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AN ORDINANCE TO AMEND ARTICLE 17,
SECTION 17.10.32, et seq., SHORT TERM RENTAL, ZONING ORDINANCE
VILLAGE
OF PORT SANILAC, SANILAC COUNTY, MICHIGAN

THE VILLAGE OF PORT SANILAC ORDAINS:

That Article 17, Section 17.10.32 of the Village of Port Sanilac Zoning Ordinance is hereby amended and shall read as follows:

17.10.32 Short-Term Rental:

A. Except as otherwise provided, short-term rentals shall be permitted by special use permit in the R-1 and R-2 districts.

B. Intent. It is the intent to establish reasonable standards for short-term rentals as special uses in residential districts to ensure that:

1. The property is suitable for temporary lodging.
2. The use is not incompatible with other allowed uses in the vicinity.
3. Impacts on the neighboring properties are minimized to the extent reasonably possible.
4. Sufficient single-family dwellings units are available for long-term housing in residential areas within the Village.
5. **Short term rentals will comprise no more than a maximum of 10 percent (10%) of the total number of homes in the Village that are not restricted by deed or HOA. (as May 1, 2024).**

C. Existing Short-Term Rentals. Short-term rentals which are in operation as of May 1, 2024 and have not been previously granted a special use permit may continue operation without a special use permit so long as they are registered with the Village as herein defined. **Existing short term rentals must provide documentation the home was rented between May 1, 2023 and April 30, 2024 and complete the required Registration forms by June 1, 2024.**

D. Registration Requirements. All dwellings used for short term rental must be registered initially and annually thereafter at the Port Sanilac Village office. **To register a short term rental, the property owner or agent of the owner must first complete a Special Land Use Application. If approved the owner or agent shall provide and certify as true the information completed on the Registration and/or Renewal form. In addition:**

1. Payment of a registration fee in an amount determined by motion of Council.

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3. A sworn statement indicating that the applicant agrees to abide by all applicable laws of the State of Michigan and ordinances of the Village of Port Sanilac regarding the operation of a short-term rental.

In the event the applicant submits a completed STR Registration Form which complies with this section, the Village shall issue a short-term residential rental permit. Said permits shall be valid for a period of one (1) year and may be renewed upon application by the owner or operator of the short-term rental property and payment of a renewal fee. An owner/operator holding a valid permit as described in this section shall not be required to apply for a special use permit for the operation of a short-term rental.

In the event ownership of the property is transferred, the property is not operated as a short-term rental for a period of twelve (12) consecutive months, and/or the owner/operator fails to renew their short-term residential rental permit in a timely manner, the permit shall be void.

E. Local Agent Required. In the event the owner of a short-term rental property does not reside within thirty (30) miles of the property, they must provide the Village with contact information identifying a designated local agent. Said local agent shall reside within thirty (30) miles of the short-term rental property and shall be available by phone or text message at all times.

F. Density Regulations. No short-term rental shall be permitted in the R-1 district within two hundred fifty (250) feet of another short-term rental. This setback provision shall not apply to those "existing short-term rentals" described above which hold a valid short-term residential rental permit.

G.. If the subject lot does not meet the district minimum lot area or has other dimensional nonconformities, the Planning Commission may determine that the short-term rental use is not suitable, or it may condition approval on measures that mitigate potential adverse effects of operating a short-term rental on the lot.

H.. If an outdoor area intended for the congregating of guests (e.g., porches, decks, pools and pool decks, gazebos, fire pits, etc.) is provided, it shall be sufficiently setback from the property lines or screened or buffered with a fence, wall, or landscape screen to minimize sounds and light, so as not to disturb neighbors. All existing and proposed fire pits shall meet the Village's fire code.

I. Accessory structures constructed or expanded after the effective date of this section shall not be used as sleeping rooms for short-

term rentals, and shall not be counted for purposes of determining the maximum occupancy of a short-term rental use.

J. A smoke detector in proper working order shall be provided in every sleeping room and in additional locations within the structure as determined by the rental inspection agent. A fire extinguisher in proper working order shall be located on every floor in the immediate vicinity of the sleeping rooms.

K.. Short-term rental uses shall comply with the parking requirements of Section 3.20 of this Zoning Ordinance.

L. The driveway and off-street parking areas shall be laid out in a manner so as to minimize on- street traffic congestion to the extent reasonably possible.

M.. The exterior appearance of the dwelling shall have a residential character, and shall not be incompatible with other dwellings in the vicinity. By way of example, the subject property shall not: (i) appear to be a commercial, multi-family, or institutional use; (ii) be altered to add excessive paved or other impermeable surfaces that create an appearance incompatible with other lots in the neighborhood; or (ii) be illuminated or signed in a manner that is out of character with other homes in the vicinity.

The applicant shall submit a site plan of the structure or proposed structure drawn to a scale of not less than 1/8 " = 1"; that shows the specific layout of the facility in accord with the provisions of this zoning Ordinance.\

The special use permit holder shall secure, maintain, and furnish proof of all required federal, state and local permits.

N. No separate cooking facilities shall be allowed in sleeping rooms.

O. Interior features (bedrooms, bathrooms, kitchens, dwelling units, means of ingress and egress, etc.) must be in conformance with the Michigan Construction Code, and all open permits must be finalized prior to occupancy as a short-term rental.

P. Penalty. Any violation of a provision of this ordinance shall be deemed a municipal civil infraction and shall be subject to abatement as permitted by law. The fine for leasing an unregistered short-term rental will be subject to Zoning Ordinance Article 23, Section 23.2.3.

All ordinances inconsistent with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

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EFFECTIVE DATE: This ordinance shall become effective seven days after publication in a newspaper of general circulation within the Village of Port Sanilac.

Barbara Rabineau, Clerk Village
of Port Sanilac

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