

**Article II, Definitions.  
 Section 2.3, DEFINITIONS**

*Add:*

**Short-term Rental.** A commercial Use which is subordinate to the residential Principal Use of a Dwelling Unit, in which tenants are permitted to lease the Dwelling Unit for periods of less than or equal to two calendar months in return for remuneration. If tenants lease a Dwelling Unit for a period longer than two consecutive calendar months, this is not a Short-term Rental, but instead is a residential Use. A Short-term Rental may be used for such residential Uses, but see 11.8.4 for limitations on such Use.

**Article IV, Official Zoning Map, Zoning Districts and Permitted Uses  
 Section 4.6.3, Table 4-1, Classes, Definitions, & Examples of Uses Permitted**

*Amend:*

USE CLASSES & DEFINITIONS	EXAMPLES OF USES PERMITTED	PERMITTED DISTRICTS
Lodging/Accommodations A facility offering transient lodging accommodations to the general public and possibly providing additional services, such as Restaurants, meeting rooms, entertainment, and recreational facilities as Accessory Uses. Includes Short-term Rental establishments.	a. Hotels, motels, auto courts, lodges, residence inns, and other resident lodging facilities.  b. Bed and Breakfast establishments.  c. Short-term Rental establishments.	a. "P" in C, D "PUD" in W  b. "S" in R1, R2, R3 "PUD" in W  c. "S" in R1, R2, W (in SR-OD) "C" in R3 "C" in W (unless in SR-OD)

**Article IV, Official Zoning Map, Zoning Districts and Permitted Uses**  
**Section 4.6.4, Table 4-2, Authorized Uses**

*Amend:*

Land Uses: Principal by Use Category	R1	R2	R3	CO	D	C	I1	I2	OS	W
<b>COMMERCIAL &amp; RELATED USES</b>										
Lodging/Accommodations, Hotel					P	P				PUD
Lodging/Accommodations, Bed & Breakfast	S	S	S							PUD
Lodging/Accommodations, Short-term Rental	S <sup>7</sup>	S <sup>7</sup>	C							C <sup>8</sup> , S <sup>9</sup>

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<sup>7</sup>. Only within the SR-OD Short-term Rental Overlay District.

## Article IX, Special Districts.

*Add:*

### **SECTION 9.7 SHORT-TERM RENTAL OVERLAY DISTRICT**

**9.7.1 Intent:** The Short-term Rental Overlay District (SR-OD) is an overlay District intended to recognize that, as a result of their proximity to waterfront recreation areas, certain portions of the City have historically seen more intense Uses associated with seasonal visitors than would typically be permitted in a residential District. These circumstances and these Uses require special consideration.

- A. It is recognized that a number of deleterious secondary effects arise from the use of residential Dwellings as Short-term Rentals. These deleterious effects include occupancy beyond the normal limits permitted by law, excessive noise and light which injure the comfort and repose of the public, overflow parking onto adjacent neighborhood streets, littering on adjacent property, and the like. Further, Short-term Rentals continually bring new people into a neighborhood who have no long-term interest in that neighborhood, reducing the number of permanent residents and physically separating those residents from one another, thus making it more difficult for the remaining residents to establish long-term relationships that form the basis for good neighborhoods and good communities. In addition, the safety of the occupants of Short-term Rentals may be compromised if certain standards are not maintained. Beyond that, Short-term Rentals that are not well maintained can adversely affect the values of other properties in the area. Finally, a residential neighborhood which becomes saturated by properties used as Short-term Rentals loses its essential character as a residential neighborhood, and instead assumes characteristics more in keeping with a resort and business activities associated with commercial Districts.
- B. It is further recognized that well-run and well-maintained Short-term Rentals, in numbers that do not saturate a neighborhood, permit visitors to enjoy our community in unique ways. It is believed that an appropriate scheme of regulation can allow the safe and enjoyable use of a certain number of Short-term Rentals while protecting residential neighborhoods. A combination of Zoning regulations and general code of ordinance regulations is believed to be most likely to afford the proper protections to residents and visitors alike, while not inflicting unnecessarily burdensome requirements on property owners.

**9.7.2 Uses:** In the SR-OD Short-term Rental Overlay District, the Permitted Uses; Accessory Buildings, Structures and Uses, Parking and Signs; Special Uses and Conditional Uses; and Planned Unit Developments provisions of the underlying District shall be modified by any standards affirmatively associated with the Short-term Rental Overlay District in Table 4-1, Section 4.6.3; Table 4-2, Section 4.6.4; Table 4-3, Section 4.6.5; Table 5-1, Section 5.2; Section 11.12; or Table 18-1, Section 18.2.7. Any underlying District standards not modified by another standard affirmatively associated with the Short-term Rental Overlay District in the above listed sections shall remain unmodified and in effect.

**9.7.3 Sub-districts:** The SR-OD may be composed of a number of sub-districts. Each sub-district shall be shown as a separate map in Section 9.7.4.

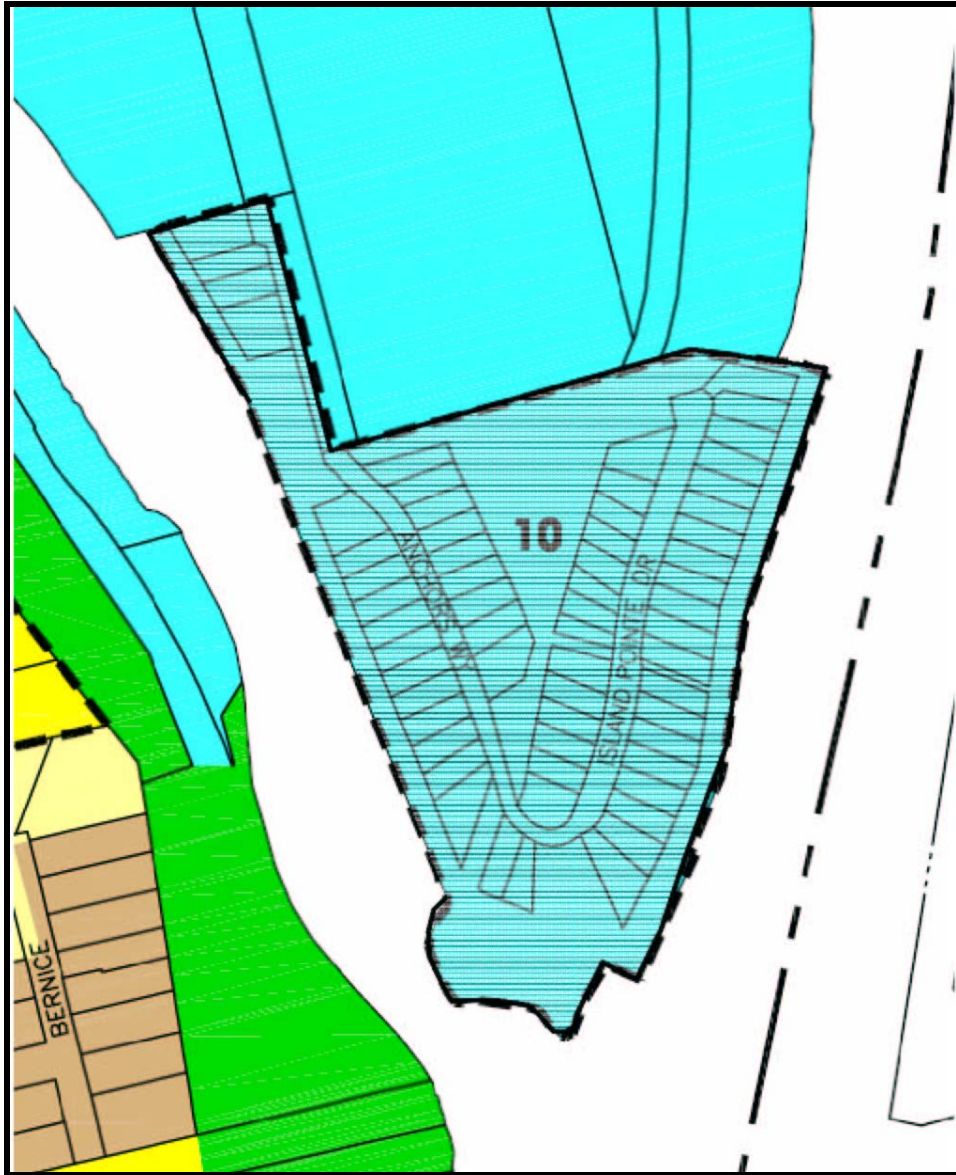
### 9.7.4 Short-term Rental Overlay District

## Map 9-3 The Official Short-term Rental Overlay District Map of the City of St. Joseph

### Map 9-3.1 Lions Park Drive Area Sub-district



**Map 9-3.2 Island Pointe Marina Area Sub-district**



## **Article XI, Special and Conditional Use Regulations**

*Amend:*

### **11.8.4 Termination of a Special Use Permit if the Use Changes:**

- A. If there is a change in the Use of a property for which a Special Use Permit was issued, the Special Use shall automatically terminate and the property shall only be used for a Use permitted in the District in which the property is located. A Special Use Permit for a seasonal Use is also subject to termination, if the season passes in which the Special Use would normally occur and a different Use is in place instead.
- B. In place of the above standards, the following standards shall apply to Short-term Rentals. A Special Use Permit for a Short-term Rental shall automatically terminate and the property shall only be used for a Use permitted in the District in which the property is located if one or more of the following occurs:
  - 1. If there is a change in the Use of the property.
  - 2. In the event that the rental unit permit required under Chapter 8, Article VI of the Code of Ordinances of the City of St. Joseph expires without being timely renewed, is not timely transferred to a new Owner, or is revoked.
  - 3. In the event that the property for which the Special Use Permit was issued is not actually used as a Short-term Rental at least once in each twenty-four month period.

## Article XI, Special and Conditional Use Regulations

*Amend:*

### 11.12.9 Lodging/Accommodations

- A. Bed and Breakfast establishments are permitted as a Special Use in the R1, R2, and R3 residential Districts under the following conditions:
1. One (1) off-street parking space per room to be rented shall be provided on site or on a site within two hundred (200) feet of the site at the nearest point, in addition to the parking required for a single-family dwelling. Parking shall be screened from adjacent residential Parcels.
  2. The Bed and Breakfast must be the primary residence for the Owner, who must operate and occupy the Structure. The Bed and Breakfast facility may have up to six (6) bedrooms used for transient guests for compensation.
  3. The Applicant shall provide a scaled floor plan of the premises as part of the Special Use application.
  4. The exterior appearance of the Structure shall be harmonious with the character of the surrounding District.
  5. A fire escape plan shall be developed and graphically displayed in each guest room.
  6. A minimum of one (1) appropriate fire extinguisher, in proper working order, shall be located on each floor, in a place readily accessible to guests.
  7. The establishment shall be provided with means of egress as described in the Michigan Residential Code or Michigan Building Code, adopted in Chapter 8, Article V of the Code of Ordinances of the City of St. Joseph, as appropriate.
  8. No guest room shall be located in a Basement or cellar.
  9. No transient occupant shall reside on the premises for more than ninety (90) days in any calendar year.
  10. Lavatories and bathing facilities shall be available to all Persons using the premises.
  11. No separate or additional kitchen facilities shall be provided for the guests.
  12. Retail sales are not permitted beyond those activities serving the registered overnight patrons.
  13. Meals shall not be served to the public at large but only to registered guests.
  14. No receptions, private parties or activities for which a fee is paid shall be permitted except for those which involve only registered guests.
  15. The rental sleeping rooms shall have a minimum size of one-hundred (100) square feet for each two (2) occupants, excluding bathrooms, with an additional thirty (30) square feet for each additional occupant, to a maximum of four (4) occupants per room.
  16. The outdoor storage of trash or rubbish shall be screened.
- B. Short-term Rental establishments are permitted as a Special Use in the R1 and R2 residential Districts and the W Water Recreation District under the following conditions:
1. The Use shall be located within the SR-OD Short-term Rental Overlay District.
  2. Approval of the proposed Use would not cause the Short-term Rental saturation of the appropriate sub-district of the SR-OD to exceed fifteen (15) percent. The Short-term Rental saturation shall be computed by dividing the number of Lots in the sub-district which house Short-term Rental Dwelling Units, whether authorized under this Ordinance or existing as a Nonconformity, by the number of Lots in the sub-district currently including any residential Use, expressed as a percentage. For example, if

- a sub-district included forty-five (45) Lots having any residential Use, and five (5) of those Lots contained Short-term Rental Dwelling Units, the Short-term Rental saturation of the sub-district would be  $5 \div 45 = 11.1\%$ .
3. The Use shall occupy one or more Dwelling Units authorized under this Ordinance or existing as Nonconformities.
  4. On-site parking must be provided as required in Article XVIII.
  5. The Applicant shall provide a scaled floor plan of the premises as part of the Special Use application.
  6. The exterior appearance of the Structure shall be harmonious with the character of the surrounding District.
  7. A fire escape plan shall be developed and graphically displayed in each Dwelling Unit.
  8. A minimum of one (1) appropriate fire extinguisher, in proper working order, shall be located in each Dwelling Unit, in a place readily accessible to guests.
  9. Each Dwelling Unit, and the establishment, shall be provided with means of egress as described in the Michigan Residential Code or Michigan Building Code, adopted in Chapter 8, Article V of the Code of Ordinances of the City of St. Joseph, as appropriate.
  10. No sleeping room shall be located in a Basement or cellar.
  11. Lavatories and bathing facilities shall be available to all Persons using the premises.
  12. Retail sales are not permitted beyond those activities serving the registered overnight patrons.
  13. The rental sleeping rooms shall have a minimum size of one-hundred (100) square feet for each two (2) occupants, excluding bathrooms, with an additional thirty (30) square feet for each additional occupant, to a maximum of four (4) occupants per room.
  14. The outdoor storage of trash or rubbish shall be screened.
  15. The establishment meets all requirements of Chapter 8, Article VI of the Code of Ordinances of the City of St. Joseph.
- C. Short-term Rental establishments are permitted as a Conditional Use in the R3 residential District, or in the W Water Recreation District except in the SR-OD Short-term Rental Overlay District, under the following conditions:
1. The Use shall occupy one or more Dwelling Units authorized under this Ordinance or existing as Nonconformities.
  2. On-site parking shall be provided as required in Article XVIII.
  3. The Applicant shall provide a scaled floor plan of the premises as part of the Zoning Permit application.
  4. The exterior appearance of the Structure shall be harmonious with the character of the surrounding District.
  5. A fire escape plan shall be developed and graphically displayed in each Dwelling Unit.
  6. A minimum of one (1) appropriate fire extinguisher, in proper working order, shall be located in each Dwelling Unit, in a place readily accessible to guests.
  7. Each Dwelling Unit, and the establishment, shall be provided with means of egress as described in the Michigan Residential Code or Michigan Building Code, adopted in Chapter 8, Article V of the Code of Ordinances of the City of St. Joseph, as appropriate.



8. No sleeping room shall be located in a Basement or cellar.
9. Lavatories and bathing facilities shall be available to all Persons using the premises.
10. Retail sales are not permitted beyond those activities serving the registered overnight patrons.
11. The rental sleeping rooms shall have a minimum size of one-hundred (100) square feet for each two (2) occupants, excluding bathrooms, with an additional thirty (30) square feet for each additional occupant, to a maximum of four (4) occupants per room.
12. The outdoor storage of trash or rubbish shall be screened.
13. The establishment meets all requirements of Chapter 8, Article VI of the Code of Ordinances of the City of St. Joseph.

**Article XVIII, Off-Street Parking and Loading**  
**Section 18.2.7, Table 18-1, Parking Standards**

*Amend:*

<b>PARKING STANDARDS</b>	
<b>USE</b>	<b>NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE</b>
<b>COMMERCIAL &amp; RELATED USES</b>	
Short-term Rental	One (1) space per Dwelling Unit, plus one-half ( $\frac{1}{2}$ ) space per sleeping room in excess of one (1) in each Dwelling Unit, rounding fractions up for each Dwelling Unit.