

# Town of Rhinebeck Short-term Rental Local Law Overview

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January 2, 2020  
Town Board Presentation

# Local Law Development History

**- Early 2019:**

- Short-term Rental Workshop (1/2019)
- Zoning Review Group begins discussing the issue



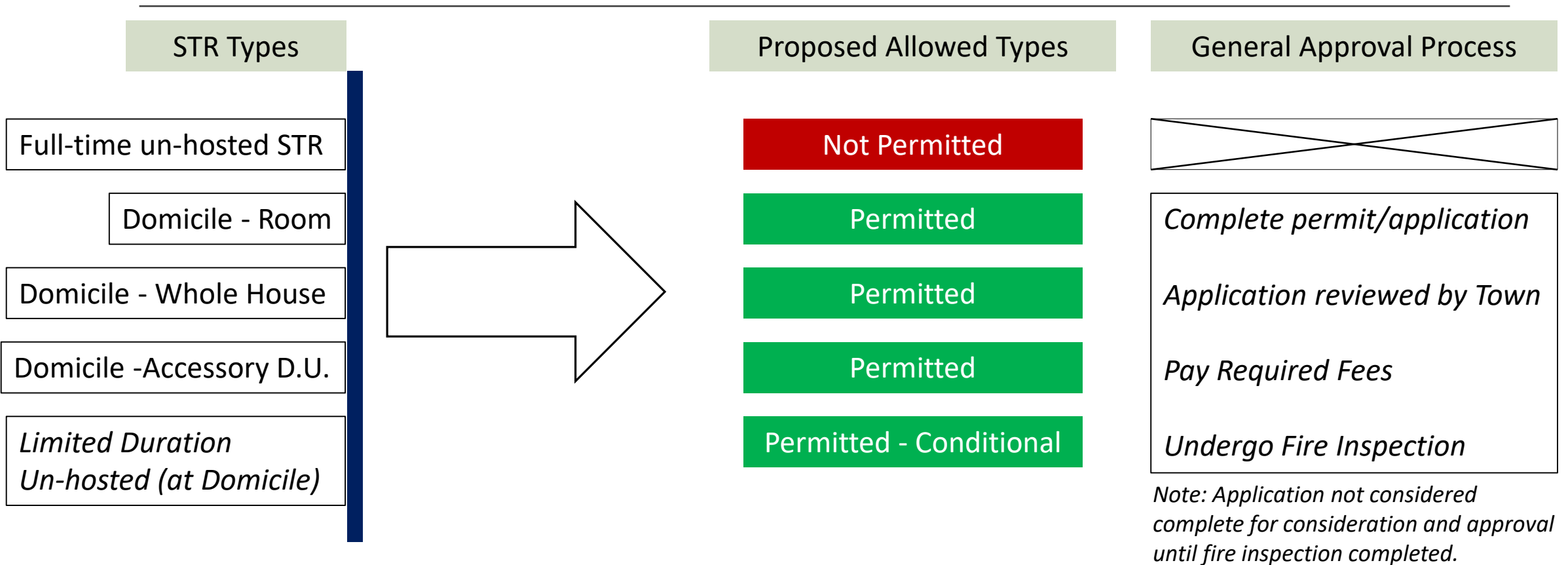
**- Mid 2019:** Several months of discussion led to basic framework of path forward

**- Late 2019:** Key elements summarized for Town Board (Decisionmaking Matrix)

**- Tonight:** Presentation of key elements and distribution of draft local law for review

173 Rhinebeck zoning review group Short-term Rentals Local Law Decisionmaking Matrix Below represents current P4P understanding of ZRG thoughts on the issues.				
STR Hosting Type:	Signs	Reserve	Visors	Comments
Hosted (Homeowner on-premises during rental)	x			Only looking at hosted (owner on-site) as potential STR
<b>STR Property Types:</b>				
Primary Residence/Domicile - multi(A)	x			
Primary Residence/Domicile - Whole House	x			As long as owner is on-site (in accessory structure, for instance)
Primary Residence/Domicile - Acc. Dwelling	x		x	As long as owner is on-site (in domicile/principal structure, for instance)
Primary Residence/Domicile - Whole House (Homeowner not on-site)			x	Example - Homeowner goes away and security to rent house. This item is still being discussed.
A registry is to be developed, registration form required	x			Details to be further defined and forms to be developed.
Definitions	x			
Purpose & Intent Statement	x			
Fee Schedule	x			Details on fees TBD.
Fire Inspection Required Annually	x			
All parking must be off-street	x			
Permit Criteria				
Property owner will attest that water and wastewater systems are in good working order and safe for use	x			
Properties must have a "local property manager" (can be the homeowner) who can be on-site within 15 minutes to handle issues	x			Property manager would be required if a whole house rental if a domicile is to be present as decided to be permitted.
All owners must provide current contact information and keep it up-to-date. No LLC or business ownership info - must be an individual	x			
All garbage and recycling must be placed in appropriate receptacles and picked up on no less than a weekly basis. Overflow garbage location must be provided	x			
Owner will maintain an information card/holder for	x			
No signage is permitted	x			
No persons are to be provided	x			
482 viewing for rental	x			No meals, room turnover, etc.
Apartment and similar types of rental housing are eligible as long as it is the persons domicile.	x			Some questions remain about issues related to allowing a rental.

# General Approval Flow Chart



# The Details

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## Local Law Specifics:

- Law provides new definitions, purpose & intent statement, permit criteria, fee schedule, other regs.
- Only a hosted rental is permitted (i.e. homeowner is on-premises)\* as an accessory use
  - \* There is a provision to permit unhosted of a domicile for limited period
- The property must be the owner's domicile (i.e. permanent residence)
  - Verification will be required - could be proof of voting status in Dutchess Co., drivers license, etc.
- A public-facing registry will be developed listing all STRs and some level (TBD) of permit/application information
- Apartments and similar types of long-term (lease-type) rental housing can be rented as long as it is the person's domicile (and explicit permission of property owner is provided with application).

# The Details

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## Local Law Specifics cont'd:

- A Short-term rental is a rental of less than 30 days per rental
- Applicant's will need to apply/re-apply annually (notarized application)
- A fee schedule will detail fees to be paid (fees due annually with permit/application)
- A Fire Inspection is required (annually)
- Proof of insurance is required
- A printed emergency evacuation plan and information binder must be provided

# The Details

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## Local Law Specifics cont'd:

- STRs in Rhinecliff will require a pre-conference meeting with the Planning Board and Site Plan Review
- An approved STR of a domicile, or approved accessory dwelling unit permitted for Short-term use, shall be permitted subject to approval during registration process, the ability to rent structure as un-hosted for no more than 4 months in any one-year approved registration period. Each rental during un-hosted time shall be documented and provided to town at end of approved registration period to be eligible for a renewal registration
- A long-term rental (30 days or more, typically a lease-type situation) is not considered an STR under this proposal

# The Details

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Permit Requirements - Owner will attest that:

- Water and wastewater are in good working order and safe for use
- Property will have a “Local Property Manager” – can be homeowner or someone else who can address issues. Must be on-site or within 15 minutes (req’d for un-hosted option)
- Must provide current contact information (no LLCs or business contact info – must be an individual)
- All garbage and recycling must be placed in appropriate receptacles and be picked-up/emptied on no less than a weekly basis. Overflow garbage location must be provided
- No signage for the STR is permitted
- No services are to be provided
- Must provide an emergency evacuation plan and an info. binder in the rental
- No more than 5 bedrooms for rent w/ maximum 2 occupants per bedroom. One bedroom dedicated to resident

# The Details

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## Prohibited Actions:

- Use of an RV, vehicle or other mobile structure is prohibited
- Sleeping outdoors/renting outdoor space is prohibited





# The Details

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## Violation Structure:

- Two violations in one year results in revoking an STR registration for 365 days
- Two code compliance issues results in revoking STR registration for 365 days
- Failure to keep contact information up-to-date results in revoking a registration for 365 days
  - Contact information must be the applicant/property owner – no LLC, corporations, etc. It must be an individual.
- Providing for unhosted rentals without approval will result in revoking registration for 365 days
- All revocations of an approved STR registration will be enforced by the ZEO
- Any property used as an STR without approval is subject to Fines.

# The Details

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## ➤ Violation Fines:

- 1<sup>st</sup> violation – warning
- 2<sup>nd</sup> violation - \$1,000 fine
- 3<sup>rd</sup> violation - \$5,000 fine
- 4<sup>th</sup> violation (or more) - \$10,000 fine, possibly more significant action, as permitted by law.

## Fees:

### ➤ Registration Application (permit) & Filing Fees:

- \$100 filing fee for application and compliance review (same as current Bldg. Dept. cert. of compliance fee)
  - \$150 per rental bedroom (tiered fee based on number of rental rooms)
  - \$150 fee for any property that includes a pool or hot tub
- Fire & Safety Property Maintenance Inspection: \$100 per hour – 1 hr. minimum (same as current fee)

# Questions?

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Still have to work on/confirm direction on the following:

- Confirm proposal to permit up to 4 months of un-hosted
- Confirm proposal for a 365-day revocation of a permit/application for using property as un-hosted, if not specifically approved in an application
- Confirm proposal to create a new fire safety and property maintenance item in 125-115 (Firesafety & Property Maintenance Inspections Section)
- Update Use Chart (District Schedule of Use Regulations – 125 Attachment 2) seem to be needed

*Post-Meeting Note: While considerable time was spent by the Town Zoning Review Group in 2019 developing the concepts included in the draft law, this was the first presentation to the Town Board. Additional presentations and discussions to refine and finalize a draft for consideration will be taking place.*