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## MEMORANDUM

**To:** Casco Township Planning Commission  
**Date:** December 20, 2017  
**From:** Lynee Wells, AICP  
**RE:** **Short Term Rental Ordinance as Recommended**

Please find attached the short term rental zoning ordinance regulations as prepared by the Planning Commission over the course of the last 8 months. The Planning Commission spent considerable amount of time developing definitions of uses, considering applicable zoning districts, and standards for parking, lighting, signage, fire pits, tents and accessory uses.

There were other standards discussed that were included in previous versions of the ordinance that are regulatory in nature. The Planning Commission recognizes this is within the purview of the Township Board. Nevertheless, the following items were discussed by the Planning Commission, and recommended to be considered by the Township Board:

Rationale for Applicability of Regulatory Ordinance in Each Zoning District: The Planning Commission recommended the Board provide rationale for apply the regulatory standards within each zoning district. An example for the Planning Commission was whether the regulatory ordinance should apply in the Agricultural District where complaints have not been made.

Limited Short Term Rental: The Planning Commission recommended the Board consider a Limited Short Term Rental allowing a one term, up to 14 day rental, and exempt them from the regulatory ordinance.

Notification to Neighbors: An applicant seeking registration and certification and/or re-registration or re-certification shall notify all neighbors within three-hundred (300) feet of the subject property boundary of the intended establishment of a short term rental. Proof of notice shall be provided to the Township by affidavit signed by the applicant or by furnishing certified mail receipts to the Township prior to certification or re-certification.

**SECTION 2.05            DEFINITIONS – D**

**DAYTIME GUEST**

Individuals who are not listed on a lease agreement, but stay at a short term, long term or limited short term rental from sunrise to sunset.

**SECTION 2.13            DEFINITIONS – L**

**LONG TERM RENTAL**

The rental of any dwelling for a term of 28 consecutive days or more in any calendar year.

**SECTION 2.15            DEFINITIONS – N**

**NEIGHBOR**

A property owner or tenant that occupies a lot or dwelling located adjacent, abutting, or within three-hundred (300) feet of the lot line of another lot or dwelling.

**SECTION 2.16            DEFINITIONS – O**

**OWNER**

A person holding legal or equitable title to a Single-Family Dwelling. An Owner may designate an agent to perform duties or receive notice under this Ordinance.

**OWNER'S AGENT**

An individual designated by the owner to oversee the rental of a dwelling unit and to respond to calls from renters, neighbors, concerned citizens, and representatives from the township.

**OVERNIGHT GUEST**

Individuals who are not listed on a lease agreement, but stay at a short term, long term or limited short term rental for the duration of a night.

**SECTION 2.19            DEFINITIONS – S**

**SHORT TERM RENTAL**

The rental of any dwelling for a term of less than 28 days in any calendar year; the definition does not include the use of campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, or other health-care related clinic.

## **SECTION 2.12 DEFINITIONS – R**

### **RENT OR RENTAL**

The permission, provision, or offering of possession or occupancy of a Single-Family Dwelling with some type of remuneration paid to the Owner for a period of time by a person who is not the Owner, pursuant to a written or verbal agreement.

## **SECTION 3.39 RENTAL OF DWELLINGS**

All limited short-term, short-term, and long term rentals as defined in Chapter 2 shall be subject to the following regulations and performance standards:

- A. Regulations applicable to short-term, limited short-term and long term rentals.
1. Lighting: All lighting on the premises shall be fully cut-off, downward-facing, dark-sky compliant, and shall not cast glare or light beyond the property line.
  2. Parking: Parking shall comply with the standards of Chapter 18 and Section 3.24.
  3. Signage: Signage, if permitted, shall comply with the standards of Section 19.07.
  4. Fire pit: A fire pit shall not be less than 25 feet from any structure or combustible materials. A portable outdoor fireplace shall not be less than 15 feet from any structure or combustible materials. The maximum size shall be three (3) feet wide by two (2) feet high, per the regulations set forth by SHAES as of 11.1.17, or as amended.
  5. Tents: Beach tents or camping tents shall not be permitted between sunset and sunrise.
  6. Accessory uses: Accessory uses shall be regulated by applicable Township ordinances. Any accessory uses not conforming to respective regulations may be considered a public nuisance per se subject to Section 21.04.

## **SECTION 5.02 PERMITTED USES AND SPECIAL USES**

<b>USES</b>	<b>AG</b>
Long term rental	P
Short term rental	P

## **SECTION 6.02 PERMITTED USES AND SPECIAL USES**

<b>USES</b>	<b>RR</b>
Long term rental	P
Short term rental	P

**SECTION 7A.02 PERMITTED USES AND SPECIAL USES**

USES	LR-A
Long term rental	P
Short term rental	P

**SECTION 7B.02 PERMITTED USES AND SPECIAL USES**

USES	LR-B
Long term rental	P
Short term rental	P

**SECTION 8.02 PERMITTED USES AND SPECIAL USES**

USES	LDR
Long term rental	P
Short term rental	P

**SECTION 9.02 PERMITTED USES AND SPECIAL USES**

USES	MDR
Long term rental	P
Short term rental	P

**SECTION 11.02 PERMITTED USES AND SPECIAL USES**

USES	C-1
Long term rental	P
Short term rental	P

**SECTION 12.02 PERMITTED USES AND SPECIAL USES**

USES	C-2
Long term rental	P
Short term rental	P

**SECTION 13.02      PERMITTED USES AND SPECIAL USES**

USES	I
Long term rental	P
Short term rental	P

As always, please let us know if you have any questions.