

Maine Land Use Planning Commission

Department of Agriculture, Conservation and Forestry



BASIS STATEMENT AND SUMMARY OF COMMENTS FOR

PROPOSED CHAPTER 2 AND CHAPTER 10 RULE REVISIONS: SHORT-TERM RENTALS

October 8, 2025

STATUTORY AUTHORITY: 12 M.R.S. §§685-A(3); 685-A(7-A); and 685-C(5)

FACTUAL AND POLICY BASIS FOR THE RULE AMENDMENTS

Seasonal and short-term rentals have a long history in rural Maine, including within the Land Use Planning Commission's service area. In recent years, short-term rental use has become more intensive (i.e., more guests per dwelling, more frequent rental activity, and greater rental density), and the number of complaints about short-term rentals has risen. Because of the many issues and policy considerations related to the increase in this activity, the Land Use Planning Commission (Commission or LUPC) researched the frequency of short-term rentals in the service area, potential positive and negative impacts of short-term rentals, and the regulatory approaches of other jurisdictions. During the summer of 2023, Commission staff held three in-person meetings, one virtual meeting, and a written public comment period to gather feedback from residents and property owners on potential regulatory approaches.

The Commission reviewed the input and materials received from the public, as well as other information and resources provided by staff and other agencies, and chose a regulatory approach and draft rule revisions that aim to:

- Respond to public comments heard during the 2023 outreach and to complaints received over time from property owners;
- Start with a simple system that is less burdensome for short-term rental owners and LUPC staff than a permitting process and that can be modified, if needed, going forward;
- Collect data over time on short-term rental activity in the LUPC service area by requiring a notice; and
- Provide best practice information to short-term rental owners, renters, and neighbors through guidance materials.

The proposed amendments to the Commission's rules would define short-term rental and require property owners to provide notice to the Commission if they are renting their dwelling or residential campsite as a short-term rental. The rule changes would apply to all new and existing short-term rentals.

Proposed revisions to Chapter 2 add a definition of “short-term rental” and clarify related definitions to differentiate between the residential use of a single dwelling unit, bunkhouse, or residential campsite as a short-term rental and the commercial use of two or more short-term rentals on a single lot. A definition of “use notification” is also added to provide clarification regarding the notice requirement included in the proposed Chapter 10 standards for short-term rentals.

Proposed revisions to Chapter 10 include the addition of “short-term rental” as a use allowed without a permit subject to standards in the subdistricts where residential dwellings or residential campsites are allowed by permit or special exception. The proposed standard requires written notice for new and existing short-term rentals. Owners of existing short-term rentals would have 180 days after the rule's effective date to file a notice with the Commission.

PUBLIC NOTICE OF RULEMAKING

At a meeting held on March 12, 2025, staff presented draft rule revisions to the Commission and recommended initiating rulemaking. The Commission voted to post the revisions to public comment with a 45-day public comment period followed by a 14-day rebuttal period.

Notice of the rulemaking was provided in the Secretary of State’s consolidated rulemaking notice on June 4, 2025. In addition to the legal notice, the Commission posted notice by email through the State’s GovDelivery system to all individuals on the short-term rental GovDelivery list and also those wishing to be contacted regarding any proposed rule changes. Notice of the proposed revisions was also posted on the agency’s rulemaking webpage.

The record remained open until July 21, 2025, to allow interested persons to file written statements with the Commission and for an additional 14 days until August 4, 2025, to allow interested persons to file written rebuttal comments.

COMMENTS AND RESPONSES

The Commission received one written comment and no rebuttal comments. No comments were submitted after the comment period deadline. In accordance with Maine Statute and Commission policy, the staff has summarized the comment received and provided a response.

Comment: Short-term rentals should be regulated on a county by county basis, not statewide.

Commenter: D. Emerson

Response: In the unorganized and deorganized areas of the state, the Commission, rather than the counties, has the statutory authority to regulate land use (12 M.R.S. §683-A). The Commission’s service area includes 13 counties, each of which would require its own community-guided planning process to customize land use and zoning. Because of this, regulation of any land use on a county basis by the Commission is not practicable at this time, and there is currently no land use that the Commission regulates on a county basis. The process currently underway to update the Comprehensive Land Use Plan is an opportunity for the Commission to identify regional priorities which may include regional differences in how best to regulate short-term rentals.

Action(s): No action taken.