

**FRENCHTOWN CHARTER TOWNSHIP
RESOLUTION HOLDING SECOND READING AND ADOPTING INTERIM ZONING
ORDINANCE AMENDMENT ESTABLISHING A MORATORIUM ON SHORT TERM RENTALS
Adopted February 28, 2023**

WHEREAS, the Township and some of its owners of properties within the Township have been contacted as to the proposed use of lands within the Township as Short-Term Rentals which has resulted in questions, comments and concerns to the Township; and

WHEREAS, Frenchtown Charter Township Zoning Ordinance No. 200 currently does not provide for Short-Term Rentals in single family residential zoning districts; and

WHEREAS, the Frenchtown Charter Township Planning Commission and its Planning Consultant have determined that the current standards and requirements do not sufficiently or adequately protect the Property Owners and residents of the Township or address Short-Term Rentals to the degree necessary to do so; and

WHEREAS, the Frenchtown Charter Township Planning Commission and its Planning Consultant have been reviewing the Frenchtown Charter Township Zoning Ordinance with respect to Short-Term Rentals and as to proposed Zoning Ordinance provisions and requirements to address same which are necessary in order to protect the health, safety, and general welfare of the residents and property owners of the Township; and

WHEREAS, pursuant to Frenchtown Charter Zoning Ordinance Section 33.05, the Frenchtown Charter Township Board has the authority to establish moratoria upon meeting certain requirements to do so as set forth therein; and

WHEREAS, Frenchtown Charter Township Zoning Ordinance No. 200, does not currently permit short term rentals or the commercial use of property in single family residential districts and so does not address such use currently; and

WHEREAS, Frenchtown Charter Township Zoning Ordinance No. 200 Section 3.06 provides that where land uses are not specifically permitted within a zoning district, they are specifically prohibited; and

WHEREAS, the Township Board hereby finds and determines as follows:

1. A temporary emergency moratorium is necessary in order to protect the public health, safety, and general welfare of the property owners and residents of the Township from the deleterious effects of Short-Term Rentals on neighboring and adjacent uses being conducted without benefit of regulation and oversight as current regulations do not afford protections needed to ensure that the residents and property owners of Frenchtown Charter Township are not adversely affected.
2. Such moratorium advances a legitimate public interest, that being the protection of adjacent uses and the Township as a whole, protection and sanctity of the Master

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Land Use Plan of the Township and the Frenchtown Charter Township Zoning Ordinance.

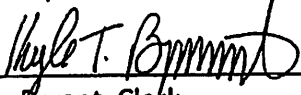
- 3. The moratorium is being entered into in good faith, with an expectation of diligence and swift action to address the need.
- 4. The moratorium will not deprive any property owner of the reasonable and lawful use of their property as such use is not currently permitted.
- 5. Rather, the moratorium is being established for the protection of the Township and its residents and property owners until such time as Zoning Ordinance regulations can be enacted to address this new land use.

WHEREAS, the Frenchtown Charter Township Board deems it necessary to adopt an Interim Ordinance clarifying that Short-Term Rentals are not permitted in single family residential zoning districts and placing a moratorium on the establishment of Short-Term Rentals as a use in any single family residential zoning district for a period of 180 days from the effective date of the Interim Ordinance, unless sooner terminated by the Board, in order to allow Township staff, Planning Commission and Township Board sufficient time to make any necessary changes and modifications to the existing Township Zoning Ordinance to address Short-Term Rentals.

NOW, THEREFORE, the Frenchtown Charter Township Board hereby adopts the attached Interim Zoning Ordinance Amendment No. 200-161, as an amendment to the Frenchtown Charter Township Zoning Ordinance regarding Short Term Rentals.

The foregoing resolution offered by Board Member Collins
 Second offered by Board Member Bryant
 Upon roll call vote the following voted "aye": VanWashenova, Bryant, Ellison, Carlton, Collins, Klemz
 "nay": None
 Absent/Excused: Rimel

The Supervisor declared the resolution adopted.


 Kyle Bryant, Clerk
 Frenchtown Charter Township

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CERTIFICATE

The undersigned Clerk of Frenchtown Charter Township hereby certifies that the foregoing constitutes a true and complete copy of an excerpt of the minutes of a regular meeting of the Township Board held on February 28, 2023 at which meeting the above Resolution Holding Second Reading and Adopting Interim Zoning Ordinance Amendment Establishing a Moratorium on Short Term Rentals was adopted; all members of the Township Board present voted as indicated in said minutes; and that said meeting was held in accordance with the State of Michigan Open Meetings Act.


 Kyle Bryant, Clerk

**FRENCHTOWN CHARTER TOWNSHIP
ZONING ORDINANCE AMENDMENT
ORD NO. 200-161; Adopted: February 28, 2023**

An Ordinance to amend Frenchtown Charter Township Zoning Ordinance No. 200, by establishing a temporary moratorium as to short term rentals in single family residential zoning districts as permitted by Zoning Ordinance No. 200, Section 33.05.

THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:

Section 1. Prohibition on Short Term Rentals.

For a period of 180 days from the effective date of this Interim Ordinance, or until such earlier time as the Frenchtown Charter Township Board determines by resolution that the reasons for the interim ordinance no longer exist, no applications for zoning, rezoning or land use permits for Short Term Rentals shall be accepted, processed, considered or approved by the Township and no Short-Term Rentals are or shall be permitted in single-family residential zoning districts during the moratorium.

Section 2. Definitions and Application.

The term "Short Term Rental" shall include the rental or subletting of a single-family dwelling unit for compensation for a term of not more than 29 days. Currently Short-Term Rentals are not permitted by Zoning Ordinance No. 200. While the Township considers regulations for same, Short-Term Rentals shall continue to be prohibited. The rental of the following shall not be considered Short Term Rentals: bed and breakfast establishments, motels, resorts, campgrounds, the rental of single-family dwellings in the Agricultural zoning districts and stays in hotels or motels in commercial zoning districts. The temporary restrictions set forth in Section 1 shall apply to all Short-Term Rentals in single family residential zoning districts.

Section 3. Enforcement.

Frenchtown Charter Township may enforce any provision of this Interim Ordinance by any and all means authorized by Frenchtown Charter Township Ordinances and State Statutes.

Section 4. Effective Date.

This Ordinance shall take effect 7 days after the date of publication of its passage and shall be in effect for a period of 180 days from the date thereof, unless earlier terminated by the Frenchtown Charter Township Board.

Section 5. Severability.

Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

amendmentshorttermrentalszonordpd