

Buildings for Lease or Rent (BLR) Frequently Asked Questions and Answers

1. *Do we have to review motels and hotels?*

No. They are exempted from review as they pay lodging facility tax.

2. *Do we review a mobile home park as a subdivision or a BLR?*

Mobile home parks where spaces of land are rented or leased are reviewed as a subdivision.

Mobile home parks where the land owner owns the mobile homes and rents, leases or provides for employee housing are reviewed as a BLR.

3. *Can we increase the number of exemptions for specific types of uses, for example storage units or apartment buildings?*

Yes, by majority vote, the number of exemptions for a specific type of use may be increased.

4. *What if we want to have a public hearing to review a BLR before the governing body?*

Requiring a public hearing would be an additional requirement not included in the statute. Any additional regulations for the review of BLR applications, such as a public hearing, may be imposed if they are based on public health, safety and welfare, and only enacted if the regulation is passed by a super-majority vote.

5. *Can we charge a fee for BLR application reviews?*

Yes, a reasonable fee may be charged commensurate with the cost of reviewing the BLR application.

6. *Do we have to adopt BLR regulations?*

Yes. By September 1, 2013 every jurisdiction must adopt BLR regulations.

7. *If three BLR are on the tract of record on September 1, 2013, can the owners of the tract then create three more BLRs that are not subject to BLR review?*

Yes, up to three BLRs are exempt on each tract of record on September 1, 2013 and the act allows the creation of up to three more BLRs after September 1, 2013 that are subject only to sanitation review.

8. *Can we add more types of exemptions, i.e. storage units?*

No. You can add more regulations for the review of BLRs but not more types of exemptions.

9. *Is the BLR review administrative?*

No. The governing body must deny, approve or conditionally approve the BLR.