



Legislation Text

File #: 21-0537, **Version:** 1

An Ordinance to Amend Table 5.15-1, Table 5.15-2, Sections 5.33, 5.37.2.P and 5.37.2.S, of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Short Term Rentals) (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (ORD-21-12)

In September of 2020, the City enacted Chapter 97 of the City Code which established requirements for the operation, location, and licensing of short-term rentals in the City of Ann Arbor. Included in the adopted Ordinance are provisions that prohibit the operation of short-term rentals by in residential zoning districts when the location is not the principal residence of the property owner.

In December of 2020, the City Council instructed the City Administrator and Planning Commission, if applicable, to develop and proposed amendments to Chapter 97 - Short Term Rentals and/or Chapter 55 - Unified Development Code, to create a regulatory structure that would enable the continued operation of pre-existing short-term rentals that do not meet the current requirements of Chapter 97.

In response, City staff prepared the attached proposed amendment to Chapter 55 - Unified Development Code, which was recommended by the Planning Commission as responsive to the City Council Direction.

The proposed amendments:

1. Amendments to the Permitted Use Table -Section 5.15, Table 5.15-1

The proposed amendments to this section add Short-Term Rental - Non-Principal Residence as a permitted use in the Mixed-Use zoning Districts. This would enable any property, regardless of residence status, to be eligible for a Short-Term Rental Use in the identified zones.

2. Amendments to the Accessory Use Table -Section 5.15, Table 5.15-2

The proposed amendments to this section add Short-Term Rental -Principal Residence - Homestay, and Short-Term Rental - Principal Residence Whole House as a permissible Accessory Use in the Residential and Mixed-Use zoning districts. This would enable any principal residence (regardless of tenancy or ownership status) to be eligible to license the property for these two Short-Term Rental uses.

3. Amendments to Section 5.33 Nonconformities

The proposed amendments to this section add new text that would have the effect of allowing Non-Principal Residence Short-Term Rentals to operate within Residential Zoning Districts, if the use was established prior to March 1, 2021 (the effective date of Chapter 97). Establishment would be determined by the City, upon the submission of evidence by a

property owner seeking to invoke this provision.

A property that met this provision would be subject to the UDC provisions for non-conforming use continuation and restriction.

4. Amendment to Section 5.37.2 - Specific Terms

These changes would add supporting definitions to the amendments summarized above.

Attachments: Proposed Ordinance
Planning Commission Action Minutes - March 2, 2021
Planning Commission Short Term Rentals Staff Report - March 2, 2021

Prepared by: Brett Lenart, Planning Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, City Administrator

[\(See Attached Ordinance\)](#)

Sponsored by: Mayor Taylor