



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, APRIL 09, 2026 AT 6:00 PM
415 WEST WILEY RD, SUITE 103, DOUGLAS, MI
49406**

AGENDA

To view remotely, join online or by phone.

Join online by visiting: <https://us02web.zoom.us/j/84100073894>

Join by phone by dialing: +1 (312) 626-6799 | **Then enter "Meeting ID":** 841 0007 3894

1. CALL TO ORDER

2. ROLL CALL

A. Approval of Agenda - April 9, 2026 (additions/changes/deletions)

Motion to approve the April 9, 2026 agenda

B. Approval of Minutes - March 12, 2026 (additions/changes/deletions)

Motion to approve the March 12, 2026 regular meeting minutes

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)

4. PUBLIC COMMUNICATION - WRITTEN

5. NEW BUSINESS

6. UNFINISHED BUSINESS

A. Westshore PUD Amendment - Consideration of a Preliminary Planned Unit Development (PUD) Amendment and Preliminary Site Condominium Plan

- a. Planning and Zoning Administrators Report
- b. Applicant Presentation
- c. Public Comments
- d. Commissioner Questions

Motion to recommend to City Council [**approval / approval with conditions / denial / tabling**] of the preliminary Planned Unit Development amendment plan and preliminary condominium plans submitted by Ric Dyk on behalf of BDR Inc. for the Westshore Planned Unit Development, pursuant to Article 27 and Section 16.24 of the City of the Village of Douglas Zoning Ordinance, based on the

findings outlined in this staff report for the parcel identified as P.P. 59-830-000-02, located on Center Street.

B. Short Term Rental Ordinance (Discussion Only)

7. REPORTS

A. Planning and Zoning Administrator Report

B. Planning Commissioner Remarks (limit 3 minutes each, please)

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)

9. ADJOURNMENT

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Laura Kasper, City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, MARCH 12, 2026 AT 6:00 PM
415 WEST WILEY RD, SUITE 103, DOUGLAS, MI
49406**

MINUTES (DRAFT)

1. **CALL TO ORDER:** Chair Balmer called the meeting to order at 6:00pm.

2. **ROLL CALL**

Present

Chair Matt Balmer
Commissioner Paul Buszka
Commissioner Patty Hanson
Commissioner Tom Hickey
Commissioner Jennifer Ludwick
Commissioner Steven Merouse
Commissioner John O'Malley
Commissioner Laura Peterson

Also Present

Planning & Zoning Administrator Sean Homyen

Not Present

Commissioner Neal Seabert

A. Approval of Agenda - March 12, 2026 (additions/changes/deletions)

Motion by Hickey, seconded by Merouse to approve the March 12, 2026, agenda.

B. Approval of Minutes - February 12, 2026 (additions/changes/deletions)

Motion by Hickey, seconded by Merouse, to amend the February 12, 2026, meeting minutes to reflect that access to the development shall be from Center Street, with McVea Street limited to emergency access only, as stated during public comment by Charity Nosse. - Motion carried unanimously.

3. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)** - None

4. **PUBLIC COMMUNICATION – WRITTEN** - None

5. **NEW BUSINESS**

6. UNFINISHED BUSINESS

A. 13 S. Union St - Site Plan Review

a. Planning and Zoning Administrators Report – Planning & Zoning Administrator Sean Homyen informed the Commissioners that the applicant has made revisions based on the Commissioners' input and is now before the Commission to present those changes.

b. Applicant Presentation – Dan Boggs, on behalf of AMK Properties, presented the revised proposal to the Commissioners. He explained that the original proposal included either two to four commercial spaces and three residential units, with the modification intended to eliminate the need for an elevator.

He addressed concerns from the previous meeting, including fencing, which has been revised from vinyl to wood, and the dumpster enclosure, which will be limited to service during business hours to reduce noise. Lighting was addressed through a photometric plan demonstrating that light will not spill beyond the site.

Water and sewer capacity were reviewed, with no concerns identified. An update was also provided on landscaping, including trees proposed for removal as shown on the plan set. The patio will not be used for a dining establishment but will instead be available for first-floor tenants, who may also display merchandise in that area.

Regarding project timing, construction is anticipated to take approximately one year from the date of approval. Mr. Boggs stated that approvals have been received from KLSWA and ACDC, and that engineering-related issues have been addressed. He concluded that all concerns raised by the Commissioners have been addressed.

c. Public Comments – Randy Walker, representing the DDA, expressed support for the project and noted that she is looking forward to seeing it move forward. She informed the applicant that the DDA is developing a community survey to identify desired and needed businesses in the downtown area. She also inquired whether the applicant would be interested in working with the DDA, based on survey feedback, to help attract businesses to the space.

d. Commissioner Questions – Commissioners discussed several items related to the proposal. Hickey asked whether the concerns of neighboring properties had been addressed. The Planning & Zoning Administrator responded that a neighboring property owner was present via Zoom, and feedback would depend on their response. Commissioner Hickey also inquired about routine business deliveries and whether they could create impacts, particularly for the residential units. Boggs responded that deliveries would not affect parking.

Commissioner Buszka raised questions regarding the ordinance standards for transparency and noted that insufficient information had been provided, offering his interpretation of the requirement. A question from Commissioner Seabert, relayed by Commissioner Buszka, asked whether an additional tree could be planted. Commissioner Balmer responded that this issue would need to be addressed as part of a future ordinance rewrite, noting that requiring street trees in the C-1 District is often not feasible due to buildings being constructed lot line to lot line.

Commissioner O'Malley requested clarification on whether an elevator was required; the applicant confirmed that it was not. Commissioner Peterson asked whether the patio would be open to the public. Jack Brown of AMK responded that public access would be available through the business

occupying the space, and that use of the patio would ultimately be determined by the tenant, including whether it would be open during events such as parades.

Commissioner Peterson also raised concerns regarding deer impacts on landscaping and asked whether the applicant would consider plant selections less susceptible to damage. She further inquired about the potential for designated Post Office parking during the summer months. The Planning & Zoning Administrator responded that this could be discussed internally with staff. Commissioner Peterson also expressed concerns regarding vehicle staging during peak summer conditions. Brown responded that the applicant is continuing to evaluate options to mitigate traffic impacts during construction.

Commissioner Peterson asked how the property would be addressed given its frontage on Center Street. The Planning & Zoning Administrator responded that addressing would be determined by the Assessor. Commissioner Hanson questioned the requirement to pave the parking lot and expressed concern regarding stormwater runoff. The Planning & Zoning Administrator stated that paving was required by the City Engineer and that a private storm drainage system, approved by the Allegan County Drain Commission, is proposed to manage stormwater.

Commissioner Hanson also questioned the required number of parking spaces (17), to which Chair Balmer responded that the ordinance allows a 50 percent reduction. Hanson further expressed concern about the potential for the residential units to be used as short-term rentals. The Planning & Zoning Administrator clarified that any such use would require Special Land Use approval from the Planning Commission.

Commissioner Merouse agreed that street tree requirements should be reviewed as part of a future ordinance update. Commissioner O'Malley raised concerns about existing school traffic along Union Street. Boggs requested clarification regarding the transparency requirement. Chair Balmer noted that this topic had previously been discussed with the Planning & Zoning Administrator and Tricia Anderson of Williams & Works. The Planning & Zoning Administrator explained that the requirement relates to visibility through windows, including limitations on tinting.

Commissioners generally agreed that the ordinance standards for transparency are unclear and should be reevaluated as part of the zoning ordinance update process.

Motion by Hickey, seconded by Merouse, to approve the request made by Daniel Boggs of Daniel Boggs Architect on behalf of AMK Properties for site plan approval under Article 24 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in the staff report dated March 4, 2026, and the site plan prepared by Daniel Boggs Architect as last revised, on the parcel identified as P.P. 59-150-001-00, located at 13 S Union St.,

1. The applicant shall provide and maintain protective fencing or barriers at the drip line of all existing plant material labeled "To Remain" on the approved site plan during construction. No vehicles, construction equipment, or materials shall be parked or stored within the drip line of any plant material intended to remain. Alternative protective measures may be used only upon approval by the City.
2. The applicant shall ensure that all landscaping and vegetation are installed and maintained so that they do not obstruct the clear vision area at the intersection of Union Street and Center Street in accordance with Section 16.31 of the Zoning Ordinance.

3. The applicant shall obtain a building permit and any other required permits from Michigan Township Services.
4. The applicant shall obtain all other federal, state, and local permits if required.
5. The applicant shall ensure that the building will comply with article 10 (d) transparency standards according to the advice provided by the Planning & Zoning Administrator and Professional Planning Advisor retained by the City.
6. The developer and various workers that they have, traits that they have, that the developer communicate with the city if, for example a lane in the street needs to be closed or cement trucks in front of lot so that City can send out emails or texts to people that live in the City that the communication is really good during this year of building and development.

An amendment to the motion was provided and agreed upon to include additional conditions 5 and 6.

Motion carried by unanimous roll call vote.

7. REPORTS

- A. Planning and Zoning Administrator Report – The Planning & Zoning Administrator informed the Commissioners that he is still awaiting a response from BDR regarding the next phase of the Westshore Development.
- B. Planning Commissioner Remarks (limit 3 minutes each, please) – Commissioner Peterson thanked Planning & Zoning Administrator Homyen for the report, noting it was helpful in identifying the changes made from the original proposal. She inquired about recent activity at the Swingbridge site and asked whether the pool and drive required review by the judge as potential major changes. The Planning & Zoning Administrator responded that those elements were part of the original approval, and that only the interior boardwalk amendment required judicial review.

Commissioner Hanson asked whether the Commissioners would be open to holding a workshop to discuss short-term rentals. Chair Balmer noted that short-term rentals will require a more in-depth discussion and that scheduling would need to be coordinated. The Commissioners agreed to hold the workshop at an upcoming meeting, to be placed at the end of the agenda if other business is scheduled.

Commissioner Hanson also asked whether the subcommittee would be bringing forward previously reviewed ordinance articles to the Commissioners. The Planning & Zoning Administrator responded that further discussion with Tricia Anderson of Williams & Works would be needed to determine timing for bringing those items forward.

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES) - None

9. ADJOURNMENT

Motion by Meroose, seconded by Buszka to adjourn the meeting.

MEMORANDUM

To: City of the Village of Douglas Planning Commission
Date: April 3, 2026
From: Tricia Anderson, AICP
RE: **Westshore Preliminary PUD Amendment and Preliminary Condominium Review Request**

Introduction. At the February 12, 2026 meeting, the Planning Commission discussed a proposed amendment to the Westshore PUD and the preliminary condominium plan for the “third phase” of the existing residential development. No action was taken on the item, as a motion was made to recommend approval to the City Council, but no support was received for that motion, so it failed. Since an alternative motion was not made, the item remains unresolved and is still pending before the Commission. This item should be reintroduced to the Planning Commission at the April 9, 2026 meeting to allow for additional discussion on remaining outstanding issues and to allow the Planning Commission to formally take action in the form of a recommendation to City Council.

The purpose of this memorandum is to provide the Planning Commission with additional context and perspective regarding this longstanding project, which has been progressively built out over the last 14+ years (not including the earlier Planned Unit Development approval in the mid-2000s (Paul Wicks/Westshore Cottages)). This memorandum is not intended to advocate for a specific outcome, but merely to assist the Planning Commission in making an objective and well-informed decision grounded in sound planning principles.

Procedures. The applicant has provided an updated narrative, proposed open space exhibit (P-104), and an exhibit that depicts the Center Street frontage area and west development area (Exhibit A) with the 65% open space consistent with the approved 2012 Westshore PUD plan. The applicant will attend the upcoming meeting to discuss the concerns expressed by the Planning Commission at the February 12, 2026 meeting, consisting primarily of the reduction of the 65% open space and the proposed road network.

Procedurally, the Planning Commission may recommend approval, approval with conditions, or disapproval of the preliminary PUD amendment and/or the preliminary condominium plan. If it does not make a recommendation to the City Council, it should approve a motion to postpone action until a subsequent meeting.

Approved 2012 Westshore PUD and Open Space. As a refresher, the current proposal for the “third phase” is a combination of the “future west development area” and the “Center Street frontage development area” as specified on the 2012 approved PUD. The 2012 PUD approval included a total of 60 units for both the future west development area and the Center Street frontage area. The approved density was based on a test plan as shown on Sheet C-117 of the approved PUD plans. The test plan shows how the land *could* be developed and subdivided under a traditional plat or site condo under conventional zoning (in this case, under R-1 Residential dimensional requirements).

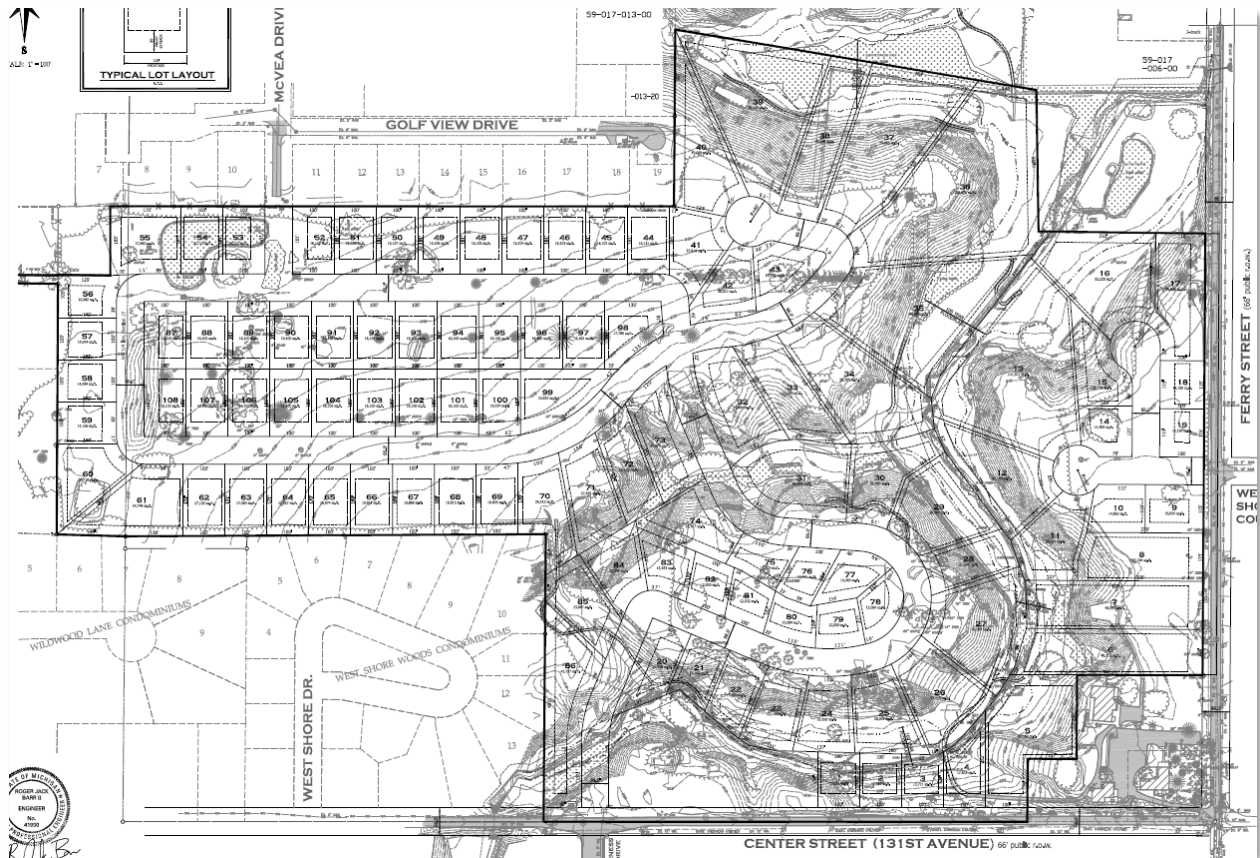


Figure 1 – Test Plan from 2012 approved Westshore PUD

The Planning Commission is likely aware that if the land was developed as a plat, there would be no requirement for open space within the development. Instead, individual lots would be required to adhere to the maximum lot coverage limitation, which is 35% in the R-1 zoning district. To assist the Planning Commission in visualizing what 35% lot coverage looks like on a 10,000 square foot lot with a hypothetical 30’ front yard setback, 20’ rear yard setback, and 10’ side yard setback, Figure 2 depicts a scaled block sketch of a home, garage, and driveway that maxes out the 35% lot coverage limit, leaving 65% of the lot left as “open space”.

Intent of Open Space Preservation. In our experience, maximum lot coverage standards for individual lots are useful to ensure that some undeveloped space is left for stormwater infiltration, aesthetics in residential subdivisions, fire suppression and access, among other reasons. Zoning ordinance language that ties maximum lot coverage to open space requirements as it relates to PUD developments seems unusual; in our experience, open space requirements in a PUD are a separately defined element of the development with a specific purpose, such as protection of steep slopes, water bodies, wetlands, or other sensitive natural features.

It should be acknowledged that the applicant has the right to seek an approval for an amendment that breaks off the developed areas from the undeveloped areas, and request a rezoning to R-1 or R-2 to develop it as a plat with no restrictions on open space outside of maximum lot coverage limitations applied to each individual lot.

We view the applicant's request to reduce the open space by 3% as reasonable, given the changes to different variables related to housing in the last ten years. As best practices continue to evolve around emerging issues and trends in land use, communities can adapt by taking a closer look at the intent behind past approvals and ordinances that are presently in place, and ask whether the intent to preserve open space is balanced with the need to add to housing stock, make efficient use of land, and protect natural features.

Section 125.3503 of the Zoning Enabling Act (MZEA, Act 110 of 2006, as amended) allows a municipality to develop PUD zoning regulations that:

".....permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this state"

The MZEA allows each local unit to develop such zoning regulations. The MZEA does not specify a percentage of open space that should remain undeveloped, however, it does indicate that the regulations *"need not be uniform with regard to each type of land*

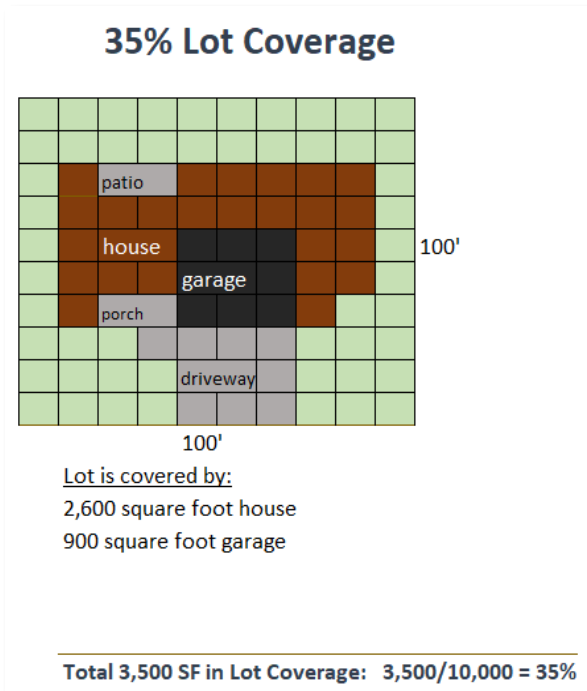


Figure 2 – Visualizing 35% lot coverage

use if equitable procedures recognizing due process principles and avoiding arbitrary decisions are followed in making regulatory decisions”.

The statute does not *prohibit* uniformity; thus, it is reasonable for the City to use the underlying zoning district to establish baseline regulations. However, this brings us back to the reasonableness of the open space requirement being tied to the maximum lot coverage as prescribed in the City’s PUD ordinance. While the applicant is not requesting an amendment to the City’s PUD ordinance, the proposed reduction in open space prompts a closer look at the purpose and intent of the open space requirement, its alignment with the MZEA, and the reasonableness to require open space for the sake of complying with the 2012 approval. We also suggest evaluating the degree to which the open space requirement has been applied consistently across the City’s existing residential PUDs if they were approved under the same version of the PUD ordinance as the Westshore PUD.

Regulatory Flexibility in the Zoning Ordinance. As noted above, the Planning Commission does have the authority to permit flexibility in design through the MZEA and its own PUD ordinance. Section 27.04, Project Design Standards, indicates the applicable base regulations in the underlying zoning district may be waived or modified. There is only one criterion for waiving or modifying these base regulations, as stated in Section 27.04(5):

“Such modifications may be permitted only if they will result in a higher quality of development or a better design or layout than would be possible without the modifications”

We conducted an audit of the entire Zoning Ordinance one year ago. We found that while several components of the City’s PUD ordinance appear to be workable and reasonable, the open space requirement, and the one subjective criterion that must be met for modifications to be permitted, were elements that were identified as potentially prohibitive in achieving the goals outlined in the 2025 Master Plan.

Exhibit A included in the applicant’s submittal, depicts the use of the land if the 65% open space standard is met. Planning Commission should consider whether the layout shown in Exhibit A is an efficient use of the land, particularly when a site proposed for a PUD is encumbered with undevelopable acreage like steep slopes, creeks, wetlands, and other natural features. In our view, protecting these areas through an open space requirement would be useful and beneficial to the City.

Conclusion. When a PUD is proposed on land that is already encumbered by steep slopes, creeks, wetlands, etc. is it reasonable to require those areas AND an additional amount of space to be left undeveloped? After all, the goal of the PUD is to allow for flexibility in the development of land alongside the preservation of important natural features. If open space requirements are overly restrictive, or if available regulatory

flexibility is not fully utilized, developers may be less inclined to pursue development approvals under the PUD. Over time, this could limit opportunities to preserve the very unique features that Planned Unit Developments are intended to protect through flexible design approaches. The Planning Commission should consider this, the intent and purpose of a PUD district as described in the MZEA, and the goals in the 2025 Master Plan that relate to housing and preservation of natural features, as it prepares for additional discussion with the applicant on this request.

Excerpt from Michigan Zoning Enabling Act (MZEA, Act 110 of 2006, as amended)

Item 6A.

(5) A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008

125.3502 Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions.

Sec. 502.

(1) The legislative body may provide in a zoning ordinance for special land uses in a zoning district. A special land use shall be subject to the review and approval of the zoning commission, the planning commission, an official charged with administering the zoning ordinance, or the legislative body as required by the zoning ordinance. The zoning ordinance shall specify all of the following:

(a) The special land uses and activities eligible for approval and the body or official responsible for reviewing and granting approval.

(b) The requirements and standards for approving a request for a special land use.

(c) The procedures and supporting materials required for the application, review, and approval of a special land use.

(2) Upon receipt of an application for a special land use which requires a discretionary decision, the local unit of government shall provide notice of the request as required under section 103. The notice shall indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use regardless of whether the property or occupant is located in the zoning jurisdiction.

(3) At the initiative of the body or official responsible for approving the special land use or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

(4) The body or official designated to review and approve special land uses may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

History: 2006, Act 110, Eff. July 1, 2006

125.3503 Planned unit development.

Sec. 503.

(1) As used in this section, "planned unit development" includes such terms as cluster zoning, planned development, community unit plan, and planned residential development and other terminology denoting zoning requirements designed to accomplish the objectives of the zoning ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

(2) The legislative body may establish planned unit development requirements in a zoning ordinance that permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this state. The review and approval of planned unit developments shall be by the zoning commission, an individual charged with administration of the zoning ordinance, or the legislative body, as specified in the zoning ordinance.

(3) Within a land development project designated as a planned unit development, regulations relating to the use of land, including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density, shall be determined in accordance with the planned unit development regulations specified in the zoning ordinance. The planned unit development regulations need not be uniform with regard to each type of land use if equitable procedures recognizing due process principles and avoiding arbitrary decisions are followed in making regulatory decisions. Unless explicitly prohibited by the planned unit development regulations, if requested by the landowner, a local unit of government may approve a planned unit development with open space that is not contiguous with the rest of the planned unit development.

(4) The planned unit development regulations established by the local unit of government shall specify all of the following:

(a) The body or official responsible for the review and approval of planned unit development requests.

(b) The conditions that create planned unit development eligibility, the participants in the review process, and the requirements and standards upon which applicants will be reviewed and approval granted.

(c) The procedures required for application, review, and approval.

(5) Following receipt of a request to approve a planned unit development, the body or official responsible for the review and approval shall hold at least 1 public hearing on the request. A zoning ordinance may provide for preapplication conferences before submission of a planned unit development request and the submission of preliminary site plans before the public hearing. Notification of the public hearing shall be given in the same manner as required under section 103.

(6) Within a reasonable time following the public hearing, the body or official responsible for approving planned unit developments shall meet for final consideration of the request and deny, approve, or approve with conditions the request. The body or official shall prepare a report stating its conclusions, its decision, the basis for its decision, and any conditions imposed on an affirmative decision.

(7) If amendment of a zoning ordinance is required by the planned unit development regulations of a zoning ordinance, the requirements of this act for amendment of a zoning ordinance shall be followed, except that the hearing and notice required by this section shall fulfill the public hearing and notice requirements of section 306.

(8) If the planned unit development regulations of a zoning ordinance do not require amendment of the zoning ordinance to authorize a planned unit development, the body or official responsible for review and approval shall approve, approve with conditions, or deny a request.

(9) Final approval may be granted on each phase of a multiphased planned unit development if each phase contains the necessary components to insure protection of natural resources and

the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area.

(10) In establishing planned unit development requirements, a local unit of government may incorporate by reference other ordinances or statutes which regulate land development. The planned unit development regulations contained in zoning ordinances shall encourage complementary relationships between zoning regulations and other regulations affecting the development of land.

History: 2006, Act 110, Eff. July 1, 2006

125.3504 Special land uses; regulations and standards; compliance; conditions; record of conditions.

Sec. 504.

(1) If the zoning ordinance authorizes the consideration and approval of special land uses or planned unit developments under section 502 or 503 or otherwise provides for discretionary decisions, the regulations and standards upon which those decisions are made shall be specified in the zoning ordinance.

(2) The standards shall be consistent with and promote the intent and purpose of the zoning ordinance and shall insure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use. The standards shall also insure that the land use or activity is consistent with the public health, safety, and welfare of the local unit of government.

(3) A request for approval of a land use or activity shall be approved if the request is in compliance with the standards stated in the zoning ordinance, the conditions imposed under the zoning ordinance, other applicable ordinances, and state and federal statutes.

(4) Reasonable conditions may be required with the approval of a special land use, planned unit development, or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

(a) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

(b) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

(c) Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

(5) The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and remain unchanged except upon the mutual consent of the approving authority and the landowner. The approving authority shall maintain a record of conditions which are changed.

History: 2006, Act 110, Eff. July 1, 2006

West Shore PUD – Request for Reduction in Open Space

Summary

We respectfully request a reduction in required open space from 65% to 61.9%. The PUD ordinance provides the Planning Commission with discretion and flexibility to consider adjustments where the overall development meets or exceeds the intent of the ordinance.

Clarifications from Prior Planning Commission Discussion

While we are not currently seeking site plan approval, we would like to address questions raised at the previous meeting:

- The proposed road connection from Center Street to McVea would be private, gated to eliminate cut-through traffic, and accessible for emergency vehicles
- No more than 39 stand-alone condominium units would be proposed when a site plan is submitted

Basis for the Requested Adjustment

We had previously proposed a lower density project with access only from the north by way of McVea. However, the city has desired a connection from Center Street to McVea, adding approximately 1/4 mile of roadway. This reduces land otherwise counted as open space and creates site planning constraints.

Scale of the Request

A 3.1% reduction equals approximately 2.34 acres of the roughly 78-acre property and represents a modest, proportional adjustment.

Consistency with Ordinance Intent

The plan preserves natural features, clusters development, protects wetlands, and provides over 1.4 miles of trails and paved paths (which we have already built), along with an observation deck along Center Street (already built), and scenic views.

The open space requirement is intended to:

1. Preserve the natural character of the community
2. Protect environmental resources
3. Encourage better site design (promote clustered development and large, contiguous open spaces)
4. Provide meaningful community value

We submit that our request achieves the above community goals.

Context on Density

The original PUD plan anticipated up to 78 units in the final phases. Our plan commits to no more than 39. A strict requirement of 65% open space would likely result in only 25 homes being built, while the City's master plan seeks further housing. Further, we have designed the plan around wetlands, steep slopes, and wooded areas. In addition, the infrastructure is already installed to support the development. We have installed the 8-inch water line from Center Street to Golfview, and the sanitary sewer connection was extended from Golfview to connect to the final phase.

Additional Green Space Not Counted

Private and common green spaces throughout the site have not been included in our open space calculations.

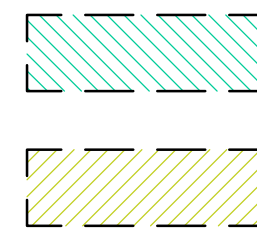
- General common elements around the homes at the end of Artisan Row Ct. (off Ferry Street) have not been included in our open space calculation but provide additional green space.
- The lots on Golfview (privately owned) have large backyards, and while not part of the open space calculation, provide a sense of openness and spaciousness.
- There is significant land and ravines in the backyards of the two lots on Center Street (privately owned) that will remain undeveloped and green. These areas are not included in our open space calculations.

When considering the above "green" areas, the WestShore development would be considered to have 68% or more combined Open Space and green space.

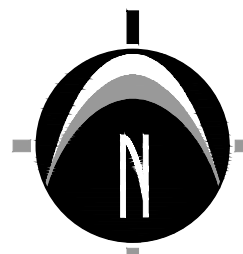
Conclusion

This request responds to City input while maintaining the intent of the ordinance and supporting a high-quality development outcome.

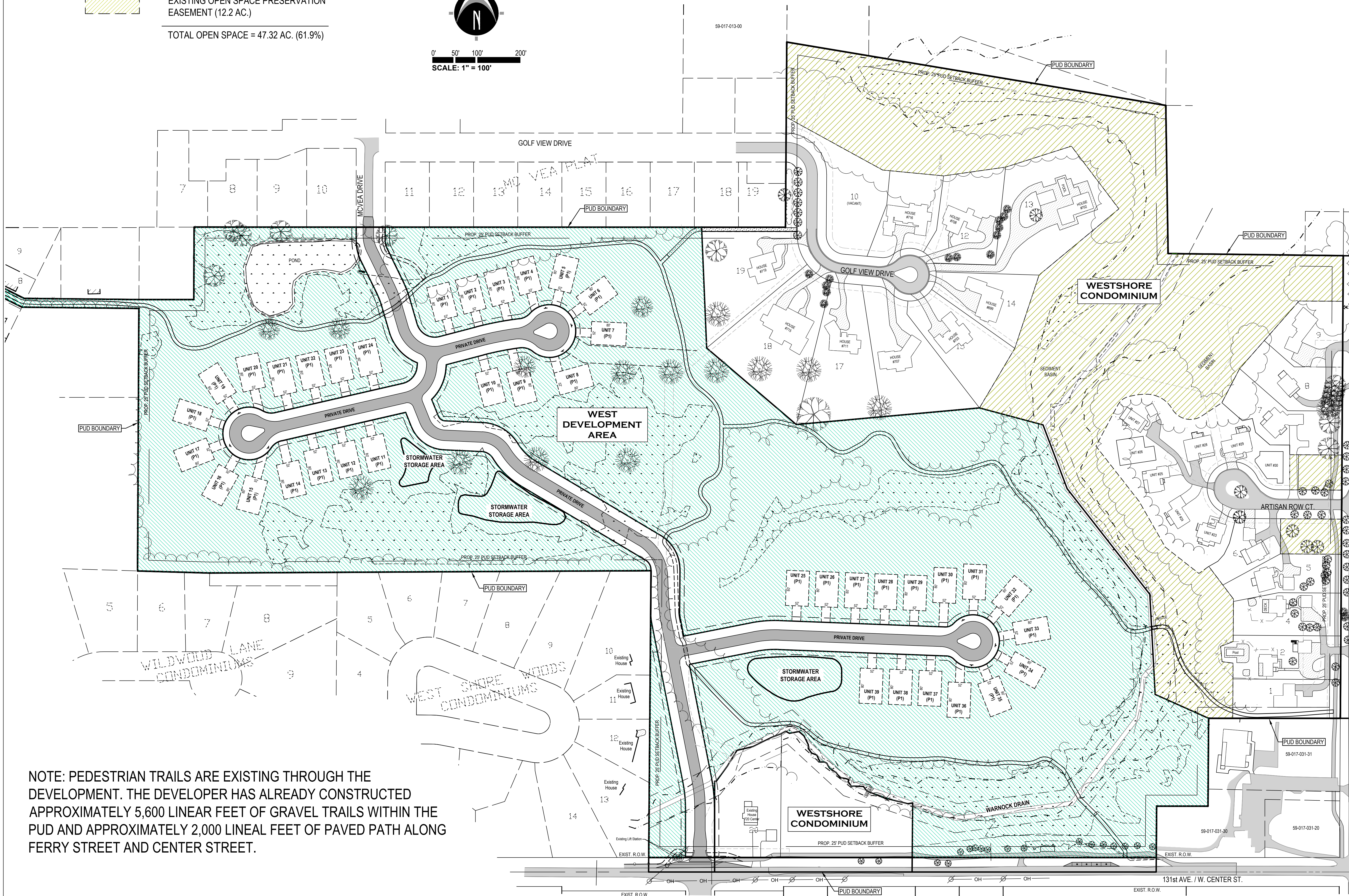
LEGEND



PROPOSED OPEN SPACE PRESERVATION EASEMENT (35.12 AC.)
EXISTING OPEN SPACE PRESERVATION EASEMENT (12.2 AC.)
TOTAL OPEN SPACE = 47.32 AC. (61.9%)



0' 50' 100' 200'
SCALE: 1" = 100'



NOTE: PEDESTRIAN TRAILS ARE EXISTING THROUGH THE DEVELOPMENT. THE DEVELOPER HAS ALREADY CONSTRUCTED APPROXIMATELY 5,600 LINEAR FEET OF GRAVEL TRAILS WITHIN THE PUD AND APPROXIMATELY 2,000 LINEAL FEET OF PAVED PATH ALONG FERRY STREET AND CENTER STREET.

NEDERVELD
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800.222.1868
GRAND RAPIDS
217 Grandville Ave., Suite 302
Grand Rapids, MI 49503
Phone: 616.975.8190
ANN ARBOR
3037 Miller Rd.
Ann Arbor, MI 48103
Phone: 734.929.6963
HOLLAND
730 Chicago Dr.
Holland, MI 49423
Phone: 616.393.0449

PREPARED FOR:
Douglas Property Development LLC
Ric Dyk
50 Crahen Avenue NE, Suite 200
Grand Rapids, MI 49525
Phone: 616.458.8505

REVISIONS:

Title: Amended PUD Submittal	Drawn: JWDC	Checked: RJB	Date: 01/07/2026
Title: Amended PUD Re-Submittal	Drawn: JWDC	Checked: RJB	Date: 01/28/2026
Title: Amended PUD Re-Submittal	Drawn: JWDC	Checked: RJB	Date: 03/20/2026
Title: Revised Amended PUD Re-Submittal	Drawn: JWDC	Checked: RJB	Date: 03/24/2026

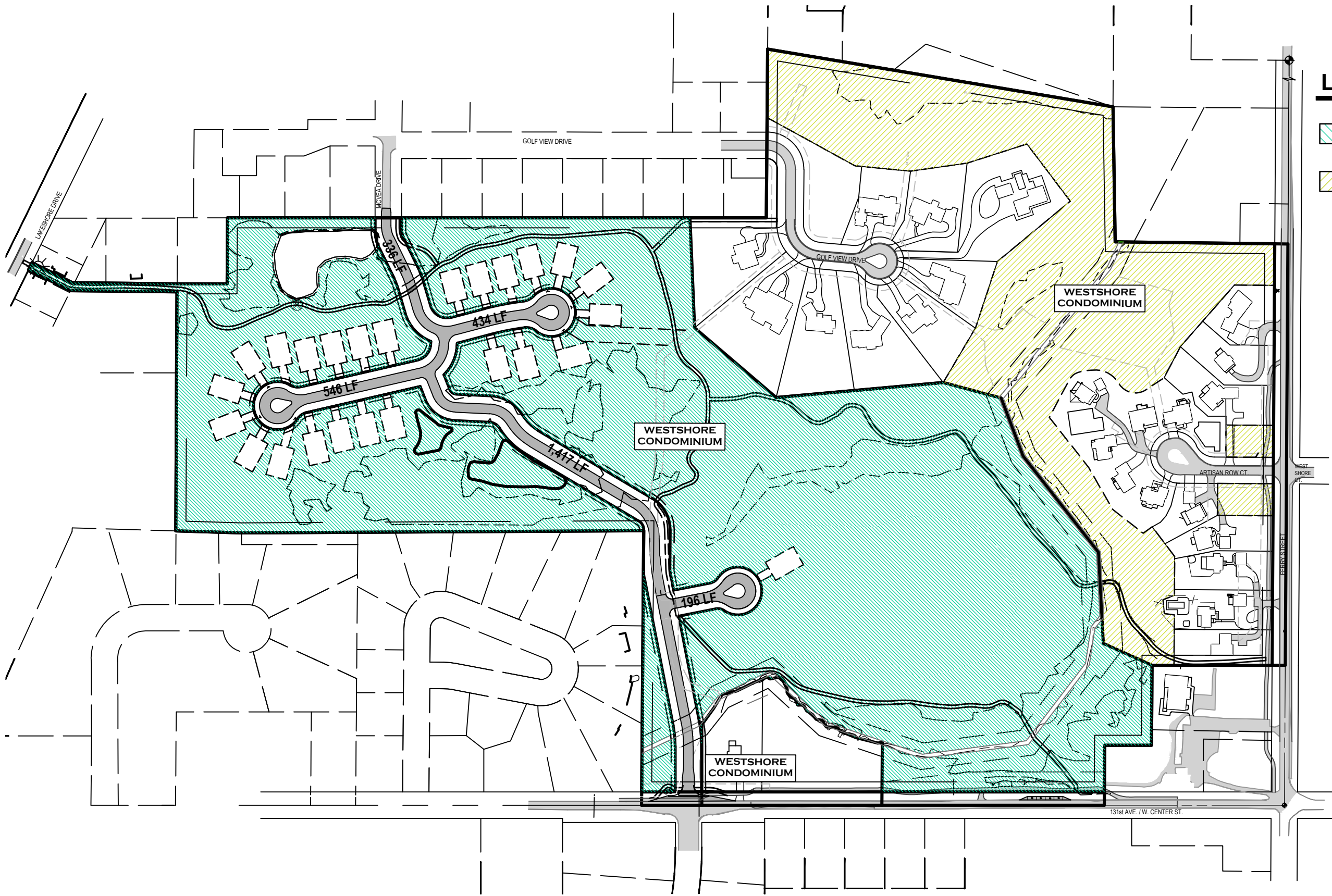
WESTSHORE PUD AMENDMENT
Open Space Preservation Easement Plan
PART OF THE NORTH 1/2 OF SECTION 17, T3N, R16W,
CITY OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

STAMP:



R. J. Barr

PROJECT NO:
25202094

SHEET NO:
P-104



LEGEND

-  PROPOSED OPEN SPACE PRESERVATION EASEMENT (37.46 AC.)
-  EXISTING OPEN SPACE PRESERVATION EASEMENT (12.2 AC.)

TOTAL OPEN SPACE = 49.66 AC. (65%)

March 24, 2026



N. 0' 125' 250' 500' S:1"=250'

EXHIBIT A

WESTSHORE PUD

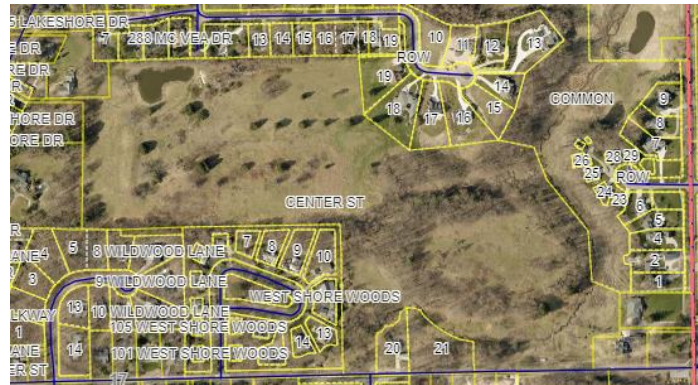
project number: 25202094

To: City of the Village of Douglas Planning Commission
Date: February 12, 2026
From: Sean Homyen, Planning & Zoning Administrator
RE: Westshore PUD Amendment



The Village of Friendliness – Since 1870

Introduction. Ric Dyk on behalf of BDR Inc. has submitted an application for an amendment to the Westshore Planned Unit Development (PUD) under Sections 27.12 A and 16.24 of the City of Douglas Zoning Ordinance. The amendment includes the preliminary condominium plan for a 41-unit residential development and various changes to dimensional elements that are proposed to be modified from the approved PUD. The subject property is zoned R-1 Planned Unit Development (Westshore PUD) and is located at an unaddressed parcel on Center St (Parcel number: 59-830-000-02).



Background. The applicant has provided a detailed narrative that gives context and a historical perspective of the site and its former use as a golf course. It also includes an account of the previous 2009 development proposal from Paul Wicks that never came to fruition. When BDR purchased the land in 2011 (then referred to as Douglas Property Development, LLC), it inherited the history of the site, and submitted a new PUD proposal, named Westshore. The Westshore PUD was approved in 2012 and includes existing residential condominiums and site condominiums, private roads, utilities, and designated open space areas and non-motorized pedestrian pathways, named as the “recognizable benefit” to the community as required in the PUD ordinance. The eastern (Ferry Street frontage/Artisan Row) and northern portions (Golf View Drive) of the PUD have been previously developed, while the western development area remains undeveloped, with the exception of the trails that were constructed in open space areas.

The project has a long history of activity over the years, which includes several other amendments in relation to the location of the trail system. The most recent activity includes the application submitted in 2023 for the amendment to develop the western development area. This plan was reviewed extensively by staff, consultants, and members of the site plan review committee, including fire, police, KLWSA, and the City Attorney. The 2023 plan configuration included an emergency access drive within the 20’ strip of land that connects the subject property to Lakeshore Drive, and main access from McVea Drive. The 2023 proposal did not provide a connection to Center Street, which was a condition of the 2012 PUD approval. A significant amount of time was spent piecing together the history of the project, and the various master deed

amendments, events, meetings, draft plan reviews, and resolutions. Attached to this memorandum is a timeline prepared by the former Planning & Zoning Administrator that provides a summary of the activity over the years related to this project.

The 2023 plan and proposal did not make it to the Planning Commission due to complications with the use of the 20' strip that connected the development to Lakeshore Drive, including pedestrian/vehicle conflicts. The fire department also determined that the units would need to be sprinkled to meet the fire code for the number of homes on McVea and Golf View that were also factored into the requirements for fire access.

It was also determined that there were a few loose ends outlined in various resolutions and in the initial approval of the PUD from 2012 that needed to be taken care of prior to the applicant returning to the Planning Commission for review of the next phase of the Westshore PUD. These items include tasks related to finishing up recording public trail easements, connection with the HOA to gain their blessing on the location of the public trail easements, construction of internal pathways and execution of the maintenance agreement, and the removal of old golf course structures and components. And, most notably, it was conveyed to the applicant that a plan configuration for the western development area must include a connection to Center Street for there to be compliance with the intent and requirements of the approved PUD, and for there to be support from the community, particularly those who live on McVea Drive.

The applicant has worked with staff over the course of the last two and a half years to complete these punch list items, including several revisions to the configuration of the western development area to include the street connection to Center Street. A significant amount of engineering work and costs related to the future construction of infrastructure and a bridge to cross the ravine where the Warnock drain traverses, prompted the applicant to explore ways that the return on investment can still be fruitful while adhering to the original intent and requirements of the approved Westshore PUD. The request includes an amendment to the open space requirement so that enough units could be constructed to achieve the goal described above.

Request.

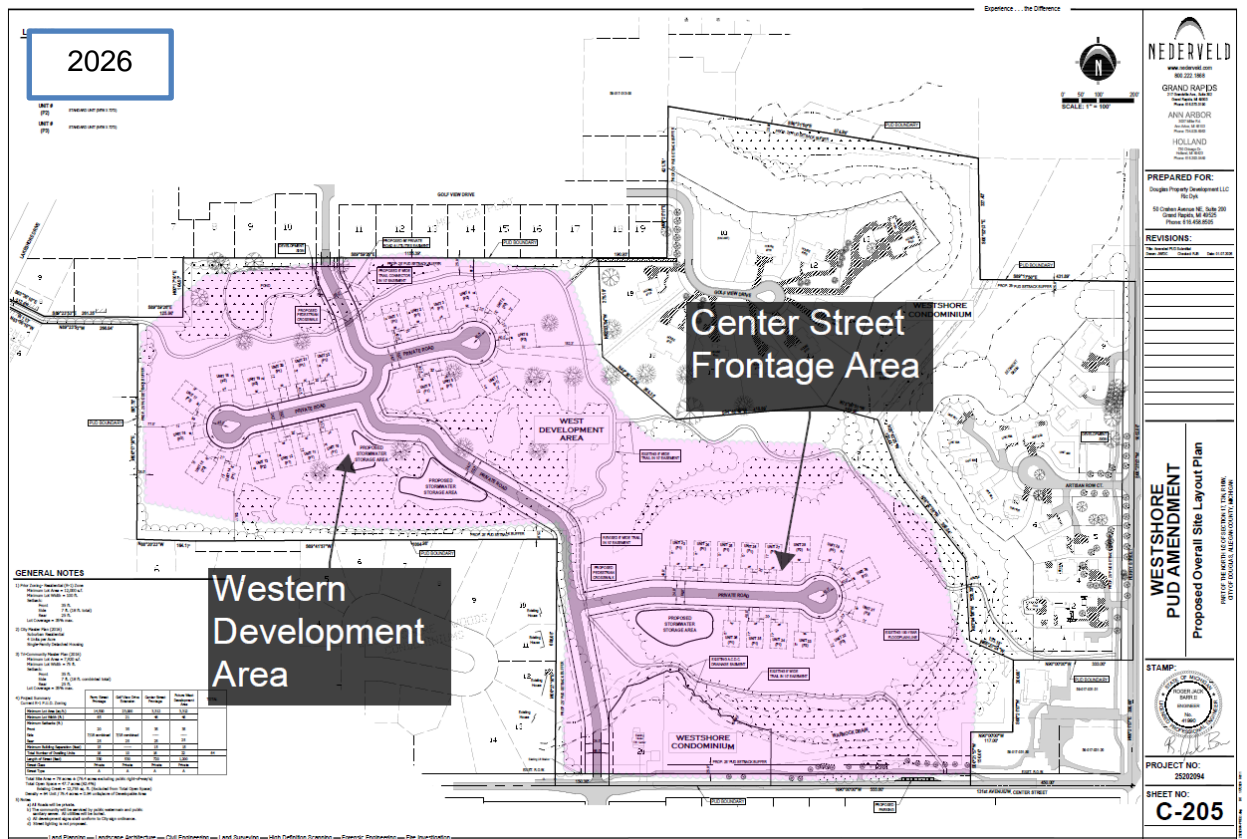
PUD Amendment. The applicant is requesting preliminary approval of the PUD for an amendment to allow development of the western portion of the site, which includes a 41-unit residential condominium project and a reduction in the open space as the most prominent features of the amendment. The proposal includes new private roads extending from Center Street to McVea, stormwater management facilities, pedestrian trail connections, and a reconfiguration of open space areas, including a reduction in the previously approved open space requirement from 65% to 60%. The preliminary plans demonstrate approximately 63% open space, with an additional 2% available to allow for minor adjustments if needed during final plan review. As noted in the previous section of this memorandum, this was a necessary change according to the applicant, to make the costs related to the Center Street connection, feasible.

The table below is provided by the applicant to outline the requests to amend portions of the approved Westshore PUD. It should be noted that the street configuration and location of condo units are also considered part of the amendment, since the 2012 approval showed a different layout and number of units, and did not include a layout for the westernmost “future development area”, though densities were established through the test plan that was submitted during that approval process.

Area and Items	Original Approved PUD Plan dated 07/25/12	Proposed PUD Amendment Plan dated 01/07/26	Notes
<i>Center Street Frontage Area</i>			
Number of Units	20	16	This includes the two existing lots on Center Street
<i>West Development Area</i>			
Number of Units	60	22	
Open Space Area (acres)	37.7	47.7	This proposed PUD amendment would not reduce the open space below 60%
Total Area (acres)	18.25	46	

Figure 1: Proposed departures from 2012 approved PUD.

The 2012 and 2026 PUD configurations are depicted below with development areas highlighted:



Preliminary Condominium Request. The request also includes a recommendation on the preliminary condominium plan. The preliminary condominium plan proposes the following site elements:

- 41 total units: 17 units within the Center Street development area (two units accessed and addressed on Center Street – one existing home and other vacant), 24 units within the Western Development area.
- 15' minimum building separation. Preliminary plan provides building envelopes that are spaced 15' apart to allow for custom structures to fit within each while maintaining the minimum building separation.
- 35' setback from private road right of way line to any building.
- Private roads - road configuration includes all private roads extending through the western development area connecting Center Street to McVea Drive and providing access to units via three separate cul-de-sacs.
- Preservation of sensitive lands and existing vegetation within common element areas.
- Crosswalks across the private road at trail crossings.
- Maintaining the 25' setback to the PUD/Condo limits.
- Four on-street parallel parking spaces on Center Street.
- Stormwater management facilities.
- No streetlights or sidewalks are proposed.

Procedure. The request is subject to Planned Unit Development, condominium, and site plan review procedures. At the upcoming meeting, the Planning Commission is tasked with reviewing the preliminary PUD amendment plan and preliminary condominium plan and forwarding a recommendation to City Council for consideration. Following review and approval by the City Council of the preliminary PUD and condominium plans, the applicant will return to the Planning Commission for consideration of the final PUD and condominium plans, whereby a recommendation will be made to the City Council for the approval or denial of the final PUD and condominium plan.

It is important to note that this stage of review of the preliminary plans for the PUD amendment and condominium development is intended to be more conceptual in nature, and that detailed engineering and construction details are not required until the review of the final PUD and condominium plans. Section 16.24(5) in the Condominium ordinance points to the site plan requirements for a PUD if the condominium is proposed within a PUD. Section 27.05.D.2 states:

It is not necessary that the preliminary plan include construction details or such other data as may require engineering expertise or such other professional analysis more appropriate to a final plan, rather than a preliminary plan. As provided elsewhere in this section, the Planning Commission may in its discretion, require additional background or information if necessary for a sufficient evaluation of the preliminary plan.

The preliminary review stage will establish minimum dimensional requirements such as building

separation, setbacks, circulation patterns, road layout, and open space configuration and percentage. It is also a review of the proposed departures from the approved PUD, including the proposed open space, number of condominium units, residential density, and overall layout.

Preliminary PUD Amendment Review.

- 4) **Applicable Base Regulations.** Unless waived or modified in accordance with subsection (5) below, the yard and lot coverage, parking, loading, landscaping, lighting, and other standards for the underlying district(s) shall be applicable for uses proposed as a part of a Planned Unit Development. Mixed uses shall comply with the regulations applicable for each individual use, as outlined above, except that if regulations are inconsistent with each other, the regulations applicable to the most dominant use shall apply. The site standards for all individual land uses and facilities as provided in this Ordinance (such as special uses) must be observed unless waived by the Planning Commission or City Council for any, or all, of the specific uses and facilities. However, a special use that is part of a PUD shall not be separately processed as a special use, instead it shall be processed as part of the PUD application.
- 5) **Regulatory Flexibility.** To encourage flexibility and creativity consistent with the Planned Unit Development concept, departures from the regulations in subsection (4), above, may be permitted, subject to recommendation by the Planning Commission and approval of City Council. For example, such departures may include but are not limited to modifications to: lot dimensional standards; floor area standards; setback requirements; parking, loading, and landscaping requirements; and similar requirements. Such modifications may be permitted only if they will result in a higher quality of development or a better design or layout than would be possible without the modifications. Density standards and the provisions of Section 16.21 Shorelines, right-of-way width requirement of Section 18.02 or the City right-of-way requirement for a public street may not be modified. A modification of up to 50% of the front yard setback requirement of the zoning district may be modified under this regulation.

Remarks. The Zoning Ordinance allows limited flexibility from certain base zoning standards within a Planned Unit Development, subject to Planning Commission recommendation and City Council approval. The applicant is requesting a modest deviation from the required 65% open space standard, representing a 5% reduction. Staff has consulted with the City Attorney, who has indicated that the requested reduction may be legally considered under the PUD provisions of the Zoning Ordinance. Evaluation of this request will occur in the context of the overall design quality and consistency with the intent of the PUD provisions.

6) Residential Density. The maximum density permitted in the underlying district may be permitted only upon determination that the desired density will not unreasonably affect water and sewer services, storm water drainage, road capacity, traffic, parks and recreation, fire and police services, schools, character of the area, and any planned public and private improvements in the area.

The maximum number of dwelling units permitted as part of a PUD proposal shall be determined by submittal of a test plan. Such test plan shall illustrate the maximum number of units which can be accommodated by the given site within the parameters of the underlying zoning district and all other applicable portions of this ordinance or any other state and local laws. The lots or uses depicted on the test plan shall be permitted by right, but not guaranteed if site conditions in the proposed plan require significant deviation consideration, and any use or lot division subject to special approval shall not be included as part of a test plan. Such a plan shall be complete with roads and other required easements. This number, as determined by the Planning Commission, shall be the maximum number of dwelling units allowable within the PUD. The actual lot size of most lots approved in a PUD proposal will likely be substantially less than the minimum requirements of the underlying district in order to meet the open space requirements of 27.04(8). The test plan shall be considered a necessary step to submitting a complete application for a PUD and no further site plans for the subject parcel shall be reviewed by the City.

Remarks. N/A. A test plan was reviewed and approved as part of the original Planned Unit Development approval. The test plan established a maximum allowable density of 108 dwelling units for the site. The proposed PUD amendment does not increase the number of dwelling units beyond the previously approved maximum. The approved test plan is included in the packet for reference, as depicted in screenshots from the original approval materials, along with a unit count summary and narrative comments.

	Ferry Street Frontage	Golf View Drive Extension	Center Street Frontage	West Development Area	TOTAL
Minimum Lot Area (sq ft)	14,500	23,000	3,312	3,312	
Minimum Lot Width (feet)	65	21	46	46	
Setbacks (feet)					
Front	20	35	35	35	
Side	7/18 combined	7/18 combined	----	----	
Rear	25	25	25	25	
Minimum Building Separation (feet)	15	----	15	15	
Total Number of Dwelling Units	16	10	17	24	67
Length of Street (feet)	330	530	720	1,200	
Street Class	Private	Private	Private	Private	
Street Type	A	A	A	A	

Minimum Area and Density (27.03.02)

The entire PUD includes a total of 78 acres which meets the minimum area requirement of the PUD. The total number of units determined by the Test Plan is 108. The total number of units proposed for the PUD is 67, therefore the overall density of PUD is not exceeding that permitted within the underlying zone district.

8) Open Space Requirements. Open space shall at least equal that which would be provided under the maximum lot coverage requirements of the underlying district. For example, if maximum lot coverage is 35%, then minimum open space shall be 65%. A subdivision with most of the open space in individual yards will not meet the standards of this Ordinance. At least half of the minimum open space shall be held in common, not as a part of individual lots. Open space shall be in large contiguous units that are easily accessible, usable, and the residents of the development shall have unrestricted access and use of the open space area unless the City Council as recommended by the Planning Commission finds that unrestricted access and use of the open space is unpractical and unreasonable due to unusual circumstances of the property. Small discontinuous areas of open space are contrary to the intent of this section, although it may be necessary to permit up to twenty (20%) of the total open space area in small discontinuous areas on a given parcel in order to achieve quality design and/or function of the balance of the PUD.

Any land without a structure within the boundaries of the site may be included as required open space, except for submerged lands and land contained in public or

private street rights-of-way. The required open space shall be set aside by the developer through an irrevocable conveyance, such as a deed restriction or covenant that runs with the land, assuring that the open space will be developed according to the site plan and never changed to another use. Such conveyance shall:

- a) Ensure the open space is under single ownership or control, such that there is a single person or entity having proprietary responsibility for the open space. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, master deeds, and/or deed restrictions that indicate that open space will be held as proposed.
- b) Guarantee to the satisfaction of the City Council that all open space portions of the development will be maintained in the manner approved. Documents shall be presented to the satisfaction of the City Attorney that bind all successors and future owners in fee title to maintenance commitments made as a part of the approval of the open space.
- c) Provide for maintenance to be undertaken by the City in the event that the dedicated open space is inadequately maintained, or is determined by the City to be a public nuisance, with the assessment of costs upon the property owners within the PUD.

Remarks. The proposed amendment includes a request to modify the open space requirement established under the original Planned Unit Development approval. The Zoning Ordinance allows limited flexibility from base zoning standards within a PUD, subject to Planning Commission recommendation and City Council approval. The proposed modification represents a 5% reduction from the previously approved open space requirement. Whether this reduction is acceptable will be determined by the Planning Commission and City Council. Compliance with open space configuration, ownership, and maintenance requirements will be evaluated at final PUD and site condominium review.

9) Frontage and Access. Planned Unit Developments shall front onto a street with adequate capacity to safely accommodate the traffic of the development without unreasonably congesting the street. Road improvements contiguous to the site of the PUD that would improve traffic safety and reduce congestion may be required as a condition of development approval. Access and egress opening from the development onto a public or private street shall be limited to one (1) per two hundred (200) feet. The nearest edge of any entrance or exit drive shall be located no closer than one hundred (100) feet from any street or road intersection (measured from the nearest intersection right-of-way line). All requirements of Article 18 shall also apply to Planned Unit Developments.

Remarks. The subject property fronts on public streets with adequate capacity to accommodate traffic associated with the development. Based on the preliminary plans submitted, proposed access points comply with the minimum spacing requirements, including separation from street intersections. Detailed review of frontage, access, and compliance with Article 18 of the Zoning Ordinance will occur at the time of final PUD and site condominium approval, at which time any necessary road improvements may be evaluated.

10) Utilities. All utilities serving a Planned Unit Development, including electric, telephone, and cable television lines, shall be placed underground, wherever feasible.

Remarks. The Zoning Ordinance requires that utilities serving a Planned Unit Development be placed underground where feasible. Compliance with this standard will be reviewed at the time of final PUD and site condominium approval. A condition of approval may be included at the time for the final approval to require that all utilities be installed underground, unless otherwise determined infeasible due to site conditions or utility provider requirements.

11) Privacy for Dwelling Units. The design of a Planned Unit Development shall provide visual and sound privacy for all dwelling units within and surrounding the development. The relationship of adjacent exterior doors and windows shall be offset wherever possible. Fences, walks, and landscaping shall be used in the site design to protect the privacy of dwelling units.

Remarks. Based on the preliminary plans submitted, the overall site layout and building orientation appear capable of providing reasonable visual and sound privacy for dwelling units within the development and in relation to surrounding properties. Final review of building placement, window and door orientation, fencing, landscaping, and other privacy-related design elements will occur at the time of final PUD and site condominium approval.

12) Emergency Access. The configuration of buildings, driveways, and other improvements shall permit convenient and direct emergency vehicle access and shall be subject to the International Fire Code and Fire Department review.

Remarks. Based on the preliminary plans submitted, the general configuration of buildings and driveways appears capable of providing adequate emergency vehicle access. Detailed review of emergency access, fire lanes, and compliance with the International Fire Code will occur at the time of final PUD and site condominium approval, subject to Fire Department review.

13) Pedestrian and Vehicular Circulation. A pedestrian circulation system shall be provided that is isolated as completely as possible from the vehicular circulation system. The layout of vehicular and pedestrian circulation routes shall respect the pattern of existing or planned streets, sidewalks, and bicycle pathways in the vicinity of the site and complement and implement the recommendations of the TriCommunity Plan.

Met.

Remarks. The preliminary plans illustrate a circulation pattern that generally separates pedestrian and vehicular movements and connects to existing and planned streets and pathways in the surrounding area. Final review of pedestrian facilities, vehicular circulation, and consistency with the Tri-Community Plan will occur at the time of final PUD and site condominium approval.

14) Maximum Height. Except as otherwise provided herein, maximum building height shall be consistent with underlying district.

Met.

Remarks. The proposed buildings are intended to comply with the maximum building height permitted in the underlying zoning district. Final confirmation of building height compliance will

occur at final PUD and site condominium approval.

15) Minimum Spacing. Minimum spacing between detached buildings shall not be less than 15 feet, unless the Planning Commission or City Council authorizes a lesser amount. In no case shall spacing be less than required under the Building Code.

Met.

Remarks. The preliminary plans show that the spacing between buildings is 15ft.

16) Building Length. The front and rear of a multiple family building shall be considered to be the elevations along the longest dimension of said building. The front of the multiple family building shall be considered to be the direction indicated on the drawings by the designer provided is not inconsistent with floor plan of the individual unit; and the side of a multiple family building shall be considered to be the elevation along the narrowest side of said building. No multiple family building shall exceed one hundred twenty (120) feet in length along any one elevation of the building measured in an unbroken plane between its two furthest points.

N/A. No multiple family buildings are being proposed.

17) Sensitive Natural Features. All sensitive natural features such as drainage ways and streams, critical dune areas, wetlands, lands within the 100 year floodplains, and stream or river banks (which by virtue of soil and slope may create highly erodible hazards to the public health and safety) shall remain unencumbered by any principal or accessory buildings and structures.

Remarks. The proposed amendment does not indicate encroachment into regulated sensitive natural features, including drainageways, wetlands, floodplains, or other protected areas. Compliance with applicable environmental regulations will be reviewed and confirmed at final PUD and site condominium approval and through any required agency permitting.

18) Buffer Zone Along Streams. Drainage ways and streams shall be protected by a twenty-five (25) foot natural vegetation strip or public easement measured from the centerline of such drainage ways or streams and measured from the ordinary high water mark for the Kalamazoo River. The standards of Section 16.21 are also applicable and shall not be altered by the regulatory flexibility provision of Section 27.04(5).

19) Buffer Zone Along Property Lines. Natural vegetation, planted or landscaped buffer areas of twenty-five (25) feet width are required along all exterior boundaries of the property to be developed as a PUD.

Met.

Remarks. A buffer zone is provided and identified along the property lines.

20) Parking Areas. The parking area shall be designed so as to maximize and encourage the use of landscape breaks and/or buffers to minimize the unbroken expanse of surfaced area. However, landscaped areas in parking lots shall be large enough to support thriving vegetation and are greatly preferred over many small landscape islands.

Remarks. The preliminary plans illustrate on-site parking, including off-street parking for the public trail consisting of four (4) spaces. Detailed review of parking layout, landscaping, and compliance with parking design standards will occur at final PUD and site condominium approval. The Planning Commission shall determine whether a landscaped area should be placed around the parking area.

21) Common Property. Common property in the PUD is an area, parcel or parcels of land, a privately owned road, or roads, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites or condominiums within the PUD. When common property exists, the ownership of such common property shall be private. When privately owned, arrangements must be made for the improvement, operation, and maintenance of such common property and facilities, including private streets,

drives, service parking and recreational facilities (such as a club house or tennis courts). The applicant shall guarantee to the satisfaction of the City Attorney that all common property portions of the development will be maintained in perpetuity and in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the approval of the common property. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the City and the land use continues as approved.

Remarks. The development includes common property intended to remain under private ownership and maintenance. Maintenance responsibilities and long-term obligations for common property, including private streets and recreational amenities, will be addressed through the condominium documents. Final review of ownership, maintenance, and legal assurances will occur at final PUD and site condominium approval, subject to review by the City Attorney.

22) Easements Across Common Property. When common property exists in private ownership, the owners shall grant easements, over, under and through such property to the City as are required for public purposes.

Remarks. Any required easements across privately owned common property for public purposes will be addressed as part of the final PUD and site condominium approval process. Easements will be reviewed and approved prior to recording.

Section 27.05 Procedures and Requirements. Section 27.05 provides the required site plan elements to be included in a preliminary PUD plan. The table below outlines these elements and provides an indication of whether they have been provided and any comments.

Requirement	Met?	Comments
a. The legal description of the land.	x	
b. The area (in acres) of the land shall be stated (1) as the total acreage of the entire PUD; (2) the areas (in acres) within the PUD that are proposed to be developed for commercial, office and residential uses, respectively; and (3) the area (in acres) of the land that is proposed to remain undeveloped.	x	
c. The location and dimensions of existing and proposed property lines and building setback lines.	x	
d. The location and dimensions of existing and proposed buildings.	x	
e. Proposed uses of buildings and other structures.	x	
f. Existing and proposed topographic contours at five-foot intervals.	x	
g. Significant existing vegetation and other significant existing natural features, including floodplains, woodlands, and wetlands.	x	
h. Existing and proposed watercourses and water bodies.	x	
i. Existing public and private streets, and street rights-of-way; existing access easements.	x	
j. Proposed streets drives; curb cuts and access easements; acceleration, deceleration and passing lanes and sidewalks.	x	
k. Existing uses, buildings, structures, driveways and off-street.	x	
l. Proposed off-street parking areas and off-street loading and unloading areas.	x	
m. Existing and proposed public water supply and public sanitary sewage disposal facilities as to the description and location thereof.	x	

n. Proposed storm water management systems, including storm sewers, retention and/or detention ponds, stormwater discharge areas and other storm water management measures as to the description and location thereof.	x	
o. Public utilities in and for the PUD, including natural gas, electric, telephone and other community services, if any, such as cable television and Internet access as to the types of utility services proposed to be provided.		The development is proposed to be served by public water and sanitary sewer, with underground electric, gas, and communications utilities. Final utility details will be addressed at final approval.
p. Buildings and other facilities for public or community use.		Not being proposed.
q. Proposed areas of landscaping and general types of plantings.	x	
r. Proposed signs as to anticipated locations and the size, height and type thereof.		A development sign is anticipated. The location, size, height, and type of signage will be reviewed at the time of sign permit application.
s. Outdoor lighting, as to be expected locations and the proposed type and height of outdoor lighting fixtures.		Street lighting is not being proposed.
t. Fence, walls and other screening features.	x	
u. Refuse and services areas, including screening measures for trash receptacles.		Not being proposed
v. Open space areas and proposed uses thereof, if	x	

any.		
w. Location of state-regulated wetlands and other wetlands, if any.	x	
x. Tentative elevations views were of front, side, and rear of each building		Building elevations were not provided. Elevations should be submitted prior to City Council review.
y. Additional information which the Planning Commission may request in order to fully evaluate the preliminary PUD plan. This may include an Environmental Assessment and/or Traffic Study as outlined in Section 24.02.21.		A summary of the environmental assessment was provided in the project narrative. A traffic study was not submitted. Given the scale of the proposed development, staff recommends that the Planning Commission determine whether a traffic study should be required prior to City Council review.
4. A written description or summary of the PUD, including the following matters: a. The overall objectives of the proposed PUD. provided. The applicant has provided a detailed narrative that outlines the entire proposal. b. The number, size and basic description of proposed buildings and structures.		The number of buildings and a general description were provided. The Planning Commission will determine whether the building envelope information is sufficient in lieu of individual building footprints.

c. A statement describing how the proposed PUD will promote the intents and purposes of the PUD District.	x	
d. A statement from a licensed professional engineer, or alternatively, the City Engineer, indicating the relative capacities of the public water supply and the public sanitary sewer systems proposed to serve the development.	x	
5. The application for the PUD approval shall also include the following information: a. The applicant's name, business address, telephone number and email address.	x	
b. The name and address of the owner(s) of record if the applicant is not the owner of record and the signature(s) of the owner(s).	x	
c. The property tax identification number(s) of the land.	x	A screenshot of the warranty deed included in the narrative identifies multiple parcel numbers. The Planning Commission will determine whether this is sufficient or whether the applicant should provide the full parcel numbers.
d. The name, address, telephone number and email address of the applicant's engineer, land-use planner, architect, land surveyor and other professional consultants.	x	
e. A time-schedule of proposed construction, including the anticipated completion date and proposed phases of development of the PUD.		The applicant anticipates initiating construction in 2026, subject to

		<p>receipt of all required approvals and permits. The PUD amendment includes phased development. Detailed phasing and completion timing will be reviewed with the final PUD and site condominium submittals.</p>
<p>f. A written statement describing the impacts of the PUD-on existing infrastructure (including traffic impact and effects on the capacity of streets, schools and utilities) and on the natural environment and adjoining and other lands.</p>	<p>x</p>	
<p>E. Final PUD Plan. Following the advisory public hearing, if such a hearing is convened, or otherwise following the pre-application conference, the applicant shall prepare a final PUD plan and submit the plan to the City.</p>		<p>If the preliminary PUD plan is approved, the applicant will be required to return to the Planning Commission and City Council for review and approval of a final PUD plan, in accordance with Section 27.05 of the Zoning Ordinance.</p>

Preliminary Condominium Review.

Section 16.24 Condominiums

(4) APPLICATION FOR CONDOMINIUM APPROVAL. An application for condominium approval shall include the following information:

(a) A condominium project plan which includes the documents and information required by Section 66 of the Condominium Act.

Remarks. A draft Master Deed, condominium bylaws, and conceptual preliminary plans were provided.

(b) To the extent it is not already included in the condominium project plan, the following information shall also be provided:

<p>(i) The information required for site plan review by Article 24 of this Ordinance.</p>		<p>An Article 24 checklist was provided identifying items submitted and items deferred. The Planning Commission may determine whether additional information should be required prior to City Council review. Section 27.05 Procedures and Requirements outlines the requirements for the preliminary plan.</p>
<p>(ii) Layout and dimensions of each condominium building, and the building envelope for such building. The condominium project plan for all types of condominium developments, whether containing detached or attached units, shall depict a building</p>		<p>The applicant has provided information illustrating the general unit arrangement within the proposed</p>

<p>envelope around each building so as to demonstrate compliance with the minimum lot area requirement, the minimum lot width requirement, and the minimum building setback requirement of the zone district in which the building is located, and where applicable, the building placement and separation requirements of the zone district in which the building is located; provided, however, that if the condominium is a planned unit development under Article 27, the City Council, upon recommendation of the Planning Commission, may approve departures or modifications in the requirements stated in this subparagraph (ii), under the terms of Article 27 of this Ordinance and accordingly, the condominium project plan may depict any such requested departures or modifications.</p>		<p>condominium buildings. Detailed building layouts, floor plans, and architectural elevations are not required at the preliminary stage and will be reviewed during final PUD approval and/or building permit review. Building envelopes have been provided that will establish the boundaries of the structural elements of each unit.</p>
<p>(iii) Written approval of the proposed design and location of the entrance to the condominium development from the Allegan County Road Commission as applicable.</p>		<p>N/A. The proposed entrance connects to City-owned public streets (Center Street and McVea) and does not involve access from a county road.</p>
<p>(iv) The use and occupancy restrictions and maintenance provisions for all general and limited common elements that will be included in the master deed including a copy of the draft master deed and by-laws.</p>		<p>Provided through the draft Master Deed and condominium bylaws.</p>
<p>(v) A storm drainage and a storm water management plan, including all lines, swales, drains, basins, and other facilities and easements granted to the appropriate municipality for installation, repair, and maintenance of all drainage facilities.</p>	<p>x</p>	
<p>(vi) A utility plan showing all water and sewer lines and easements to be granted to the</p>	<p>x</p>	

appropriate municipality or public utility for installation, repair and maintenance of all utilities.		
(vii) A narrative describing the overall objectives of the proposed condominium project.	x	
(viii) A narrative describing the proposed method of providing potable water supply, and sanitary sewage disposal facilities and other utilities.		
(ix) private streets, if any, within the proposed condominium project.	x	

Standards of Preliminary Condominium approval. Section 16.24 (7) outlines the standards that must be met for the preliminary condominium plan to be approved. These standards are below, along with staff's remarks:

- (a) The plan shall satisfy the standards and requirements for site plan approval in Article 19 of this Ordinance, except that if the condominium project is proposed as a Planned Unit Development, subparagraph (b) shall apply, rather than this subparagraph (a).
- (b) If the condominium project is proposed as a Planned Unit Development, the plan shall satisfy the standards and requirements for approval in Article 27 of this Ordinance.

Remarks. This was previously approved as a Planned Unit Development. Through the amendment process they are still required to follow the requirements of Article which was covered in the memorandum.

- (c) The proposed common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, project layouts and design, or other aspects of the proposed project, shall comply with all requirements of the Condominium Act or other applicable laws, ordinances or regulations. The Zoning Administrator, City Planner, City Attorney, City Engineer, City Fire Chief, Kalamazoo Lake Sewer and Water Authority, Allegan County Drain Commission or other appropriate persons shall be consulted as necessary to make this determination.

Remarks. Review by appropriate City staff and agencies will occur as part of final approval.

(d) Each condominium building shall comply with all applicable provisions of this Ordinance, including, but not limited to, minimum lot area, minimum lot width, required front, side and rear yards, and maximum building height and other minimum provisions of the applicable zone district; provided, however, that if a condominium building is located in a planned unit development under Article 27, the City Council, upon recommendation of the Planning Commission, may approve departures or modifications in the requirements stated in this subparagraph (d), under the terms of Section 27.4 of this Ordinance.

Remarks. The applicant is only requesting and reduction from the open space requirement.

(e) If a condominium project is proposed to have public streets, the streets shall be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for platted public streets as required by the Allegan County Road Commission.

N/A, no public streets are being proposed.

- (f) Private streets may be permitted to provide access to and throughout a condominium project, subject to the following requirements:
- (i) All private streets shall comply with Section 18.02 of this Ordinance.

Remarks. Private streets are proposed and will remain under private ownership and maintenance. Section 18.02 will be reviewed at the time of final condominium approval. The City is not in a position to accept additional public streets. Given the street's configuration as a through connection, it may function as a route used by the general public. The Master Deed and Bylaws should clearly define access rights, maintenance obligations, and responsibility for the private street.

(ii) Provisions in the Master Deed and Bylaws shall obligate the developer and/or owner's association to assure that all the

private streets are regularly maintained, repaired and snowplowed so as to assure that they are safe for travel at all times. The Master Deed and/or Bylaws shall also include a provision indemnifying and holding the City harmless from any and all claims for personal injury and for property damage arising out of the failure to properly construct, maintain, repair and replace the private streets.

Provided.

(g) Each unit in the condominium project shall be provided with public utility services in accordance with City requirements.

Remarks. Each unit is proposed to be served by public utilities in accordance with City requirements.

Final Thoughts. The Planning Commission should consider whether a traffic study is warranted based on the number of dwelling units proposed as part of the PUD amendment.

As noted earlier in this memorandum, Section 27.05(D)(2) does not require construction-level details at the preliminary PUD stage. While the proposal also includes a site condominium component subject to Section 16.24, staff finds that detailed construction plans and building-level information may be appropriately deferred to the final PUD and site condominium approval stage.

If the Planning Commission determines that additional information is necessary to adequately evaluate the preliminary requests, including items identified under Article 27 or Section 16.24, such information may be required as a condition of preliminary approval. Recommended conditions of approval are provided below.

Recommendation. At the upcoming meeting, the Planning Commission will review the preliminary PUD amendment and preliminary condominium plans. Commissioners should consider the information provided in this report, along with comments from the applicant and the public.

If the Planning Commission determines that the preliminary plans adequately address the intent and standards of the PUD ordinance, staff recommends forwarding a recommendation of approval or approval with conditions to City Council. If additional information, clarification, or plan revisions are necessary to evaluate the proposal, staff recommends the item be tabled or referred back to the applicant prior to further consideration.

Suggested Motion

I move to recommend to City Council [**approval / approval with conditions / denial / tabling**] of the preliminary Planned Unit Development amendment plan and preliminary condominium plans submitted by Ric Dyk on behalf of BDR Inc. for the Westshore Planned Unit Development, pursuant to Article 27 and Section 16.24 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in this staff report for the parcel identified as P.P. 59-830-000-02, located on Center Street subject to the following conditions:

1. The applicant shall submit building elevations sufficient to evaluate overall building massing and confirm general compliance with maximum height standards prior to City Council review.
2. The applicant shall revise all plans and narrative to indicate reference to the City of the Village of Douglas Master Plan (2024) to replace all references to the Tri-Community Master Plan and the 2016 Master Plan, prior to the City Council's consideration of the preliminary PUD amendment plan and preliminary condominium plan.
3. The applicant shall revise the dimensional details to include setbacks relevant to the limits of the PUD, to the road right of way, and separation distances between units, rather than front, side, and rear yard setbacks, prior to the City Council's consideration of the preliminary PUD amendment plan and preliminary condominium plan.

Please feel free to reach out with any questions.

Site Plan Review Checklist – Westshore PUD

Applicant Information	Met	Not Met	Comments
Name, address, email, and phone number	X		
Property Ownership	X		
Proof of property ownership			
Information on options or Liens			
Project Impact Statement			
Written statement on the proposed project's impact on existing infrastructure (traffic, schools, utilities)	X		
Written statement on the proposed project's impact on natural environment	X		
Phase 1 and Phase 2 environmental review (if required)	X		Environmental review was done back in 2012
Property Details			
Dimensions and legal description	X		
North Arrow	X		
Certificate of survey if less than (1) acre and a land division	N/A		
Project Description			
Total number of structures, units, and bedrooms, offices	X		
Square footage (total and usable floor area)		X	Square footage is not provided of the proposed units
Carports/garages		X	Garages were not provided on the site plan. At the final approval the applicant should provide them
Employees by shift	N/A		
Recreational and open space details	X		Existing public trail is provided
Type of recreation facilities provided	X		
Natural and Man-Made Features			
Woodlots, streams, drains, lakes/ponds	X		
Topography (at 2-foot intervals)	X		
Existing roads and structures (indicate what will be retained/removed)	X		
Public and Private Access			
Existing or proposed public right-of-way	X		
Private easements			
Proposed Access and Parking			

Streets, driveways, parking spaces, sidewalks	X		
Direction of travel	X		
Inside radii of all curves	X		
Width of streets, driveways, sidewalks			Width of crosswalks will need to be provided at time of final approval.
Total number of parking spaces and dimensions of typical spaces			4 Parking spaces along Center St is proposed, but the applicant should add to general notes
General public pedestrian access (as approved by City Attorney)			City Attorney will review the general public pedestrian access at the time of the final approval
Vicinity Sketch			
Location of the site in relation to surrounding streets and land uses (within 300ft)			
Utilities Location			
Natural gas, cable, electric, phone	X		
Fire hydrants	X		Fire Department will be reviewing the hydrant locations at the time of the final approval
Water supply, stormwater management, wastewater systems			
Accessory Structures and Uses			
Proposed location of all accessory structures (ex. Flagpoles, light poles, docks, sheds)			
Method of screening where applicable	X		
Landscaping Plan			
Locations of plantings and screening	X		
Fencing and lighting (in compliance with Article 21)			
Proposed locations of common open spaces (if applicable)			
Storage Facilities			
Locations and specifications for any existing or proposed above or below ground storage facilities for chemicals, salts, flammable materials, or hazardous substances	N/A		
Locations and specifications for any existing or proposed containment structures or clear zones required by government authorities	N/A		
Stormwater Management			
Location of Exterior Drains	X		
Location of Dry Wells			Not proposed

Location of Catch Basins	X		
Location of Retention and/or detention areas	X		
Location of Sumps and other facilities for stormwater or wastewater	X		
Location of point of discharge for all drains and pipes	X		
Site Lighting			
Location, type, style, and intensity of all proposed site lighting (including building, sign, or other site lighting)			
Permit Statement			
Statement identifying all other federal, state, and local permits required (if any)	X		This was provided in the narrative
Project Completion Schedule			Applicant shall provide a project completion schedule at the time of the final approval
Timeline for project completion			
Tri-Community Plan Compliance			
Evidence of compliance with the recommendations of the Tri-Community Plan	X		
Additional Information:			
Any other necessary information for the Planning Commission to determine conformity with the Ordinance			Planning Commission will determine if any additional information is required
Professional Seal	X		
Seal of the State of Michigan registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan	X		
Grading Plan:			
Grading plan per Section 16.20.5	X		
Special Studies or Research (If Required by PC or ZA)			The Planning Commission will determine whether if this is required
Current site condition and status of buildings (to be preserved or removed).			
Flora and fauna (include endangered species).			
General topography and drainage patterns (including regulated features).			
Adjacent waterways.			
Existing wells (depth and use).			
Description of proposed abatement methods.			

Nature of contamination and proposed mitigation methods.			
Description of proposed work and methodology to protect waterways.			
Description of existing soils and their suitability for proposed use.			
Methods to protect and preserve any historic or archaeological resources.			
Description of emissions related to air quality and their effects.			
Methods to contain hazardous materials and prevent migration.			
Characterization of discharges (quantity, quality, chemical constituents).			
Description of findings from any previous assessments and provide reports.			
Anticipated noise levels at property lines and proposed mitigation measures.			
Description of anticipated traffic impacts from the proposed use.			
Description of site restoration after construction.			
Methods for handling sanitary waste during and after construction.			
Description of how potable water will be provided (including wells or lake-draw systems).			
Any other items needed to relay potential environmental impacts			
The individual preparing the Environmental Assessment must sign and seal the document (if prepared by a registered engineer, land surveyor, community planner, or landscape architect).			
Traffic Impact Study (if required by PC or ZA)			The Planning Commission will determine whether if this is required
Narrative Summary (Applicant and project name, Location map, Size and type of development, Traffic volumes based on the Institute of Transportation Engineers' <i>Trip Generation</i> (current edition)			
Project Phasing and Access Plan (Phases of development, including year for each phase, Proposed access plan for each			

phase)			
Transportation System Inventory (Physical, functional, and operational characteristics of the study area highway system, Location of transit services (where appropriate), Data on: Peak-hour volumes (existing and projected), Number of lanes, Cross-section, Intersection traffic signals and configuration, Douglas Zoning Ordinance, Traffic signal progression, Percentage of heavy trucks, Adjacent access point locations, Jurisdiction Grades			



Planned Unit Development Application

The Village of Friendliness—Since 1870

Applicant Information

Company Name: Douglas Property Dev LLC Applicant Name: Ric Dyk
 Phone Number: 616-291-0262 Email Address: rdyk@bdrinc.com
 Mailing Address / PO Box 50 Crahen Ave, NE, Ste 200 City: Grand Rapids State: MI Zip: 49525

Property Information

Owner/Agent Name: same as applicant
 Phone Number: _____ Email Address: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Parcel Number: 03-59-830-000-02 Property Size: 46 Ac +/- Zoning District: PUD

Project Information

Proposed Overlay District: n/a
 Describe the proposed Planned Unit Development Requested:

Proposed PUD Amendment.

Yes, I have read the City of Douglas Zoning Ordinance Article 27 Planned Unit Development

Richard Gyls _____ 12/30/25
 Signature of Applicant Date

FOR INTERNAL USE ONLY

CITY OF DOUGLAS ZONING REVIEW
 Approved Conditional Approval Denied Permit Number _____
 Rationale _____ Fee Paid Application Complete
 Plans reviewed by Planning Commission on: _____ Approved on: _____ (Attach Minutes)

 Signature of Planning & Zoning Administrator Date

williams&works

engineers | surveyors | planners

MEMORANDUM

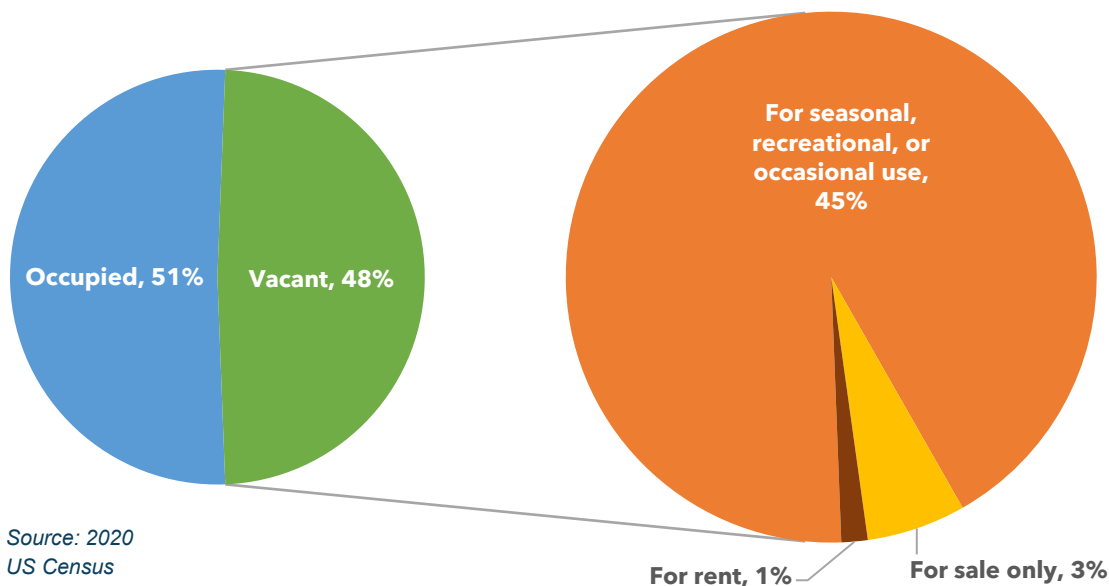
To: City of the Village of Douglas Planning Commission
Date: April 3, 2026
From: Tricia Anderson, AICP
RE: Short Term Rentals – Regulatory Options

The purpose of this memo is to outline the various issues and concerns surrounding the short-term rental of residential properties located in the City of Douglas. This issue is viewed from the perspective of both the residents and the rental property owner. A range of proposed options to address the issue is offered for your discussion at the upcoming meeting.

The Issue

Within the limits of the law and local ordinances, a property owner is entitled to capitalize on the value of their home and land. Where there is a market for short-term rentals, the high earning potential of the property can be enticing, especially in communities that tend to attract many tourists such as the City of Douglas. The City is accustomed to the annual influx of seasonal visitors, who are welcomed for their valuable contributions to the local economy; however, additional short-term rentals being registered with the City, brings an increased visitor population that lacks long-term ties or obligations to the community.

Figure 1 – of the 48% of vacant housing in the City, 45% is used for seasonal, recreational, or occasional use.



Source: 2020 US Census

Short-term rentals in seasonal tourist communities like Douglas often place pressure on housing availability and affordability by reducing the supply of long-term rental units and driving up home prices. This can make it difficult for people within a certain income threshold (such as service workers) to live within the community. This has a domino effect on workforce shortages for local businesses, particularly during peak tourism seasons when demand for labor is highest but housing is least accessible.

Economically, an increased reliance on short-term rentals has the potential to intensify seasonal fluctuations, making it more difficult for businesses to sustain year-round operations and stable employment. Commercial areas may shift toward visitor-oriented uses, limiting services that meet the daily needs of year-round residents, while rising costs can further challenge locally focused businesses. Additionally, seasonal population surges can strain infrastructure and public services, with year-round residents often bearing the cost of maintaining systems designed to accommodate peak demand.

There are likely close to two hundred residences offered for short-term rental during the summer months or throughout the entire year (according to data gathered during the update of the 2025 Master Plan). The short-term rental of homes in the City is not a new phenomenon, as it has likely been occurring for decades. Now, and over the past ten or so years, the proliferation of online rental platforms such as Airbnb and VRBO has accelerated and popularized short-term rentals as an affordable alternative to hotels and a way to get the full local experience.

History

The City first adopted zoning provisions to regulate external impacts of short-term rentals in February 7, 2011. The City began requiring an inspection done every three years in 2014. The City later made a change that would allow short-term rentals in the C-1 district only as a special land use to be approved by the Planning Commission.

In 2023, the map below was created based off the registered short-term rentals in the City.

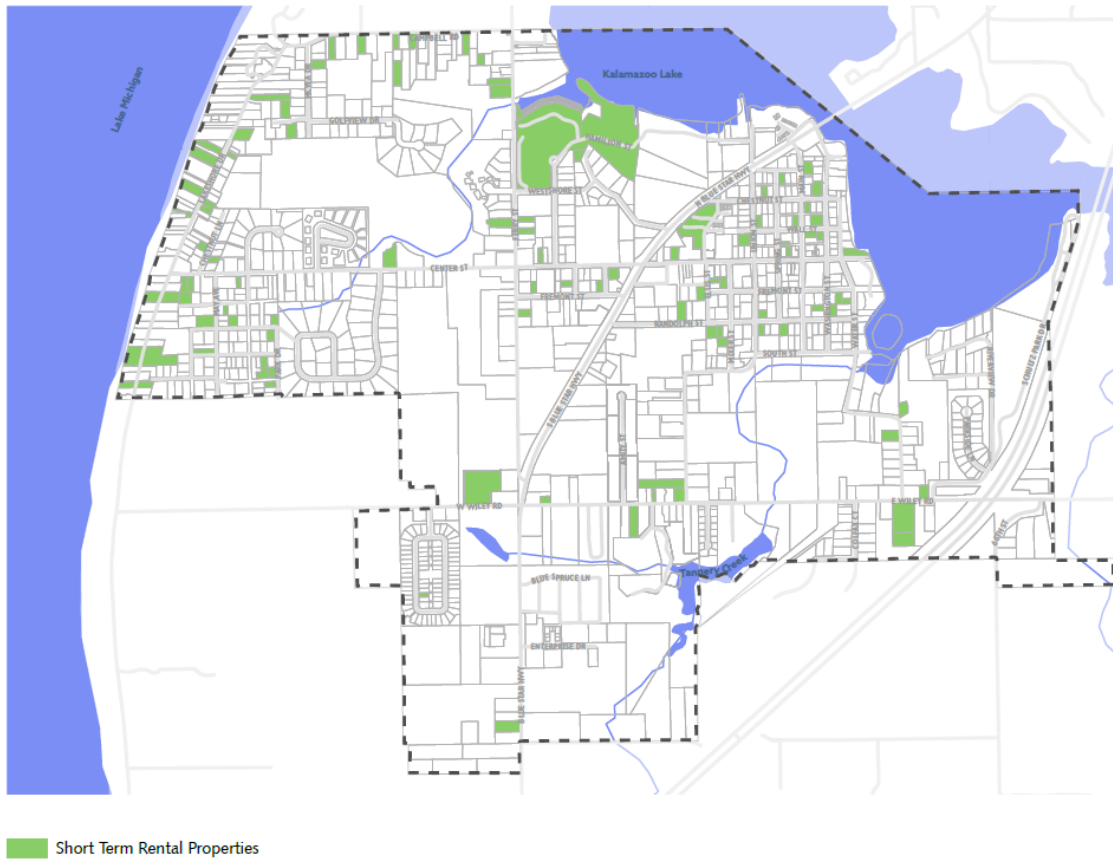


Figure 2 – Map of properties registered as a short-term rental in 2023

Regulatory Options to Consider

When the Master Plan was updated, the Planning Commission outlined goals and objectives to address the issue of short-term rentals. The following objectives were identified as action steps to reach the goal of controlling short-term rentals in the City:

1. Adopt a policy to collect an “accommodation tax” which would be levied on revenue generated by properties used for STR. Place funds captured through this taxation into a fund that can be used to bolster the City’s efforts to provide affordable housing.
2. Adopt additional provisions within the zoning and regulatory ordinances to provide clear procedures, standards, requirements, and restrictions for short-term rental uses, such as the posting of signage making it easier to contact STR owners.
3. Prioritize certain areas in the City for allowing the STR use of property, while delineating other areas where STRs should be prohibited.
4. Amend the zoning ordinance and regulatory ordinances to develop a lottery program to issue annual short-term rental licenses.

5. Consider the adoption of a vacancy tax on homes that are unoccupied for more than 6 months out of the year.
6. Adopt an ordinance to place a maximum ratio of short-term rental homes to homes occupied year-round, and place a maximum of licenses that can be issued annually.
7. Increase enforcement efforts to discourage unlicensed short-term rentals.

Additional Options

- The City could engage and collaborate with other lakeshore communities to address the issue regionally and discuss successes and challenges of adopting new regulations or caps on short-term rentals.
- Consider adopting an general law ordinance within the Code of Ordinances that outlines the procedures and limitations of STRs in the City, and limit zoning regulations to location and zoning district.
- The City could require hosts to live on the property they are renting out in the case of an accessory dwelling unit, or multifamily development or duplex. This could contribute to better oversight of the rental property and discourage corporate or absentee ownership of short-term rentals.
- Specific limitations can be placed on the number of STRs allowed in different zoning districts. Residential zoning districts may have different caps compared to commercial or mixed-use zones, and could be dependent on neighborhood character of that zoning district.
- Increase the fees so that the regulatory controls that are implemented can be administered effectively. Some communities partner with third party inspectors and hire staff to deal specifically with the STRs.
- Implement a cap on the number of short-term rentals, but allow pre-existing STRs to continue without being subject to the new regulations.
- To ensure continued adherence, the City could establish expiration or transfer restrictions on pre-existing status, limiting its applicability under specific conditions like changes in ownership or major renovations. Transparent public records indicating which properties are considered pre-existing should be maintained, fostering community understanding and collaboration.
- Temporary bans or moratoriums on new short-term rental registrations may be considered while the City explores an update existing regulations and potential new regulations (such as a cap and lottery for new). This would allow time for planning and consideration of the impacts.
- During a moratorium, the time may be used to engage the public to get feedback on how STRs can be effectively managed going forward.

Regulation in Other Communities

The Planning Commission and City Council are strongly encouraged to explore the ways in which other lakeshore communities are regulating short-term rentals. The links below will bring you to the ordinances and other documents that regulate short-term rentals in neighboring communities.

[City of Saugatuck](#)

[South Haven](#)

[City of Holland](#)

[Grand Haven \(Township\)](#)

[Park Township](#)

[Laketown Township](#)

[City of Grand Haven](#)

At the upcoming meeting, the Planning Commission will discuss the above options and the stated objectives in the Master Plan and provide direction on any zoning or policy changes that should be made in an effort to control short-term rentals. This direction will be used to also guide any changes that are made to the Zoning Ordinance, as the steering committee works to prepare a draft for the Planning Commission's consideration.