

The following text is an example of how Section 36-170.37 – Short-term rental development standards of the Hamburg Township Zoning Ordinance could be incorporated into the Dexter Township Zoning Ordinance, with the allowance for nonconforming structures to be allowed as short-term rentals per the applicant’s request.

SECTION 1. AMEND SECTION 2.02(R) TO INCLUDE SHORT-TERM RENTAL DEFINITIONS

- 7) **Rental Unit, Short Term:** A dwelling unit or accessory dwelling unit that is rented wholly or partly, for periods of less than 30 consecutive days for more than 14 days per year, by persons other than the permanent resident. Short term rental units including the following:
 - a) **Accessory Short-Term Rental Unit:** A dwelling unit or portion of a dwelling unit rented or leased to transient guests for a period of less than 30 consecutive calendar days per rental period and less than 122 days per calendar year.
 - b) **Bed And Breakfast Short-Term Rental Unit:** A structure which was originally constructed for single family residential use and is currently the private residence of the permanent resident. The permanent resident or residents act as the [manager] and are on-site during the rental of the property. The residence is used for renting bedrooms, on a nightly basis to transient guests for a period of less than 30 consecutive calendar days per rental period and may be rented 365 days per calendar year. Bed and breakfast short-term rental units provide food at no extra cost to the transient guest.
 - c) **Hosted Short-Term Rental Unit:** A short-term rental unit where a portion of the dwelling unit or the accessory dwelling unit is occupied by a permanent resident when the unit is rented or leased to transient guests.
 - d) **Primary Short-Term Rental Unit:** A dwelling unit or portion of a dwelling unit rented or leased to transient guests for a period of less than 30 consecutive calendar days per rental period and may be rented 365 days per calendar year.

SECTION 2. AMEND ARTICLE 4 TO ALLOW SHORT-TERM RENTALS IN THE LAKE RESIDENTIAL ZONING DISTRICT

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Adult entertainment									S
Banquet hall									S

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Proposed Dexter Township Zoning Ordinance Text Amendment for Short-Term Rentals
 October 22, 2024 Public Hearing Copy version 2

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Bar or club									S
Bed and breakfast	S	S	S			S			
Car wash									S
Carry-out, drive-through, take-out, pick-up, or other form of restaurant or other food service establishment that serves food or drink for off-site consumption									S
Commercial agriculture, excluding slaughterhouses	P	P				P			
Commercial kennel	S								S
Commercial stable	P	S				P		P	
Commercial watercraft access ramp			S			S	S	S	S
Day care center	S	S				S			P
Driving range						P		S	P
Entrepreneurial kitchen	AS					AS	AP	AP	AP
Farm equipment sales and service of equipment	S								P
Food cart						S	P	P	P
Funeral home									P
Golf course or country club		S				S		S	
Health, fitness, or rehabilitation center									P
Junkyard									S
Landscape nursery and greenhouse, including sales of plant materials and supplies	P								P
Marina or yacht club			S			S		S	S
Medical office									P
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							P

Text to be added is in red font: **example**
 Text to be deleted is in strikeout font: ~~example~~

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Sales of new industrial and construction equipment or the service and repair of such items									S
Self-storage facility									S
Short-term rental, accessory			P						
Short-term rental, bed and breakfast			P						
Short-term rental, primary			P						
Sit down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area							S	S	
Sit-down restaurant or other establishment that serves food or drink for on-site consumption									P
Sod farm	S	S							
Special event facility	S	S				S			
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S			P
Winery	S	S						S	P

SECTION 3. AMEND SECTION 7.05 TO ALLOW SHORT-TERM RENTALS IN THE LAKE RESIDENTIAL ZONING DISTRICT

The following are principal permitted uses in the District:

- Single-family dwellings
- Day care or foster care facility, family home
- Recreation site dedicated for a platted subdivision or site condominium
- Short-term rental, accessory
- Short-term rental, bed and breakfast
- Short-term rental, primary
- Polling place

SECTION 4. ADD SECTION 17.04(K) TO INCLUDE SHORT-TERM RENTALS

Short-term rentals shall meet the following standards, in addition to other applicable standards of this Ordinance.

(A) There are three types of short-term rental units: accessory short-term rental units, primary short-term rental units, and bed and breakfast short-term rental units. Short-term rental units must apply for a major zoning permit under Article 25, Section 25.03, Permits Required.

(B) All short-term rental units shall meet the following regulations.

- 1) If there is an accessory dwelling unit on the subject site, only one of the dwelling units can be used as a short-term rental unit. The accessory dwelling unit regulations in Section 17.02(D) shall be met.
- 2) Maximum occupancy of two persons per bedroom plus an additional two persons per floor level with livable space.
- 3) One off-street parking space is required per bedroom. If the short-term rental unit is hosted, the hosts parking space must be unobstructed by the guest parking spaces.
- 4) Noise during quiet hours 10:00 p.m. to 7:00 a.m. must be limited to that which does not disturb the quiet, comfort or repose of a reasonable person of normal sensitivities. The regulations of Ordinance 5 – Anti Noise and Nuisance shall apply.
- 5) No fireworks are allowed.
- 6) No tents, recreation or other vehicles, or boats can be used as short-term rentals.
- 7) Subject property shall have on-site garbage service.
- 8) A local agent shall be designated. The local agent shall be available 24 hours a day while the unit is rented out. The local agent shall live within 45 minutes of the short-term rental unit.
- 9) If advertised the advertisement shall include the permit number and maximum number of persons allowed.
- 10) If there are more than ten properties within 1,000 feet of the subject property; only 30 percent of these properties may be used for short-term rentals. Of the allowed short-term rental units only 15 percent can be primary short-term rental units or bed and breakfast short-term rental units. If the subject property is greater than ten acres this regulation does not apply. All approvals shall be granted on a first to apply basis.
- 11) The following information shall be posted inside the unit, within ten feet of the primary door of an un-hosted short-term rental unit: The name and phone number of the local agent; a plan of the property that shows the property lines, buildings and parking spaces with a statement about trespassing on neighboring sites; information about garbage pick-up; the total number of people allowed; and other rules including but not limited to the quiet hours, and no fireworks.
- 12) A major zoning permit (Article 25, Section 25.03) is required for all short-term rental units. If a major zoning permit for an existing short-term rental unit is not applied for by the first day of February, the existing short-term rental unit shall no longer be used as a short-term rental unit until a new major zoning permit is approved for that property.

(C) Accessory and primary short-term rental units.

- 1) Maximum occupancy of ten persons per unit. This number would include the host and their family if the short-term rental is within the same building. If the short-term rental is hosted and the short-term rental unit or the host is in an accessory dwelling unit, the maximum occupancy on the site may be up to 14 persons.
- 2) Structures used as short-term rental units shall meet the required setbacks of the zoning district it is located in. Legally nonconforming structures may be used as a short-term rental unit when all provisions in Section 24.05 – Legally Nonconforming Structures are met.
- 3) Temporary Structures and Uses (Section 16.33) are not allowed while the property is being used as a short-term rental unit.

(D) Bed and breakfast in short-term rental units.

- 1) Dining facilities for the purpose of serving meals shall not exceed a seating capacity of two and one-half times the number of sleeping rooms in the bed and breakfast establishment. No restaurant shall be permitted. Food service shall be limited to food provided at no extra cost to the transient guests.
- 2) The sale and/or display of souvenirs of the inn and other local merchandise is allowed as long as it is accessory to the bed and breakfast short-term rental use.
- 3) Bed and breakfast short-term rental units may not offer boating amenities, such as docking facilities, boat rental or boating tours, to guests. This provision shall not preclude the resident owner from docking or utilizing a boat for their own personal use.
- 4) Bed and breakfast short-term rental units may be located in Agricultural, Rural Residential, Lake Residential, and Recreation Conservation with approval of a special use permit.
- 5) Bed and breakfast short-term rental units may offer wedding and indoor concert events as long as they meet the regulations in this section and with approval of a special use permit.
- 6) A structure utilized for a bed and breakfast short-term rental unit must be located at least 200 feet from any adjacent residence, measured between principal structures.
- 7) A structure utilized for a bed and breakfast short-term rental unit that is within 500 feet from the shoreline of any lake or river must be connected to a public sanitary sewer. A structure utilized for a bed and breakfast inn that is further than 500 feet from the shoreline of any lake or river may have a sanitary septic system as long as it is also located further than 500 feet from a body of water. Ponds which are completely contained within the subject parcel and not contiguous to any off-site body of water may be within 500 feet of the structure utilized.
- 8) Bed and breakfast short-term rental units shall be limited to eight guest sleeping rooms. The maximum occupancy of the bed and breakfast short-term rental unit

- shall be 20 people including the host, their family, and other employees if staying at the site.
- 9) The parking areas shall not be located within the required yard setbacks. Landscape buffer strip, designed in accordance with Section 20.03, shall be provided between the parking lot and all adjacent residentially zoned land.
- 10) Bed and breakfast short-term rental units that want to hold wedding and indoor concert events shall meet the following regulations:
- a) Maximum duration. No more than 20 events shall be allowed on a site per calendar year.
 - b) Location. Events shall not be allowed on property in or adjacent to any developed residential areas except on sites greater than 2 acres.
 - c) Noise. Events shall be required to meet the regulations of the Township Ordinance 5, Anti-Noise and Nuisance.
 - d) Hours of operation. Events shall only take place between 8:00 a.m. and 11:00 p.m. No amplified music shall be allowed after 10:00 p.m.; setup and cleanup of the event and workers and attendees to the event shall not arrive or leave the site before or after the hours of operation.
 - e) Number of attendees. Events shall be limited to a maximum of 150 persons, or the maximum occupancy of the space where the event is held, whichever is less.
 - f) Distance from neighboring structures. If an event is held outdoors all temporary structures and outdoor venues shall be at least 200 feet from an adjacent residential structure.
 - g) Parking. Parking may be provided, either on- or off-site, and shall meet the requirements under Article 18. If parking is provided off-site, a shuttle service must be provided.
 - h) Clean-up. Adequate site and surrounding area clean-up shall be done within 48 hours following the event.
 - i) Lighting. All exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential district boundary and it shall be so arranged to reflect light away from any residential use. In no case shall any lighting become a nuisance as regulated in the Township anti-Noise and Nuisance Ordinance. Lighting shall meet the applicable requirements under Article 21.
 - j) Temporary sign. One temporary sign may be allowed in addition to the signs allowed for bed and breakfast establishments for the district in which they are located. The sign shall not exceed 8 square feet in size, shall only be placed on the private property where the event is being held, shall only be erected the day of the event and shall be removed within 24 hours following the event.

- k) Yearly approval. In addition to the initial special land use permit, the owners of the establishment shall submit a land use permit application on a yearly basis which includes the following information for the zoning administrator to review. Should the zoning administrator deem necessary, the yearly application may be sent to the planning commission for consideration.
- l) A list of the approximate dates that the bed and breakfast will be used for events, including the type of event.
 - i) A plot plan that depicts the location of all event venues, bathroom facilities, parking, drop-off areas, and any other information deemed by the zoning administrator to be necessary in the review of the project.
 - ii) The name and phone number of a contact person that will be at the events.
 - iii) A signed agreement with the property owner of any land to be used for off-site parking.
- 11) Any of the requirements in subsections a through k above may be altered, as necessary, to meet the requirements of the special land use permit process (Article 28).