Temporary Moratorium Area.

Waiver: In the event that a landowner will suffer immediate and irreparable harm for the short duration of this ordinance, or this ordinance otherwise violates applicable provisions of the state or federal constitution or other applicable law, a landowner may apply in writing for a waiver of the moratorium from the City Council. At a public hearing held on such an application, the landowner must bear the burden of demonstrating immediate and irreparable harm as a result of

the moratorium. The City Council, upon a sufficient showing, may grant a waiver of the moratorium to the degree necessary to avoid the demonstrated immediate and irreparable harm.

**Section 3. Severability:** The provisions of this ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the ordinance which shall continue in full force and effect.

**Section 4. Repeal:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 5. Effective Date:** This ordinance shall take effect immediately after publication.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Scott Dean  
City of Saugatuck, Mayor

**CERTIFICATION**

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the City of Saugatuck at a duly scheduled and noticed meeting of the City Council held on \_\_\_\_\_, \_\_\_\_\_ 2023, pursuant to the required statutory procedures.
2. A summary of the above ordinance was duly published in the \_\_\_\_\_ newspaper, a newspaper that circulates within the City of Saugatuck, on \_\_\_\_\_, 2023.
3. Within 1 week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the City Council voting, and how each member voted.
4. I filed an attested copy of the above ordinance with the Allegan County Clerk on \_\_\_\_\_, 2023.

ATTESTED:

\_\_\_\_\_  
Jamie Wolters  
City of Saugatuck, Clerk

**CITY OF SAUGATUCK  
ALLEGAN COUNTY, MICHIGAN**

**ORDINANCE ESTABLISHING TEMPORARY WATERFRONT COMMERCIAL  
DEVELOPMENT AND CONSTRUCTION MORATORIUM**

**Ordinance No. \_\_\_\_  
Notice of Adoption**

Please take notice that on \_\_\_\_\_, 2023, the City Council of the City of Saugatuck adopted ordinance No. \_\_\_\_, a temporary moratorium on permitting, accepting applications, approvals, and consideration of new site development including parking and site improvements, new building construction, and existing building expansion in the Waterfront Commercial Temporary Moratorium Area (an area of lands that: (1) are parcels on the Kalamazoo River or Kalamazoo Lake; and (2) are located in either the Water Street North, Water Street South, Water Street Commercial, or Resort Zoning Districts) under Michigan law until September 30, 2023 or an earlier time in which the City adopts new regulations governing uses in the Waterfront Commercial Temporary Moratorium Area. Copies of the ordinance may be obtained from Jamie Wolters, City of Saugatuck Clerk, at 102 Butler Street, P.O. Box 86, Saugatuck, Michigan 49453 during regular business hours.

Published by Order of the City Council  
City of Saugatuck, Allegan County

Jamie Wolters  
City of Saugatuck, Clerk  
(269) 857-2603  
[JWolters@saugatuckcity.com](mailto:JWolters@saugatuckcity.com)

Publication Date: \_\_\_\_\_, 2023



## Planning Commission Agenda Item Report

**FROM:** Ryan Cummins, Director of Planning and Zoning

**MEETING DATE:** March 16, 2023

**SUBJECT:** Temporary Moratorium for Short-Term Rentals

**DESCRIPTION:**

There has been a steadily increasing number of applications for short-term rental certificates in the City and the City already has a large number of approved short-term rentals. These uses, if left unchecked, have the potential to impact housing availability, create land use conflicts, and alter the character of the City's residential neighborhoods.

The City Council established short-term rental regulations, including minimizing damage with loss of housing stock, as an essential priority for 2023. The Planning Commission established updates to the zoning ordinance regarding short-term rentals as a priority for 2023. The City Council recently approved a recommendation by the Planning Commission to authorize the creation of a Short-Term Rental Task Force to serve as an advisory committee in order to research and discuss the issue of short-term rentals.

Attached is a proposed police power ordinance to impose a temporary moratorium on the establishment of new short-term rentals and issuance of new certificates for short-term rentals for the next nine months.

City Council is responsible for passing the police power ordinance. However, the Planning Commission is being asked to make a recommendation to City Council on whether to adopt the temporary moratorium for short-term rentals.

**LEGAL REVIEW:**

The City Attorney prepared the draft police power ordinance.

**SAMPLE MOTIONS:**

Motion to recommend adoption of a temporary moratorium ordinance for short-term rentals.

Motion to not recommend adoption of a temporary moratorium ordinance for short-term rentals.



**CITY OF SAUGATUCK  
COUNTY OF ALLEGAN  
STATE OF MICHIGAN**

**TEMPORARY MORATORIUM ORDINANCE FOR  
SHORT-TERM RENTALS**

**ORDINANCE NO. \_\_\_\_\_**

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the Saugatuck City Hall on \_\_\_\_\_, 2023 at \_\_\_\_\_ p.m., City Council Member \_\_\_\_\_ moved to adopt the following ordinance, which motion was seconded by City Council Member \_\_\_\_\_.

*An ordinance to enact a temporary moratorium until nine months from the effective date of this ordinance, or an earlier time in which the City adopts new regulations governing the activities regulated in this ordinance and rescinds this ordinance on approval and consideration of new short-term rental certifications within the City.*

CITY OF SAUGATUCK, ALLEGAN COUNTY, ORDAINS:

**WHEREAS**, short-term rentals are currently permitted within the City of Saugatuck (“City”) subject to the Saugatuck City Code, which provides for the certification and regulation of short-term rentals within the City; and

**WHEREAS**, there has been a steadily increasing number of applications for short-term rental certificates in the City, and the City already has a large number of approved short-term rentals; and

**WHEREAS**, the Saugatuck City Council (“Council”) has noticed a trend of increased interest in short-term rental uses and is legitimately concerned that these uses, if left unchecked, have the potential to impact housing availability, create land use conflicts, and alter the character of the City’s residential neighborhoods; and

**WHEREAS**, the City has a legitimate public purpose in addressing the proper and consistent regulation of short-term rentals within the City; and

**WHEREAS**, the Council wishes to consider amending the Saugatuck City Code to provide for an appropriate regulatory approach for addressing potential impacts of short-term rentals while ensuring the productive and healthy development of short-term rentals within the City, which may include a cap on the maximum number of short-term rental permits available within the City; and

**WHEREAS**, the Council approved a recommendation by the Planning Commission at a special meeting held on February 16, 2023, to authorize the creation of a Short-Term Rental Task Force to serve as an advisory committee and to represent the various different stakeholders within

the community in order to research and discuss the issue of short-term rentals to assist the City in promulgating balanced regulations related to short-term rentals; and

**WHEREAS**, the Short-Term Rental Task Force requires time to study the benefits and burdens related to short-term rentals and make factual findings regarding short-term rental land uses within the City; accordingly, the Short-Term Rental Task Force will not report its findings to the City Council until the fall of 2023; and

**WHEREAS**, the Council wishes to consider amending the short-term rental provisions within the Saugatuck City Code in a manner that will otherwise protect the public health, safety, and general welfare of the City; and

**WHEREAS**, the research and drafting of appropriate amendments to the Saugatuck City Code may take several months to properly accomplish; and

**WHEREAS**, it is appropriate to address the impacts to the public health, safety, and general welfare to enact a reasonable and temporary moratorium until appropriate regulation can be enacted and effective; and

**WHEREAS**, absent a temporary moratorium on the establishment of any new short-term rentals in the City and the issuance of any new certificates for the same, inconsistent regulation of those activities could result, and the Council would be left without a meaningful way of addressing the potential impacts of these uses on housing availability, land use conflicts, and the character of the City's residential neighborhoods; and

**WHEREAS**, the Council finds that it is necessary and reasonable to establish a temporary moratorium on the establishment of any new short-term rentals in the City and the issuance of any new certificates for the same, except for short-term rental certificate applications that have been filed with the City prior to March 9, 2023, for nine (9) months or until the City has enacted a valid amendment to the Saugatuck City Code.

**NOW, THEREFORE, The City of Saugatuck Ordains:**

*An Ordinance Imposing a Temporary Moratorium on the Establishment of New Short-Term Rentals and Issuance of New Certificates for Short-Term Rentals.*

**Section 1: Moratorium.** The City of Saugatuck hereby temporarily prohibits the establishment of new short-term rentals and the issuance of new certificates for short-term rentals pending further study, enactment, and effect of an amendment to Saugatuck City Code. Except as expressly provided herein, no applications for short-term rental certificates shall be received or processed by the City throughout the duration of the moratorium period. Nothing in this Ordinance shall be construed to authorize the operation of any short-term rentals without a validly issued certificate from the City.

**Section 2: Existing Certificates; Renewal.** Notwithstanding the renewal requirements in the Saugatuck City Code, all valid short-term rental certificates currently in effect shall remain effective throughout the duration of the moratorium period and for a period of 30 days after the

date this Ordinance is repealed. However, nothing in this Ordinance shall preclude the City from terminating or revoking a short-term rental certificate pursuant to the City Code for failure to comply with the applicable standards and requirements of the City Code, excepting the renewal requirements suspended by this Ordinance.

**Section 3: Exceptions for Pending Applications.** This Ordinance shall not apply to applications for short-term rental certificates submitted to the City prior to March 9, 2023, which shall be processed consistent with the Saugatuck City Code and may be approved and issued during the moratorium period. Nothing in this Ordinance shall preclude the City from rejecting a nonconforming or incomplete application for a short-term rental certificate, in which event the applicant shall have no right to reapply until this Ordinance is repealed.

**Section 4: Term; Renewal.** This Ordinance shall terminate and be of no further effect nine (9) months from the effective date of this Ordinance unless the City Council adopts a resolution extending the moratorium or terminating the moratorium.

**Section 5: Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**Section 6: Repeal.** All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 7: Publication.** This Ordinance or a summary thereof shall be promptly published in a newspaper of general circulation within the City of Saugatuck, and on the City’s website.

**Section 8: Effective Date.** This Ordinance shall take effect immediately after its publication as required by law.

The above Ordinance was offered for enactment by \_\_\_\_\_ and was supported by \_\_\_\_\_ at a regular meeting of the Saugatuck City Council, held at the Saugatuck City Hall, on the \_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ p.m., the vote being as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF SAUGATUCK**

BY: \_\_\_\_\_  
Scott Dean, Mayor

BY: \_\_\_\_\_  
Jamie Wolters, City Clerk

**CERTIFICATION**

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the City of Saugatuck at a duly scheduled and noticed meeting of the City Council held on \_\_\_\_\_, \_\_\_\_\_ 2023, pursuant to the required statutory procedures.
2. A summary of the above ordinance was duly published in the \_\_\_\_\_ newspaper, a newspaper that circulates within the City of Saugatuck, on \_\_\_\_\_, 2023.
3. Within 1 week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the City Council voting, and how each member voted.
4. I filed an attested copy of the above ordinance with the Allegan County Clerk on \_\_\_\_\_, 2023.

ATTESTED:

\_\_\_\_\_  
Jamie Wolters  
City of Saugatuck, Clerk