

ORDINANCE NO. 352

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF SPRING LAKE ZONING ORDINANCE ADOPTED BY THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN TO ADD CERTAIN DEFINITIONS; TO DESCRIBE WHERE SHORT-TERM RENTALS ARE ALLOWED; TO DESCRIBE REQUIREMENTS FOR SHORT TERM RENTALS; AND TO ESTABLISH AN EFFECTIVE DATE.

THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

Section 1. Amend the Definitions in the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended by adding the following definitions to Section 390-7 of the Zoning Ordinance in alphabetical order.

Dwelling Owner

A person holding legal or equitable title to a dwelling.

Rent Or Rental

The permission, provision, or offering of possession or occupancy of a dwelling with some type of remuneration paid to the dwelling owner for a period of time by a person who is not the dwelling owner, pursuant to a written or verbal agreement.

Short Term Rental

The rental of any dwelling for a term of less than twenty-eight (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 2. Amend the Special Land Uses Allowed in the Single Family Residential-A District (SFR-A District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-70.C to the Zoning Ordinance as follows.

C. Short term rentals.

Section 3. Amend the Special Land Uses Allowed in the Single Family Residential-B District (SFR-B District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-77.F to the Zoning Ordinance as follows.

- F. Short term rentals.

Section 4. Amend the Special Land Uses Allowed in the Multiple Family Residential-A District (MFR-A District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-84.D to the Zoning Ordinance as follows.

- D. Short term rentals.

Section 5. Amend the Special Land Uses Allowed in the Multiple Family Residential-B District (MFR-B District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-91.D to the Zoning Ordinance as follows.

- D. Short term rentals.

Section 6. Amend the Special Land Uses Allowed in the Community Commercial District (C District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-98.N to the Zoning Ordinance as follows.

- N. Short term rentals of permitted dwelling units.

Section 7. Amend the Special Land Uses Allowed in the Central Business District (CBD District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-115.M to the Zoning Ordinance as follows.

- M. Short term rentals of permitted dwelling units.

Section 8. Amend the Special Land Uses Allowed in the Central Business District-Core (CBD-1) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-122.I to the Zoning Ordinance as follows.

- I. Short term rentals of permitted dwelling units.

Section 9. Amend the Special Land Uses Permitted by the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to restate in its entirety Section 390-199.A of the Zoning Ordinance as follows.

Section 390-199 SPECIAL LAND USE SPECIFIC REQUIREMENTS.

- A. The special land uses for which specific requirements are provided are as follows:
- (1) Automobile service stations.
 - (2) Banks, credit unions, savings and loan institutions with drive through facilities.
 - (3) Bed and breakfast establishments.
 - (4) Car washes, automatic or self-service.
 - (5) Electric substations and gas regulator stations.
 - (6) Foster care group homes.
 - (7) Funeral homes.
 - (8) Gasoline sales.
 - (9) Group day care homes.
 - (10) Hotels, motels.
 - (11) Indoor commercial recreation establishments.
 - (12) Marinas.
 - (13) Restaurants, including drive-through facilities.
 - (14) Restaurants, not including drive-through facilities.
 - (15) Retail businesses, a portion of which are conducted in the open air.
 - (15A) Short term rentals.
 - (16) Tool and die machinery shops.
 - (17) Two-family dwellings.

- (18) Vehicle repair or storage establishments.
- (19) Veterinary offices.
- (20) Wholesale establishments and warehouses which sell packaged or repackaged products at retail on the premises.
- (21) Assembly operations consisting only of limited assembly, fastening, and packaging or repackaging of previously manufactured components.
- (22) Parking lots.
- (23) Adult Day Care Facilities.
- (24) Reserved for future use.
- (25) Community Support Facility.

Section 10. Amend the Special Land Use Requirements for Short Term Rentals in the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-199.15A to the Zoning Ordinance.

15A. Short term rentals:

- a. If the subject lot does not meet the district minimum lot area or has other dimensional nonconformities, the Planning Commission may deny approval, or it may condition approval on measures that mitigate potential adverse effects of operating a short-term rental on the lot.
- b. Off-street parking shall comply with these requirements in addition to any other requirements for the applicable zoning district in question.
 - ii. A minimum of two (2) off-street parking spaces located on the subject property shall be provided per unit (up to 6 occupants), plus one space for every three occupants over six, based on approved occupancy for the dwelling unit.
 - iii. Any proposed expanded parking area must be shown on the site plan and will be subject to review by the Planning

Commission and Zoning Administrator. Parking on the grass is prohibited.

- c. Outdoor areas intended for the congregating of guests (e.g., porches, decks, pools and pool decks, gazebos, fire pits, etc) must meet the following requirements, in addition to other requirements established by this Ordinance.
 - i. Fire pits shall meet the requirements of the fire code and any other applicable codes.
 - ii. Patios and decks must be a minimum of three (3) feet from any property line.
 - iii. The planning commission may require an outdoor congregating area to be fenced in or landscaped in order to help buffer the short-term rental from neighboring properties. The Village shall consider lot sizes in the area and of the short-term rental, surrounding land uses, topography, and other considerations deemed relevant by the Village.
- d. The number of overnight guests in a short-term rental shall be based on occupancy limits established by the International Property Maintenance Code. No guest may sleep on couches, the floor, in tents, or in trailers on the lot.
- e. The applicant shall submit a floorplan of the dwelling unit and a site plan of the property drawn to a scale of not less than 1/8 inch = 1 foot.
- f. No separate cooking facilities shall be allowed in sleeping rooms.

Section 11. Effective Date. The foregoing amendment to the Village of Spring Lake Zoning Ordinance was approved and adopted by the Village Council of the Village of Spring Lake, Ottawa County, Michigan on the 21st day of January 2019 after a public hearing conducted by the Village Planning Commission as is required by the of Michigan Zoning Enabling Act, as amended. This Ordinance shall be effective upon publication.

Dated: January 21, 2019

By: _____
Mark Powers, President

By: _____
Marvin Hinga, Clerk/Treasurer

CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Village of Spring Lake Ordinance was adopted at a regular meeting of the Village Council held on January 21, 2019. The following members of the Village Council were present at that meeting: Duer, Hanks, Miller, Petrus, TePaste and Van Strate. The following members of the Village Council were absent from that meeting: President Powers. The Ordinance was adopted by the Village Council with members of the Council: **Duer, Hanks, Miller, Petrus, Tepastte** and **Van Strate** voting in favor and with no members of the Council voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on February 4, 2019.

Marvin Hinga, Clerk/Treasurer
Village of Spring Lake