

Adopted September 30, 2021

CHARTER TOWNSHIP OF ELMWOOD  
Leelanau County, Michigan

**Ordinance No. 2021-03**  
**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:** A single family dwelling unit, or portions thereof, that is available and licensed and 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 unit does not reside in the dwelling unit during the rental period. Single family dwelling units used and licensed as a short term rental shall not be considered a motel as defined by the Zoning Ordinance.

**SECTION 5.4 LAND USE AND ZONING DISTRICT TABLE**

Add Short Term Rentals as number 25 and re-number all following uses:

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

**SECTION 5.5 SPECIAL REQUIREMENTS FOR SPECIFIC USES**

Add:

**M. 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 when Ordinance 2021-02, Short Term Rental Licensing Ordinance, becomes effective.

Ordinance No. 2021-03 was adopted on September 30, 2021, by the Elmwood Charter Township Board as follows:


Motion by: Trustee Lautner


Seconded by: Trustee Allen

Yeas: Lautner, Mikowski, Allen, O'Rourke, and Shaw

Nays: Darga, Preston

Absent: None

  
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Connie Preston, Clerk

  
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Jeff Shaw, Supervisor

I certify that this is a true copy of Ordinance No. 2021-03 that was adopted at a special meeting of the Elmwood Charter Township Board on September 30, 2021 and published in the Leelanau Enterprise on October 7, 2021.

Dated: October 7, 2021

  
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Connie Preston, Clerk