

**KEWEENAW COUNTY PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
PROPOSED ZONING ORDINANCE TEXT AMENDMENT
SHORT-TERM RENTALS**

NOTICE IS HEREBY GIVEN that the Keweenaw County Planning Commission will hold a public hearing on Monday, October 5, 2026, at 4:00 p.m. at the Keweenaw County Courthouse, 5095 4th Street, Eagle River, Michigan 49950.

The purpose of the public hearing is to receive public comment on a proposed text amendment to the Keweenaw County Zoning Ordinance concerning the regulation of Short-Term Rentals (STRs). The proposed amendment would establish a countywide annual Short-Term Rental permit process and related administrative and operational standards. Among other matters, the proposed amendment addresses the classification of Short-Term Rentals as a distinct land use requiring annual permits along with related requirements and the relationship of Short-Term Rentals to other provisions of the Keweenaw County Zoning Ordinance. The public-review materials also include an addendum addressing the transition of existing Short-Term Rentals that were previously authorized through a Conditional Use Permit, Special Land Use approval, or other County zoning approval.

The proposed text amendment and related public-review materials may be examined prior to the hearing at the Keweenaw County Zoning Office, Keweenaw County Courthouse, 5095 4th Street, Eagle River, Michigan 49950, during regular office hours, and through the County's public posting of the proposed amendment at www.keweenawcountyonline.org

Written comments may be submitted in advance of the hearing to the Keweenaw County Zoning Administrator, 5095 4th Street, Eagle River, MI 49950, or by email to planning@keweenawcountymi.gov. Written comments received before the hearing will be included in the public-hearing record. Interested persons may also appear and provide comment at the public hearing.

Following the public hearing, the Planning Commission may recommend approval, approval with revisions, or denial of the proposed text amendment to the Keweenaw County Board of Commissioners for further action, as provided by law.

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Section 1.2 PURPOSES

1.2.1 General Purposes: The Districts and other provisions of this Ordinance are based upon the Future Land Use Map and policies of the Keweenaw County “Blueprint Keweenaw County Zoning Ordinance July 1, 2024 1-2 for Tomorrow” Land Use Plan. That comprehensive plan and this Zoning Ordinance are designed to: 1) promote the public health, safety, and general welfare; 2) to provide adequate light and air, and protect air and water quality; 3) to encourage the use of lands in accordance with their character and adaptability; 4) to limit the improper use of land; 5) to conserve natural resources and energy; 6) to meet the needs of the state’s residents for food, fiber and other natural resources, places of residence, recreation, industry, trade, service and other uses of land; 7) to ensure that uses of land are situated in appropriate locations and relationships; 8) to avoid population overcrowding; 9) to lessen congestion on public streets and highways; 10) to reduce hazards to life and property due to fire, flooding, erosion, pollution, or excessive dust, fumes, smoke, noise, vibration, noxious odors or other hazards; 11) to prevent the overburdening of public services and utilities; 12) to facilitate the provision of adequate systems of transportation, sewage disposal, solid waste disposal, drainage, public water supply, education, recreation and other public requirements; 13) to conserve the expenditure of funds for public improvements and services; 14) provide advantageous uses of land, resources and properties; 15) to conserve land, community character and property values; and 16) to prevent nuisances.

1.2.2 Other Purposes: It is not the intent of this Ordinance to legitimize activities which are prohibited by local ordinance, state or federal law. If any portion of this Ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction, the County intends that portion to be disregarded, reduced and/or revised so as to be consistent with the purposes of this Ordinance to the fullest extent allowed by law.

1.2.3 Regulation of Short-Term Rentals

The County recognizes that Short-Term Rental activity constitutes the use of land and structures for transient occupancy and may be regulated under this Ordinance pursuant to the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

The regulation of Short-Term Rentals under this Ordinance is intended to address land use impacts including, but not limited to, density, intensity of use, traffic, parking, public safety, and neighborhood compatibility.

Such regulation is not intended to regulate the business, licensing, or economic aspects of rental activity, but rather the use of land in a manner consistent with this Ordinance.

Section 1.3 INTERPRETATION & APPLICATION

1.3.1 Introduction: In interpreting and applying the provisions of this Ordinance, the provisions shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. **A. Authority for Interpretation:** The Zoning Administrator is responsible for interpreting the text of this Ordinance in accordance with the standards set forth in this Section and applicable Ordinance standards and requirements, and applicable state law. Interpretations made by the Zoning Administrator may be appealed to the Zoning Board of Appeals pursuant to the requirements of Article 19. **B. Meaning and Intent:** All provisions, terms, phrases, and expressions contained in this Ordinance shall be construed according to this Ordinance's stated purpose and intent, and applicable state law. **C. Text Controls:** In case of any difference of meaning or implication between the text of this Ordinance and any heading, drawing, table, or figure, the text shall control. **D. Statutory References:** All references to state law in this Ordinance refer to the Michigan Compiled Laws (MCL), as amended. **E. Computation of Time:** In computing a period of time prescribed or allowed by this Ordinance, the following rules apply: 1. The day of the act or event after which the designated period of time begins to run is not included. The last day of the period is included, unless it is a Saturday, Sunday, or holiday on which the County Courthouse is closed for business; in that event, the period runs until the end of the next day that is not a Saturday, Sunday, or holiday on which County Courthouse is closed for business. If a period is measured by a period of weeks, the last day of the period is the same day of the week as the day on which the period begins. 3. If a period is measured by months or years, the last day of the period is the same day of the month as the day on which the period began. If what would otherwise be the final month does not include that day, the last day of the period is the last day of that month. For example, "2 months" after January 31 is March 31, and "3 months" after January 31 is April 30. **F. Delegation of Authority:** Whenever a provision requires the head of a department or another officer or employee of the County to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.

1.3.2 Relationship to Other Regulations and Restrictions: **A.** This Ordinance is not intended to interfere with or abrogate or annul any ordinance, rule, regulation, or permit previously adopted or issued and not in conflict with any of the provisions of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of land, buildings, structures or premises, and not in conflict with this Ordinance. **B.** This Ordinance is not intended to interfere with or abrogate or annul any easements, covenants, deeds or other agreements between parties, provided however, that where this Ordinance imposes a more stringent restriction upon the use of land, buildings, structures or other premises, or upon height of

buildings, or requires larger open spaces, or larger lots, or requires mitigating measures or other limitations on a property different from those imposed or required by an easement, covenant, deed or other agreement, then the provisions of this Ordinance shall control in addition to all nonconflicting requirements of an easement, covenant, deed or other agreement. C. In the interpretation, application and enforcement of this Ordinance, whenever any of the provisions or limitations imposed are more stringent than any other law, rule, regulation or ordinance, then the provisions of this Ordinance shall govern. However, if the requirements of any other law, rule, regulation or ordinance impose more stringent requirements than are imposed by this Ordinance, then the provisions of such other law or ordinance shall govern. Regardless of any other provision of this Ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal law or regulation. D. In the event that the combined effect of the requirements of this Ordinance and any other law, rule, regulation or ordinance so severely limit the use of property subject to this Ordinance that no economically viable use of the property remains and a claim of taking under the Fifth Amendment to the U.S. Constitution could be made, then prior to seeking any redress in a court of law, the property owner shall file a petition with the County Board of Commissioners for a Hardship Planned Unit Development under Article XII of this Ordinance. E. Meetings of the Keweenaw County Board of Commissioners, Planning Commission and Zoning Board of Appeals under this Ordinance are subject to the Open Meetings Act, P.A. 267 of 1976, and documents prepared for or retained associated with the administration of this Ordinance are subject to the Freedom of Information Act, P.A. 442 of 1976.

1.3.3 Definitions: Many words, terms and phrases within this Ordinance have a meaning that may be different from their everyday use. Article II presents definitions of words, terms, and phrases used within this Ordinance. Section 2.2 presents rules for the interpretation of words and phrases in the Ordinance. Section 4.4 presents definitions of use classes and lists examples of permitted uses. Some Articles have their own set of definitions which apply only in that Article.

1.3.4 Short-Term Rental Interpretation

Short-Term Rentals shall be interpreted as a distinct land use subject to regulation under this Ordinance. Where conflicts exist between Article XVII and other provisions of this Ordinance, the provisions of Article XVII shall control, notwithstanding any other provision of this Ordinance, including use classifications, procedural requirements, or discretionary review standards.

ARTICLE II – DEFINITIONS (REDLINE)

Red is added language

~~Black strikethrough is deleted~~

Section 2.3 DEFINITIONS

Accessory Use: A use which is clearly incidental to, customarily found in connection with, and (except in the case of some accessory off-street parking spaces or loading) located on the same lot as, the principal use to which it is related. For example, a retail business is not considered customarily incidental to a residential use. Residential accessory uses may include storage of household goods, gardening, servant's quarters, private swimming pools, private emergency shelters, and other similar uses. ~~A use subordinate and incidental to a principal use. Short-Term Rentals shall not be considered an accessory use and shall be regulated exclusively under Article XVII.~~

Aggrieved Party: A person or entity that demonstrates, with competent, material, and substantial evidence, that they have suffered or will suffer special damages as a result of a zoning decision, which are unique and different in kind from those experienced by other similarly situated property owners.

Special damages do not include incidental or generalized impacts such as increased traffic, aesthetic concerns, economic competition, population increases, or common environmental effects.

Ownership of adjacent or nearby property, standing alone, is insufficient to establish aggrieved status, nor is the mere entitlement to notice of a zoning action.

The alleged harm must be particularized, substantial, and distinct, and not speculative or common to the public at large.

Annual Short-Term Rental Permit: A ministerial permit issued by the Zoning Administrator on an annual basis authorizing the operation of a Short-Term Rental upon verification of compliance with the objective standards of this Ordinance. This permit is administrative in nature, does not constitute a discretionary land use approval, and does not run with the land.

Bed and Breakfast: A commercial use which is subordinate to the principal use of a building as a single family dwelling unit, and in which transient guest are provided a sleeping room in return for remuneration. Meals also may be provided. ~~A Bed and Breakfast shall be owner-occupied, with the owner residing on-site during guest occupancy, and is distinct from a Short-Term Rental regulated under Article XVII.~~

Bedroom: A room designed or used for sleeping purposes that meets applicable building and fire code requirements for ingress, egress, and habitability.

Boarding House: ~~A structure in which furnished rooms, or apartments, are let to lodgers on a temporary basis.~~ A building or portion thereof, other than a hotel, motel, or bed and breakfast establishment, where lodging is provided for compensation to three or more persons not constituting a single housekeeping unit, typically for periods exceeding thirty (30) consecutive days or on a recurring occupancy basis, and where meals or shared facilities may be provided. Boarding Houses are characterized by longer-term occupancy and shall not include transient occupancy or Short-Term Rentals as defined in this Ordinance.

Dwelling: ~~Any building intended for human habitation; for living, sleeping, cooking and eating purposes.~~ A building or portion thereof designed and used exclusively for human habitation as a residence, containing one or more dwelling units, and intended for occupancy on a non-transient basis. A dwelling shall not include hotels, motels, boarding houses, bed and breakfast establishments, or other forms of transient occupancy. The use of a dwelling for Short-Term Rental purposes shall not change the classification of the structure as a dwelling, provided that such use is conducted in compliance with Article XVII.

Dwelling, Rental Long Term: A dwelling unit for rental purposes with a duration of 30 days or more. **Deleted**

Dwelling, Short-term Rental: Means a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty (30) consecutive nights. They are commonly referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental units be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose of administration and enforcement of this title, the terms “overnight rental,” “nightly rental,” and “vacation rental” are interchangeable with short-term rentals. Subleasing or subletting of units for short-term rental is prohibited if the underlying zone prohibits such use. (See 10.12.17 for Conditions) **Repealed and replaced with Short-Term Rental definition**

Family: An individual or two or more persons related by blood, marriage, or adoption, or a group, whether or not related by blood or marriage, occupying premises and living as a single nonprofit housekeeping unit with single culinary facilities as distinguished from a group occupying a boarding house, ~~lodging house~~, club, fraternity, hotel or similar dwelling for group use. Household employees residing on the premises shall be considered as part

of the family. The term “family” shall not include transient occupants, including occupants of a Short-Term Rental.

Home Occupation: A commercial activity, whether for profit or otherwise, carried on by an occupant of a dwelling unit as a secondary use which is clearly subordinate and incidental to the use of the dwelling unit as a residence. Short-Term Rentals shall not be considered a Home Occupation.

Hotel or Motel: A building or group of buildings containing individual sleeping units designed and used for the temporary occupancy of transient guests, operated under common ownership or management, and providing centralized services such as registration, housekeeping, and maintenance.

Such establishments typically provide on-site management and may include accessory uses such as offices, meeting rooms, restaurants, or recreational facilities.

The term includes, but is not limited to, hotels, motels, motor courts, auto courts, tourist courts, and similar establishments offering lodging accommodations to the public.

A hotel or motel is characterized by a unified operation and shall not include dwelling units or structures used for Short-Term Rentals as defined in this Ordinance.

A hotel or motel shall not be considered or construed to be a multiple-family dwelling.

Local Contact Person: A person designated by the property owner or permit holder who is available to respond to issues related to the Short-Term rental during periods of occupancy and who can be reached by the County or emergency services within a reasonable time.

~~**Motel:** A building or group of buildings, whether detached or in connecting units, used or designed as individual sleeping units for transient automobile travelers and providing accessory off-street parking facilities. The term “motel” shall include buildings designed as “auto courts,” “tourist courts,” “motor courts,” “motel hotels,” and similar identification of integrated units of individual rooms under common ownership. A motel shall not be considered or construed to be a multiple family dwelling.~~ **Repealed and replaced/combined with Hotel or Motel.**

~~**Resort:** A place of entertainment, recreation and/or lodging. Resort lodging, if provided, may include hotels, motels, single or multiple-family residential dwelling units, cottages, cabins, campgrounds, bed and breakfasts, short-term rentals or some combination, as regulated by appropriate sections of this Ordinance.~~ **A coordinated development or establishment designed and used primarily for recreation, entertainment, and/or lodging, typically operating under unified ownership or management and providing a combination of**

amenities such as lodging accommodations, dining, recreational facilities, and related services.

Resort lodging may include hotels, motels, cottages, cabins, campgrounds, bed and breakfast establishments, or other similar accommodations as permitted and regulated by this Ordinance.

The term "resort" shall not include or be interpreted to include Short-Term Rentals as defined in this Ordinance, except where such uses are separately permitted and regulated in accordance with Article XVII. All lodging components within a resort shall comply with the applicable standards for each use as set forth in this Ordinance.

Short-Term Rental: A dwelling unit, or portion thereof, rented for compensation for a period of less than thirty (30) consecutive days. Short-Term Rental does not include Bed and Breakfast establishments, hotels, motels, boarding houses, or other uses separately defined and regulated by this Ordinance.

Transient Occupancy: Occupancy of a dwelling unit for a period of less than thirty (30) consecutive days. Uses involving transient occupancy within a dwelling unit shall not be interpreted as Bed and Breakfast, Boarding House, or any lodging classification unless expressly defined as such in this Ordinance.

Zoning Permit: ~~A document signed by the Zoning Administrator according to procedures established in this Ordinance, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that indicates that a site plan, and/or other zoning application or request for special zoning approval or variance for a use, structure or building has been reviewed and determined to comply with the requirements of this Ordinance or has been granted a variance therefrom, or has been granted a planned unit development approval or a Special Use Permit.~~ A document issued by the Zoning Administrator in accordance with the procedures of this Ordinance, certifying that a proposed use, structure, or development complies with the applicable provisions of this Ordinance. A Zoning Permit shall be required prior to the commencement of any use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, as required by this Ordinance. Issuance of a Zoning Permit shall be based on a determination that all required approvals, including site plan approval, special land use approval, planned unit development approval, or variance, if applicable, have been obtained and that the proposal complies with all applicable standards. A Zoning Permit is a ministerial administrative determination and does not, by itself, authorize any use or activity that requires a separate permit under this Ordinance, including an Annual

Short-Term Rental Permit pursuant to Article XVII. A Zoning Permit shall not create a vested right to continue a use or activity in violation of this Ordinance. No permit issued under this Ordinance shall be interpreted to authorize any use or activity unless all required permits applicable to that use or activity have been obtained.

Section 2.5 ACRONYMS

SLU – Special Land Use

SOBS – Sexually Oriented Business

STR – Short-Term Rental

TR – Timber Resource District

Section 4.4 DEFINITIONS OF USE CLASSES AND PERMITTED USES

4.4.1 Definitions of Use Classes

A. Use classes arrange land uses and activities into use categories based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The categories provide a systematic basis for assigning present and future land uses into appropriate zoning districts.

B. When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, delicatessen and bakery, for example, would be classified in the Food and Drink Service Establishments category, because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

C. Accessory uses are permitted in conjunction with a principal use subject to any special regulations applicable to it, and to the regulations applicable to the principal use if there are no special regulations. See also Article VII for additional accessory use regulations.

D. The list of examples of permitted uses on Table 4-1, Section 4.4.3, lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "Wholesale Warehouse" but that sells mostly to consumers, is included in the General Retail Establishments category rather than the Wholesale Trade Establishments category. This is because the actual activity on the site matches the description of the General Retail Establishments category.

E. Many uncategorized uses are Special Uses for which particular standards are provided in Article X. Others are basic uses permitted by right. Some uses are listed in more than one category (e.g. drugstores as Convenience Retail and also as Medical Service Establishments).

F. Short-Term Rentals are not included in any use class described in this Section and shall not be assigned to any use category. Short-Term Rentals are governed exclusively by Article XVII of this Ordinance.

4.4.2 Similar Use Interpretations

A. The following considerations are examples of the factors that may be evaluated by the Zoning Administrator in making similar use interpretations:

(existing items 1–11 remain unchanged)

B. The Zoning Administrator shall keep a log of all use interpretations indicating the use, the options considered and the selection made, along with the reasons for that decision.

C. Short-Term Rentals (NEW)

Short-Term Rentals shall not be classified, interpreted, or regulated as a similar or comparable use to any use category listed in this Article or Table 4-1.

The Zoning Administrator shall not assign Short-Term Rentals to any use category, including but not limited to residential, lodging, tourist home, vacation home, bed and breakfast, boarding house, or similar uses.

Short-Term Rentals are a distinct land use and shall be regulated exclusively under Article XVII of this Ordinance.

In the event of any conflict between this Article and Article XVII, Article XVII shall control.

4.4.3 Use Classes, Definitions, and Examples of Uses Permitted

Table 4-1 presents land use classes, definitions and examples of uses permitted.

Short-Term Rentals are not included in Table 4-1 and shall not be permitted, prohibited, or regulated based on Table 4-1. Short-Term Rentals are governed exclusively by Article XVII.

4.4.4 Accessory Use Table

Table 4-2 remains unchanged.

Add directly under Table 4-1 on page 4-22

NOTE 1: SHORT-TERM RENTALS

Short-Term Rentals are not included as a permitted use, conditional use, or special land use in any zoning district listed in this Table.

Short-Term Rentals shall not be interpreted as, or regulated under, any use category listed in this Table, including but not limited to:

- Tourist Home
- Vacation Home
- Seasonal Rental
- Bed and Breakfast
- Boarding House
- Lodging House
- Hotel or Motel

Short-Term Rentals shall be regulated exclusively under Article XVII of this Ordinance.

In the event of any conflict between Table 4-1 and Article XVII, Article XVII shall control.

NOTE 2: INTERPRETATION

No use listed in this Table shall be interpreted to include Short-Term Rentals. The Zoning Administrator and Zoning Board of Appeals shall not classify Short-Term Rentals as a similar or comparable use to any use listed herein.

Table 4-1 page 4-13

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. Hotels, motels, auto courts, bed & breakfast operations, residence inns, ~~short-term rental~~ and other resident lodging facilities. Other establishments similar to and compatible with the above uses, as first determined by the zoning administrator. "R" in B-1, RS-1, and RS-2 Bed & breakfast ~~and short-term rental~~ "RC" in R, RR and AG

Organized camps, hunting lodges, and campgrounds for tents or recreational vehicles, as permitted in Section 10.12.4, or 10.12.24 "S" in AG, RR, RS and TR "RC" IN AG AND TR
Hunting camps as permitted in Sec 10.12.19. Resorts (except ski resorts) "S" in AG, B-1, RS-1 and RS-2

Table 4-1 Page 4-18

Single Family Dwelling A building containing not more than one dwelling unit used, intended or designed to be used as the home, residence or sleeping place of one family. Includes site constructed, modular mobile home and other manufactured dwellings for a single family. Temporary dwelling units Single family dwelling, site condominium, mobile or manufactured home on an individual lot. Note: absolutely no single family dwellings are permitted in TR or CEP;

Other housing similar to and compatible with the above housing. "R" in R-1, RR, RS-1, RS-2, AG, and CE "RC" in B-1 (not on street level/first floor unless in the back of the building and not on more than 50% of total floor area).

Temporary dwellings, tents/yurts, recreational vehicles (not in campgrounds). Note: absolutely no temporary single family dwellings are permitted in CEP without a special use permit. See Section 7.15. "RC" in all districts

Open space and rural cluster developments "RC" in AG, CE, RR, RS-1, RS-2, R1, and R-2.

Community Residential Care Facilities: Small Childcare center/day care center with under 6 persons; Family day care homes with under 6 persons; Group day care homes with under 6 persons; Adult foster care facilities with under 6 persons. [See definitions of terms in Article II]. "R" in R-1, R-2, RR, RS-1, RS-2, AG, CE, B-1

~~Short-term rentals/~~ Bed & breakfast establishments "RC" in, R, RR, RS-1, RS-2, CE and AG

Added to Section 6.1 Purpose as last sentence of paragraph: Short-Term Rentals shall be permitted subject to Article XVII and shall not be prohibited by omission from overlay district use listings.

Add to section 7.2 at end of paragraph: Short-Term Rentals shall be authorized through the Annual Permit process established in Article XVII and shall not require any additional zoning approval, special land use approval, or discretionary review under this Ordinance.

Add to Section 7.6: Short-Term Rentals shall comply with this Section through the standards established in Article XVII and shall not be deemed a change in use requiring separate review under this Section.

Add to Section 7.7: Short-Term Rentals shall not be considered a second dwelling unit or a separate principal or accessory use for purposes of this Section.

Add to Section 7.14: Short-Term Rentals conducted within a lawful dwelling unit shall not be considered a temporary dwelling or temporary use under this Section.

Add to Section 7.28: The operation of a Short-Term Rental within an existing lawful dwelling shall not be considered a change in use or intensity requiring private road review or upgrade under this Section.

Add to Section 14.2.7 (B): Short-Term Rentals shall not be assigned parking requirements based on similar or comparable uses and shall instead comply with the parking standards established in Article XVII or, if not specified therein, shall be treated as a single-family dwelling for purposes of this Section.

Add note to Table 14-1: Short-Term Rentals are not included in any use category listed in this Table and shall not be subject to the parking requirements for bed and breakfast operations, boarding houses, hotels, motels, or similar lodging uses.

Add to 14.2.2.(A): The establishment or operation of a Short-Term Rental within a lawful dwelling unit shall not be considered a change in use for purposes of this Section.

Add to 14.2.9: Short-Term Rentals shall not be subject to site plan or discretionary parking review under this Section and shall be reviewed only for compliance with applicable objective standards in Article XVII.

Added to Section 6.1 Purpose as last sentence of paragraph: Short-Term Rentals shall be permitted subject to Article XVII and shall not be prohibited by omission from overlay district use listings.

Add to section 7.2 at end of paragraph: Short-Term Rentals shall be authorized through the Annual Permit process established in Article XVII and shall not require any additional zoning approval, special land use approval, or discretionary review under this Ordinance.

Add to Section 7.6: Short-Term Rentals shall comply with this Section through the standards established in Article XVII and shall not be deemed a change in use requiring separate review under this Section.

Add to Section 7.7: Short-Term Rentals shall not be considered a second dwelling unit or a separate principal or accessory use for purposes of this Section.

Add to Section 7.14: Short-Term Rentals conducted within a lawful dwelling unit shall not be considered a temporary dwelling or temporary use under this Section.

Add to Section 7.28: The operation of a Short-Term Rental within an existing lawful dwelling shall not be considered a change in use or intensity requiring private road review or upgrade under this Section.

Add to Section 14.2.7 (B): Short-Term Rentals shall not be assigned parking requirements based on similar or comparable uses and shall instead comply with the parking standards established in Article XVII or, if not specified therein, shall be treated as a single-family dwelling for purposes of this Section.

Add note to Table 14-1: Short-Term Rentals are not included in any use category listed in this Table and shall not be subject to the parking requirements for bed and breakfast operations, boarding houses, hotels, motels, or similar lodging uses.

Add to 14.2.2.(A): The establishment or operation of a Short-Term Rental within a lawful dwelling unit shall not be considered a change in use for purposes of this Section.

Add to 14.2.9: Short-Term Rentals shall not be subject to site plan or discretionary parking review under this Section and shall be reviewed only for compliance with applicable objective standards in Article XVII.

ARTICLE XVII – SHORT-TERM RENTALS (FULL INSERTION)

ARTICLE XVII RESERVED FOR FUTURE USE

ARTICLE XVII SHORT-TERM RENTAL REGULATIONS

This Article establishes the provisions and requirements for the regulation of Short-Term Rental (STR) activity within the zoning jurisdiction of Keweenaw County. These provisions are intended to address operational impacts associated with transient occupancy while preserving underlying residential zoning classifications.

This Article is adopted pursuant to the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, including but not limited to MCL 125.3201 (zoning authority), MCL 125.3207 (regulation of land use), and MCL 125.3501 (administration and enforcement).

Section 17.1 PURPOSE AND INTENT

This Article is adopted to promote the public health, safety, and general welfare in accordance with MCL 125.3201(1).

Short-Term Rental activity is regulated as an operational activity occurring within a lawful dwelling unit. The purpose of this Article is to establish uniform standards addressing occupancy, parking, refuse management, safety, and neighborhood compatibility, consistent with the County's authority to regulate land use under MCL 125.3207.

Short-Term Rental activity is regulated as a land-use activity and not as a business licensing program.

Regulation under this Article is intended to address land-use impacts and not to regulate the business or economic aspects of rental activity.

Section 17.2 CLASSIFICATION

17.2.1 Short-Term Rentals shall be regulated exclusively through an Annual Short-Term Rental Permit.

17.2.2 Short-Term Rentals shall not be interpreted as a Special Land Use or Conditional Use under this Ordinance.

17.2.3 Issuance of an Annual Short-Term Rental Permit does not create a vested zoning right and shall not run with the land.

17.2.4 Definitions applicable to this Article shall be as set forth in Article II of this Ordinance.

Section 17.3 PERMIT REQUIRED

17.3.1 No dwelling unit shall be operated as a Short-Term Rental without a valid Annual Short-Term Rental Permit issued by the Zoning Administrator, consistent with administrative authority under MCL 125.3501.

17.3.2 Application Requirements. An application for an Annual Short-Term Rental Permit shall include:

A. Property owner information; B. Site address and parcel identification number; C. Number of bedrooms; D. Septic system capacity verification, if applicable; E. Designation of a local contact

person; F. Identification and location of required off-street parking; G. Any additional information reasonably necessary to verify compliance with the objective standards of this Article.

Section 17.4 ADMINISTRATIVE AUTHORITY

17.4.1 The Zoning Administrator shall review and act upon applications for Annual Short-Term Rental Permits.

17.4.2 Permits shall be issued based solely upon compliance with the objective standards of this Ordinance.

17.4.3 Issuance of a permit shall be considered a ministerial administrative action and shall not constitute discretionary land-use approval.

17.4.4 Administration of Annual Short-Term Rental Permits shall be subject to the applicable provisions of Article XVIII (Administration) of this Ordinance and MCL 125.3501.

Section 17.5 PERMIT DURATION AND NON-TRANSFERABILITY

17.5.1 Annual Short-Term Rental Permits shall expire annually on a date established by the Zoning Administrator and published by the County.

17.5.2 Permits shall not run with the land.

17.5.3 Upon transfer of ownership, any existing permit shall terminate automatically.

17.5.4 The property shall not be eligible for Short-Term Rental operation until a new Annual Short-Term Rental Permit is issued to the current owner.

Section 17.6 ANNUAL PERMIT FEE

17.6.1 Each Annual Short-Term Rental Permit shall require payment of an annual fee.

17.6.2 The amount of such fee shall be established by resolution of the County Board of Commissioners.

17.6.3 Failure to pay the required fee shall result in denial, expiration, or non-renewal of the permit.

Section 17.7 OPERATIONAL STANDARDS

17.7.1 Occupancy shall be limited to the lesser of:

A. The capacity of the approved septic system; or B. Two (2) persons per bedroom, plus two (2) additional occupants, not to exceed septic capacity.

17.7.2 Off-street parking shall be provided on-site.

17.7.3 A local contact person shall be designated and available during rental periods.

17.7.4 Refuse shall be properly stored and managed in accordance with applicable provisions of this Ordinance, including Article IV (General Regulations).

17.7.5 All Short-Term Rentals shall comply with applicable fire, health, and safety regulations.

17.7.6 All applicable provisions of Article IV shall apply unless specifically modified by this Article, except where superseded by this Article.

17.7.7 The Zoning Administrator may conduct reasonable inspections to verify compliance with this Article with consent of the owner or pursuant to a warrant or other lawful authority.

17.7.8 Short-Term Rental operation shall not create conditions that constitute a nuisance or violate applicable local, state, or federal laws.

Section 17.8 RENEWAL

17.8.1 Permit renewal shall be administrative.

17.8.2 Renewal shall require verification of continued compliance and payment of the annual permit fee.

17.8.3 Renewal shall not create vested rights.

Section 17.9 ENFORCEMENT

17.9.1 Violations of this Article shall be subject to the provisions of Article XXI, including Section 21.2 (Violations and Penalties), and MCL 125.3407.

17.9.2 The Zoning Administrator may suspend or revoke an Annual Short-Term Rental Permit for violations of this Ordinance.

17.9.3 Enforcement shall occur uniformly throughout the zoning jurisdiction of Keweenaw County.

17.9.4 Each day a violation continues may constitute a separate offense as provided in Article XXI and MCL 125.3407.

17.9.5 Suspension or revocation shall be based solely on documented violations of objective ordinance standards.

Section 17.10 APPEALS

17.10.1 Decisions regarding Annual Short-Term Rental Permits may be appealed to the Zoning Board of Appeals.

17.10.2 Appeals shall be limited to review of administrative determinations in accordance with Article XIX (Zoning Board of Appeals) and MCL 125.3601 et seq.

Section 17.11 SEVERABILITY

17.11.1 If any section, subsection, clause, or provision of this Article is declared invalid, such decision shall not affect the validity of the remaining portions of this Article.

Section 17.12 NON-VESTED RIGHTS

17.12.1 Issuance or renewal of an Annual Short-Term Rental Permit shall not create a lawful nonconforming use or vested right.

Section 17.13 TRANSITION PERIOD FOR EXISTING OPERATORS

17.13.1 Existing Short-Term Rental operators shall be granted a six (6) month transition period following the effective date of this Article.

17.13.2 Operation during the transition period shall not establish lawful nonconforming status or vested rights.

17.13.3 Nothing in this Section shall be interpreted to recognize or establish a lawful nonconforming use under this Ordinance.

Section 17.14 UNIFORM APPLICATION

17.14.1 The provisions of this Article shall apply within the zoning jurisdiction of Keweenaw County.

17.14.2 Standards shall operate uniformly across all zoning districts unless otherwise amended by ordinance, consistent with MCL 125.3201.

Section 17.15 SHORT-TERM RENTAL DENSITY AND GEOGRAPHIC ALLOCATION

17.15.1 The County Board of Commissioners may establish limits on the number or percentage of Annual Short-Term Rental Permits pursuant to its legislative authority under MCL 125.3201 and 125.3207.

17.15.2 Density standards may be applied countywide or to defined geographic areas.

17.15.3 Density determinations may consider infrastructure capacity, environmental conditions, housing availability, and community planning objectives.

17.15.4 Townships may provide input; however, zoning authority remains vested with the County.

17.15.5 Density regulations shall be adopted by ordinance amendment following public hearing in accordance with MCL 125.3302 and shall not be established administratively.

17.15.6 Nothing in this Section shall be interpreted to create a vested right to permit issuance.

17.15.7 Density limits, if adopted, shall be applied uniformly within designated areas.

Section 17.16 RELATIONSHIP TO SPECIAL LAND USES

17.16.1 Short-Term Rentals shall not be considered a Special Land Use under this Ordinance.

17.16.2 Any prior references to Short-Term Rentals in Article X are superseded by this Article.

Section 17.17 RESERVED FOR FUTURE USE

Section 18.5 Zoning Administrator

18.5.1 Authority

The Zoning Administrator shall have the authority to administer and enforce this Ordinance, including the issuance of Zoning Permits, Certificates of Zoning Compliance, and other permits as authorized by this Ordinance.

Short-Term Rental Permits established under Article XVII are administrative permits issued by the Zoning Administrator and shall not be classified as Zoning Permits, Special Land Use Permits, or any other discretionary permit under this Ordinance.

Section 18.7 Application and Review Procedures

The following provisions apply to applications submitted under this Ordinance.

The provisions of this Section shall not apply to Short-Term Rental permits, which shall be processed exclusively in accordance with Article XVII.

18.7.9 Staff Reports

Staff reports shall be prepared for applications requiring discretionary review under this Ordinance.

Short-Term Rental applications shall not require preparation of a Staff Report and shall be reviewed ministerially for compliance with Article XVII.

Section 18.8 Zoning Permits

The following provisions shall apply in the issuance of any Zoning Permit in addition to any other requirements for a particular use contained in this Ordinance.

Short-Term Rentals shall not require a Zoning Permit under this Section and shall be authorized solely through the Annual Short-Term Rental Permit process established in Article XVII.

The Annual Short-Term Rental Permit established in Article XVII shall be administered as a ministerial permit and shall not require site plan review, Special Land Use approval, or any discretionary review under this Ordinance.

Short-Term Rentals shall not be considered a change in use, use type, use category, or use class for purposes of this Section.

18.8.X Change in Use

No land, building, or structure shall be occupied or used for a use of a different use type without a Zoning Permit as required by this Ordinance.

The establishment or operation of a Short-Term Rental within a lawful dwelling unit shall not be considered a change in use, use type, use category, or use class for purposes of this Section.

Section 18.10 Certificate of Zoning Compliance

A Certificate of Zoning Compliance shall be required where specified in this Ordinance.

Short-Term Rentals shall not require a Certificate of Zoning Compliance unless expressly required under Article XVII.

Section 18.11 Zoning Approvals Run With the Land

Except as otherwise provided in this Ordinance, any approval to engage in a land use activity or to construct a building or structure issued under the authority of this Ordinance shall run with the land and not with the owner.

Such approvals include, but are not limited to, Zoning Permits, Certificates of Zoning Compliance, Special Land Use Permits, Planned Unit Development (PUD) approvals, Condominium Project approvals, and Variances granted by the Zoning Board of Appeals.

All rights, limitations, and conditions associated with such approvals shall transfer to subsequent owners of the land, provided that the land and use remain in compliance with this Ordinance and any conditions of approval.

Any transfer of ownership shall not affect the validity of a zoning approval, provided there are no outstanding violations of this Ordinance at the time of transfer.

Annual Short-Term Rental Permits established under Article XVII are administrative permits and shall not run with the land, shall not be transferable, and shall not be construed as a property right or interest in land. Such permits are issued to a specific property owner, shall expire annually, and shall terminate upon transfer of ownership.

Section 18.12 Conditional Approvals

Approvals under this Ordinance may include reasonable conditions necessary to ensure compliance with applicable standards.

Short-Term Rentals shall not be subject to conditional approvals under this Section and shall be approved or denied based solely on compliance with the objective standards of Article XVII.

Section 18.13 Performance Guarantees

Performance guarantees may be required to ensure compliance with conditions of approval where applicable.

Performance guarantees shall not be required for Short-Term Rentals unless expressly provided in Article XVII.

Add to Section 19.7(C): This authority shall not apply to Short-Term Rentals, which are expressly defined and regulated under Article XVII and shall not be classified as any other use or use category.

Add to Section 19.7(D): This authority shall not apply to Short-Term Rentals, which shall be subject only to the standards expressly established in Article XVII.

Add to Section 19.4: Appeals relating to Short-Term Rental permits shall be limited to administrative error in the application of Article XVII and shall not include discretionary interpretation, classification, or modification of standards.

Add to Section 19.6: These provisions shall not apply to Short-Term Rentals, which shall not be subject to discretionary conditions or performance guarantees except as expressly provided in Article XVII.

Add to Section 19.10 for clarity: This Section shall not apply to Short-Term Rentals.

Add to Section 19.14: These provisions shall not apply to Short-Term Rentals, which shall not be subject to discretionary conditions or performance guarantees except as expressly provided in Article XVII.

Add to Section 20.7(B)(11): This provision shall not apply to Short-Term Rentals, which are regulated exclusively under Article XVII and shall not be subject to Special Land Use, Planned Unit Development, or variance procedures as an alternative regulatory approach.

Add to 20.4(A): This Section shall not apply to the administration, permitting, or regulation of Short-Term Rentals, which are governed exclusively by Article XVII.

Add to Section 20.10 for clarifier: Short-Term Rentals shall not be subject to conditional rezoning procedures and shall not require Special Land Use approval, variance approval, or site plan approval unless expressly required by Article XVII.

Revise Section 21.6: The Zoning Administrator may refuse to issue new Zoning Permits or Short-Term Rental Permits to a person who has failed to correct violations of this Ordinance, or to any person representing a firm which has failed to correct violations of this Ordinance, the Michigan Construction Code Act, Public Act 230 of 1972, or the Land Division Act, Public Act 288 of 1967, as amended.

Add as new subsection to Section 21.3: Violations of the Short-Term Rental regulations established in Article XVII may result in suspension, revocation, or denial of a Short-Term Rental Permit in addition to any civil or criminal penalties provided herein.

Add to section 22.1.3: This provision shall not apply to Short-Term Rental Permits established under Article XVII, which are annual permits, do not run with the land, and must comply with all current standards of Article XVII.

Add to Section 22.1.2: Short-Term Rentals shall not be recognized as lawful nonconforming uses and shall require compliance with Article XVII regardless of prior operation.

Add to Section 22.2: Short-Term Rental Permits shall not be construed as vested rights and may be modified, suspended, or revoked in accordance with this Ordinance.

ADDENDUM TO PROPOSED KCZO SHORT-TERM RENTAL TEXT AMENDMENT

Proposed Clarification Regarding Existing Short-Term Rental Conditional Use and Special Land Use Approvals

For Public Review Prior to the October 5, 2026 Public Hearing

Purpose of Addendum

The proposed Article XVII establishes a new uniform annual administrative permit process for Short-Term Rentals and provides that Short-Term Rentals will no longer be regulated as Special Land Uses or through other discretionary land-use approval procedures.

The existing draft addresses existing Short-Term Rental operators generally through the transition provisions of Section 17.13 and addresses the future relationship between Short-Term Rentals and Special Land Uses in Section 17.16. However, the draft does not expressly state how a previously issued Conditional Use Permit, Special Land Use approval, or similar zoning approval authorizing Short-Term Rental use will transition into the new annual permit system.

The following language is proposed to clarify that transition.

Proposed Addition to Article XVII

Section 17.16.3 Existing Short-Term Rental Approvals

- A. A Short-Term Rental lawfully operating pursuant to a Conditional Use Permit, Special Land Use approval, or other zoning approval issued by Keweenaw County prior to the effective date of this Article may continue operating during the transition period established by Section 17.13, subject to the terms and conditions of the existing approval and all other applicable provisions of this Ordinance.
- B. Prior to expiration of the transition period established by Section 17.13, the property owner shall obtain an Annual Short-Term Rental Permit pursuant to this Article in order to continue Short-Term Rental operation after the transition period.
- C. Upon issuance of an Annual Short-Term Rental Permit under this Article, the prior Conditional Use Permit, Special Land Use approval, or other zoning approval shall be deemed superseded solely to the extent that the prior approval authorized or regulated the Short-Term Rental use.
- D. Conditions imposed under a prior Conditional Use Permit, Special Land Use approval, or other zoning approval solely because of the Short-Term Rental use shall no longer govern the Short-Term Rental upon issuance of an Annual Short-Term Rental Permit under this Article. The Short-Term Rental shall thereafter be governed by the uniform standards and requirements of this Article.
- E. Nothing in this Section shall terminate, supersede, or modify a condition or approval applicable to another land use, structure, site improvement, or separate zoning approval that exists independently of the Short-Term Rental use. Such conditions and approvals shall remain in effect according to their terms.

F. Nothing in this Section shall be interpreted to create or recognize a lawful nonconforming use, vested right, or entitlement to issuance or renewal of an Annual Short-Term Rental Permit beyond any right otherwise established by applicable law.

Administrative Effect

The purpose of this addition is to establish a clear transition from the County's existing Conditional Use/Special Land Use system for Short-Term Rentals to the proposed uniform Annual Short-Term Rental Permit system.

If adopted, the intended administrative sequence would be:

Existing STR with County Conditional Use/Special Land Use approval

Existing approval remains applicable during the transition period (6 months after enactment)

Owner applies for Annual Short-Term Rental Permit

Annual STR Permit issued upon compliance with Article XVII

Prior STR-specific discretionary approval is superseded

STR thereafter operates under Article XVII.

This provision is intended to avoid maintaining two separate regulatory systems for Short-Term Rentals after implementation of Article XVII, while preserving any independent zoning approvals or conditions that are unrelated to the Short-Term Rental use.