



**Planning Commission Meeting
September 15, 2016 City Hall
102 Butler Street, Saugatuck, MI
7:00 PM**

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1. **Call to Order/Roll Call:**
 2. **Approval of Agenda:**
 3. **Approval of Minutes: August 18, 2016**
 4. **Public Comment on Agenda Items:** Limit 3 minutes
 5. **Old Business:**
 6. **New Business:**
 - a. **Set a public hearing for an amendment to Section 154.022, D, 6 - Lot divisions and lot line adjustments.**
 - b. **Set a public hearing for amendments to Section 154.022, W, 3 – Size of ADUs on large lots**
 7. **Communications:**
 8. **Reports of Officers and Committees:**
 9. **Public Comments:** Limit 3 minutes
 10. **Adjournment**

***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
Saugatuck Planning Commission Meeting
Saugatuck, Michigan, August 18, 2016

The Saugatuck Planning Commission met in regular session at 7:00 p.m. at City Hall, 102 Butler Street, Saugatuck, Michigan.

1. **Call to Order** by Chairperson Muir at 7:00 p.m.

Attendance:

Present: Muir, Crawford, Hess, Lewis, Fox, McPolin & Schmidt

Absent: None

Others Present: Zoning Administrator Osman

2. **Approval of Agenda:** A motion was made by McPolin, 2nd by Lewis, to approve the agenda as presented. Upon voice vote the motion carried unanimously.
3. **Approval of Minutes:** A motion was made by Crawford, 2nd by Lewis, to approve the July 28, 2016 regular meeting minutes as presented. Upon voice vote the motion carried unanimously.

4. **Public Comments** (*agenda items only*): None

5. **Old Business:**

A. 248 Mason Street Rezoning – Request to Withdraw Application: A motion was made by Schmidt, 2nd by McPolin to accept the request to withdraw application 15-004 request for re-zoning at 248 Mason Street. Upon voice vote the motion carried unanimously.

B. Dunegrass Docks – Request to Table: A motion was made by McPolin, 2nd by Lewis to table indefinitely the request for a Special Land Use for a marina on Park Street. Upon voice vote the motion carried unanimously.

6. **New Business:**

A. 510 S Maple Street – Lot Line Adjustment: Planning Commission scheduled on this date a public hearing for a lot line adjustment at 510 S. Maple between parcels 0357-016-003-10 and 0357-016-003-20.

Chairperson Muir opened the hearing at 7:06 p.m.

The applicant was present to answer any questions. There were none.

There being no comments the hearing was closed at 7:08 p.m.

A motion was made by Schmidt, 2nd by Fox, to approve the land division as submitted including connection to public water and sewer. The home is a private residence and will have no additional impact of public health, safety and welfare and the Planning Commission finds that the Standards in Sections 153.01 (D)(E) and 154.022(F)(6) have been met. Upon voice vote the motion carried unanimously.

B. 260 Brook Street – Land Division: Planning Commission scheduled on this date a public hearing for a land division at 260 Brook Street. This property is located in the R-1 Community Residential District.

Chairperson Muir opened the hearing at 7:13 p.m.

There being no comments the hearing was closed at 7:14 p.m.

A motion was made by Schmidt, 2nd by Lewis, to approve the land division as submitted including connection to public water and sewer. The home is a private residence and will have no additional impact of public health, safety and welfare and the Planning Commission finds that the Standards in Sections in Sections 153.01 (D)(E) and 154.022(F)(6) have been met. Upon voice vote the motion carried unanimously.

C. Ordinance Amendment – Club Definition and R4 Amendment: A motion was made by McPolin, 2nd by Lewis to schedule a public hearing for September 15, 2016 to amend Section 154.025 of the Saugatuck Code of Ordinances. Upon voice vote the motion carried unanimously.

7. **Communications:** None

8. **Reports of Officers and Committees:** Mr. Hess updated the commission on the feather flag amendment.

Staff is reminded to prepare the proposed amendment for accessory dwelling units on large lots, and prepare a proposal to eliminate Planning Commission review of routine land divisions and lot line adjustments.

9. **Public Comments:** None

10. **Adjournment:** Chairperson Muir adjourned the meeting at 7:30 p.m.

Respectfully Submitted,

Monica Nagel, CMC
City Clerk



To: City of Saugatuck Planning Commission
From: Cindy Osman, Planning and Zoning Administrator
Date: September 15, 2016
Re: **Accessory dwelling units on large lots**

This memo is in response to your request provide flexibility for accessory dwelling units in lots over two acres in size.

(W) *Accessory dwelling unit.* An accessory dwelling unit, as defined in § [154.005](#) of this chapter shall meet the following criteria:

- (1) Occupancy shall be limited to invited guests;
- (2) Rental of an accessory dwelling, separate from a detached single-family dwelling, shall be prohibited without receiving special land use approval from the Planning Commission as authorized in § [154.092\(J\)](#);
- (3) An accessory dwelling unit shall have a minimum of 375 square feet of gross floor area and shall not exceed the lesser of 30% of the gross floor area contained within the detached single-family dwelling unit or 600 square feet of gross floor area; **except when:**
 - a. The parcel on which the accessory dwelling unit is located exceeds two acres in area, and;
—the gross floor area of an accessory dwelling unit shall not exceed the lesser of 30% of the gross floor area of the principle residence or 2,000 square feet.
- (4) An accessory dwelling, which is not located within the detached single-family residential dwelling, shall not be located between the front door of the detached single-family dwelling and the public right-of-way, unless located above an existing detached accessory structure;
- (5) An accessory dwelling shall be subject to all applicable setback and lot coverage requirements of a detached single-family dwelling in the district if which it is located;
- (6) An accessory dwelling unit shall only be permitted on a lot where the principle use is an existing detached single-family dwelling unit;
- (7) No more than one accessory dwelling unit is permitted on any lot;
- (8) Accessory dwellings shall not be permitted to have independent electric, gas, or water meters from the detached single-family dwelling unit;

(9) An accessory dwelling unit located within a detached single-family dwelling unit shall have a separate entrance from the exterior of the structure and shall not have interior access to the detached single-family dwelling unit;

(10) A lot with an accessory dwelling unit shall provide one additional parking space on a fully improved surface of concrete, asphalt, or brick, gravel, stone, or other surface approved by the city; and

(11) Accessory dwelling units may be included with the rental of a detached single-family dwelling on the same property if it is done so under a single contract.

(Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. passed 5-10-2004; Am. Ord. 070611-1, passed 6-11-2007; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 100726-1, passed 7-26-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-2, passed 4-27-2015) Penalty, see § 154.999



To: City of Saugatuck Planning Commission
From: Cindy Osman, Planning and Zoning Administrator
Date: September 15, 2016
Re: **Proposed amendment for land division or property line adjustment**

This memo is in response to your request to eliminate time consuming and cumbersome processes for land division and property line adjustments. Currently, the process requires a public hearing in front of the Planning Commission, followed by an approval from City Council. This may create a false impression on an adjacent property owner that by attending a public hearing, that he could have influence on the outcome where the only standards are that the new lot shall meet the dimensional requirements, street access, and connections to water and sewer. The zoning administrator can refer any application to the planning commission in situations where the division is complicated or otherwise requires public input.

(6) *Lot division.*

(a) No lot or lots in common ownership, and no yard, court, parking area or other space, shall be divided, altered or reduced to make such area or dimension less than the minimum required by the zone district in which it is located. No lot line adjustments shall be made which creates or increases non-conformity with the minimum area or dimensions of the zone district in which it is located. -

~~—(a) The division of a lot as a recorded plat in the city is prohibited, unless approved by the following procedure: The application for lot division shall be filed with the Zoning Administrator and shall state the reasons for the proposed division. The Zoning Administrator shall forward the application and supporting data to the Planning Commission. The Planning Commission shall review the proposed lot division as presented in the application. The Planning Commission shall hold a public hearing or hearings. The Planning Commission shall forward the application and supporting data and recommendation of the City Planning Commission to the City Council. The lot division, to be approved by the City Council shall have the suitability of the land for building purposes approved by the County or District Health Department. No building permit shall be issued, nor any building construction commenced, prior to the approval of the City Council. No lot in a recorded plat shall be divided into more than four parts and the resulting lot shall not be less in area than permitted by the Zoning Code for the district in which it is located. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and be in affidavit form.~~

(b) After a land division is approved by the city, a document accomplishing the division must be filed by the property owner or the property owner's agent with the Allegan County Register of Deeds Office within 90 days of the approval, or the approval will lapse. (See Saugatuck City Code § [153.01](#); land division ordinance for division of non-platted lots).

§ 153.01 DIVISION OF LOTS IN RECORDED PLATS.

(A) Pursuant to Public Act 288 of 1967 (the Subdivision Control Act), § 263, being M.C.L.A. § 560.263, as amended, every division of a lot in a recorded subdivision shall be subject to the provisions of this chapter. (will have attorney check this because I think there was a new act in 1997 – or maybe they were just amendments)

(B) The owner seeking approval to divide a lot shall file an application ~~in affidavit form with the City Clerk~~with the planning and zoning administrator k, which shall set forth the reasons for the proposed division and shall be accompanied by survey, showing original and resulting dimensions, and legal descriptions. The planning and zoning administrator may consult with the assessor before making a decision.

~~—(C) Where the application states that the purpose is to add to adjoining existing building sites, and not to create separate building sites, the Planning Commission may approve the application when it is satisfied no building permit is necessary.~~

(D) Where a separate building site is being created by division of a lot in a recorded plat, no building permit shall be issued or any building construction ~~commenced~~ until the suitability of the land for safe installation of public water and sewer service has been approved by the Kalamazoo Lake, Sewer and Water Authority.

(E) No lot in a recorded plat shall be divided into more than four parcels and the resulting building lots shall not be less in area than permitted by the Zoning Code ([Chapter 154](#)) in the applicable zoning district.



To: City of Saugatuck Planning Commission
From: Cindy Osman, Planning and Zoning Administrator
Date: September 15, 2016
Re: **Proposed amendment for extra height on large lots.**

It has been brought to my attention that the PUD portion of the Dunegrass development allows for additional height, while the remainder of the development is constrained to the height limitations of the central city. To remedy this, I am proposing the following amendments:

HEIGHT (BUILDING OR STRUCTURE). In the case of a principal building, the vertical distance measured from the average grade to the highest point of flat roofs, to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip and gambrel roofs. If the combined width of all shed or gable dormers is 25% or more of the width of any side of the building, the height shall be measured from the natural average grade to the ridge of the main roof. ~~In no case shall the overall building height be greater than 32 feet when measured from the natural average grade.~~

Comment: Dimensional restrictions do not belong in definitions.

(D) *Height limit.* In the case of a principal building, the vertical distance measured from the average grade to the highest point of flat roofs, to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip and gambrel roofs, shall not exceed 28 feet unless otherwise specified in this chapter. In no case shall the overall peak building height be greater than 32 feet when measured from the ~~natural~~-average finished grade.

Exception: On lots over 2 acres in size, structures shall not exceed 45 feet in average height above finished grade, with a maximum peak height of 50 feet.

(E) *Height limit exceptions.* The following may be exempted from height limit requirements, provided that no portion of the excepted structure may be used for human occupancy:

(1) Those purely ornamental in purpose such as belfries, cupolas, domes and ornamental towers/monuments, provided they do not exceed 40 feet in height above the average grade of the lot or parcel on which the feature will be located;

(2) Those necessary appurtenances to mechanical or structural functions, such as radio towers, masts and aerials, television antennas, wire transmission structures or other structures where the manufacturing process requires a greater height but do not exceed 100 feet in height;

(3) Public utility structures, but not including communication towers, except upon receipt of a special use permit;

(4) Wind power electrical generating towers shall not exceed 70 feet in height and the distance from the base of the tower to any lot line shall be ten feet more than the height of the tower; and

(5) Church spires and flag poles shall not exceed 50 feet in height.