

Memorandum



Date: April 6, 2026
To: Buchanan City Commission
From: Kristen Gundersen, Planning and Community Development Director
Subject: **Amendment - Unified Development Code – Short-term rental regulations – Lodging – Second Reading**

City Commission First Reading

On March 23, 2026, the City Commission conducted a public hearing and heard no comments before considering the proposed text amendment which the Planning Commission recommended approval of during their March 10th meeting. The City Commission approved the first reading of the ordinance and scheduled the second public hearing for the April 13th meeting.

Attached is the draft adopting ordinance. For additional information please refer to the March 23rd City Commission agenda packet.

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.

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 second and final reading of the ordinance.

DRAFT PROPOSED ORDINANCE

03/23/26 and 4/13/2026

**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;

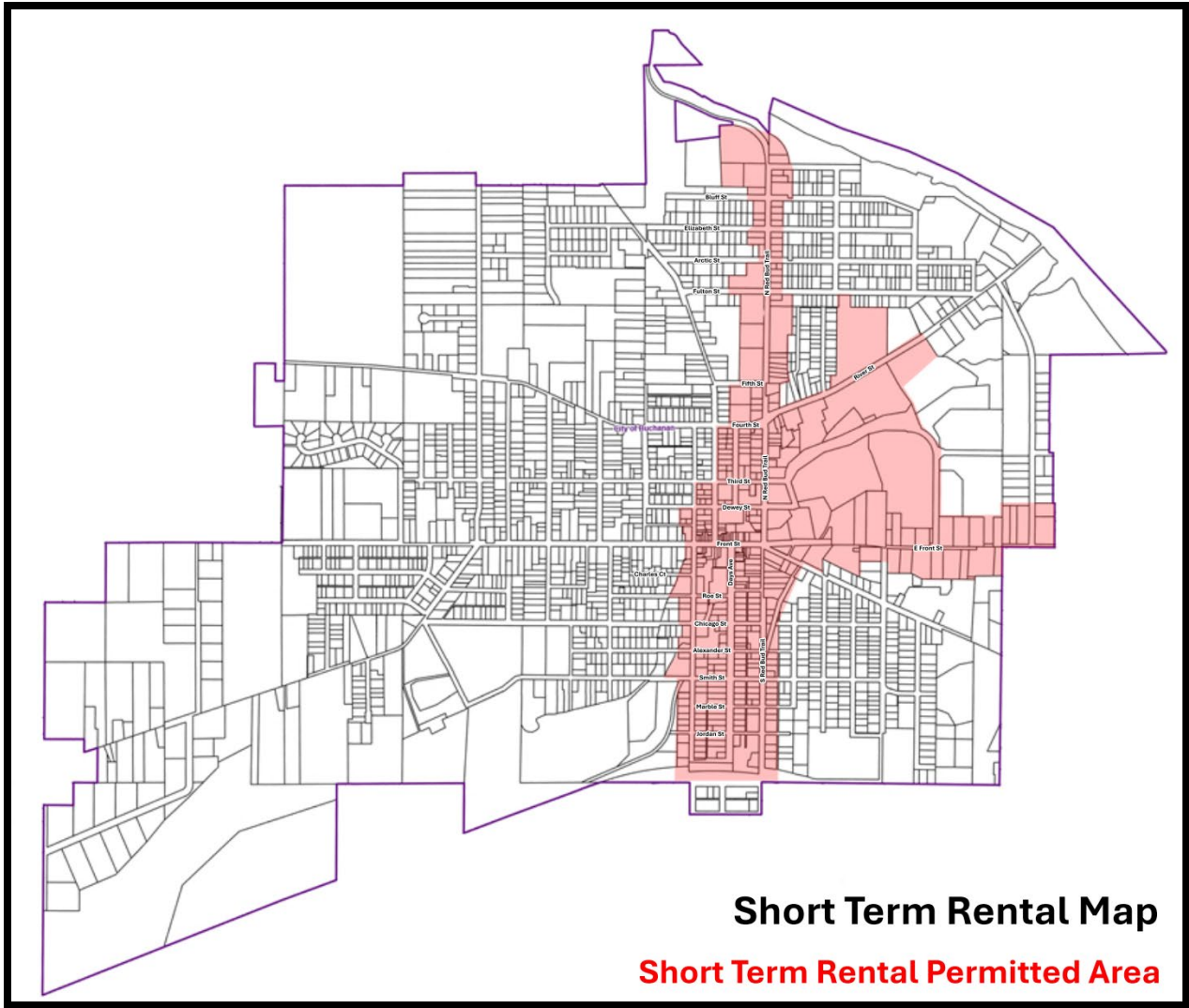
iii. Ensure that the operation of short-term rentals is done in a safe and beneficial manner for the well-being of all in the community. The character of residential zoning districts must also be protected and preserved;

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.

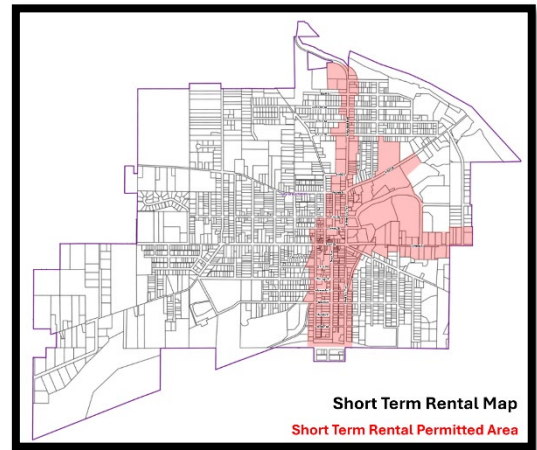
Lodging: a land use that provides sleeping accommodations to temporary guests, whether in a whole building, a dwelling, or a portion of a dwelling, with or without meals or services. Occupancy is transient. Lodging includes hotels, inns, bed and breakfasts, ~~tourist homes,~~ and similar establishments. 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