

**CASCO TOWNSHIP PLANNING COMMISSION  
RENTAL WORKSHOP AGENDA  
September 20, 2017  
6 PM – 9 PM**

**Members Present:** Chairperson Dian Liepe, Daniel Fleming, Judy Graff, Greg Knisley, and David Hughes

**Absent:** None

**Staff Present:** Janet Chambers, Recording Secretary

**Also Present:** Macyauski, Supervisor Overhiser, Clerk Brenner, Nathan, Planner from Williams & Works approximately 30 interested citizens. (attachment #1)

1. **Call to order and review of agenda:** The meeting was called to order at 6:00 PM. There were no changes to the agenda.
2. **Opening comments by PC members:** Fleming read the difference in meaning of “Quarrel” and “Argument”. Then he read quotes from GK Chesterton and Robert Sirico, both concerning arguments and disagreements (attachment #2).

Graff gave a statement expressing her discontent with action taken by Supervisor Overhiser at the September 18<sup>th</sup> Board of Trustees meeting. Graff reported that the Supervisor announced he had selected a new committee to work with him, and they have drafted a STR Ordinance, as opposed to using the ordinance the PC is currently working on. As a Trustee, she was upset that she was not informed about the committee, or that the recommendation to change course of action would be on the Boards agenda. Graff felt the decision was disrespectful to the Planning Commission, and not in compliance with Casco’s long-established zoning change process (Attachment #3).

3. **Approval of minutes 8/30/2017 (Workshop Meeting):** A motion by Fleming, supported by Knisley to approve minutes of August 30, 2017 STR Workshop. All in favor. Minutes approved with the following change on page 8, 12<sup>th</sup> paragraph: Graff would like to ~~take one night~~ and ask Lynee to come back with recommendations ~~to~~ on the dimensions.
5. **Report from MTA Workshop by Judy Graff:** Graff attended the MTA workshop on August 23<sup>rd</sup>, 2017. Topics were medical marijuana & STRs. She highlighted key discussion on STRs:

- When does STR use turn into commercial use
- Single Family definition
- No transient in residential
- To enforce or not
- Concentration of STRs impact on residential character of the neighborhood.
- Violations – if it is a nuisance, ask them to comply. If it is a misdemeanor – take the party to court
- Torch Lake Protective Alliance v Ackermann Court of Appeals determined STRs rose to the level of commercial use and violated the Zoning Ordinance.
- What does enforcement mean, citation, contact with owner, 3 strikes & out, for renters only, and what are we trying to accomplish?

Hughes asked how Torch Lake solved the saturation issue. Graff said November 2004 the court of appeals determined it to be a violation of deed restrictions because it rose to the level of commercial use.

- 6. Report from Allan Overhiser:** Supervisor Overhiser read a letter (attachment #4), he wrote explaining the Board's Conclusions related to the rental issue. He said they will enact a Regulatory Ordinance (attachment #5). He thanked the PC for their time and effort considering the Ordinance as it relates to STRs. He also said the public comments helped the board increase their knowledge of both sides of the rental issue. He stated that Board members have observed the PC meetings, the Citizens Advisory Group and attended the MTA seminar, rode through the neighborhoods and talked to property owners. The Board feels it is time to put forth a Regulatory Ordinance. The Planning Commission will focus on definitions. He said the Regulatory Ordinance was developed by a sub-committee. They are sending the Regulatory Ordinance to the attorney for review. Board discussion and a vote will be at a special Board meeting in September or October. He stated the Regulatory Ordinance will regulate accountability, registration, health and safety. It will set fees and fines for non-compliance. A Regulatory Ordinance will not establish grandfather rights. The Board will have the PC harmonize their definitions with the Regulatory Ordinance and change the ZO accordingly. The PC will need to complete definitions and Land Use changes in the next couple of weeks for a completion date of November.

After reading his letter, Supervisor Overhiser explained it (the PC's change to the Zoning Ordinance regarding STRs) is an underdeveloped issue with no clear road map. He stated he should have come up with a Regulatory Ordinance in the first place. He said they learned a lot through the process, but it is time to wrap it up. Definitions and changes needed in the ZO will need to be completed in October. He would like to get a letter out to the public in December.

Overhiser said Liepe, Graff and one other PC member of Liepe's choice will join the sub-committee to harmonize what they have come up with. The Regulatory Ordinance is a draft. The sub-committee will discuss and compromise.

Chairperson Liepe asked Hughes to serve on the sub-committee. Hughes accepted.

Fleming asked what data was used to determine "health, safety & welfare"? Overhiser said the Citizens Advisory & Public comment is where they got their data.

Fleming said he had read through the proposed ordinance (attachment #5) to see how it will affect people at the Township Hall. Overhiser said he is looking into a monitoring program called "Host Compliance", which will be funded by registration fees. He understands there will be additional requirements of the staff for registrations, etc.

Fleming asked if there is a way to enact the Regulatory Ordinance with an end date, so it can be purposefully renewed and determine if it should continue? Overhiser did not have an answer, but will look into it.

- 7. Review updated draft from Planner:** In Lynee's absence, Nathan, from Williams & Works, went through changes in the draft.

Graff questioned the fact that there are two different drafts, September 1<sup>st</sup> (attachments #6), and September 12<sup>th</sup> (attachment #7). There were no workshop meetings between September 1<sup>st</sup> and September 12<sup>th</sup>, so why the changes? Nathan will ask Lynee. They reviewed both copies as they discussed the drafts.

Hughes asked Overhiser about the Regulatory Ordinance (attachment #5); Page 1; Section 01-03 (b)1 (B) The street address of the dwelling unit, along with other identification if more than 1 dwelling unit has the same street address. Overhiser said there might be multiple buildings on one street address, but it is not his intention to discuss the Regulatory Ordinance tonight.

Fleming asked what the PC is going to do differently. Overhiser said nothing, the PC has issues it is struggling with, but they still have definitions and zoning language to look at.

Liepe said the committee has taken some of the things the PC was stumbling on and not agreeing on, like occupancy and a couple of others. Now the PC can zero in on the Zoning wording.

Discussion returned to the Williams & Works draft. Items discussed were:

- How to control saturation – Discussion ensued about the attorney’s letter and need to control saturation. It was mentioned that they attorney discouraged some methods of controlling saturation without study first. Graff said it would be hard to allow now, and take away later. She also said the attorney’s letter encouraged addressing saturation to protect residential neighborhoods, but some methods would be harder than others. Liepe said they need to look at how other places deal with saturation.
- Definition of saturation
- Height Standards
- Firepits – Lynee spoke to SHAES (pg 1 of draft) Nathan asked if it should be in the ZO or Regulatory Ordinance. Fleming said it does not make sense to even put a fire in some of the close neighborhoods. Graff said the ZO deals with where the firepit should be physically. Liepe said it is difficult because it depends on wind, etc. It was decided to use SHAES as a standard.
- Beach Tents – It was decided Beach Tents would not be allowed between sunset and sunrise.
- Commercial entities – Liepe said you cannot discriminate between types of owners. There will need to be other ways to make it not so profitable to discourage commercial use. Could be things like height of a building, limit number of bedrooms, etc to make it less profitable.
- Create new Special Land Use in AG and waterfront districts for Resort Use to address Sleepy Hollow and other similar uses – Graff asked if the PC could get the letter from Ellingsen where he listed various areas that needed consideration like Sleepy Hollow. Liepe will get the letter from Ellingsen. She will also ask Lynee and Ellingsen to talk and get an understanding of his concerns. Knisley asked that Lynee expand on SLU and Resort use, and differentiate between them and STR. Liepe will get the information and talk with Ellingsen.
- Building height, and where to measure from was discussed. Questions came up about how this applies to rentals and if it should be changed for all residential buildings. It was decided to ask Lynee what context she meant this in, and what all it might impact.
- Daytime guests – “for the” removed as follows: Individuals who are not listed on a lease agreement, but stay at a short term, long term or limited short-term rental ~~for the~~ during the day. Hughes suggested there be a definition of daytime
- Grade, Median – Along all sides of the building.
- Owner - Or entity(ies) was removed since you cannot discriminate between types of owners.
- Daytime Definition – Sunup to sundown
- Daytime guests – Fleming asked if this only applies to rentals. Nathan said it only applies where you put the term in the ordinance, therefore, would not apply to full time residents.
- Definition of Neighbor – change to within 300’
- Owner Occupied – Take all references to owner occupied out
- Section 3.39 A5 Building Code- Says it is regulatory on the draft, but Graff said it is Zoning, not Regulatory. Graff said the key statement is “Code for single-family dwellings”. Nathan will discuss with Lynee. Liepe said some of the over and above requirements for STRs like how often to check fire alarms, etc. might be considered regulatory. Fleming said, “*Michigan Building Code for Single-Family Dwellings*” is the title of a book and should be all caps. Graff stated that the code must be specifically for single-family buildings. Hughes asked if, during the registration process, building codes would be considered. Liepe wondered if this should be discussed in the sub-committee.
- Knisley questioned the maximum occupancy being 12 in the sub-committee draft, and did the PC need to change the maximum occupancy from 10 to 12 in their draft. Graff said this draft is the PC’s conclusion after much thought. Both the PC and sub-committee need to come to the blended group with their own ideas and conclude together.
- Discussion ensued about the 3-day minimum in the Regulatory Ordinance. Liepe thought this was a good idea because some people can only afford a Friday, Saturday, Sunday as opposed to a week. Liepe felt that because there could only be one occurrence per week, it would be limiting enough. Graff said it is not the PCs job to be concerned with what the vacationers can afford. It boils down to whether regulatory will be enforceable. Graff said pros and cons of this needs to be discussed further.
- Referring to C on page 4, STR in AG, RR, C-1, C-2, PUD, or I-1 districts, Graff said there has been no discussion on STRs and commercial renting. Liepe said this is because the issues are where

homes are closer together. Graff said once you allow commercial renting in AG, someone could buy 100 acres and develop it. Fleming said preserving AG is unrealistic.

- Page 5 height restrictions “the lessor of” 35’ or 2.5 stories – Fleming questioned why change this just because of rentals. Graff agreed with Fleming that they need to understand how it fits in with the rest of the ordinance. Hughes asked if it referred to just the home or if it included barns, etc. It does not affect barns, but was agreed more discussion is needed

Items that still need discussion are:

- Building Height and measurement of
- Saturation
- Resort or places like Sleepy Hollow & clarification on Alfred’s letter
- Definition of resort
- Building Code
- 3 -day minimum stay pros and cons

**8. PC members discuss next meeting dates:** October 4<sup>th</sup> @ 7 PM is the next regular PC meeting; October 11<sup>th</sup> is the next STR workshop @ 6 PM; and October 18<sup>th</sup> @ 6 PM will be the blended group. Liepe would like Wells to attend the STR Workshop and the STR blended group. Hughes asked if there would be time for STRs at the regular PC meeting. Liepe said she does not want to do anything with STRs on the 4<sup>th</sup> because Lynee will not be there. Liepe said the meeting on October 18<sup>th</sup> would also be open to the public.

Knisley asked if we are going to dance around the commercial issue or are we going to get to that?

Hughes asked if there are any other terms?

Graff requested materials for the meetings be sent out by the preceding Friday. Liepe said yes, she will get the materials out by the Friday prior to a meeting. Liepe will get Ellingsen’s letter to Lynee by the 8<sup>th</sup> for the meeting on the 11<sup>th</sup>.

Hughes asked what would be on the Agenda for the October 4<sup>th</sup> Regular meeting. He thought we might look at the AG district issues. Liepe said she would see if Alfred could come to answer questions.

**9. Public Comment:**

Ellie Callander, owner of Callander Commercial, the largest commercial real estate in West Michigan. Her concern is maintaining and increasing assets. South Haven real estate market values are trending downwards. Sale prices, and per sq. ft. prices are down. She pulled all the listings for last 7 yrs. There were 739 listings of single-family homes. Realtors are very cautious about telling the buyer community there are STRs. Only 34 properties had mention of rental in the broker marketing rentals. Of the 34, 25 are claiming homestead exemption. The homestead exemption is not allowed if you rent your residence more than 14 days per year, they do not qualify. In addition, most mortgages are taken out as a primary residence. A lot of them are rentals and are in violation of their mortgage. Rental owners take out home insurances as private residences, and are in insurance violations. Lastly: We manage tons of residential units. Enforcement is expensive, time consuming, police fire, etc. Venturing into STR is putting a square peg in a round hole.

Bill Garrity said the PC should reinforce the saturation issue, preserve residential and avoid commercial activity. Control the number of properties available for STR, if you allow STRs at all. Keeping with the Master Plan’s Preserve Residential Character. Emphasize your role as a residential community for seasonal and full time residential. There should be a balance if you are to preserve the character of residential. Minimize STR. Addressing this should not be delayed.

Doug Callander said he was greatly troubled with the Supervisor and the Board’s actions. You do not regulate after you zone. By law, this must go to the Planning Commission. You must address number of occurrences, durations, and saturation. He said the PC members do not work for the board. He has

not heard any of the members say, "maybe we won't allow STRs". The Board of Trustees have made up their mind. The decision has been made. Callander added, about calling Judge Cronin's ruling a "technicality", should anyone be unhappy with the outcome of Casco's STR Ordinance and end up in court, you will most likely draw Judge Cronin again. How many STRs can you allow without changing the character? He also warned to be very careful thinking they cannot be grandfathered.

John Barkley, 646 Waters Edge, said he agrees with prior comments and would like to add that the proposed short-term rental ordinance XXXX addresses some causes for concern but does not consider many of the key issues raised by full time residents during prior Planning Commission and Board meetings.

1-Nonconformance to the Casco Master Plan and allowing short term renting commercial renting to degrade our current single family residential communities.  
Please limit rental activity to full time residents and not allow/encourage commercial rental businesses.

2-Overcrowding of our infrastructure and especially the limited beach areas by large numbers of "summer vacationer" renters.  
Set a hard limit on number of occupants, for example 12, and do not allow construction of commercial "hotels".

3-Exceeding the tipping point where full time residents feel that they no longer have a sense of community and relationships with their neighbors, forcing them out of their current full-time residences.  
Set a limit of 10% as a starting point.

4-Reducing property values for all the lakeshore communities since "no one wants to live next to short term rental activity."  
Setting a limit of 10% STR households per neighborhood as noted above to minimize devaluation.

5-Allowing 3-night min stay (once per week) churning of large numbers of people.  
Revise to consider max rental nights per year and max occurrences per year. Spring Lake Township, a leading example, allows not more than 14 days per year over not more than two (2) occurrences per year and not more than 12 people per occurrence, for their lake shore residential short term rentals.

6-Allowing additional large commercial buildings to be constructed to accommodate unlimited number of guests.  
Do not allow commercial building and permitting of large numbers (>12 guests) of renters even though builder may support the commercial building codes and requirements specified in (d)(3)(A) and (d)(3)(B).

7-Incurring higher homeowner costs to support increased enforcement of disturbances.  
Insure incremental policing/policing cost are supported by renter population and do not further tax permanent residents.

In summary, CASCO Township and Planning Committee consideration to date has been focused more on how to accommodate additional commercial renting and not on the concerns and welfare of the permanent residents.

Please consider the voice of permanent residents and address the key concerns noted above in proposed STR Ordinance XXXX.

Ron Seiler questioned maximum occupancy being at 12. He asked if there is a formula for smaller homes. Chairperson Liepe said the Regulatory Ordinance has a maximum of 12, the PC had said 3 per bedroom, with a maximum of 10. The blended group will be able to discuss and decide. Supervisor Overhiser said the proposed Regulatory Ordinance has not been approved. It will be discussed on the 9<sup>th</sup>.

Greg Hass, of Glenn Shores, said to take the saturation issue off the table. If someone wants to rent, they should be able to. Maybe 2 weeks a month, maybe 3 days, maybe 6 days. Lessen the saturation that way.

Chris Barczyk said saturation is the issue. You must come up with a way to prevent commercial coming in and destroying Casco. Regarding frequency of rentals being a regulatory issue and not a zoning issue, garage sales frequency is in the Zoning Ordinance. Barczyk would much rather have a garage sale next door all year long than a party house. Spring Lake has an interesting framework. What amount prevents a STR from becoming commercially viable. Property values and quality of life are affected.

Kathy Korse said, concerning number of stories allowed, two very large rental units have been built. They have been built below grade. There is a bedroom and kitchen in the lower level. It can be rented as two separate rental units. Not only the number of stories should be regulated, but where they are located in the home should also be regulated.

Ryan Servatius said the gated communities have their own bylaws. On public roads, they should be able to rent if they adhere to the laws. Ellie and her husband can show property stats, but if you want stats, Servatius said he can get stats.

- 10. Closing Comments from Commissioners and Adjournment:** Fleming read an article from Allegan County news. It concerned backyard chickens. There was much controversy over how many chickens, and whether a rooster should be allowed, what kind of coops they should have. After reading the article, Fleming said, "It's not just Casco."

A motion was made by Graff, supported by Fleming to adjourn. All in favor. Meeting adjourned at 8:30 PM.

Attachment #1 Sign-in Sheet

Attachment #2 Fleming's statement regarding Quarrel and Argument

Attachment #3 Graff's letter, September 20, 2017, Re: September 18, 2017 Board of Trustee meeting

Attachment #4 Overhiser's letter, Re: STRs Regulatory Ordinance

Attachment #5 Draft of Regulatory Ordinance by sub-committee

Attachment #6 Planner's draft September 1, 2017

Attachment #7 Planner's draft September 12, 2017

Next meetings:

October 4, 2017 @ 7 PM Regular meeting

October 11, 2017 @ 6 PM Workshop

October 18, 2017 @ 6 PM Sub-committee

Minutes Prepared by Janet Chambers, Recording Secretary

Date 9-20-17 Planning Commission Meeting - Please sign in

Name	Address
John & Susan Burkley	646 Waters Edge
ELLIE & DOUG CALLANDER	630 WATERS EDGE
Bill Garrity	1188 Cherry Dr
MARY + Dave Campbell	7174 FERNDILL
Ron Siler	567-71st St
Purdellam Massie	7219 Atlantic
JAMES SKARIN	568 MOZART CT
Vivian & Maggie	
Susan C. Shur	8608 Shoreway
Sim Krueger	610 Lancaster Hatch
Catherine Krueger	"
Chris Barczyk	476 High Shore Ln
Kristin Barczyk	476 High Shore Ln
But Morgan	15 72nd d.H.
Darryl Porter Pappas	54 Tiop.
DARRIN MASSEY	7242 Miami
Jan Chada	7238 Pacific

**Quarrel** from the Latin *querela*: A complaint or plaintive sound  
the related Latin verb, *queror*: To complain or lament  
the related Latin adjective, *querulus*: complaining, warbling

**Argument** from the Latin, *argumentum*: evidence, proof  
the related Latin verb, *arguere*: to prove, make known  
the related adjective, *argutus*: clear, distinct, graceful

**GK Chesterton**

"My brother, Cecil Edward Chesterton, was born when I was about five years old: and, after a brief pause, began to argue. He continued to argue to the end. ...I am glad to think that through all those years we never stopped arguing; and never once quarreled. Perhaps the principle objection to a quarrel is that it interrupts an argument."

**Robert Sirico**

"We must be ruthless with ideas but gentle with people."



Planning Commissioners,

Sept. 20, 2017

As your Board rep, it is my responsibility to explain what happened at the Township Board meeting Monday night.

At the Board meeting Allan announced that he had been working with a commission, drafted by him, to draft a regulatory ordinance on STRs to replace what the Planning Commission was assigned to do many months ago. Allan presented the draft, sight unseen by 3 of 5 trustees. Allan recommended that the trustees OK that he go to the Planning Commission to:

- a. Change our course of action;
- b. Nominate a new commission;
- c. Tell the Planning Commission that its work is being replaced by his specially selected new committee.

Allan had not informed me that these activities were going on or that recommendations would be on the Board's meeting agenda. As the Board rep to the Planning Commission, I found that very troubling and contrary to normal board of trustee meeting 'heads up' or peer decorum. This was no mistake.

The Board of Trustees approved all recommendations by a 4-1 vote (I voted NO)

- a. Without reading the report by 3 of 5 trustees;
- b. Without discussing report content;
- c. Without asking why a special commission was needed to draft a regulatory ordinance;
- d. But agreeing that something had to be done because the Planning Commission was confused, inexperienced and taking too long.

The Board's decision, to me, was disrespectful to the Planning Commission members, the Planning Commission efforts to date and its compliance to follow Casco's long established zoning change process, a process heralded by the Board as standard procedure months ago. I also feel the Board's decision was already made before the meeting started.

In closing, I know the Planning Commission is doing the best it can with this complex and divisive issue called STRs. Too bad it's not 'good enough' for Allan and the Board. After all it took South Haven over a year for its Planning Commission to get this job done!

Lastly, as a board trustee, I found the supervisor's tactics disgraceful and the board's decision making process insulting to those affected by its decision. I expect better.

Judy Graff

Casco Board of Trustees, Trustee

Board representative to the Casco Planning Commission

## **Casco Township**

### **Board of Trustees**

RE: Board Conclusions Related to the Rental Issue

The number one issue for the Board this year has been the rental issue due to the growth of rentals within the Township and the recent court case. The issue is further complicated by the fact the township will be required to enact a Regulatory Ordinance. The Board would like to express its appreciation for the effort and time that the Planning Commission has put forth on considering changes to the Zoning Ordinance as it relates to short term renting. Many community members participated in the discussions and process through their public comments. Board members who observed these meetings were able to increase their knowledge of both sides of the rental issue.

From the beginning, Planning Commission discussions have indicated that certain issues will be covered in a Board Regulatory Ordinance. In addition to observing Planning Commission and Citizen Advisory Group meetings, Board members have invested time in MTA seminars, riding through Township subdivisions during the summer rental season, and talking to property owners on both sides of the issue.

To meet our commitment to provide clarity to Township property owners by November 2017, the Board feels it is time to put forth their Regulatory Ordinance. This will allow the Planning Commission to focus on harmonizing their definitions to the Board's Regulatory Ordinance and making any needed changes to the Zoning Ordinance.

The Regulatory Ordinance was developed by a sub-committee of the Board as per the plan discussed at the August Board Meeting. The subcommittee utilized the template recommended by the MTA and tailored it to the needs of our Township. The Board has voted to send this draft to our lawyer for review. Board discussions and a vote are planned for a special meeting of the Board in late September or early October.

The Regulatory Ordinance will regulate: accountability, registration, health and safety, as well as set fees and fines for non-compliance. These requirements are tied to behavior and can be established and amended as needed. The Regulatory Ordinance is best suited to regulate these activities because it will not establish grandfather rights and better aligns enforcement to funding ability and provisions. In addition, a Regulatory Ordinance will provide a good way to deal with habitual problems that may arise because it can result in a violator losing their right to rent.

The Board will rely on the Planning Commission to harmonize their definitions with the Regulatory Ordinance and to determine needed changes in the Zoning Ordinance. To stay with our committed completion date of November 2017, definitions will need to be harmonized in the next couple of weeks and any changes needed in Zoning should be determined in October. These items are land use items and are the historically handled by the Planning Commission.

**CASCO TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN  
September 17, 2017**

**SHORT TERM RENTAL ORDINANCE NO. XXXX**

**AN ORDINANCE TO ADD A NEW ARTICLE X TO THE CODE OF  
ORDINANCES, CASCO TOWNSHIP, MICHIGAN, TO REQUIRE REGISTRATION AND  
OTHERWISE REGULATE SHORT-TERM RENTALS IN RESIDENTIAL ZONES**

**Chapter X, Article X. Short-Term Rentals.**

**Sec 01-01. Purpose.**

The Township Board finds that the short-term rental of single-family residential dwellings within Casco Township is a matter closely connected with the public health, safety and welfare of the community. The Township Board has enacted this regulatory ordinance in an attempt to strike an appropriate balance between the interests of community residents, community business owners, visitors to the community, and real property owners wishing to engage in short-term rental of single-family residential dwellings.

While visitors to the community who rent single-family residential dwellings on a short-term basis bring many benefits to the community, they can simultaneously create concerns surrounding issues of traffic, parking, congestion, litter, noise, and other similar issues. Meanwhile, issues related to fire safety and life safety codes must be considered in order to maximize the safety and well-being of all in the community. This article is intended to strike a balance between competing interests.

The Township Board finds that there is decreased sensitivity to short-term rentals within the Agricultural District of the Township. We are going to allow and regulate short-term rentals in single-family dwellings in the following residential zones (RR, LRA, LRB, LDR, MDR).

**Sec. 01-02. Definitions.**

*Note: This section will be further populated by the Planning Commission's harmonized list of definitions needed for this ordinance..*

Short-term rental - The rental of a dwelling unit for compensation for a term of 3 nights to 27 nights with no more than one rental turnover per week. However, the rental of the following facilities shall not be considered short-term rentals: (i) attached dwelling units in a multi-family dwelling condominium project, motels, resorts, campgrounds (ii) transitional houses operated by a charitable organization, group homes such as nursing homes and adult-foster-care homes, substance-abuse rehabilitation clinics, mental-health facilities, and other similar healthcare related facilities.

**Sec. 01-03. Registration required.**

(a) *Registration required.* All dwelling units in residential zoning districts used for short-term rentals shall be registered with the Township. The short-term rental of an unregistered dwelling unit is prohibited.

(b) *Application.* To register a dwelling unit used for short-term rentals, the property owner or agent of the owner shall:

- (1) Provide and certify as true with a signed affidavit the following on a form provided by the Township:

- (A) Name, address, and telephone number of the owner and local agent for the dwelling unit. If the owner is not within 45 miles or 45 min. of the dwelling, a local agent who can be on site at any hour must be provided.
- (B) The street address of the dwelling unit, along with other identification if more than 1 dwelling unit has the same street address.
- (C) The number of bedrooms in the dwelling unit.
- (D) The number of off-street parking spaces provided for the dwelling unit (which will also be included in the rental agreement and any advertising).
- (E) The maximum number of occupants to which the applicant intends to rent the dwelling unit in any given rental period which will be the same as the maximum number advertised and maximum number listed in the rental agreement and will not exceed the maximum number allowed for the property by the Township.
- (F) The length of the typical rental period for which the applicant intends to rent the property.
- (G) A statement certifying that each bedroom has a working smoke alarm, that there is a working carbon monoxide detector on each floor, and that the owner or local agent will check those devices at least every 90 days.
- (H) A statement certifying that the property owner consents to inspections by SHAES and will make the dwelling unit available to inspections upon request. North of 107 where city water and sewer are not available, an Allegan County Health Department POS inspection of the septic is required along with a certificate indicating septic pumping every three years.
- (I) A statement certifying that the property owner has a SHAES Street number marker installed.
- (J) Liability coverage beyond homeowners insurance at the level of \$500,000 or greater.
- (K) A statement certifying that the property owner or a local agent will provide at least one copy of the Township's Good Neighbor Policy with address section completed to the renters each time the dwelling unit is rented. They will also communicate trash pick-up locations and times, property boundaries, on-site parking spots, limitations on day-time visitors, and common areas available for use by guests. In addition, Casco Noise Ordinance quiet hours from 10 pm to 7 am daily shall be included in each rental agreement.
- (L) Adequate trash receptacles. The Township recommends a minimum of one large container (90 to 100 gallons each) for every four occupants.
- (M) Such other information as the Township deems appropriate.
- (2) Pay an administrative fee, as set by resolution of the Township Board. Any owner of a dwelling unit or a local or other agent for that owner who rents a dwelling unit on a short term rental after March 1, 2018 without having registered it pursuant to this ordinance shall pay an increased fee in the amount also set by resolution of the Township Board.

**Sec. 01-04. Short-term rental regulations.**

*(a) Local agent required.* All dwelling units used for short-term rentals shall have a designated local

owner/agent who can be at the dwelling in 45 minutes or less.

(b) *Street address posted within dwelling unit.* The street address of the property shall be posted in at least two prominent locations within the dwelling unit in order to assist occupants in directing emergency service personnel in the event of an emergency. The address should be posted near the kitchen and near any telephone or pool.

(c) *Maximum occupancy.* Beginning January 1, 2018 the maximum occupancy of any dwelling unit used for short-term rentals shall not exceed 12 and is calculated as follows:

**(1) Maximum occupancy** establishes that the number of occupants in a dwelling unit during a short-term rental shall not exceed the lesser of: (i) 12 total occupants *or* (ii) 2 occupants per bedroom plus two additional occupants per finished story meeting the applicable egress requirements for occupancy in the Michigan Construction Code.

**(2) Applications for increase.** An owner or local agent may apply for permission to have the maximum occupancy of a dwelling unit increased above the maximum of 12 total occupants established in Section 01-04 (c). Applications for increase shall be submitted to and decided by a Hearing on a Special Use permit with the *Planning Commission*.. Applications shall be submitted on a Special Use Permit form provided by the Township, and shall be accompanied by any applicable fee established by resolution of the Township Board. The Board shall decide an application for increase in a public meeting with advance notice of that meeting given to owners of real property within 300 feet of the boundaries of the property for which an application for increase has been filed. The Planning Commission shall grant the application only upon determining that subsections (d)(3)(A) and (d)(3)(B) below are both satisfied:

(A) All of the following are provided:

- (i) A parking site plan allowing sufficient access for emergency vehicles.
- (ii) An automatic sprinkler system on all floors with one or more bedrooms.
- (iii) A fire alarm system.
- (iv) An interconnected smoke alarm system.
- (v) Fire-rated corridors.
- (vi) Fire-rated stairwell enclosures on all stairways providing the primary means of egress for one or more bedrooms.
- (vii) Automatic door closers and fire-rated doors on all bedrooms.
- (viii) A sufficient number of emergency exits, suitably placed in relation to the designated bedrooms, as determined in the discretion of the committee.
- (ix) North of 107<sup>th</sup> where city water and sewer are not available, the size and condition of septic system will be a factor in determining if more than 12 occupants will be allowed.

(B) Due to one or more of the following features or other similar features of the applicant's property, an increased maximum occupancy would not have an adverse effect on surrounding properties:

- (i) Isolation from properties used as residential dwellings.
- (ii) Size of the setbacks on the property.
- (iii) Provision of fencing or other screening from adjoining properties.
- (iv) Topography and layout of the applicant's property, or of the adjoining properties.
- (v) Other characteristics and uses of properties within the vicinity of the applicant's property.

(d) *Smoke detectors and carbon monoxide devices.* The owner or local agent of a dwelling unit used for short-term rentals shall:

- (1) Install and maintain an operational smoke detector in each bedroom, and test such smoke detectors at least every 90 days to ensure that they are properly functioning.
- (2) Install and maintain at least 1 operational approved carbon monoxide device of the type described in MCL 125.1504 on each floor, and test such devices at least every 90 days to ensure that they are operational.

(e) *Zoning compliance.* Short-term rentals are regulated in the Casco Zoning Ordinance, and nothing in this article shall be construed as excusing compliance with zoning requirements.

(f) *Attics and basements.* No attic or basement can be counted for the purpose of determining the maximum number of occupants in a dwelling unit during a short-term rental, unless the property owner or local agent has given the Township, in writing, consent for the Township to inspect the premises to verify whether that attic or basement meets the applicable requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code and the applicable fire codes.

**Sec. 01-05. Violations; revocation of registration.**

(a) *Violations as municipal civil infractions.* Any violation of a provision of this article shall be a municipal civil infraction. Each day that a violation continues constitutes a separate violation. Notwithstanding any other provision of this Code of Ordinances, violations of this article are subject to the following fines:

- (1) *Short-term rental of unregistered dwellings.* The fine for leasing an unregistered dwelling unit in violation of subsection 01-03a is \$750 for a first violation and \$1,000 for each subsequent violation.
- (2) *Maximum occupancy.* The fine for exceeding the maximum occupancy in violation of subsection 01-04c1 is \$500 for a first offense and \$1,500 for each subsequent offense.
- (3) *Other provisions.* Fines for other violations of this article are as follows: \$100 for a first offense, \$500 for a second offense, and \$1,500 for each subsequent offense.

(b) *Revocation of registration.*

- (1) *Offenses warranting revocation.* The Township may revoke the rental registration for any dwelling unit which is the site of at least 3 separate incidents (occurring on 3 separate days) within a calendar year resulting in a plea of responsibility (with or without an explanation), a plea of guilty, a plea of no contest, or a court's determination of responsibility or guilt by the owner, local agent, or any renter for a violation of one or more of the following:

- (A) Any provision of this article.
- (B) Any provision of the Township Noise Ordinance.
- (C) Any Violations concerning Controlled Substances and Offenses Against Public Peace.
- (D) Any violation of the Zoning Ordinance or any permit or approval issued pursuant to the Zoning Ordinance.

(2) Revocation Procedure. Upon a determination by the Zoning Administrator that the registration of a dwelling unit is subject to revocation pursuant to subsection (b)(1), the Zoning Administrator shall issue a notice to the property owner and the local agent stating that the Township intends to revoke the rental registration. The notice shall inform the owner and local agent of a right to a hearing to show cause as to why the registration should not be revoked, if a hearing is requested within 14 days of the service of the notice. If a hearing is timely requested, the Township shall schedule the hearing before the Township Board and notify the owner and local agent in writing of a time and place for that hearing. At the hearing, the owner and local agent may present evidence that the requirements for revocation provided in subsection (b)(1) are not satisfied, or that the property owner and local agent should not be held responsible for one or more of the three requisite violations due to extenuating circumstances. Extenuating circumstances may include circumstances such as: (i) the violation was committed by a non-renter and the renter(s) attempted to prevent or halt the violation; (ii) the violation resulted from an act of God; or (iii) other circumstances that the owner or the owner's agent could not reasonably anticipate and prevent, and could not reasonably control.

(3) Revocation Period and Effect. Upon revocation of registration, a dwelling unit cannot be re-registered for a period of 1 year, and cannot be used for short-term rentals until re-registered.

**Sec. 01-06. Review after implementation; public hearing required before amendment or repeal.**

*(a) Review after implementation.* Not later than November 1, 2018, the Planning Commission shall begin a review of this article to determine whether its implementation has achieved its intent and what, if any, amendments to should be made to this article.

*(b) Public hearing required.* The TBoard shall hold a public hearing before amending or repealing any provision of this article, publishing notice in a newspaper of general circulation in the Township and posting notice in Township Hall and on the Township's website at least 15 days prior to such meeting.

**Section 2. Publication and Effective Date.** The Township Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect 10 days after its adoption or upon publication of the notice of adoption, whichever occurs later.

## MEMORANDUM

**To:** Casco Township Planning Commission  
**Date:** September 1, 2017  
**From:** Lynee Wells, AICP  
**RE:** **Rental Amendment Draft**

Please find the revised language as discussed by the Planning Commission at the 8.30.17 work session. I have highlighted new and revised language. The following language includes only additions to the Zoning Ordinance text and does not include full sections or chapters.

Items yet to determine and finalize related to zoning matters:

- Saturation
- Number of rental occurrences
- Fire pit: Spoke with the SHAES Fire Marshall: 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 is 3 feet wide by 2 feet high. These standards are per the International Fire Code guidelines, which are the guidelines adopted by SHAES.
- Beach tents
- Commercial entities/ownership/rental/construction/sale

### SECTION 2.02 DEFINITIONS – A

#### AVERAGE GRADE

A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. ~~For the purposes of measuring height of structures in the Residential Districts, "average grade" means a reference plane representing the average of the finished ground level adjoining the building along the front elevation.~~

### SECTION 2.03 DEFINITIONS – B

#### BUILDING HEIGHT

~~The vertical distance measured from the average grade to the highest point of the roof surface of a flat roof; to the deck of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip and gambrel roof.~~

The vertical dimension from the median grade of the building, structure, or wall exposed above grade to the highest point of the roof, parapet wall, or other uppermost part.



*Also replace the diagram in this section depicting building height calculations.*

**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 for the during the day time.

**SECTION 2.08            DEFINITIONS – G**

**GRADE, MEDIAN**

The finished median ground elevation along the perimeter of the building.

**SECTION 2.13            DEFINITIONS – L**

**LIMITED SHORT TERM RENTAL**

The rental of any dwelling for 14 days or less in any calendar year.

**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 two-hundred (200) feet of the lot line of another lot or dwelling.

**SECTION 2.16            DEFINITIONS – O**

**OWNER**

A person(s) or entity(ies) holding legal or equitable title to the premises.

**OWNER-OCCUPIED**

A dwelling which is inhabited by the owner during the duration of a rental period.

**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 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. Garbage and refuse: Garbage shall be kept in a closed container and disposed of on a regular basis.
2. 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.
3. Parking: Parking shall comply with the standards of Chapter 18 and Section 3.24.
4. Postings: In-unit and “good neighbor” postings shall be provided and shall describe at a minimum the name and telephone number of the owner or owner’s agent, notification of the maximum occupancy, notification and instructions as to parking locations, and a copy of this Section. The posting shall be located in a conspicuous place.
5. ~~Building Code: All dwellings for rent shall comply with the Michigan Building Code for single family dwellings. (Can be addressed in regulatory ordinance.)~~
6. Signage: Each property shall have an address number clearly visible from the driveway intersecting the public or private street accessing the subject site. All other signage, if permitted, shall comply with the standards of Section 19.07.
7. Ancillary uses: Ancillary uses shall be regulated by applicable Township ordinances. Any ancillary uses not conforming to respective regulations may be considered a public nuisance per say subject to Section 21.04.

B. Regulations applicable to short term rentals in the LDR, MDR, and Lakeshore A and B districts:

1. Length of stay:
  - a. There shall be a minimum required six (6) night stay.
2. Maximum occupancy:

- a. There shall be a maximum number of occupancy of up to three (3) people per bedroom, not to exceed 10 total people in the entire dwelling.
    - b. No tents or campers for overnight lodging shall be permitted in during a rental period.
  3. Overnight and daytime guests:
    - a. There shall be no daytime or overnight guests permitted during a rental period.
- C. Regulations applicable to short term rentals in the in AG, RR, C-1, C-2, PUD, or I-1 districts:
  1. Length of stay:
    - a. There shall be no minimum stay requirement.
  2. Maximum occupancy:
    - a. There shall be no maximum occupancy requirement.
  3. Overnight and daytime guests:
    - a. There shall be no limits on the number of overnight and daytime guests.
- D. Regulations applicable to all short term rentals:
  1. Owner's agent: The owner or owner's agent shall be capable of being present at the property containing a short term rental within an hour of being notified by the Township or other applicable enforcement agency.
  2. Registration and certification: Short term rentals shall be registered by the owner or owner's agent and certified by the Township. Any change in ownership shall cease rental certification, and the new owner shall be required to file and complete a new registration and pursue certification.
  3. 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.
  4. Inspection. Inspection by the Township shall be required prior to certification or re-certification.

**SECTION 5.02 PERMITTED USES AND SPECIAL USES**

USES	AG
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 5.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

**SECTION 6.02 PERMITTED USES AND SPECIAL USES**

USES	RR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 6.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

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

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

**SECTION 7A.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

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

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

**SECTION 7B.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

**SECTION 8.02 PERMITTED USES AND SPECIAL USES**

USES	LDR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 8.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 9.02 PERMITTED USES AND SPECIAL USES**

USES	MDR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 9.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 11.02 PERMITTED USES AND SPECIAL USES**

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

**SECTION 11.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 12.02 PERMITTED USES AND SPECIAL USES**

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

**SECTION 12.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 13.02 PERMITTED USES AND SPECIAL USES**

USES	I
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 13.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

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

## MEMORANDUM

**To:** Casco Township Planning Commission  
**Date:** September 14, 2017  
**From:** Lynee Wells, AICP  
**RE:** **Rental Amendment Draft**

Please find the revised language as discussed by the Planning Commission at the 8.30.17 work session. I have highlighted new and revised language. The following language includes only additions to the Zoning Ordinance text and does not include full sections or chapters.

Items yet to determine and finalize related to zoning matters:

- Number of rental occurrences: Need to discuss
- Saturation: In part, addressing some saturation concerns through the various land use standards (height) and by creating restrictions to the minimum rental period.
- Fire pit: Spoke with the SHAES Fire Marshall: 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 is 3 feet wide by 2 feet high. These standards are per the International Fire Code guidelines, which are the guidelines adopted by SHAES. Would the PC like this added to the ordinance?
- Beach tents: Need to discuss
- Commercial entities/ownership/rental/construction/sale: Cannot discriminate based on entity type, must treat any owner-type equally.
- Create new Special Land Use in Ag and waterfront districts for Resort Use to address Sleepy Hollow and other similar uses.

### **SECTION 2.02      DEFINITIONS – A**

#### **AVERAGE GRADE**

A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. ~~For the purposes of measuring height of structures in the Residential Districts, “average grade” means a reference place representing the average of the finished ground level adjoining the building along the front elevation.~~

### **SECTION 2.03      DEFINITIONS – B**

#### **BUILDING HEIGHT**

~~The vertical distance measured from the average grade to the highest point of the roof surface of a flat roof; to the deck of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip and gambrel roof.~~

The vertical dimension from the median grade of the building, structure, or wall exposed above grade to the highest point of the roof, parapet wall, or other uppermost part.

*Also replace the diagram in this section depicting building height calculations.*

**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 for the during the day time.

**SECTION 2.08            DEFINITIONS – G**

**GRADE, MEDIAN**

The finished median ground elevation along the perimeter of the building.

**SECTION 2.13            DEFINITIONS – L**

**LIMITED SHORT TERM RENTAL**

The rental of any dwelling for 14 days or less in any calendar year.

**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 two-hundred (200) feet of the lot line of another lot or dwelling.

**SECTION 2.16            DEFINITIONS – O**

**OWNER**

A person(s) or entity(ies) holding legal or equitable title to the premises.

**OWNER-OCCUPIED**

A dwelling which is inhabited by the owner during the duration of a rental period.

**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 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. Garbage and refuse: Garbage shall be kept in a closed container and disposed of on a regular basis.
2. 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.
3. Parking: Parking shall comply with the standards of Chapter 18 and Section 3.24.
4. Postings: In-unit and “good neighbor” postings shall be provided and shall describe at a minimum the name and telephone number of the owner or owner’s agent, notification of the maximum occupancy, notification and instructions as to parking locations, and a copy of this Section. The posting shall be located in a conspicuous place.
5. ~~Building Code: All dwellings for rent shall comply with the Michigan Building Code for single family dwellings. (Can be addressed in regulatory ordinance.)~~
6. Signage: Each property shall have an address number clearly visible from the driveway intersecting the public or private street accessing the subject site. All other signage, if permitted, shall comply with the standards of Section 19.07.
7. Ancillary uses: Ancillary uses shall be regulated by applicable Township ordinances. Any ancillary uses not conforming to respective regulations may be considered a public nuisance per say subject to Section 21.04.

B. Regulations applicable to short term rentals in the LDR, MDR, and Lakeshore A and B districts:

1. Length of stay:

a. There shall be a minimum required six (6) night stay.

~~2. Maximum occupancy:~~

a. ~~There shall be a maximum number of occupancy of up to three (3) people per bedroom, not to exceed 10 total people in the entire dwelling.~~

b. ~~No tents or campers for overnight lodging shall be permitted in during a rental period.~~

**MOVE THIS FROM ZONING TO RENTAL ORDINANCE DUE TO GRANDFATHERING ISSUES**

3. Overnight and daytime guests:

a. There shall be no daytime or overnight guests permitted during a rental period.

C. Regulations applicable to short term rentals in the in AG, RR, C-1, C-2, PUD, or I-1 districts:

1. Length of stay:

a. There shall be no minimum stay requirement.

~~2. Maximum occupancy:~~

~~a. There shall be no maximum occupancy requirement.~~

3. Overnight and daytime guests:

a. There shall be no limits on the number of overnight and daytime guests.

D. Regulations applicable to all short term rentals:

1. Owner's agent: The owner or owner's agent shall be capable of being present at the property containing a short term rental within an hour of being notified by the Township or other applicable enforcement agency.

2. Registration and certification: Short term rentals shall be registered by the owner or owner's agent and certified by the Township. Any change in ownership shall cease rental certification, and the new owner shall be required to file and complete a new registration and pursue certification.

3. 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.

4. Inspection. Inspection by the Township shall be required prior to certification or re-certification.

**SECTION 5.02 PERMITTED USES AND SPECIAL USES**

USES	AG
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 5.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

**SECTION 6.02 PERMITTED USES AND SPECIAL USES**

USES	RR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 6.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

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

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

**SECTION 7A.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: The lessor of 35' or 2 ½ stories

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

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

**SECTION 7B.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 8.02 PERMITTED USES AND SPECIAL USES**

USES	LDR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 8.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 9.02 PERMITTED USES AND SPECIAL USES**

USES	MDR
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 9.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 11.02 PERMITTED USES AND SPECIAL USES**

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

**SECTION 11.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 12.02 PERMITTED USES AND SPECIAL USES**

USES	C-2
Limited short term rental	P
Long term rental	P

Short term rental	P
-------------------	---

**SECTION 12.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

**SECTION 13.02 PERMITTED USES AND SPECIAL USES**

USES	I
Limited short term rental	P
Long term rental	P
Short term rental	P

**SECTION 13.03 DISTRICT REGULATIONS**

Maximum Height of All Buildings: **The lessor of** 35' or 2 ½ stories

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