

**CERTIFICATION OF PROPOSED AMENDMENT TO
THE TOWN OF ROME CITY UNIFIED DEVELOPMENT ORDINANCE**

Ord. 2023-17

PURSUANT TO I.C. 36-7-4-604, THE TOWN OF ROME CITY PLAN COMMISSION HELD A PUBLIC HEARING ON OCTOBER 26, 2023 TO CONSIDER AN ORDINANCE AMENDING THE TOWN OF ROME CITY UNIFIED DEVELOPMENT ORDINANCE PASSED AND ADOPTED BY THE TOWN COUNCIL OF ROME CITY, INDIANA ON THE 10th DAY OF OCTOBER, 2011 AS AMENDED, FOR THE PURPOSE OF IMPROVING THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY.

The undersigned, President of the Town of Rome City Plan Commission, hereby certifies that the attached proposed text amendment to the Town of Rome City Unified Development Ordinance received a FAVORABLE recommendation from the Town of Rome City Plan Commission, following public hearing on October 26, 2023, pursuant to I.C. 36-7-4-604; in compliance with all requirements of I.C. 36-7-4-602, *et al.*; and that the files of the Town of Rome City Plan Commission proposal have been maintained as public records and kept available at the commission's office for inspections by any interested person.

That the Town of Rome City Plan Commission does hereby certify a favorable recommendation that the Town of Rome City Unified Development Ordinance passed and adopted by the Town Council of Rome City, Indiana on the 10th day of October, 2011 as amended, be hereby and further amended as follows:

Article 2: Zoning Districts, should be amended as follows:

Article 2.05 Agricultural (AG) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.07 Rural Residential (RR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.09 Single-family Residential (SR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.11 Lake Residential (LR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.13 Multiple-family Residential (MR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.15 Manufactured Home Park (MH) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 9: Processes, should be amended as follows:

Article 9.06 Special Exception: Section D. 6. Should be added as a new section to read as follows:


6. All Short-Term Rental applications shall include specific information including: maximum number of occupants, site plan including a diagram showing available parking at the site; proposed minimum length of stay; proposed regulations for guests; proposed trash/waste management plan, and all other reasonable information required by the plan administrator necessary to evaluate application.

Article 11: Definitions, should be amended as follows:

Article 11.02 Defined Words: That the definition of "Short-Term Rental" should be added to the defined words in the appropriate alphabetical location and all further definitions in this reorganized accordingly. That the new defined word Section of "Short-Term Rental" shall read as follows:

Short-Term Rental means a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights. They are commonly referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose of administration and enforcement of this title, the terms "overnight rental," "nightly rental," and "vacation rental" are interchangeable with short-term rentals.

TOWN OF ROME CITY PLAN COMMISSION



Kelly Morris, President



Leigh Dranger, Zoning Administrator

TOWN OF ROME CITY

ORDINANCE NO. 2023-06 17 correction
11-16-23

AN ORDINANCE AMENDING THE TOWN OF ROME CITY UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, TO ADD OR AMEND REGULATIONS REGARDING SHORT-TERM RENTAL REGULATIONS

WHEREAS, the Town of Rome City Plan Commission (“Plan Commission”) is an advisory plan commission established pursuant to I.C. 36-7-4-202; and

WHEREAS, the Town of Rome City Planning Commission has determined that in the interest of promoting the public health, safety and general welfare of the community, certain regulations and amendments to the Town of Rome City Unified Development Ordinance would be appropriate; and

WHEREAS, on October 26, 2023 the Town of Rome City Plan Commission, after notice to all interested parties, did conduct a public hearing on said recommended amendments pursuant to I.C. 36-7-4-604, and

WHEREAS, on October 26, 2023, the Town of Rome City Plan Commissions certified to the Town Council of Rome City, Indiana a favorable recommendation for the consideration and adoption of said amendments; and

WHEREAS, on November 13, 2023, the Town Council of the Town of Rome City, Indiana (“Council”) did conduct a regular meeting with regard to the certified proposed amendments pursuant to I.C. 36-7-4-607, after all notices of its intention to consider said amendments had been provided as required by law.

WHEREAS, the Council, in paying reasonable regard to the statutory criteria set forth in I.C. 36-7-4-603, have determined that the adoption of the proposal of the Town of Rome City Plan Commission is appropriate and in the best interests of the welfare of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF ROME CITY, INDIANA, THAT THE TOWN OF ROME CITY UNIFIED DEVELOPMENT ORDINANCE, PASSED AND ADOPTED ON THE 10th DAY OF October, 2011, AS AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

ITEM I

Article 2: Zoning Districts, should be amended as follows:

Article 2.05 Agricultural (AG) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

Article 2.07 Rural Residential (RR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

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Article 2.11 Lake Residential (LR) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

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Article 2.15 Manufactured Home Park (MH) District: The Special Exception Uses table shall be amended to include "Short Term Rentals" under Residential Special Exception Uses.

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Article 9.06 Special Exception: Section D. 6. Should be added as a new section to read as follows:

6. All Short-Term Rental applications shall include specific information including: maximum number of occupants, site plan including a diagram showing available parking at the site; proposed minimum length of stay; proposed regulations for guests; proposed trash/waste management plan, and all other reasonable information required by the plan administrator necessary to evaluate application.

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guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights. They are commonly referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose of administration and enforcement of this title, the terms “overnight rental,” “nightly rental,” and “vacation rental” are interchangeable with short-term rentals.

ITEM II

No part of this Ordinance shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts should be made to harmonize same. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Ordinance are hereby declared to be severable. All other terms and conditions of the Town of Rome City Unified Development Ordinance which are not modified and amended herein, including all Sections and Subsections thereof that have not been amended or set forth within these amendments, shall remain in effect and shall be renumbered to account for the amendments set forth herein.

ITEM III


The lawful nonconforming use of a structure, land, or water existing at the time of the adoption of the amendments to the Town of Rome City Unified Development Ordinance as provided herein may be continued although the use does not conform with the provisions of this Ordinance. However, only the portion of the land or water in actual use may be so continued, and the structure or area within which the use is contained may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or official order, so as to comply with the provisions of the Zoning Ordinance as amended herein. If such nonconforming use is discontinued or terminated for a period of 12 months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance as amended herein.

ITEM IV


This Ordinance shall be effective exactly thirty (30) days after the date of adoption.

ALL OF WHICH IS ORDAINED THIS 13th DAY OF November, 2023.

TOWN OF ROME CITY PLAN COMMISSION




Kelly Morris, President




Leigh Pranger, Zoning Administrator

TOWN COUNCIL OF THE TOWN OF ROME CITY, INDIANA



_____, President



_____, Vice President



_____, Member

ATTEST:



Heidi Lang, Clerk-Treasurer

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived and the Ordinance shall be effective upon promulgation according to law.

TOWN COUNCIL OF THE TOWN OF ROME CITY, INDIANA



President



Vice President



Member

ATTEST:



Heidi Lang, Clerk-Treasurer

STATE OF INDIANA Advertiser **Eberhard, Weimer & Glick**
DEKALB COUNTY Notice ID TNKG0pAQyFvPfli3sl8

THE STAR

I, Ann Saggars, of lawful age, state that I am the legal clerk for the above named paper in the city of Auburn. The Star is a daily newspaper of general circulation printed and published in said County and State. The notice herewith attached was published in said daily edition of the newspaper on the following date(s):

Friday, October 13, 2023

Additionally, The Star has a Web site and this public notice was posted on the same day as it published in the newspaper.

Date: 10/13/23

Ann Saggars
Legal Clerk

NOTICE OF PUBLIC HEARING

Pursuant to IC 36-7-4-604, the Rome City Planning Commission gives notice that a public hearing will be held concerning proposed amendments to the Rome City Unified Development Ordinance on October 26, at 6:30 PM, at the Rome City Town Hall located at 402 Kelly Street, Rome City, Indiana 46783, for purposes of hearing comment by interested persons, either in writing or in person. All written comments must be submitted to the Rome City Zoning Administrator, Leigh Pranger, prior to the scheduled hearing in order to be considered at said hearing.

The proposed amendments to the Rome City Unified Development Ordinance affect the following zoning districts; Agricultural, Rural Residential, Single-family Residential, Lake Residential, Multiple-family Residential, and Manufactured Home Park, and the following sections: Article 2: Sections 2.05, 2.07, 2.09, 2.11, 2.13, and 2.15 Article 9: Section 9.06(D); Article 11: Section 11.02. If anyone wishes to inspect the proposed amendments in their entirety, a copy of the proposed amendments is available for inspection in the Rome City Town Hall located 402 Kelly Street, Rome City, Indiana 46783.

A summary of the proposed changes is provided as follows:

1. Article 2: Sections 2.05, 2.07, 2.09, 2.11, 2.13, 2.15: adding Short Term Rentals to the Special Exception Uses Table.
2. Article 9: Section 9.06 (D): adding specific application requirements for Short Term Rental Special Exception applications.
3. Article 11: Section 11.02 Defined Words: adding a definition for "Short Term Rentals".

Leigh Pranger
Rome City Plan Administrator
10/10/2023

10/13, 2023, hspaxlp