

Memorandum



Date: March 17, 2026
To: Buchanan City Commission
From: Kristen Gundersen, Planning and Community Development Director
Subject: **Amendment - Unified Development Code – Short-term rental regulations – Lodging – First Reading**

Background

In 2025, the Code of Ordinances was amended to add short-term rental regulations. While reviewing the Unified Development Code (UDC), staff found no specific reference to Short-term rentals (stays of less than one month). Some communities have language regulating short-term rental in both documents.

Within the UDC, the term “lodging” is defined and references “tourist homes” which are allowed in the General Neighborhood (GN) or Suburban Commercial (SC) districts as Special Use Permits if approved by the Planning Commission when there are 6 rooms or less and they are permitted in the Neighborhood Center (NC) and Downtown (D) districts by right. The GN district covers a sizable portion of the city which does not fall within the adopted Short-term rental map which depicts properties in portions of the Neighborhood Center (NC), Industrial (I), Downtown (D) and General Neighborhood (GN) districts.

To improve the intent of the 2025 short-term rental ordinance, staff are recommending changes to the UDC. Creation of an overlay district allows the “Short-term rental permitted area map” be included along with an intent statement, basis for regulations and an applicable/exception section. Table 71-J changes the use matrix associated with lodging by dropping the room reference and adding hotel/motel, bed and breakfast and short-term rental. Lastly the definition of lodging is changed, and five new terms are added.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on the request during their March 10th meeting. No audience members spoke and the Planning Commission recommended approval of the request.

Attached is the draft adopting ordinance along with the completed application and redlined draft language changes.

Please note, after the Planning Commission, staff discovered the definitions of Accessory Building and Accessory Use used the term “guest house” which is not defined. Staff believe the intent was a reference to accessory dwelling units, however, some might believe it was a reference to short-term rental units. Both definitions have been modified in the adopting ordinance with the term “guest house” being replaced with “accessory dwelling unit (ADU).

Standards for Review

Section 71-36.B.2 Standards provides five factors that must be considered when reviewing proposed amendments to the Unified Development Code. Please review and discuss each factor before a motion and recommendation is made to the City Commission.

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or impose compatibility among uses and will ensure efficient development within the City.
- e. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Action

Please deliberate the request, review the factors stated above from Section 71-36.B.2 before making a motion to approve the first reading of the ordinance.

DRAFT PROPOSED ORDINANCE

03/23/26

**CITY OF BUCHANAN
SHORT-TERM RENTAL OVERLAY DISTRICT ORDINANCE
ORDINANCE NO. 2006.04/448**

AN ORDINANCE TO PROVIDE FOR AND REGULATE SHORT TERM RENTAL USES AND AMEND THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BUCHANAN TO PROVIDE FOR A SHORT-TERM RENTAL OVERLAY DISTRICT AND TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE.

IT IS HEREBY ORDAINED BY THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN:

SECTION 2. AMENDMENTS

The Unified Development Code will be submitted to the Commission for review and vote on amendment with proposed new language underlined and proposed language to be deleted is stricken, as follows:

Sec. 71-5 Zoning districts established

A. Zoning under this chapter is limited to the following district designations.

8. Short-term rental Overlay District allows short-term rental uses to be located in specific geographic areas.

Sec. 71-14 Zoning districts

A. Official zoning map – Figure 71-A (Zoning Map shall have the following language added under “Zoning Districts”)

Overlay District

Short-Term Rental Overlay District – see Sec. 71-16.H.11

Sec. 71-16 General requirements

Section 71-16.H Establishment of zoning districts and regulations

1. through 10. - intentionally left blank for future use

11. Short-Term Rental Overlay District (STROD)

a. The Short-Term Rental Overlay District is established and applies to the area shown on the map under 11 b. The intent of the Short-Term Rental Overlay District and related amendments is:

i. Protect and promote the health, safety and welfare of the City's residents, property owners, visitors, and neighborhoods by allowing short-term rentals (STR) within the City under certain conditions as found in Chapter 14 of the Code of Ordinances and in certain zoning districts;

ii. Recognizes that short-term rentals may potentially promote tourism, increase property values, and provide valuable business opportunities for property owners;

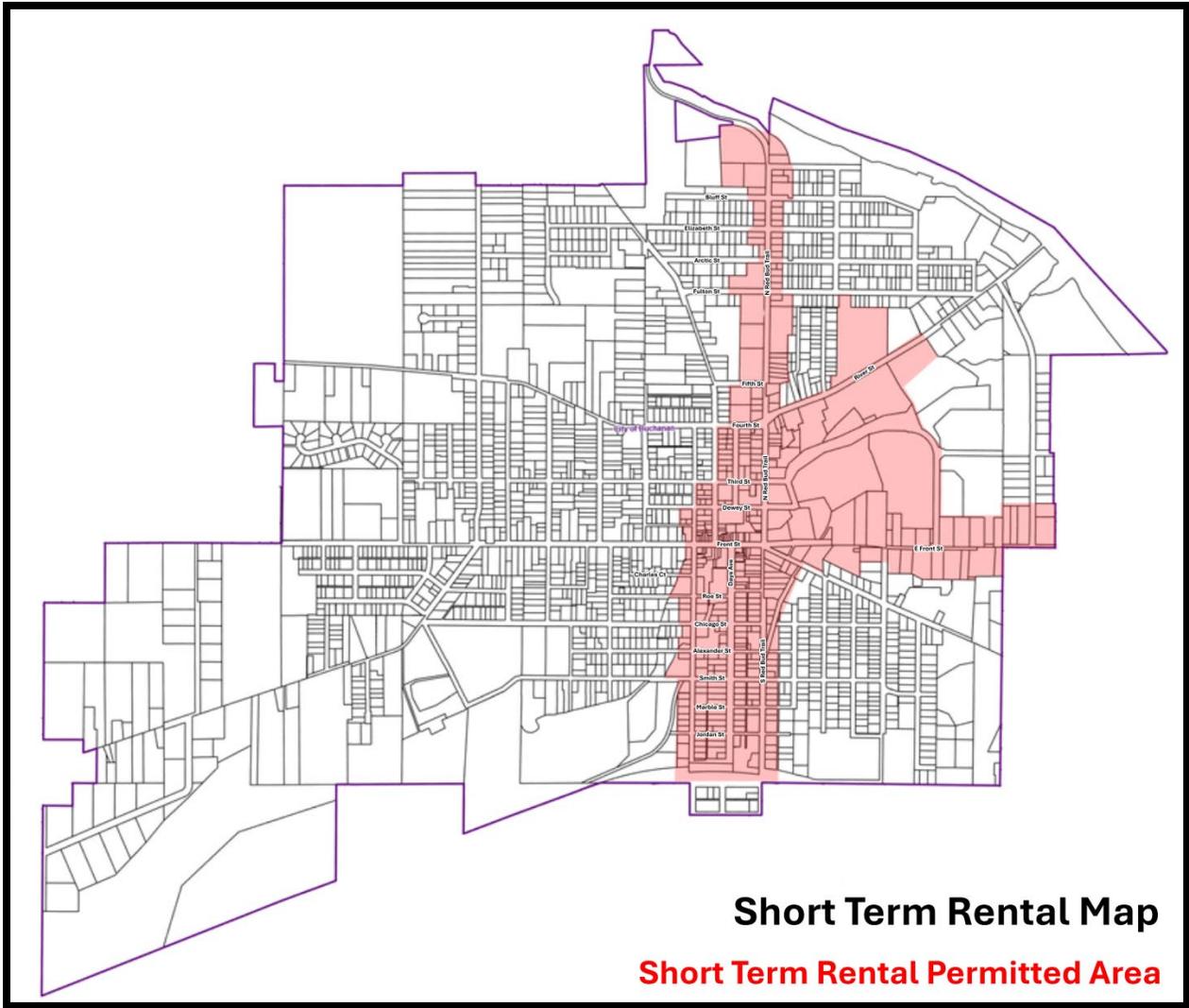
iii. Ensure that the operation of short-term rentals is done in a safe and beneficial manner for the well-being of all in the community. The character of residential zoning districts must also be protected and preserved;

iv. While short-term rentals can provide community benefits, their proliferation in residential neighborhoods can cause difficulties where character of the use takes on a more transitory and commercial character;

v. By creating the overlay district it will decrease potential conflicts with adjacent properties, limit impact on long-term housing availability and maintain the residential character of neighborhoods;

vi. The City Commission adopted Ordinance 2025.09.443 establishing regulations that must be met for short-term rental in Chapter 14 of the Code of Ordinance, which may be amended from time to time; and

b. Short-term rental Areas. The Short-Term Rental Overlay Map as established in Chapter 14 of the Code of Ordinances.



c. Applicability, Exception

i. Properties located outside of the overlay district are prohibited from requesting use variances from the Zoning Board of Appeals for the establishment of a short-term rental unit.

Section 71-18 Use

Table 71-J Use Matrix

TABLE 71-J USE MATRIX							
	N	NE	GN	NC	D	SC	I
Lodging/Accommodations							
6 rooms or less			S	■	■	S	
12 rooms or less <u>Hotel/Motel</u>				■	■	■	
More than 12 rooms					■	■	
Bed and Breakfast			S	■	■	S	
Short-Term Rental			<u>OD</u>	<u>OD</u>	<u>OD</u>	<u>OD</u>	<u>OD</u>

Key :

- Permitted use ■
- Temporary use T
- Accessory use A
- Special use permit S
- Prohibited use blank space
- OD Overlay District

Article V. DEFINITIONS

Accessory Building: a structure which is on the same parcel of property as a principal structure and the use is incidental to the use of the principal structure. For example a residential structure may have a detached garage, storage shed, or ~~guest house~~ accessory dwelling unit (ADU) where allowed.

Accessory Use: a supplemental use on the same lot with, and where the use is of a nature which is customarily incidental and subordinate to, the principal use; such as a home occupation or ~~guest house~~ accessory dwelling unit (ADU) in a residential district.

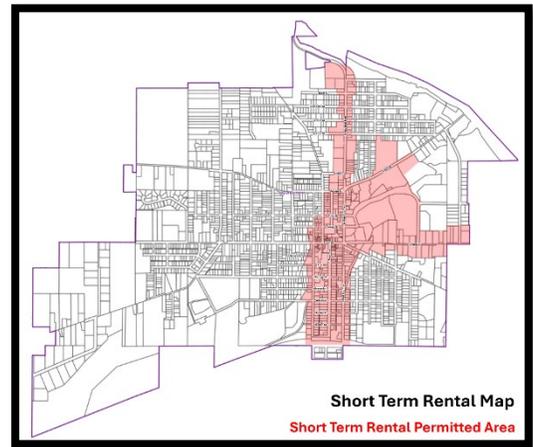
Lodging: a land use that provides sleeping accommodations to temporary guests, whether in a whole building, a dwelling, or a portion of a dwelling, with or without meals or services. Occupancy is transient. Lodging includes hotels, inns, bed and breakfasts, ~~tourist homes,~~ and similar establishments. Lodging is not a residential use or a short-term rental use.

Bed and breakfast: a single-family detached residential structure operated by an owner or employee who lives on site, offering as an accessory use, overnight sleeping accommodations to transient tenants for compensation, and may provide meals.

Hotel or motel: a facility offering transient lodging accommodations to the public. Hotels may include restaurants, meeting spaces, ballrooms and banquet halls. A hotel shall not be considered or construed to be a multiple family dwelling, Bed and Breakfast or Short-Term Rental.

Overlay District: a zoning district which has definite boundaries and is superimposed over all existing zoning districts within those boundaries. The overlay district may establish additional regulations, reduce existing regulations, or extend or limit the permitted uses within the underlying zoning district. Where there is a conflict between standards in the Overlay district and the underlying Zoning district, the standards in the Overlay district shall be applied. The intent is to address particular issues that span a geographic area and may include more than one underlying zoning district or portions of underlying zoning districts.

Short-Term Rental Overlay District: allows short-term rental with stays of less than one month as a permitted used in accordance with regulations found in Chapter 14 of the Code of Ordinance.



Short-Term Rental: a commercial use which is subordinate to the residential principal use of a dwelling unit, where the tenant is allowed to lease the dwelling unit for periods of less than one month. Short-term rental is a commercial use. If a tenant leases a dwelling unit for a period of at least one calendar month, this is not a short-term rental but instead is a residential use. A property authorized for short-term rental use may also be used for such residential uses. Chapter 14 of the Code of Ordinances provides requirements for operation.

Sec. 14-317 Effective Date

This Ordinance shall become effective fifteen (15) days after its adoption and publication as required by Section 7.4 of the City Charter.

MADE, PASSED, AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN ON THE __ DAY OF APRIL 2026 AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON DAY__OF APRIL 2026 BY

MARK WEEDON, MAYOR _____

KALLA LANGSTON, CITY CLERK_____

CERTIFICATION, I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the __day of April 2026, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk



Text Amendment (Changing Language in Zoning Ordinance) 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

Applicable Section of Zoning Ordinance that amendment is requested: Section 71-15.A, Section 71.16.H, Section 71-18 - Table 71-J and Article V Definitions

Briefly Explain Request: Incorporate language in the Unified Development Code regarding short-term rental based on language in the Code of Ordinances.

Are there other requests associated with application?: If yes, explain: No.

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 Applicant: Kristen Gundersen, Planning/Community Dev Dir

Relationship to Property Owner: staff

Mailing Address: 302 N Redbud Trail

City: Buchanan State: MI Zip Code: 49107

Telephone Number: 269.695.3844 ext 19 Emergency Number: _____

E-mail Address: kgundersen@cityofbuchanan.com

Attorney: Butzel

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Engineer or Architect: N/A

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Proposed Language Change (please use additional paper if needed)

Existing section and language from Zoning Ordinance: _____

See attached excerpt from Unified Development Code which has existing and proposed language changes. New language is underlined and deleted language is stricken.

Proposed new language for the Zoning Ordinance: See attached document

Explain how the proposed new language supports the goals and objectives of the adopted Master Plan: The 2021 Master Plan, Housing references short-term rental in the commercial districts. After discussions in 2025, an ordinance was adopted regulating short-term in the city. The changes were placed in the Code of Ordinances. Language is needed in the Unified Development Code (UDC) Land Use references the use of overlay districts. After reviewing the UDC staff language regarding short-term rental is necessary and would be best addressed by creating an overlay district and additional definitions associated with Lodging.

Text Amendment Standards

If needed use additional sheets of paper to respond to Standards.

Section 71-35.B.2 Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the City Commission. In determining whether to adopt or disapprove d the proposed amendment, the City Commission must consider the following factors:

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan. The 2021 Master Plan under #10 Land Use references considering adopting overlay zoning for other uses. After reviewing the Code of Ordinance regulations, it was concluded creating an overlay district and adding definitions was appropriate. In addition under #7 Housing states develop housing policies and allow short-term rental in commercial districts.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.

In 2025, the Code of Ordinances was amended creating regulations for short-term rental. The Unified Development Code (Zoning Ordinance) did not provide any reference to short-term rental.

- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

The proposed amendment establishes an overlay district for short-term rental uses and includes the "permitted map area" adopted in the Code of Ordinances.

- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.

The short-term rental overlay district is in keeping with the adopted regulations found in the Code of Ordinances that were adopted in 2025.

- e. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Discussions regarding short-term rental regulations and appropriate locations were discussed as several public meetings before the Code of Ordinances was amended.

TEXT AMENDMENT (REZONING) 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 ten (10) days following the change, and that 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 if the division is approved, a land division does not occur until receipt of a registerable conveyance is supplied to the City of St. Buchanan.

On the 9th, day of February, 2026, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature] Planning & Dev Div Kristen Gundersen
Signature of Applicant or Authorized Agent Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 9th day of February, 2026

[Signature]

Notary Public

KALLA LANGSTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF BERRIEN
My Commission Expires June 09, 2032
Acting in the County of Berrien

New language is underlined and language to be deleted is stricken

Sec. 71-5 Zoning districts established

A. Zoning under this chapter is limited to the following district designations.

8. Short-term rental Overlay District allows short-term rental uses to be located in specific geographic areas.

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A. Official zoning map – Figure 71-A (Zoning Map shall have the following language added under “Zoning Districts”)

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Short-Term Rental Overlay District – see Sec. 71-16.H.11

Sec. 71-16 General requirements

Section 71-16.H Establishment of zoning districts and regulations

1. through 10 - intentionally left blank (in future Tables 71-C through 71-H will be retitled)

11. Short-Term Rental Overlay District (STROD)

a. Intent. The Short-Term Rental Overlay District is established and applies to the area shown on the map in Section 71-16.H.11.c. The intent of the Short-Term Rental Overlay District is:

i. Protect and promote the health, safety and welfare of the City’s residents, property owners, visitors, and neighborhoods by allowing short-term rentals (STR) within the City under certain conditions as found in Chapter 14 of the Code of Ordinances and in certain zoning districts.

ii. Recognizes that short-term rentals may potentially promote tourism, increase property values, and provide valuable business opportunities for property owners.

iii. Ensure that the operation of short-term rentals is done in a safe and beneficial manner for the well-being of all in the community. The character of residential zoning districts must also be protected and preserved.

iv. While short-term rentals can provide community benefits, their proliferation in residential neighborhoods can cause difficulties where character of the use takes on a more transitory and commercial character.

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i. Properties located outside of the overlay district are prohibited from requesting use variances from the Zoning Board of Appeals for the establishment of a short-term rental unit.

Section 71-18 Use

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<u>More than 12 rooms</u>					■	■	
<u>Bed and Breakfast</u>			S	■	■	S	
<u>Short-Term Rental</u>			<u>OD</u>	<u>OD</u>	<u>OD</u>	<u>OD</u>	<u>OD</u>

Key :

- Permitted use ■
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- Accessory use A
- Special use permit S
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Article V. DEFINITIONS

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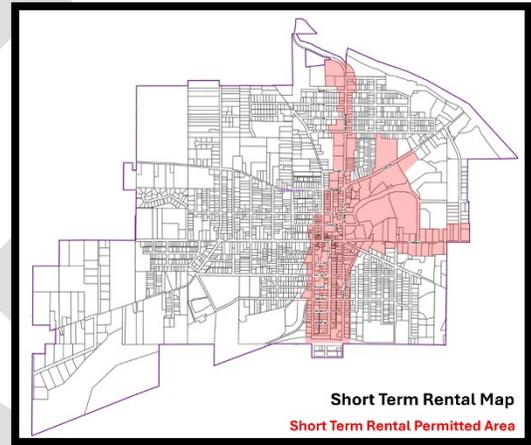
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