



Land Use Planning Commission Study of Short-Term Rentals

Community and Virtual Meetings 2023

June 15 – Millinocket area

June 29 – Greenville area

July 13 – Rangeley area

July 18 – virtual meeting

Introductions

- The Land Use Planning Commission (LUPC)
 - 9-member citizen commission that is the zoning and permitting authority for all townships, most plantations, and 6 towns
- Who we are
 - Tim Carr, senior planner – tim.carr@maine.gov
 - Stacy Benjamin, chief planner – stacy.benjamin@maine.gov
 - Ben Godsoe, planning manager – benjamin.godsoe@maine.gov
 - Debbie Kaczowski, enforcement coordinator – debra.kaczowski@maine.gov
- Venue orientation
 - Restrooms, sign-in sheet, etc.

Meeting Agenda

- **Presentation on short-term rental study (15 mins)** – Tim
- Introduce the process for gathering feedback on the discussion questions (5 mins) – Stacy
- Feedback on discussion questions (35 mins) – Everyone
- Open group discussion (30 mins) – Stacy facilitates
- Wrap up and next steps (5 mins) – Tim

End By 8:00 pm

Presentation Outline

- Purpose of the short-term rental study
- Why look at short-term rentals now?
- Current regulations and a potential regulatory approach
- How will the information from this process be used?
- What could the Commission do after this short-term rental study?

Questions

- 1) How many have stayed in a short-term rental?
- 2) How many are, or have been, short-term rental owners?
- 3) How many own, or have owned, a different kind of rental property, such as a long-term residential rental or a commercial rental?
- 4) How many are neighbors of one or more short-term rentals?

Purpose of the Short-Term Rental Study

- Gather information about short-term rentals in the Commission's service area
 - to understand short-term rental activity
 - to understand any benefits of short-term rentals to communities and property owners
 - to understand any issues associated with short-term rentals
 - for the Commission's use in deciding whether to regulate short-term rentals, and if so, how

Why now?

- Increasing short-term rental activity
- Increasing number of nuisance complaints about short-term rentals
- Concerns about exceeding septic capacity and impacting water quality
- Concerns about short-term rentals and affordable housing
- Increasing municipal attention to short-term rentals across Maine
- Statewide attention on short-term rentals and on housing issues
 - 2022 - Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals → LD2003
 - 2023 – LD1734, An Act to Clarify the Authority of Municipalities to Regulate Short-term Rentals
 - 2023 – LD1892, An Act to Allow a Municipality to Impose a Fee on Short-term Rentals for the Benefit of That Municipality

a few recent examples

Current LUPC regulations on short-term rentals

- Rental of one entire dwelling on a lot = residential use
 - allowed in zones where residential uses are allowed
 - does not meet the definition of home-based business
 - no notice or permit required to rent
 - no performance standards for short-term rentals
- Rental of multiple dwellings/units on a lot = commercial use
 - allowed in zones where commercial uses are allowed
 - Development Permit required
- “Commercial Use” - first defined in 2000. Rental of a “single dwelling on a single lot” was excluded from “commercial use” at the time.

Potential regulatory approach

- Short-term rental owners
 - provide notice of short-term rental use to the LUPC
 - provide self-verification that performance standards for short-term rentals are met
- Rationale
 - provides LUPC with information on where short-term rentals are occurring and who to call if there is a problem or complaint
 - potential to more effectively address nuisance issues
 - less burdensome than applying for a permit
 - parallels LUPC approach for other uses: boat launches, some water-crossings, potentially accessory structures
- Requires the Commission to adopt a notice requirement and standards specific to short-term rentals through a rule-making process

Notice

Potential regulatory approach

- One-time notice
- No fee
- Uses an LUPC-created form (paper and fillable electronic versions) and potentially a web-based form
 - 1-2 pages
- Submitted through email, USPS, or potentially the web
- Information requested could include:
 - name and mailing address
 - property location and zoning
 - # of bedrooms
 - maximum # of guests
 - HHE-200 form (shows septic capacity)
 - # of parking spaces
 - local contact person/property manager

Possible Performance Standards Potential regulatory approach

- Performance standards for short-term rentals could address:
 - rental capacity (related to septic capacity)
 - vehicle capacity (related to parking spaces available)
 - maintaining space for emergency vehicle access
 - noise
 - lighting
 - trash
 - local contact
 - information provided to guests (Maine noise, gun, pet, snowmobile, ATV, and other applicable laws; emergency contact information, etc.)
 - other issues?

Effects of this potential regulatory approach

- Short-term rentals of an entire dwelling remain a residential use provided there is only one rental dwelling per property
- Short-term rentals continue to be allowed in zones where residential uses are allowed
- Improved ability to address nuisance complaints

Education and Communication

- Education and communication are important components
 - best practices for short-term rental owners and neighbors
 - dealing with nuisance issues
 - if regulations are adopted, what the rules are and how to follow them
 - potential sources of information include
 - ❖ short-term rental webpage
 - ❖ flyers in annual tax mailings

How will the information gathered be used?

- Staff report to the Commission at the August 8, 2023, regular business meeting
 - written comments and meeting notes provided to Commissioners
 - staff summary and analysis of written comments and comments made during community meetings
 - basis for a potential staff recommendation on new short-term rental regulations
- Posted to the LUPC Short-Term Rentals webpage
 - meeting notes
 - written comments
 - staff report to the Commission



maine.gov/dacf/lupc/projects/short-term-rentals

What actions could the Commission take?

- Direct staff to gather more information
- Direct staff to prepare educational materials on short-term rentals
- Proceed to rulemaking
 - Opportunities to comment, hold a public hearing
- Stop the process (maintain the status quo)

Next on the Meeting Agenda

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End By 8:00 pm

Discussion questions and participant feedback

- What are the benefits of short-term rentals in your opinion or experience?
- What are challenges or issues with short-term rentals in your opinion or experience?
- How would you define short-term rental? Do you consider them residential or commercial and why?
- What do you think of the LUPC requiring a notice for short-term rentals? What performance standards, or other rules, specific to short-term rentals should be considered, if any?

Wrap Up

THANK YOU!

- Next steps
 - Additional in-person meetings
 - Virtual meeting
 - Written comments (by July 31)
- } same information presented as this meeting
- Report to Commission, August 8

Please don't hesitate to follow up – tim.carr@maine.gov

Short-Term Rentals Webpage: <https://www.maine.gov/dacf/lupc/projects/short-term-rentals>