

TOWNSHIP OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

ORDINANCE NO. 01

AN ORDINANCE TO AMEND THE SAUGATUCK TOWNSHIP ZONING
MAP, SECTIONS 5.20, 7.120, 11.90, 22.10, AND TABLE 2.20 B OF THE
TOWNSHIP ZONING ORDINANCE TO CREATE A NEW LAKESIDE
OVERLAY (LO) DISTRICT, AND TO REZONE ALL LAND WITHIN THE
TOWNSHIP THAT LIES TO THE WEST OF LAKESHORE DRIVE TO BE
WITHIN THE BOUNDARIES OF THE DISTRICT

The Township of Saugatuck Ordains:

Section 1. Map Amendment; Rezoning. The Zoning Map is hereby amended as shown in the attached Exhibit A. All land within the Township that lies to the west of Lakeshore Drive is hereby rezoned to be within the boundaries of the Lakeside Overlay District.

Section 2. Text Amendment. Sections 5.20 is hereby amended to read in its entirety as follows:

Sec. 5.20. Lakeside Overlay District

A. *Intent and Purpose*. The Lakeside Overlay District is established to minimize the adverse effects of development on lands adjacent to Lake Michigan on sandy soils to protect the public health, safety and welfare within sensitive, shifting, and environmentally protected areas, and its purpose is in recognition that:

1. The economic and environmental well-being and health, safety, and general welfare of the Township is dependent on, and connected with the preservation of its Lake Michigan shoreline areas;
2. The shoreline zone has unique physical, biological, economic, and social attributes;
3. Future land development and redevelopment should not be conducted at the expense of these attributes;
4. Property values will be enhanced when the natural features of the shoreline zone are preserved; and
5. Pollution, impairment or destruction of the shoreline area and the adjacent bottomlands and waters of Lake Michigan should be prevented or minimized.

B. *Location*: The Lakeside Overlay District is the area included along Lake Michigan, west of Lakeshore Drive, from the north Township Boundary line (north of Wiley Road) south to the southern Township Boundary line at 124th Street.

C. *Uses*: The uses permitted in the Lakeside Overlay District are the same as those permitted in the underlying zoning district, except that:

1. Basements are prohibited.
2. Crawl spaces or piling construction shall be required.

3. A mechanical room, not exceeding 100 square feet, may be excavated within the footprint of the dwelling. The mechanical room shall be located in a place that would not increase the allowable 10' perimeter of the building allowed for excavation in Section F.1.

D. *Lot Coverage:* Due to the sensitive nature of the high-risk erosion lands, lot coverage shall be limited to 40% and calculated as follows:

1. Lot coverage shall be calculated using the buildable area of a parcel only.
2. For the purposes of this section, buildable area is that area located outside of the required front, waterfront, and side setbacks, and excludes the area from the toe of the bluff to the erosion hazard line.
3. For parcels that are bisected by Lakeshore Drive, the 40% coverage for the purposes of this overlay, shall be calculated based on the lot area west of Lakeshore Drive.
4. The Overlay shall not be construed to diminish the lot area that includes the parcel area east of Lakeshore Drive.
5. Lot coverage shall include any impervious surface, including building or structure, driveway, patio, porch, and any hard surface with or without a roof, or deck area.

E. *Site Development:*

1. Setbacks shall be as follows:
 - a. Front: 40'
 - b. Side: 15'
 - c. Rear: (none as there is a waterfront setback)
 - d. Waterfront Front: Shall be the 60 year recession distance on the EGLE high risk erosion map measured from the erosion hazard line as defined by the Township. For the purposes of this Overlay, Waterfront Setbacks shall apply to all buildings and structures, regardless of whether they have a roof or not.
 - e. From a County Drain: 40'
2. Setbacks for the waterfront yard (yard facing Lake Michigan), shall be measured from the top of the bluff at the erosion hazard line landward toward Lakeshore Drive.
3. Fences and walls shall be prohibited within the Waterfront Yard. Fencing for the purposes of enclosing play spaces, gardens, or pet areas may be permitted not exceeding 4' in height provided construction does not require removal of trees or vegetation.
4. Driveways shall be located entirely outside of required side yard setbacks and shall be constructed of permeable surfaces to encourage runoff infiltration. Driveway materials shall be grass, gravel, or permeable pavement (either porous asphalt pavement, permeable concrete, or modular pavement.)

5. A grading plan signed and sealed by an engineer licensed in the State of Michigan shall accompany any building permit. Sites shall be graded to flow towards Lake Michigan utilizing best management practices for high risk erosion areas and the soil types in the Township.
6. Allowable projections into side yards shall not apply to any lot or parcel within the Overlay.
7. In-ground pools shall be prohibited.
8. Underground irrigation shall be prohibited.
9. Beach grass (*ammophila breviligulata*) or other suitable or similar vegetation material as described in the Sand Dune Stabilization rules of the State of Michigan shall be utilized for groundcover. Combinations of native grass, forb, shrub, and tree species are recommended.
10. Private roads shall be prohibited within the Lakeside Overlay District.
11. Minimum lot depth for any new land division within the Lakeside Overlay District shall be 300'.

F. *Excavation, Earth Moving, Land Contouring:*

1. It shall be unlawful to excavate, move earth, amend or contour land within the Lakeside Overlay District except within 10' of the building footprint and except for the purposes of construction of a permitted building or structure.
2. Filling of earth or removal of earth or other materials of a parcel of land to an elevation above or below the established grade of adjacent development land is prohibited without the expressed written approval of the Township Engineer and Zoning Administrator, and provided the request includes a grading and drainage plan signed and sealed by a licensed engineer in the State of Michigan to be reviewed by the Township.
3. Natural watercourses which provide drainage from or through a proposed site shall be maintained in a natural state, or as an open grass swale, unless design flow clearly warrants the enlargement of the watercourse or deepening of the drain. The installation of underground pipes or tile drains is discouraged except when necessary for the purpose of public safety.
4. In no instance shall any excavation, contouring, or earth moving occur within a required setback area.
5. Any excavated or modified areas shall require slope stabilization and no residual slopes shall be less than 1:6 grade.

G. *Tree Removal*:

1. Removal of trees in excess of 8 inches in diameter, located outside of the area of a permitted building or structure, or the allowable 10' perimeter grading area, shall be prohibited except in the case of diseases, dead or dying species.
2. Any removal shall retain the stump and root system to ensure stabilization of the dune area.

H. *Permits*: All construction activities, including placement of stairs, decks, funiculars, driveways, accessory buildings and structures, and retaining walls, as well as revetments and stabilization activities on any parcel within the Lakeside Overlay District shall require a zoning permit. No zoning permit shall be issued until any required permit from other reviewing agencies is secured, such as but not limited to, the State of Michigan, Army Corps of Engineers, Allegan County Drain Commission, Allegan County Health Department, and the Allegan County Road Commission.

Section 3. Text Amendment. Subsection B.1, within Section 7.120, is hereby amended to read:

1. Private streets shall be reviewed per Article 54, Site Plan Review, and plan requirements as included in Section 53.60. Private streets meeting Section 54.60 (F) and approved by the Planning Commission shall qualify for review and approval by the Planning Commission. Regardless of the number of lots served, any private street within the Lakeside Overlay District must be approved by the Planning Commission.

Section 4. Text Amendment. Subsection D.2, within Section 11.90, is hereby amended to read:

2. Lakeside Area. All land in the Lakeside Overlay District or within 40 feet to the east of Lakeshore Drive is within the TPZ.

Section 5. Text Amendment. Section 22.10 is hereby amended to add the following definitions:

Erosion Hazard Line. The top of the bluff at the edge where the land begins erosion towards Lake Michigan.

Toe of the Bluff. The lowest point where there is a distinct change in grade between the beach and the bluff face, generally marked by a transition from a steeper to a more gradual slope. Where wave action has eroded the base of the bluff creating an overhang or irregular slope, the toe shall be determined as the point where the eroded bluff face intersects with the beach at a roughly 45-degree angle.

Section 6. Table Amendment. Table 2.20 B is hereby amended to read as follows:

| Table 2.20 B: Overlay Zoning Districts | | |
|---|---------------------|----------------|
| District | Abbreviation | Section |
| Lakeside Overlay District | LO | 5.20 |
| Interstate Transportation Overlay District | IT | 5.30 |
| Natural River Protection Overlay District | NR | 5.40 |
| Wellhead Protection Overlay District | WP | 5.50 |
| 100-Year Flood Plain Overlay District | FP | 5.60 |

Section 6. Effective Date. This ordinance shall become effective seven days after its publication unless otherwise provided by law.

YEAS: Marey, Aldrich, Helmrich, Osman

NAYS: Ø

ABSTAIN: Ø

ABSENT: Bigford

CERTIFICATION

This is a true and complete copy of Ordinance No. 01 adopted at a regular meeting of the Township of Saugatuck Board held on April 9, 2025

Abby Bigford
Abby Bigford, Township Supervisor

Cindy Osman
Cindy Osman, Township Clerk