



**Planning Commission Meeting  
July 15, 2021 City Hall  
102 Butler Street, Saugatuck, MI  
7:00 PM**

1. **Call to Order/Roll Call:**
2. **Approval of Agenda:**
3. **Approval of Minutes:**
4. **Public Comment on Agenda Items:** Limit 3 minutes
5. **Old Business:**
  - a. Election of officers
6. **New Business:**
  - a. **Review floating homes zoning ordinance and regulatory ordinance.**
7. **Communications:**
8. **Reports of Officers and Committees:**
9. **Public Comments:** Limit 3 minutes
10. **Adjournment**

**NOTICE:**

This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

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":

**269 857 2603**

Please send questions or comments regarding meeting agenda items prior to meeting to:

[cindy@saugatuckcity.com](mailto:cindy@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 five 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

**Proposed Minutes**  
**Planning Commission Meeting**  
**January 21, 2021 City Hall**  
**102 Butler St., Saugatuck, MI**  
**7:00 pm**

Due to Covid-19 precautions currently in place, the meeting was held virtually via Zoom.

1. **Call to Order/Roll Call:** Chairperson Vlasity called the meeting to order at 7:00 pm  
**Present:** Vlasity, Manns, VanMeter, Crawford, Fox, Caspar  
**Absent:** Peterson (with prior notice)  
**Others Present:** Zoning Administrator Osman, Clerk Wilkinson
2. **Approval of Agenda:** A motion was made by Caspar, 2nd by VanMeter, to approve the agenda to as amended to include item 6C Annual Report to City Council. Upon roll call vote the motion carried unanimously.
3. **Approval of Minutes - October 15, 2020:** Change spelling from "Casper" to "Caspar" and change "emotion" to "motion." A motion was made by Fox, 2nd by Crawford. Upon roll call vote the motion carried unanimously.
4. **Public Comment:** None
5. **Old Business:**
  - A. **Elect Vice Chair** - A motion was made by Caspar, 2nd by Fox, to nominate Caspar for Vice Chair. Upon roll call vote the motion carried unanimously.
6. **New Business:**
  - A. **730 Water St. - Add Moved Fish Shanty to Site:** An overview of the project was presented by Cindy Osman and John Sharar of Retro Boat Rentals.
    - A. **Chairman Vlasity Called the Public Hearing to order** at 7:43 pm
    - B. **Summary by the Zoning Administrator** -
    - C. **Presentation of the Applicant** -
    - D. **Public Comment:**
      1. **Supporting Comments:** Randy Dirosa (resident) representing the Saugatuck Douglas History Center spoke in support of the site plan.
      2. **Opposing Comments:** Written Communication from the Deweys, the neighbors expressed concern about garbage and smell and what it will look like, as it is located right next to their vacation rental entrance.
      3. **General Comments:**  
Osman suggested putting in conditions that can later be reviewed and rescinded. The applicant has stated they will not have a permanent bar or climate control, she also suggested a plan review and approval by the fire department.
    - E. **Public comment/hearing** portion of the meeting closed by the Chair at 7:56
    - F. **Commission deliberation:** Dan Fox suggested a condition be put on the location to prevent a permanent bar at the location.

- G. **Commission Action:** A motion was made by Fox, 2nd by VanMeter, to accept the site plan as written with the following conditions: All representations made by the applicant will be adhered to. There will not be a permanent bar installed. The fire department will perform a site plan review, and receive approval from the Fire Department. Upon roll call vote the motion carried unanimously.
- B. **2021 Schedule of Meetings** - A motion was made by Manns, 2nd by Caspar to approve the 2021 schedule of meetings as presented. Upon roll call vote the motion carried unanimously.
- C. **Annual Report to Council** - A motion was made by Fox, 2nd by Vlasity, to send the 2020 Planning Commission Activities report to council as presented. Upon roll call vote, the motion carried unanimously.
7. **Communications:** None
8. **Reports of Officers and Committees:** Dan Fox suggested the city look into adding a cross walk on the corner of Spear Street and Water Street.
9. **Public Comment:** None
10. **Adjournment:** A motion was made by Fox, 2nd by VanMeter, to adjourn the meeting at 8:22 pm. Upon roll call vote the motion passed unanimously.

Respectfully Submitted,

Erin Wilkinson  
City of Saugatuck Clerk



## MEMORANDUM

**TO:** Planning Commission  
City of Saugatuck

**FROM:** Cindy Osman, Planning and Zoning

**DATE:** January 21, 2021

**RE:** Floating homes ordinances

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The Saugatuck Code of Ordinances currently does not address floating homes. After talking to other agencies that regulate what goes on in the water like the Coast Guard, the DNR, and EGLE, construction codes, LARA through the pre-manufactured home division, I learned that a floating home that stays in one place all the time is NEITHER a building nor a watercraft, so these other agencies do not regulate them. It is up to the local unit of government if and how they want to regulate them.

City Council enacted a moratorium on floating homes (none can be “installed”) that will expire on August 23, 2021. If there is a need/desire to regulate these, it is incumbent upon us to move along with this process.

Potential schedule:

July 15, 2021 Planning Commission makes a recommendation following Public Hearing (or a special meeting the following week if necessary)

July 26, 2021 Ordinances introduced to Council for first reading (Council may waive first reading and adopt immediately if they want to do that.)

August 9, 2021 Council action on the ordinances to adopt

August 19, 2021 Publications of ordinances – effective date August 26, 2021 (or publish in Holland Sentinel on ~August 12 or 13, 2021 for an effective date of July 22 or 23, 2021)

August 23 Moratorium expires

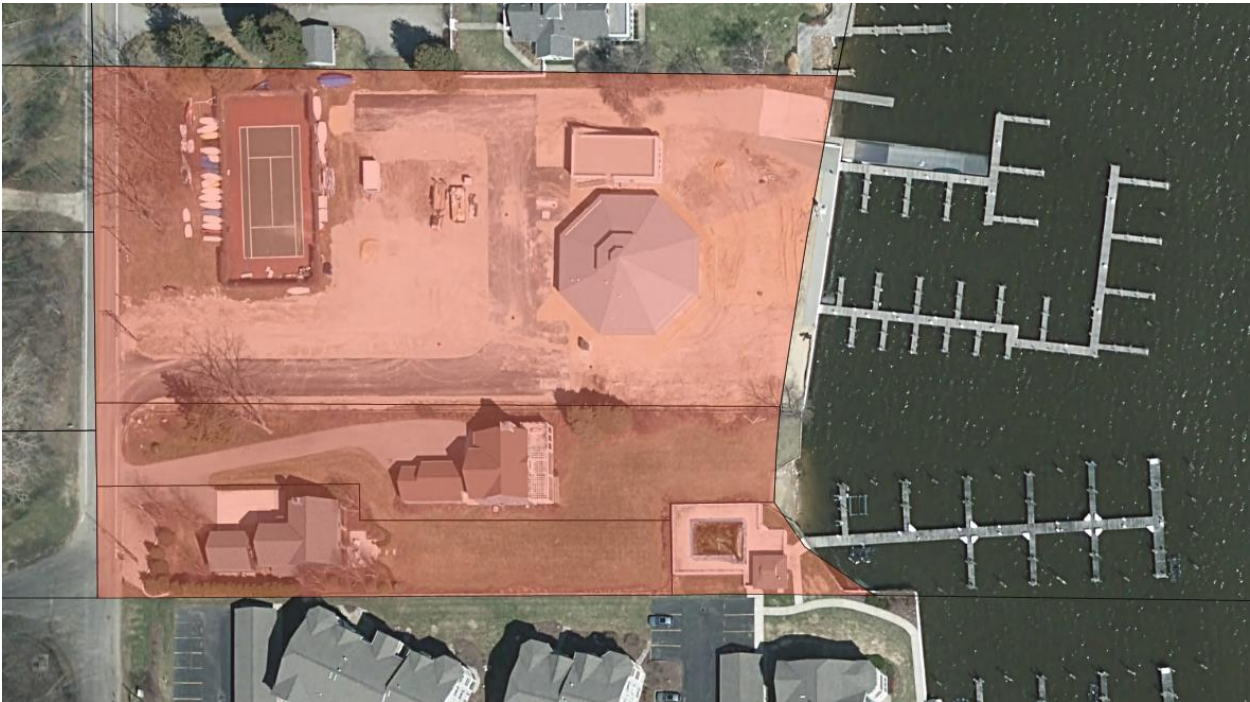
Effective date: August 26, 2021

There are two proposed ordinances that will be looked at. One, the proposed zoning ordinance, is required to be reviewed by the Planning Commission in its advisory capacity, and make a recommendation to the legislative body, the City Council.

These proposed ordinances are a starting place, not the final document.

The other ordinance proposal is a regulatory ordinance that is not reviewed by Planning Commission, but I think knowing what the other end is doing may be helpful to you and any comments on that ordinance may be appreciated by Council as they go through their deliberations.

Possible motion: Move to approve the proposed amendments with the following changes:



**FENCE.** A structure or other object or objects, including growing plants, erected to act as a boundary marker, or erected for the purpose of restricting access to or from a lot or parcel of land, whether enclosing all or part of the lot or parcel.

**FENCE, BARRIER.** Fences containing barbed wire, electric charges, sharp materials at the top, or other measures to prevent entry by animals or persons.

**FENCE, TEMPORARY.** A fence erected for a limited time to protect a construction site from vandalism and unauthorized entry.

**FINGER PIER.** A pier or dock (less than four feet wide) extending at right (or similar) angles from the main pier and often located parallel with the shoreline.

**FLOATING HOME.** Any structure or item which is waterborne or is supported by means of flotation (or suspension over a river or lake), designed to be used without a permanent foundation, used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or which is occupied for living purposes with facilities for living and sleeping, and often cooking and eating as well. The term "floating home" shall also include a "floating house," "liveboards", "ark," "barge", and any other boat or vessel which is designed or used primarily for living or as a house, domicile or dwelling rather than for water transport or recreational purposes. The definition of floating home can also include a "houseboat" which exhibits any of the following traits:

- (1) Is over 25 feet long.
- (2) Is over 15 feet in height above the water when calm.
- (3) Cannot be readily propelled through the water at a speed of at least 15 miles per hour.
- (4) Is not certified by the United States Coast Guard or other government agency as a water-worthy boat or watercraft.

When determining whether a boat, vessel or float is a "floating home" for purposes of this Ordinance, the Zoning Administrator (or such other official as the City Council may designate) shall also consider the following:

- a. Whether the structure or item is usually kept at a fixed mooring point;
- b. Whether the structure or item is actually used on a regular basis for transportation or navigation;
- c. Whether the structure or item has a permanent or continuous connection to the shore for electrical, plumbing, water, or other utility service;
- d. Whether the structure or item has the performance characteristics of a vessel typically used for navigation or transportation on water;
- e. Whether the structure or item can be readily removed from the water;
- f. Whether the structure or item is used for intermittent or extended human-habitation or occupancy;
- g. Whether the structure or item clearly has a means of substantial and continuous propulsion, and appropriate power / size ratio;
- h. Whether the structure or item is safe to navigate or use for transportation purposes;

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- i. Whether the structure or item has a factory or manufacturer installed and operable water propulsion system;
- j. That a structure or item could occasionally move from place to place in the water, or that it qualifies under a federal or state regulatory program as a vessel or boat, are factors that would not be determinative; and
- k. Such other factors as are relevant to determining the nature of the item or vessel at issue.

**FLOOD HAZARD AREA.** The area designated as a flood hazard area (100-year floodplain) on the city’s Flood Insurance Rate Map (FIRM), issued by the Federal Emergency Management Agency (FEMA), as from time to time amended.

\* \* \*

**FOOD AND BEVERAGE SERVICES.** The offering of food and beverages as an accessory to a primary use.

**FOREDUNE.** One or more low linear dune ridges that are parallel and adjacent to the shoreline of a lake or river and are rarely greater than 20 feet in height. The lakeword face of a foredune is often gently sloping and may be vegetated with dune grosses and low shrub vegetation or may have an exposed sand face.

**FRONTAGE, PRIMARY ENTRY.** The side of the building that houses the main entrance to the business or service.

**FULL SERVICE MARINA.** A dock or docks, marina, waterfront area or a basin with mooring or docking services for boats and yachts. To be considered a Full Service Marina, the marina shall provide at a minimum all of the following on-site services:

- a. Off-street parking in accordance with Section 154.130.
- b. Electrical supply inspected and approved by a Registered Code Official.
- c. Potable water distribution inspected and approved by a Registered Code Official.
- d. Weekly pump out (or more frequently) of grey water and black water appropriately disposed of in accordance with state law.
- e. Solid waste dumpster with screening in accordance with Chapter 50.
- f. Working toilet (not portable toilets) and showers for users of the marina.
- g. Is open to the general public.

**GARAGE.** A building or structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

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**154.032 NEIGHBORHOOD MARINE DISTRICT (NHM).**

(A) *Generally.*

(1) The purpose of this district is to promote utilization of the waterfront property with mixed land uses.

(2) The goal of the district is to encourage larger lot development in order to preserve and protect visual access to the waterfront.

(3) Land uses in the district that emphasize water access and usage are desired after appropriate review.

(B) *Permitted uses:*

(1) Dwelling, single-family detached, with a floor area ratio that does not exceed 0.3:1;

(2) Essential public services;

(3) Bed and breakfasts;

(4) Home occupations; and

(5) Short-term rental unit.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

(1) Restaurants;

(2) Marinas/commercial boats;

(3) Home businesses;

(4) Rented accessory dwelling units in accordance with § [154.092\(J\)](#); and

(5) Dwelling, single-family detached, with a floor area ratio that exceeds 0.3:1.

[\(6\) Floating homes moored in a Full Service Marina.](#)

(D) *Dimension and area regulations:*

Front setback	25 feet
Side setback	10 feet
Rear setback	15 feet
Minimum lot area	17,424 square feet
Minimum lot width	132 feet

Maximum lot coverage	35%
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(Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 100726-1, passed 7-26-2010; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 170911-1, passed 9-11-2017)

**§ 154.135 MINIMUM OFF-STREET PARKING REQUIREMENTS.**

<i>Minimum Automobile Off-Street Parking Requirements</i>		
<i>Types of Buildings and Uses</i>	<i>Minimum Number of Parking Spaces Required per Indicated Unit</i>	<i>Unit of Measure</i>
<u>Floating Homes</u>	<u>2</u>	<u>Per Floating Homes</u>
Dwellings	2.0	Per dwelling unit
Retail store	1.0	Per 100 square feet of usable floor area
Research, development and testing laboratories	0.4	Per 100 square feet of usable floor area
Motion picture theaters	0.3	Per person based on maximum capacity
Or	1.0	Per 50 square feet of usable floor and/or land area devoted to assembly of recreation use on the premises
Motel/motor court or hotel/inn	1.0	Per sleeping unit
And	1.0	Per resident manager
Bed and breakfast	1.0	Per 3 sleeping units or fraction thereof
Automotive dealer establishments	1.5	Per person regularly employed on the premises
Gasoline service stations	1.5	Per person regularly employed on the premises
Automobile and truck repair establishments	0.5	Per 100 square feet of usable floor area devoted to retail selling of merchandise, goods and products
Sales and service establishments	0.5	Per 100 square feet of usable floor area devoted to retail selling of merchandise, goods and products
Marina	1.0	Per 4 transient boat slips

Plus	1.0	Per 1 seasonal boat slip
Veterinarian and animal hospital service establishments	1.8	Per person regularly employed on the premises
Plus	3.0	Per veterinarian
Manufacturing Wholesale and storage establishments	0.7	Per person regularly employed on the premises, based on largest single employment shift
Educational facilities	0.6	Per student enrolled on the premises
Cultural facilities	0.3	Per 100 square feet of usable floor area
Or	1.0	Per 100 square feet of floor and/or land area devoted to assembly of visitor use on the premises
Commercial boat	1.0	Per 5-passenger capacity
Religious facilities	0.3	Per seat, based on maximum capacity of auditorium or principal place of assembly
Mortuaries, funeral homes	1.0	Per 50 square feet of usable floor area devoted to slumber rooms, parlors or individual mortuary rooms
Plus	0.3	Per seat, based on maximum capacity of funeral service chamber or chapel
Private recreation camp	1.0	Per 3 beds
Plus	0.3	Per 100 square feet of usable floor area for buildings devoted to visitor assembly
Or	1.0	Per 100 square feet of floor and/or land area devoted to visitor assembly
For uses not listed, the Planning Commission shall determine the appropriate number of parking spaces required.		

## **CHAPTER 99: FLOATING HOMES**

Section

99.01 Findings

~~99.02~~ Purpose

~~99.03~~ Definitions

~~99.04~~ [Prohibition or Allowance]

~~99.05~~ Licenses

~~99.06~~ Floating home and Moorage Standards and Requirements

~~99.07~~ Miscellaneous Matters

### **§ 99.01 FINDINGS.**

The City Council hereby makes the following express findings regarding the desirability and necessity of the City adopting and enforcing this chapter:

(A) The mooring, docking and / or use of floating homes along the shoreline of the City, at or adjacent to docks, piers and mooring slips within or adjacent to the City and at similar locations, and the residential dwelling use of floating homes will likely create problems for, and negative impacts upon, adjacent and nearby lawful uses within the City as well as present unreasonable challenges to and negative impacts upon navigation by other boats and vessels.

(B) The long term mooring or use of floating homes as dwellings or structures of habitation will negatively impact the aesthetics of the City's waterfront areas as well as block the view of the Kalamazoo River at places by tourists and the occupants of many houses and dwellings located upland from the floating home mooring site, thus hurting tourism and lowering property values.

(C) Allowing floating homes to be used as habitable structures or dwellings would potentially circumvent many of the safeguards for dwellings and houses contained in both the

City Code and the City's zoning regulations, including, but not limited to, provisions regarding setbacks, parking requirements, zoning permits, building codes and permits, open space, and buffers.

(D) Marina facilities, docks, piers and other amenities and appurtenances along the waterfront within the City were and are intended to be utilized for temporary use for conventional boats and vessels, not for permanent or semi-permanent homes, dwellings or similar habitable structures. Furthermore, it is in the best interest of the City, as well as its residents, visitors and property owners, to have the waterfront generally clear of boats and vessels during the off season, not only for purposes of aesthetics but for environmental and safety reasons as well.

(E) Floating homes present many potentially challenging and unhealthy situations, including, but necessarily limited to, the disposal of sewage, providing clean potable water to the users and occupants of floating homes, managing trash and garbage disposal and ensuring that a floating home is not damaged or swamped by storms, severe wave action and impact with other boats or vessels.

(F) Floating houses and *de facto* housing subdivisions on or off shore are not compatible with the City's waterfront areas, building codes for dwellings, master plan or zoning regulations.

(G) The City Council finds that this chapter is both reasonable and prudent, and will promote the public health, safety and welfare of the residents, property owners and visitors of and to the City.

**99.02 PURPOSE.**

(A) To establish safeguards for dwellings and houses contained in the City Code and the City's zoning regulations, other State and Local regulations related to construction, fire safety,

management of solid waste, disposal of sewage, provision of potable water, other regulated utilities, and any other safety issues that may be identified.

(B) To establish a process to license Floating Homes and their moorages.

**§ 99.032 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(A) “Floating home” means any structure or item which is waterborne or is supported by means of flotation (or suspension over a river or lake), designed to be used without a permanent foundation, used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or which is occupied for living purposes with facilities for living and sleeping, and often cooking and eating as well. The term “floating home” shall also include a “floating house,” “liveaboards”, “ark,” “barge”, and any other boat or vessel which is designed or used primarily for living or as a house, domicile or dwelling rather than for water transport or recreational purposes. The definition of floating home can also include a “houseboat” which exhibits any of the following traits:

- (1) Is over 25 feet long.
- (2) Is over 15 feet in height above the water when calm.
- (3) Cannot be readily propelled through the water at a speed of at least 15 miles per hour.
- (4) Is not certified by the United States Coast Guard as a water-worthy boat or watercraft.

When determining whether a boat, vessel or float is a “floating home” for purposes of this chapter, the City of Saugatuck Building Official (or such other official as the City Council may designate) shall also consider the following:

- a. Whether the structure or item is usually kept at a fixed mooring point;
- b. Whether the structure or item is actually used on a regular basis for transportation or navigation;
- c. Whether the structure or item has a permanent or continuous connection to the shore for electrical, plumbing, water, or other utility service;
- d. Whether the structure or item has the performance characteristics of a vessel typically used for navigation or transportation on water;
- e. Whether the structure or item can be readily removed from the water;
- f. Whether the structure or item is used for intermittent or extended human-habitation or occupancy;
- g. Whether the structure or item clearly has a means of substantial and continuous propulsion, and appropriate power / size ratio;
- h. Whether the structure or item is safe to navigate or use for transportation purposes;
- i. Whether the structure or item has a factory or manufacturer installed and operable water propulsion system;

- j. That a structure or item could occasionally move from place to place in the water, or that it qualifies under a federal or state regulatory program as a vessel or boat, are factors that would not be determinative; and
- k. Such other factors as are relevant to determining the nature of the item or vessel at issue.

(B) “Floating home moorage” means a waterfront facility and area for the moorage or docking of one or more floating homes, and the land and water premises on which such facility is located.

**§ 99.0~~43~~ [PROHIBITION OR ALLOWANCE]**

[Alternative One – Floating homes shall not be used as a residence, house or dwelling or for permanent or seasonal habitation. No floating home shall be present, moored, docked or stored within the City at any dock, mooring, shoreline or land (or adjacent to or off shore from the City) for more than fourteen (14) days during any calendar month.]

[Alternative Two - Limited Allowance – No floating home shall be used, moored, docked or kept within or adjacent to the City or on or adjacent to any land, shoreline, dock, mooring or floating home moorage within or adjacent to the City except in full compliance with this Chapter.]

**§ 99.0~~53~~54 LICENSES.**

(A) No floating home shall be moored, docked, used or kept within the City or on or along any shoreline or land within or adjacent to the City for more than thirty (30) days per calendar year unless a City license has been issued for the floating home.



(B) An application for a floating home license from the City shall include all of the following information, items, and materials:

- (1) A fee as set by the City Council from time-to-time.
- (2) A fully completed City floating home application form.
- (3) Such additional information and materials as the City deems necessary.

(C) Licenses for floating homes shall be issued by the Building Official. The Building Official shall consider all of the following standards when determining whether or not to issue a floating home license:

- (1) Whether the application is fully complete.
- (2) Whether both the floating home and its proposed use and moorage area will meet all of the requirements of this Chapter and all other applicable City ordinances and codes.
- (3) Whether the floating home and its proposed use will be safe and sanitary.
- (4) Whether the proposed floating home is in keeping with the overall land use pattern in the surrounding area.
- (5) Whether the floating home will adversely impact, or be adversely affected by, normal area wave and water patterns and actions.
- (6) Whether all other applicable governmental regulations be satisfied.
- (7) Whether the floating home involved will generate the necessary extension or expansion of public facilities and services including, but not limited to, schools, roads, police, fire, water and sewer.

(D) The Building Official may attach reasonable conditions to the approval of any floating home license.

(E) A floating home license is valid for three (3) years. Upon the expiration of the floating home license, a new application must be filed with the City pursuant to subsection 99.04(B) hereof.

(F) The City shall have the authority at all reasonable hours to inspect any floating home with a City license.

(G) A floating home license may be revoked by the Building Official. When determining whether to revoke a City floating home license, the Building Official shall consider all of the following:

- (1) Whether the use, location or activities associated with the floating home violate any provision of this Chapter, any conditions of the floating home license, any other City ordinance or code or any county, state or federal law, regulation or statute.
- (2) Whether any of the standards contained in subsection 99.04 (C) hereof are being or have been violated.
- (3) The City determines that anything in the license application for the floating home (or any materials submitted to the City by the owner of the floating home) was erroneous, fraudulent or deceptive.

Once a floating home license has been revoked, no new license for the same floating home shall not be issued by the City for at least three years after the revocation.

The owner of a floating home may appeal a revocation of the floating home's City license to the City Council, so long as the owner of the floating home files a written appeal with the City within thirty (30) days of the date of the license revocation. For an appeal that has been

timely filed with the City, the City Council shall hold a public hearing on the license revocation appeal, with at least fifteen (15) days prior written notice being mailed to both the owner of the floating home and the owners of all properties within 300 feet of the floating home moorage site (as shown in the City’s most recent property tax roll). The decision of the City Council on any such appeal shall be final.

(H) The Building Official shall have the authority to require that a floating home be located in a specific area or placement within a floating home moorage, including, but not limited to, requiring a specific distance that the floating home be moored or secured away from walkways, docks, piers, seawalls and other fixtures or structures. The Building Official shall also have the authority to require stabilizing equipment and items for a specific floating home as is reasonably necessary for the stability and levelness of the floating home, as well as to prevent the floating home from shifting, drifting or moving towards or into another boat, structure, fixture or item.

(I) Under no circumstances shall a floating home be used, kept, anchored or moored overnight for more than 14 days during any calendar year in the following areas of the City’s waterfront:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_.

**§ 99.065 FLOATING HOME AND MOORAGE STANDARDS AND REQUIREMENTS.**

(A) Access.

The access to a floating home moorage site shall have not less than thirty (30) feet of land frontage abutting a public street for each floating home and shall be sufficiently graded, paved and maintained to support anticipated vehicular or other loads and minimize drainage and dust nuisances.

(B) Walkways.

Every floating home shall have access to a public street, yard or court by means of a system of primary and secondary walkways. The Building Official shall review such system and shall establish the minimum clear width of required primary and secondary walkways based upon a consideration of the number of floating homes and other occupancies served, the total length of the walkways and the number of access points provided for exit to a public street, yard or court. No walkway shall be less than four feet in width or be more than six feet in width.

(C) Parking.

At least two off-street paved parking spaces shall be provided on land for the exclusive use of each floating home.

(D) Garbage disposal.

The Health Officer shall determine the number and type of garbage and rubbish receptacles that shall be provided for all floating homes and accessory moorage uses. All garbage and rubbish receptacles shall be adequately screened from public view.

(E) Laundry facilities.

A laundry room containing a minimum of two laundry trays, or two automatic washers supplied with hot and cold water shall be provided for each five (5) floating homes not equipped with such facilities.

(F) Lighting.

Every floating home moorage site (including the walkways to every floating home site) shall be illuminated by lights designed, constructed and maintained to provide an average light intensity of two footcandles in accordance with the recommendations of the Illuminating Engineers Society of America and as may be recommended by the City \_\_\_\_\_.

(G) Electrical service and wiring.

Electrical service and wiring in all floating home moorages shall comply with the requirements of chapter 555, "Boat Harbors and Marinas" of the National Electrical Code, current edition.

(H) Water distribution.

Plans shall be submitted by the owner of the floating home moorage to the Building Official showing complete details of the water service and piping system and shall be accompanied by calculations to verify the adequacy of said system to meet the demands of the floating home. The design of said system shall comply with the other applicable sections of this Chapter (and applicable City codes) and shall meet all of the following requirements:

- (1) Plans. The plans shall show the size and location of each water meter and all water lines, as well as type, size and location of all required water service backflow prevention devices.
- (2) Materials. The use of nonmetallic or exposed steel piping on docks, floats, ramps or similar moorage facilities will not be permitted. Exposed copper tubing placed on these facilities shall be joined by brazing or by other equivalent methods. Flexible water supply connections to or located on said

facilities shall be approved heavy duty type and each hose bib serving said facilities shall be an approved type incorporating a vacuum breaker.

(3) Flexible Water Supply Connections. Flexible water supply connections shall be approved heavy duty type and shall be installed and supported so that at all times they will be above the moorage basin water level.

(4) Backflow Prevention Devices. Each hose bib serving a dock, float, ramp or similar moorage facility shall be equipped with an approved vacuum breaker. No floating home which uses a pump or equipment which could cause a cross-connection potential shall have a direct connection to the water supply system.

(5) Temperature and Pressure Relief Valves. A combination temperature and pressure relief valve shall be provided on all water heaters.

(6) Wet Standpipes (Fire Lines). Water lines supplying wet standpipes must be capable of supplying fifty (50) gallons per minute and maintain a residual pressure of thirty (30) pounds per square inch at the hose connection based on the minimum water supply. No fire pump inlet connection will be permitted on any wet standpipe system which is connected to a portable water system.

(I) Fuel gas piping.

All gas piping installed within a floating home moorage, including such piping intended to serve floating homes and other floating structures and such piping as may be required to serve dockside facilities, shall be installed in accordance with Chapter \_\_\_ of the currently applicable Michigan Plumbing Code and with the following special requirements:

(1) Cathodic Protection. All gas piping shall have approved cathodic protection

design, inspected and certified by an approved engineering firm specializing in the field.

(2) Connections – Valves. Where gas is permitted by the administrative authority to be distributed from shoreside facilities, connections to floating homes and other moorage structures shall be made by the use of approved high pressure flexible hose and such connections shall terminate in a positive disconnect coupling. A separate shutoff valve shall be installed ahead of such connection. Connections shall not be immersed in water or run exposed on docks, piers, floats, floating homes or other floating structures. The length of the flexible connections shall not be excessive nor shall it be used as a substitute for gas piping.

(J) Open spaces.

A clear spacing of at least ten (10) feet between sides or between a side and front or the rear of adjacent floating homes shall be maintained in all floating home moorages. The clear distance between a floating home and any shoreside dock or building and the clear distance between a floating home and any other moorage structures floating or otherwise shall also be at least ten (10) feet. All distances shall be measured between the maximum projection of the superstructure walls. A maximum encroachment of two (2) feet into the required minimum spacing for eaves, roof decks, or similar features will be permitted.

(K) Insurance.

The owner of every floating home shall, at all times, keep in full force and effect insurance in the amount of at least \$2,000,000 to cover the floating home, as well as its uses, activities, fixtures and items.

(L) Permits for floating home docks, piers and moorage.

No dock, pier, boat slip, boat mooring facility or similar item shall be used for the moorage, storage, dockage or use of any floating home unless the Building Official has first issued a permit to the owner of such dock, pier, boat slip, boat moorage facility or similar item utilizing the same procedures and standards as contained in subsections (B), (C), (D), (E), (F), (G) and (I) of this Section 99.05.

(M) Building Codes.

Except for the foundation regulations, all floating homes shall fully comply with the Michigan Building Code for single-family residential dwellings.

(N) Height and Length.

No portion of a floating home shall exceed a height of 15 feet above the water when the water is calm. Also, no floating home shall exceed 25 feet in total length.

**§ 99.076 MISCELLANEOUS MATTERS.**

(A) Movement or relocation of floating homes.

Floating homes proposed to be moved into or adjacent to the City or proposed to be moved from one moorage site to another moorage site within or adjacent to the City shall comply with all of the requirements of this Chapter pertaining to new floating homes and the City license for the floating home involved. No floating home shall be moved into or relocated within or adjacent to the City if, after inspection and investigation by the Building Official, the floating home it is found to be dilapidated, unseaworthy, or otherwise substandard to such an extent that it would be impractical to repair, improve or rehabilitate that floating home in accordance with the requirements of this Chapter for new floating homes.

(B) Mooring register of the ownership of floating homes.



Every owner or operator of a floating home moorage shall maintain a current register of every floating home moored on the premises under his, her or its control, with such register to record the name and address of the legal owner of each floating home. A copy of said register shall be available to the City upon request by the Building Official.

(C) Moorage location.

Floating homes shall be berthed or moored in a marina, harbor or similar improved and lawful facility conforming to the requirements of this Chapter (and after applicable City codes and ordinances) and located on privately owned or privately controlled property. Moorages shall not be located in any waterway or fairway, or in the public waters of any street or street end. No floating home shall be moored, stored, docked or located within fifty (50) feet of a public road right-of-way or easement.

(D) Transitory floating home mooring.

Unless a floating home has a current valid City license in effect pursuant to Section 99.04 hereof, the floating home shall not be moored, kept or docked in the same location for more than fourteen (14) days during any calendar month.

(E) No open water mooring.

Except when a floating home is under power in the open water, being used temporarily for recreation or being moved to another lawful location, no floating home shall be anchored, kept or moored away from land in the open water overnight.

(F) Single family use only.

While in its floating home mooring, only one single family shall be domiciled in that floating home. There shall be no multi-family habitation or uses.

(G) No short-term rental.

“Short-term rental” shall mean a floating home that is available for use or is used for habitation, accommodations or lodging of guests or others, paying a fee or other compensation, for a period of less than 120 consecutive days and nights at a time.

No floating home shall serve, be used, leased or rented out as a short-term rental.

(H) No commercial use.

No floating home shall be used for commercial or industrial purposes or uses.

(I) No nuisance conditions.

No floating home shall be a nuisance.

(J) Violations.

A violation of any of the conditions attached to a City floating home license shall constitute a violation of this Code and shall be a nuisance *per se*.

(K) Unlawful activities.

The following conduct or activities shall not occur on or from any floating home:

- (1) Indecent exposure.
- (2) A loud or boisterous party.
- (3) Any noise which is unreasonably loud or causes discomfort to individuals outside of the floating home mooring.
- (4) Disturbing the peace.
- (5) Engage in disorderly conduct.

(L) Off season use.

No floating home or any other boat or vessel shall be used as a residence or dwelling during the winter months, from November 15 through the following April 1. During that winter season, a floating home or any other boat or vessel shall not be used by any person for sleeping

or staying overnight. From November 15 through the following April 1, all floating homes shall be fully removed from the water and stored on dry land at least 100 feet away from a lake or river.

(M) Every floating home must be kept in a good and reasonable condition.

Every floating home (including the exterior thereof) shall be kept in good repair and condition at all times.

(N) Use of docks, piers, boat slips, mooring sites and similar items.

No dock, pier, boat slip, boat mooring space or similar item, area or facility shall be used by or for a floating home unless the floating home has a current and valid license pursuant to this Chapter and the floating home fully complies with all of the requirements of the license and this Chapter.

(O) Appeals.

Any interpretation or determination by the Building Official under this Chapter 99 may be appealed in writing to the City Council within thirty (30) days using the same procedures as for the appeal of a license revocation under subsection 99.04 (G) of this Chapter.