

CHARTER TOWNSHIP OF ELMWOOD
Leelanau County, Michigan

Ordinance No. _____
ZO 2017-04-08

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORDANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO ADD SHORT TERM RENTALS AS A USE TO THE ZONING ORDINANCE.

The Charter Township of Elmwood Ordains:

Section 1: Amendment.

The following sections of the Elmwood Township Zoning Ordinance shall be amended to read as follows:

Section 2.2 Definitions

Add:

Short Term Rental: The commercial use of renting a dwelling, or portions thereof, used for accommodations or lodging of guests, paying a fee or other compensation, for a period of less than 30 days at a time when the owner of the dwelling does not reside in the dwelling during the rental period.

SECTION 5.4 LAND USE AND ZONING DISTRICT TABLE

Add Short Term Rentals as number 71 and re-number all following uses:

Commerical Related Uses	A-R	R-1	R-2	R-3	MHP	MC	NC	GC	LI	SC	RR
71. Short Term Rentals*	P+		P+	P	P	P	P	P	P	P	P
P=Zoning Administrator approval, Psp=Site Plan Review with Planning Commission approval, SUP=Special Use Permit *See Section 5.5											

Add to end of table:

P+ - Allowed if existed and was in operation as a short term rental during the 24 months prior to Zoning Board of Appeals March 20, 2019 meeting. A license shall be obtained within 1 year of the effective date of this ordinance or the use shall not be re-established. Should the use discontinue, the use shall not be re-established.

SECTION 5.5 SPECIAL REQUIREMENTS FOR SPECIFIC USES

Add:

L. Short Term Rentals.

Shall a conflict exist between this section and any other section in this Ordinance, this section shall prevail.

1. Short Term Rentals shall maintain a license as required by the Short Term Rental Licensing Ordinance

2. A land use permit shall not be required for short term rentals

Section 2: Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 3: Effective Date.

This Ordinance shall become effective eight (8) days after publication.