

COMPREHENSIVE PLAN AMENDMENT- FOR APPROVAL

(Resolution 23-135)

A motion was made by Mr. Rosiek, seconded by Mrs. Carroll, to amend the Comprehensive Plan of the Town of Mendon, originally adopted on February 8, 2021, regarding Short Term Property Rental. Monroe County Planning has reviewed and replied “this is a local matter.”

Short-Term Property Rental

Background

At their Regular Meeting on August 22, 2022, the Mendon Town Board proposed Local Law #2 to impose a moratorium on short-term property rental. They scheduled August 29, 2022 for a Special Meeting and Public Hearing on this proposal. Following the Public Hearing, the Board adopted *Resolution 22-184*, establishing a 6-month moratorium on the practice of short-term rentals.

At their Regular Meeting on September 26, 2022 the Board scheduled a Special Meeting on October 24, 2022 as a “Public Workshop” to gather additional information from the public to fully vet continuing interest and concern about the practical use of private property as short-term rentals.

At their Regular Meeting on January 23, 2023, the Board adopted *Resolution 23-079*, to extend the moratorium for 180 days as stipulated and allowed in the Resolution that established the moratorium.

Land Use Definition

The practice of “short-term rental” in the Town outside the Village of Honeoye Falls emerged in 2021. Its purpose, for what are previously owner-occupied private homes, is defined and advertised as, “vacation rentals or temporary lodging for transient guests without the property owner on-site during the rental period.”

This form of rental is not comparable to a “hosted” Bed and Breakfast rental where the property owner or a permanent resident is on-site during the rental period.

Land Use Determination

The purchase of private, residential property for conversion to “Short-Term Rental” (as defined above), is considered a business. Business/Commercial land use is regulated in the Town Zoning Code.

Commercial Land Use and the Town Comprehensive Plan

Aside from the public comments received by the Board across the span of the moratorium, public sentiment about land use is on-record in the latest version of the *Town of Mendon Comprehensive Plan*, Adopted by the Board on February 8, 2021. By its nature, this plan addresses all aspects of the community as assessed by residents and considered by the citizen’s Advisory Committee. The *Plan* expresses public views about Business/Commercial land use and is meaningful to the Town’s discussion and deliberation about Short-Term Rental uses.

Consider these references from the *Plan*:

1. SWOT (strengths, weaknesses, opportunities and threats) Analysis...Appendix A

Strengths (to preserve):

- Rural Character
- Strong commercial/business base within the Hamlet and the Village
- Natural Resources
- Property value retention

Weaknesses:

- Housing affordability
- Lack of sewer infrastructure, sidewalks and parking in the Hamlet

Opportunities:

- Strengthen Village and Hamlet as business centers

- Look at opportunities for different sized businesses
2. Guiding Principles and Implementation of these principles...Tables
- “Revise the Town Zoning Map and regulations” (p. 63): “Prepare updated Zoning Map and necessary regulatory language” (p. 74).
 - “Support the development of the Hamlet of Mendon including maintaining mixed use zoning” (p. 66): “Establish a detailed vision for the Hamlet core area and Hamlet transition area to aid in enhancement, redevelopment and preservation of the neighborhood. Update, or develop a new Hamlet Master Plan” (p. 83).
 - “Promote mixed-use development and redevelopment in the Hamlet of Mendon” (p. 68): “Permit residential uses on the upper floors of commercial buildings and update Zoning to encourage building development or redevelopment with a mix of uses instead of single uses” (p. 85).

Conclusion

As already defined, “Short-Term Rental” is a business/commercial enterprise. As such, its practice should be considered and regulated within the Business/Commercial section of the Town’s Zoning Code. This approach serves resident concerns expressed by participants at Town meetings and is consistent with the general public’s intent for land use and economic development as expressed in the Town’s *Comprehensive Plan*. This approach is sensitive to current and future neighboring property owners and their property rights. And, viewed as business/commerce, there may be viable economic development opportunities.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mrs. Jenkins, Aye; Mr. Rosiek, Aye; Mr. Moffitt, Aye.