



Land Development Code Issue Spotlight: Short Term Rentals

Press Release for Immediate Release

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Overview

Land Development Code - Issue Spotlight – Short Term Rentals

One of the hot buttons of the proposed draft Land Development Code is the establishment of regulations for short term rentals. Many have asked the questions: Why? What business is it if I want to rent out my own house? And why place limits on the number of guests?

These are all great questions and worthy of discussion.

First, Short-Term-Rentals are an allowed use that is protected by Idaho statute. Local government cannot prohibit them. Right now, there are more than 700 short term rentals in the County. So why any regulation at all? Can't the market just self-regulate? What it boils down to are issues of getting along with neighbors, and protection of public health and safety. One of the most common complaints the County receives is from neighbors not happy with the short term rental next door. Complaints of numerous cars parked at the residence, cars parked on the road, noise late at night, and excessive garbage are very typical. So in response, the County is trying to establish some kind of regulations so that short term renters can be good neighbors. Many people bought and built homes to enjoy the peace and quiet of the valley. And short term renters can challenge that.

When it comes to health and safety in the County, septic systems and private wells are used. While wells are private, they all sip from the same aquifer. When homes are built, typically the septic system is sized based on the number of bedrooms. So a typical 3 bedroom house will have a septic system sized for a 4-8 person household. And it works great. The septic system can effectively treat the wastewater from the house and not pollute the groundwater. However, when that same 3-bedroom house is rented out as a short term rental, it can be used for anywhere between 12-20 guests. Many rooms have two queen beds like a hotel room, or 4 bunk beds as a room for the kids, and various sofas, futons, rollaway beds, and cots all combine to be a great base for a large group of family and friends. The problem though, is that with 12-20 guests using a septic system designed for 4-8 people, the septic system can't handle it. And

then as the wastewater moves through the septic system, it is not effectively treated, posing a threat to the ground water.

So with these things in mind, the County is seeking to reduce the conflict with neighbors, as well as protect the shared groundwater sources for everyone. Is it fair to a neighbor that the quality of their water is threatened because someone is operating a short term rental? Should they have to drive around cars parked on the road? Or deal with increased garbage and noise?

The provisions of the Proposed Draft code are designed to address these issues. It requires things such as notifying the neighbors when you start up your short term rental, so they know what to expect, and who to call if there are problems. It requires off-street parking for any guests. And it requires size limitations intended to keep capacity in-line with the capacity of the septic system. Perhaps a total household capacity of the number of bedrooms times 2 is too little. But whatever the number is, household capacity should not exceed the capacity of the septic system to handle it. And that protects the groundwater not just for the short term rental, but for everyone else that shares the groundwater resources.

Like any zoning or land use issue, the challenge is finding a balance with the right amount of regulation to allow positive use of property, while protecting the property rights of others as well.

As the code revision moves forward, it is our intent to publish a number of these *issue spotlights*, to provide more background information on key issues in the draft code. Please check in frequently for more issue spotlights.

Next Steps

The Planning and Zoning Commission will work to incorporate suggestions into the second draft of the Land Development Code. Those discussions will begin in work sessions that will be live streamed and recorded so that anyone may listen. It is unknown how many work sessions will be needed until the commissioners begin the process but the first meeting will be held next week from 4:00 pm - 7:00 pm on Tuesday June 15, 2021.

Follow the meeting live or listen to the recording anytime by visiting: <http://tetoncountyid.iqm2.com/Citizens/Default.aspx> There will also be a live zoom stream at: <https://us02web.zoom.us/j/701658496> Meeting ID: 701 658 496

After the second draft of the Land Development Code is created, a public hearing will be held for public input and comment on that draft (Specific date and time to be determined).

Public participation in this process is sincerely appreciated. Comments and suggestions are being used to create a Land Development Code that best represents our community.

Other Resources

Please visit the Land Development Code site for more information on the project: <https://www.tetoncountyidaho.gov/additionalInfo.php?deptID=18&pkTopics=736>