

Proposed Ordinance Changes for November 30, 2022 Public Hearing

Changes to High Frequency Short Term Rental

Move language for HFSTRs from Section 20, Article A, Special Requirements and Conditions, to Article II, Definitions, to further clarify the use.

Article II - Dwelling, Principal, High-Frequency Short-Term Rental – A rental of a single-family residential dwelling for less than or equal to thirty (30) days at a frequency greater than four (4) times per calendar year. Short-term rentals are only allowed in principal single-family residential dwellings that are occupied by the owner as a primary residence for at least 9 months of the year. The allowable number of days a high-frequency short-term rental may be rented will be no more than 60 days per year with the year commencing on the start date of the rental as established in the Interim Use Permit. There shall be only one single-family dwelling short-term rental in the Township per owner.

(Above removed from Article IX, Section 20, Below)

Article IX Section 20 - Dwellings, High-Frequency Short-Term Rental

A. Special Requirements and Conditions.

1. All high-frequency short-term rentals will be considered an interim use.
2. Short-term rentals are only allowed in principal single-family residential dwellings that are occupied by the owner as a primary residence for at least 9 months of the year.
3. The allowable number of days a high-frequency short-term rental may be rented will be no more than 60 days per year with the year commencing on the start date of the rental as established in the Interim Use Permit.
4. There shall be only one single-family dwelling short-term rental in the Township per owner.
5. All short-term rentals require a minimum lot size of two (2) acres or the minimum lot size required by the zone district whichever is the largest and the dwelling used for short term rental must meet, at a minimum, fifty (50) foot side and rear yard setbacks or that required by the zone district, whichever is larger.
6. In instances where the property does not meet the minimum two (2) acre lot size or the minimum lot size required by the zone district (whichever is the largest) or any of the fifty (50) foot rear and side yard setback requirements or that required by the zone district, whichever is larger the owner may still apply for high frequency short term rental if all of the following requirements are met:
 - a. The owner lives within a 2 (two) mile radius of the property where the rental is occurring and they are in residence on their property during the rental period. The two-mile radius is measured from the center of the rental dwelling.
 - b. The rental property is at least 1 (one) acre in size or one half the minimum lot size and setbacks for the zone district whichever is larger.
7. The side and rear yard setbacks must meet at a minimum 50' (fifty feet) or that required by the zone district, whichever is larger, unless the adjacent property is zoned commercial, FL or LIM, then the setbacks shall be as required for the applicant's land use district. All SENSO, LSSLO and SSLO setbacks apply regardless of adjacent property zoning.
8. The owners shall obtain any and all licenses, permits, or other governmental approvals required by any governmental agency, board, department, or other governmental entity with jurisdiction.
9. Property oversight and complaint response. Thirty (30) days prior to rental of the property in any calendar year and anytime the contact information changes, the property owner shall provide to the Township Planning Director the name and phone number of a contact person with the capability and authority to address complaints or concerns regarding the property. This phone number shall also be provided to all other property owners within five hundred (500) feet of the lot boundary. The contact person must be available at all times during rental periods, and able to be at the property within thirty (30) minutes.
10. A log shall be kept of the renter, date of arrival, date of departure, and number of guests for all rentals. A copy of the log shall be provided to Planning Director upon request.

11. Off street parking shall be provided.
12. No temporary sleeping facilities may be used on the property during rentals (i.e., recreational camping vehicles, tents, etc.).

Accessory Structures 1000-2000 in SSUR-1 and SUR-1

Change designation in Table 5.3 for Accessory Structure between 1000 & 2000 sq ft from Not Allowed in SSUR-1 to permitted with Performance Standards to correct a mistake and reflect original intent of Ordinance.

The Use Matrix states that accessory structures 1000-2000 sq ft are not permitted in SSUR-1 (2 acre minimum lot size), but would be permitted with Performance Standards in SUR-1 (0.5 acre minimum lot size). PS was designated for both SUR-1 and SSUR-1 in the previous ordinance and we believe this to be an error found in the use matrix of the current ordinance.

Table 5.3.4 - Accessory Structures and Uses	Zone District											Overlay	
	FL-1	FL-2	FFL-1	RR-1	SC-1A	SC-1B	COM-1	LIM-1	SSUR-1	SUR-1	SUR-2	LSSLO	SSLO
Accessory Structure 2000 sq ft or more	P	P	PS	PS	Ø	Ø	PS	PS	Ø	Ø	Ø	Ø	A
Accessory Structure between 1000 & 2000 sq ft	P	P	PS	PS	PS	PS	PS	PS	Ø	PS	PS	A	A
Accessory Structure 1000 sq ft or less	P	P	P	P	PS	PS	PS	PS	P	P	P	A	A

Interim Use Fee

Change Table 16.1 – Permit and Administrative Fees such that “Conditional Use Permit” under “Conditional Uses” be amended to “Conditional /Interim Use Permit” for each applicable instance so that Interim Use Application fees are the same as the fee currently set for Conditional Uses.

Currently there is not an interim use fee designated in the fee schedule. Consider including interim uses to be specified in the fee schedule, as opposed to “fees other than noted” with a suitable fee.

Conditional Uses	
Conditional / Interim Use Permit - Adult/Sexually Oriented Business, Accessory	\$2,339
Conditional / Interim Use Permit - Adult/Sexually Oriented Business, Principal	\$5,847
Conditional / Interim Use Permit – Commercial	\$691
Conditional / Interim Use Permit - Home Business	\$425
Conditional Use Permit - Public Utility Facility	\$1,169
Conditional / Interim Use Permit - Unless Noted	\$425
Conditional Use Permit - Utility Corridor	\$5,847

Fee Table: STRs

Remove the word “conditional” from the line in Fees reading “Conditional / Interim Use Permit High-Frequency Short-Term Rental” because HFSTRs are only allowed as Interim Uses. Increase the annual fee for Low-Frequency Short-Term Rentals from \$68 to \$100 per year.

Short-Term Rental	
Conditional Interim Use Permit High-Frequency Short-Term Rental	\$532
Low-Frequency Short-Term Rental (annual fee)	\$68 \$100