



CITY OF ST. JOSEPH
PLANNING & ZONING DEPARTMENT
700 Broad Street
St. Joseph, MI 49085
Phone (269)983-1212
Fax (269) 985-0347
www.sjcity.com

Conditional Use Permit – Short Term Rental
Process, Instructions and Application*

Contact City Staff to discuss request



Submit Conditional Use - Short Term Rental Application and
Rental Registration - Short Term Rental Application - both
forms must be complete and fees paid



If request complies with all requirements and passes inspection,
City staff approves the request



Permit issued

*See attached detailed directions for all steps involved.



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Conditional Use Permit – Short Term Rental

Process, Instructions and Application

1. **Contact Community Development Director (staff) regarding proposed request.** Staff will review zoning ordinance regulations and determine which process is appropriate for your proposed request. Application forms will be distributed and staff will determine if a pre-submittal meeting is necessary. You may be required to complete the Site Plan Application or include the layout of your building space. The Zoning Ordinance provides for Short-Term Rental in the W Water Recreation District, R-3 Multiple Family Residence District and beginning in January 2024 in the D Downtown District. In each case additional requirements must be met.
2. **Submission of Application.** Complete applications may be submitted at any time.
 - a. You must complete both the Conditional Use Permit – Short Term Rental Application along with the Rental Registration – Short Term Rental Application at the same time and pay the applicable fees. You may need to complete a Site Plan Application or provide other information needed for proper review of your request.
 - b. It is suggested that you make an appointment with staff to submit the application.
 - c. All required applications, supplemental information and fees must be submitted at one time.
3. **Acceptance of Application and Staff Review.** Staff reviews the application and supplemental information for completeness and forwards the accepted application packet to the City Engineer, Director of Public Works, Director of Public Safety (Police/Fire) and Building Official for their review and comment. Incomplete applications will be returned with an explanation of missing information.
4. **Scheduling of Required Inspection.** Please review the process associated with the Rental Registration – Short Term Rental Application for this step.
5. **Request for Additional Information.** Based on comments received from the City departments, the applicant may need to provide additional information or drawings.
6. **Staff Approval.** If the request meets the requirements of the applicable zoning district and complies with all other local and state regulations, staff will approve the request. In some cases, conditions may be placed on the approval.
7. **Conditional Use Permit Issued along with Short Term Rental Permit.** Based on the property inspection, city staff determines the allowable Occupancy Load for the structure.
8. **Advertising and Rental of Property.** Once permits are issued, the property can be advertised for rent in accordance with approved sleeping rooms and occupancy calculations.



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CONDITIONAL USE – SHORT TERM RENTAL APPLICATION

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Property Address: _____

New Business Name: _____

Property Code Number(s) (Tax Number): 11-76-_____

Briefly Explain Request: _____

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Attorney or Responsible Party: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Site Information

General description or characteristics of the site: _____

Master Plan Designation: _____

Existing Zoning and Land Use: _____

Proposed Future Land Use: _____

Existing land use and zoning of adjacent parcels:

North: _____

South: _____

East: _____

West: _____

Is the property located in any of the following overlay districts found in the Zoning Ordinance?

Downtown Height Overlay District (Section 9.4)? Yes: ____ No: ____

Lake Bluff Scenic View Protection Overlay District (Section 9.5)? Yes: ____ No: ____

Floodplain Overlay District (Section 9.6)? Yes: ____ No: ____

Edgewater Beach Overlay District (Section 9.7)? Yes: ____ No: ____

Main Street Corridor Overlay District (Section 9.8)? Yes: ____ No: ____

Are you proposing any changes to the building or property as part of this use? Please explain:

Are you required to have a license from the State of Michigan to operate your business?

Yes: ____ No: ____ If yes, provide license type, number and attach a copy of your current license: _____

How do you pay the required sales tax on the rental of the property?

Additional Specific Standards for Short Term Rental

Below are the conditions that must be met before to a Conditional Use Permit for Short Term Rental can be issued (Sections 11.12.11.C (R3 Multiple Family Residence District); 11.12.11.D (W Water Recreation District) and 11.12.11.E(D Downtown District)) Lodging/Accommodations – Short Term Rental of the Zoning Ordinance have been combined for this application). In addition, excerpts from Chapter 8 Building and Building Regulations from the City Code of Ordinance have also been included. Both documents in their entirety are available for review on the City’s website www.sicity.com.

- 1. Does the Short-Term Rental occupy one or more Dwelling Units authorized under this Ordinance or existing as Nonconformities. Yes: _____ No: _____
- 2. For proposed locations in the R3 Residential District, the subject Parcel cannot be adjacent to one or more residentially zoned or used Parcels. Determine what the adjacent (or across streets) parcels are zoned:

North: _____ South: _____
 East: _____ West: _____

- 3. On-site parking must be provided as required in Article XVIII.

Table 18-1 Parking Standards states “Short-term Rental shall provide one (1) space per Dwelling Unit, plus one-half (1/2) space per sleeping room in excess of one (1) in each Dwelling Unit, rounding fractions up for each Dwelling Unit. Dwelling units in the D Downtown District may be exempt from parking requirements under Section 18.2.12 and may provide required parking on-site or leased off-site within the D Downtown District.

R3 Multiple Family Residence District and D Downtown District:

Based on the information above per Table 18-1, following is an example of how parking is calculated: a dwelling unit with four sleeping rooms would require: one (1) space (first sleeping room) + ½ (each additional sleeping room). Four sleeping rooms would require = 1 + 1.5 = 2.5 which rounds up to 3.0 on-site parking spaces required. All parking must be located on a hard surface in accordance with all City Codes.

Calculate your required on-site parking: _____

D Downtown District:

Based on the information above per Table 18-1, please answer the following questions to determine if parking is required:

Was the building existing before January 18, 2007? Yes: _____ No: _____

Has there been any expansion of the building (excluding balconies, decks, porches and/or garages outside of building walls or roof) since January 18, 2007?

Yes: ____ No: ____

How many dwelling units are located within the existing building? _____

If there are 7 or more dwelling units in the building or if the building has been expanded since 2007 you must contact City staff to determine if parking is required.

4. The Applicant shall provide a scaled floor plan of the premises as part of the application (no larger than 11" x 17").

Is there an attached scaled floor plan of the entire dwelling unit? Yes: ___ No: ___

Is there an attached scaled floor plan for the entire building (if multiple units are in the structure) – show hallways and exits? Yes: ___ No: ___ N/A: ___

5. The exterior appearance of the Structure shall be harmonious with the character of the surrounding District. Explain how the exterior of the building is harmonious with the surrounding area: _____

6. A fire escape plan shall be developed and graphically displayed in each Dwelling Unit (no larger than 11" x 17").

Is the required fire escape plan attached? Yes: ___ No: ___

7. A minimum of one (1) appropriate fire extinguisher, in proper working order, shall be located in each Dwelling Unit, in a place readily accessible to guests.

What is the age and location of the required fire extinguisher(s)? _____

8. Each Dwelling Unit, and the establishment, shall be provided with means of egress as described in the Michigan Residential Code or Michigan Building Code, adopted in Chapter 8, Article V of the Code of Ordinances of the City of St. Joseph, as appropriate. A Fire Escape Plan/Drawing must be completed. Is the required Fire Escape Plan/Drawing attached? Yes: ___ No: ___

9. No sleeping room shall be located in a Basement or cellar. Are there any sleeping rooms in the basement or cellar? Yes: ___ No: ___

10. In the D Downtown District no dwelling unit shall be located on street level/first floor. Other than stairs leading to the area above the street level/first floor or an attached garage is there any part of the dwelling unit located on the street level/first floor of the building? Yes: ___ No: ___ If yes, please explain: _____

10. Lavatories and bathing facilities shall be available to all Persons using the premises. Are lavatories and bathing facilities available to all persons using the premises?

Yes: ___ No: ___

11. Retail sales are not permitted beyond those activities serving the registered overnight patrons. Will there be any retail sales taking place on the premises?

Yes: ____ No: ____

12. The outdoor storage of trash or rubbish shall be screened.

Where is the trash container stored? _____

How are trash containers screened? _____

Who is responsible for moving the trash container for pick up? _____

In the D District are the renters informed to use refuse containers located in the alley for refuse disposal? Yes: ____ No: ____

13. The establishment meets all requirements of Chapter 8, Article VI of the Code of Ordinances of the City of St. Joseph.

Chapter 8 – Buildings and Building Regulations of the Code of Ordinances provides additional rules and regulations for Short Term Rental. You should review this information to fully understand all aspects of Short-Term Rental.

1. Have you completed the Short-Term Rental Registration Application?

Yes: ____ No: ____

2. Copy of lease form containing the following:

- a. Required disclosure (“Safe Haven language”)
- b. Maximum number of residents/guests
- c. Number of sleeping rooms
- d. Maximum number of vehicles allowed on the property
- e. The active local landline telephone number for the dwelling unit
- f. Copy of existing City of St. Joseph noise regulations (Chapter 19, Article 9)
- g. Term of the rental (daily, weekend, weekly, etc.)
- h. The name, address, telephone number(s) (both local and cell phone number), electronic mail address of the designated local rental agent or property owner

Is a copy of the lease that includes the above mentions items attached?

Yes: ____ No: ____

3. Section 8-105 Inspections. Below is a list of items that are reviewed as part of the biennial inspection (please note this list is not comprehensive, but lists the main items):

- a. Verification that the landline telephone is working and can receive and send local calls;
- b. The Short-Term Rental Occupancy Certificate is properly displayed in its original format (8 ½ x 11)
- c. The fire escape plan is properly displayed;
- d. Calculation of the allowed occupancy load (based on number and size of sleeping rooms and required on-site parking);

- e. Determination of approved sleeping rooms is completed and properly documented on plans submitted;
 - f. Verification of required on-site parking – must be on a hard surface;
 - g. All required smoke and carbon monoxide detectors are working. All detectors/alarms shall be UL approved. Smoke detectors shall be located in each sleeping room; outside each sleeping areas in the immediate vicinity of the bedrooms; on each additional story of the rental unit. Carbon monoxide detector must be located outside of sleeping areas (can be a combination smoke-carbon monoxide unit);
 - h. Lights in common areas and stairways are properly working;
 - i. Egress doors and railings are in safe and working condition;
 - j. Interior finishes: e.g. handrails; holes/breaks; infestations; trip hazards – floor coverings/stair geometry/extension cord miss-use;
 - k. Proper egress: e.g. exits unlock without key from the inside; egress and all operable windows remain open without support;
 - l. Mechanical: e.g. natural and/or mechanical ventilation in bathroom; no storage within three feet of gas appliances/furnace; PRV and drop pipe on water heater;
 - m. Electrical: e.g. common areas illuminated; covers on all junction box, outlets, switches; excessive extension cord use; proper receptacle grounding (GFCI protection); service panel accessible for all occupants; two receptacles per room;
 - n. Plumbing: e.g. roper fixture operation without leaks (fill/drain, flush); proper water temperature;
 - o. Exterior: e.g., principal and accessory structures in good repair; foundation/chimney; guard rails and exterior stairs; peeling paint and/or broken windows; screens on windows during season (April-October); self-closing screen doors; no standing water; vehicles parked legally; inoperable vehicles; enclosed rubbish storage; grass/weeds less than 6 inches high; street and unit numbers properly displayed;
 - p. Other items as deemed appropriate.
4. Section 8-106 Recordkeeping. If requested by the City the following information must be available for review:
- a. All documents shall be maintained a minimum of two (2) years for the City of St. Joseph, including the following;
 - i. The name, address and other contact information of a responsible tenant as well as the document signed by that tenant acknowledging the maximum occupancy load of the rental unit and applicable city regulations;
 - ii. Between each short-term rental to a different tenant, the local agent shall inspect the premises and shall ensure that all smoke detectors, lights in common areas and stairways, egress doors, and railings are in a safe and working condition. Any defects discovered shall be corrected promptly. Upon inspection, the agent shall sign and date a log of the completed inspection findings.

Do you agree to keep the required records as described above?

Yes: ____

No: ____

**CONDITIONAL USE SHORT TERM RENTAL APPLICATION
CERTIFICATION**

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than five (5) days following the change, and failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the _____, day of _____, 20_____, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of Applicant or Authorized Agent

Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this _____ day of _____, 20_____

Notary Public

OFFICIAL CITY USE:
Completed:

Date Received: _____

Fee: _____



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Local Agent Designation and Authorization – Short-Term Rental

Please print legibly

Rental Property Information

Property Address: _____ Unit Number: _____

Land Line Telephone Number for Unit: _____

Property Code Number (Tax Number): 11-76-_____

Owner Information

Name: _____

Local Agent Information

If the Local Agent is handling properties approved for Short-Term Rental, the Local Agent must have an address in any of the following: Cities of Benton Harbor, Coloma or St. Joseph; the Townships of Benton, Coloma, Hagar, Lincoln, Royalton, Sodus, or St. Joseph; or the Villages of Shoreham or Stevensville.

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ Emergency Number: _____

E-mail: _____

I designate and authorize the Local Agent named above to act on my behalf with regard to all duties imposed upon me by the City of St. Joseph’s ordinances and rules regulating the Short Term Rental unit identified above, including accepting service of notices, process or other legal documents issued by the City in such matters. I also agree to that I will notify the City and the Local Agent, in writing, should I ever revoke this appointment, and no such revocation shall be effective until received by the City.

 Owner’s signature

 Date

I accept the designation and authority noted above, I certify that the contact information is correct, and I agree that I will notify the Owner and the City in writing in the event of any changes in that information or if I am no longer serving as Local Agent for this Short Rental unit.

 Local Agent’s signature

 Date