

**Millington Township**  
**Ordinance to Amend the Zoning Ordinance**  
**To Regulate Bed and Breakfast Establishments, Short-Term Rentals as Special Land Use**  
**And to Include Long-Term Rentals as Principal Use**

**MILLINGTON TOWNSHIP ORDAINS:**

**Section 1. Purpose.**

Millington Township adopts the following amendments to the Millington Township Zoning Ordinance for the health, safety, and welfare of Millington Township residents.

**Section 2. Amendment of Section 23.01 of Zoning Ordinance.**

Section 23.01 of the Zoning Ordinance entitled “Definitions” is amended to add a definition entitled “Bed and Breakfast Establishment Rental.” The definition reads as follows:

**Bed and Breakfast Establishment Rental** – The renting or leasing of a dwelling unit (including any primary dwelling, seasonal dwelling, cabin, or cottage; not to include bus, tent, or RV as a rental) for a period of fewer than 30 consecutive days in which the Property Owner resides while renting the room(s) to the Renter(s), and may serve breakfast at no additional cost.

Section 23.01 of the Zoning Ordinance entitled “Definitions” is amended to add a definition entitled “Short-Term Rental - Property Owner Occupied.” The definition reads as follows:

**Short-Term Rental - Property Owner Occupied** – The renting or leasing of a dwelling unit (including any primary dwelling, seasonal dwelling, cabin, or cottage; not to include bus, tent, or RV as a rental) for a period of fewer than 30 consecutive days in which the Property Owner resides while renting the room(s) to the Renter(s).

Section 23.01 of the Zoning Ordinance entitled “Definitions” is amended to add a definition entitled “Short-Term Rental - Non-Property Owner Occupied.” The definition reads as follows:

**Short-Term Rental - Non-Property Owner Occupied** – The renting or leasing of a dwelling unit (including any primary dwelling, seasonal dwelling, cabin, or cottage; not to include bus, tent, or RV as a rental) for a period of fewer than 30 consecutive days in which the Property Owner does not reside while renting the room(s) to the Renter(s).

Section 23.01 of the Zoning Ordinance entitled “Definitions” is amended to add a definition entitled “Long-Term Rental”.-The definition reads as follows:

**Long-Term Rental**– The renting or leasing of a dwelling unit (including any primary dwelling, seasonal dwelling, cabin, or cottage; not to include busses, tents, or RVs as a rental) for a period of 30 consecutive days or more.

**Section 3. Amendment of Article 5 AR Agricultural - Residential District of Zoning Ordinance**

Section 5.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the AR Agricultural - Residential District, is amended to add a new subsection "J", which reads as follows:

Long-Term Rental.

Section 5.02 of the Zoning Ordinance, which identifies Special Land Uses in the AR Agricultural - Residential District, subsection "I" is amended to read as follows:

Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, Short-Term Rental - Non-Property Owner Occupied, subject to Section 14.26.

**Section 4. Amendment of Article 6 R-1 Single-Family Residential District of Zoning Ordinance**

Section 6.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the R-1 Single-Family Residential District, is amended to add a new subsection "H", which reads as follows:

Long-Term Rental.

Section 6.02 of the Zoning Ordinance, which identifies Special Land Uses in the R-1 Single-Family Residential District, subsection "C" is amended to read as follows:

Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, Short-Term Rental - Non-Property Owner Occupied, subject to Section 14.26.

**Section 5. Amendment of Article 7 LR Lake Residential District of Zoning Ordinance**

Section 7.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the LR Lake Residential District, is amended to add a new subsection "D", which reads as follows:

Long-Term Rental.

Section 7.02 of the Zoning Ordinance, which identifies Uses Permitted After Special Approval in the LR Lake Residential District, subsection "A" is amended to read as follows:

Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, Short-Term Rental - Non-Property Owner Occupied, subject to Section 14.26.

**Section 6. Amendment of Article 8 RM Multiple-Family Residential District of Zoning Ordinance**

Section 8.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the RM Multiple-Family Residential District, is amended to add a new subsection "H", which reads as follows:

Long-Term Rental.

Section 8.02 of the Zoning Ordinance, which identifies Uses Permitted After Special Approval in the RM Multiple-Family District, subsection “B” is amended to read as follows:

Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, Short-Term Rental - Non-Property Owner Occupied, subject to Section 14.26.

**Section 7. Amendment of Article 9 MHP Manufactured Housing Park District of Zoning Ordinance**

Section 9.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the MHP Manufactured Housing Park District, is amended to add a new subsection “F”, which reads as follows:

Long-Term Rental.

**Section 8. Amendment of Article 10 C Commercial District of Zoning Ordinance**

Section 10.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the C Commercial District, is amended to add a new subsection “K”, which reads as follows:

Long-Term Rental.

Section 10.02 of the Zoning Ordinance, which identifies Special Land Uses in the C Commercial District, is amended to add new subsection “I”, which reads as follows:

Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, Short-Term Rental - Non-Property Owner Occupied, subject to Section 14.26.

**Section 9. Amendment of Article 11 I Industrial District of Zoning Ordinance**

Section 11.01 of the Zoning Ordinance, which identifies Principal Uses Permitted in the I Industrial District, is amended to add a new subsection “I”, which reads as follows:

Long-Term Rental.

**Section 10. Addition of Section 14.26 to Zoning Ordinance**

The Zoning Ordinance is amended to add a new Section 14.26, which reads as follows:

**Section 14.26. Vacation Rentals:**

- A. Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied, and Short-Term Rental - Non-Property Owner Occupied (collectively, “Vacation Rentals”) are allowed only as a special land use in the AR, R-1, LR, RM, and C Zoning Districts.
- B. In addition to all other requirements for special land uses under this Zoning Ordinance, a Bed and Breakfast Establishment Rental, Short-Term Rental - Property Owner Occupied,

and Short-Term Rental - Non-Property Owner Occupied must comply with all the of the following standards:

1. Rentals must meet all residential building, health department, and safety codes.
2. The Zoning Ordinance Administrator will verify the zoning of the Rental Property and that the percentage in the district meets the Millington Township Zoning Ordinance before signing the Millington Township Zoning Permit Application and forwarding to the Planning Commission.
3. A Property Owner may not own more than two Short-Term Rentals within Millington Township LR Zoning District. Total Short-Term Rentals in the LR Zoning District shall not exceed 10 zoned properties.
4. At any time, the Zoning Ordinance Administrator and/or the Planning Commission may request proof of the past rolling twelve (12) months of rental documents from the LR Lake Residential Property Owner. If documentation cannot be provided or rental occupancy is not greater than 55 days (15%) for the past twelve (12) rolling month period, the Special Use Permit may be terminated by the Zoning Ordinance Administrator and/or Planning Commission.
5. If a Property Owner's Special Use Permit has been terminated, the next Property Owner who completed a Millington Township Zoning Permit Application for a Short-Term Rental that meets the current Zoning Ordinances in the LR district, will be contacted by the Zoning Ordinance Administrator to determine if they are still interested in pursuing a Special Use Permit for the LR District.
6. The Property Owner of the Rental must provide Millington Township with any changes regarding the Property Owner's current name(s), address, mailing address and emergency contact information such as a landline and/or mobile phone number.
7. The Property Owner must provide ample off-street parking to accommodate vehicles and/or trailers used by renters. Renters may not park vehicles or trailers along the street, road, or highway.
8. The dwelling must be properly maintained and kept in good repair so that the use does not detract from the general appearance of the neighborhood. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
9. The Property Owner must have a Designee in or near Millington Township to manage any issue(s) that may arise if the Property Owner is not available.
10. The Property Owner and renters must comply with the following requirements for vacation rentals, and Property Owner must provide each renter with the Property Owner's or a Designee's emergency contact information such as a landline and/or mobile phone number, and supply the Renter with the following information in writing:

## **MILLINGTON TOWNSHIP ORDINANCE REQUIREMENTS FOR RENTAL(S):**

- a. Pets must be kept inside, except while on a leash and under adult supervision or under the control of an adult. Pets must not be able to encroach on neighboring properties.
  - b. All land-based recreational activities are limited to the rented premises and must not encroach on neighboring properties.
  - c. Renters must comply with all local and state burning restrictions. Renters must supervise recreational fires, and fires are allowed only in designated pits, rings, or similar suitable devices. Burning of trash or other debris is prohibited.
  - d. Renters may not park vehicles or trailers along the street, road, or highway.
  - e. Upon receiving a Millington Township Zoning Ordinance Complaint, the Zoning Ordinance Administrator may inspect the complaint issue of a Rental to ensure compliance with the standards specified in this Section.
11. The Property Owner may be held liable for any nuisance or other Zoning Ordinance violations that occur on the property, even if the nuisance or violation occurs while a renter is occupying the property.
12. If a Rental violates this Zoning Ordinance, then the Planning Commission may, following notice and a Public Hearing, revoke the Special Use Permit. Additionally, Millington Township may take any other action permitted in law and equity, including seeking an injunction from a court of competent jurisdiction.
13. The Property Owner's Special Use Permit is non-transferable.

### **Section 11: Amendment of Article 17 Site Plan Review Requirements.**

Section 17.01 of the Zoning Ordinance entitled "Scope", is amended to read as follows:

Section 17.01. SCOPE. A site plan shall be prepared and submitted for every construction project and every proposed change in land use, and every proposed special land use, except that no site plan shall be required for single-family residences, farm buildings, or buildings which are accessory to single-family residences, Bed and Breakfast Establishment Rentals, Short-Term Rentals - Property Owner Occupied, and Short-Term Rentals – Non-Property Owner Occupied.

### **Section 12. Validity and Severability.**

If any portion of this Zoning Ordinance is found invalid for any reason, that holding will not be construed as affecting the validity of the remaining portions of this Zoning Ordinance. Except and unless expressly

amended by the terms of this Zoning Ordinance, all other provisions of the Zoning Ordinance remain in full force and effect.

**Section 13. Repealer Clause.**

Any Zoning Ordinances or parts of Zoning Ordinances in conflict with this Zoning Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

**Section 14: Effective Date.**

This Zoning Ordinance becomes effective seven days after publication.

*MTPC Rental Amendment MTPC Rental Amendment for TCPC April 15 2024 - Final*