

ISSUES FOR DISCUSSION

1) 7.3 Short -Term Residential Rental Regulations

Transient nightly rentals and short-term rentals are not permitted. With the exception of permitted Bed and Breakfast establishments, the owner of a residence may not rent his or her residence for less than thirty (30) consecutive days.

The intent of this ordinance is to insure the General Plan is followed by not allowing vacation rentals/ short term rentals, with occupation of less than one month (30 consecutive days). For example, to circumvent this by renting for one week per month is still allowing vacation rentals and therefore violating the Land Use Code and the General Plan. This is to insure the town is not over-run by motel like rentals and remains the residential community the General Plan calls for. The spirit of this section of the LUC is to have rentals for longer than 30 days. The spirit of this Code is to have neighbors and residents who will contribute and take part in our Town, not simply take advantage of a rental that may be cheaper than a motel in Springdale.

We need to recognize the importance of clarification in this matter, as this ordinance will open the door to many rentals and it is important our wording is clear in order to prevent such attempts to circumvent the Code. Some towns simply state, "No accessory dwellings may be used as transient rentals or transient occupancy units."

2) Home Occupation Permit if Renting – Business License

If we alter the Home Occupation Permit ordinance to include ADU, we would need to assure the ADU is compatible with the residential nature of the Town. The Planning Commission will not issue a Home Occupation permit unless it is compatible with the residential use of the neighborhood. This is a way to emphasize the non-vacation type of rentals.

According to the Home Occupation chapter, we would need to notify neighbors, and give them the opportunity to object to an ADU as it would for a Home occupation.

Business License

According to our Code, one cannot have a Home Occupancy without a Business License.

How do we handle people who have been renting their entire homes now? Do we require a home occupation and business license from them? It doesn't fall under a home occupation since the home owner does not live there. It may, however fall within our need to issue a business license to these renters.

How does the Town benefit from requiring a Home Occupation and Business License?
Are there any drawbacks from doing so?

3) On page 3 # 3 of the ordinance, the following needs to be defined:

"If the owner of a parcel having an existing ADU or an applicant for an ADU permit is unable or unwilling to fulfill the requirements as outlined in the Accessory Dwelling Unit Code Amendment section of this ordinance, the owner shall remove those features of the accessory dwelling that make it a dwelling unit. Failure to do so will constitute a violation of the Rockville Land Use Code."

We need to agree upon a definition of features which make a dwelling a dwelling. Which features will we require to be removed? A simple answer is remove the water (plumbing). A more appropriate feature to be removed might be a kitchen. (However a kitchen could be nothing more than a refrigerator or a microwave, both easily replaced.) "Kitchen" is defined in our Code by containing a sink, stove and refrigerator.

Personally, I'd like to add that having water to a sink and toilet in my little house would be less of an impact on the town than if I had a renter living there. However, this will still be prohibited by the Code and the Pipeline Company unless I register it as an ADU.

I would think this will be an comment brought up in the hearing, we have to remember that this is not a related issue to this ordinance, though will certainly need redefining by both the Code and the Pipeline Company.