

DRAFT Woodstock Zoning Regulations Text Amendment re: Short Term Rental –REVISED 6/1/23  
REVISIONS from 6/1/23 meeting shown with underline with additional staff comments added  
Public Hearing: [date to be determined]  
Proposed new language: **bold** Proposed deletions: ~~strikeout~~  
Article II. Definitions

~~**Bed and Breakfast:** a dwelling, in which lodging and meals are offered or provided for compensation to one to twelve persons for limited periods of time not exceeding 30 consecutive days; the owner shall live on the property.~~

**BED-AND-BREAKFAST** — A dwelling that provides sleeping units and meals prepared by owner for transient guests and that is managed and occupied by the owner of the property. The definition of "bed-and-breakfast" shall exclude a hotel and a short-term rental.

**SHORT-TERM RENTAL** — A residential dwelling unit, portion of a dwelling unit or room within a residential dwelling unit rented by transient guests for a period less than twenty-eight (28) consecutive days.

**SHORT-TERM RENTAL, HOSTED** — A residential dwelling unit occupied by the owner of record as their primary place of residence that is offered, on occasion, as an accommodation for transient guests while the owner is on site. Short-Term Rental, Hosted includes Bed and Breakfast.

**SHORT-TERM RENTAL, UNHOSTED**—A residential dwelling unit not occupied by the owner of record at the time of the rental and is represented by a designated agent within two hours of the rental property. ~~that is offered as an accommodation for transient guests no more than three times during any six-month period.~~

**TRANSIENT GUEST**—A person who occupies a room in a hotel or motel as well as a bed-and-breakfast or short-term rental for a period less than 31 twenty-eight (28) days.

**\*\*\*NOTE: PZC must determine whether short term rentals require a special permit or a home occupation permit.\*\*\***

*[Process for Special Permit Option: Amend current regulations to delete Bed and Breakfasts as a permitted use from the Community District and add it as a Special Permitted Use. This is included here due to PZC interest in Ashford Regulation which requires Special Permit in RA Zone. If PZC is interested, a second option can be drafted if the Short-Term Rental could be done with a different procedure such as the home occupation or a Site Plan Review.]*

### Article III. Districts

#### **Section B. Community District, Subsection 2. Permitted Uses**

The following uses shall be permitted in the Community District, subject to all other applicable requirements of these Regulations; including but not limited to the requirement for a Zoning Permit, where applicable:

~~j. Bed and Breakfasts~~ Short-Term Rental, Hosted

**Section B. Community District, Subsection 3. Uses Allowed by Special Permit in the Community District**

The following uses may be allowed by Special Permit, subject to the requirements of these Regulations.

**r. Short-Term Rental, Unhosted**

**~~Section 300-17 Residential – Agricultural Zone (RA)~~**

**~~C. Special permit uses. A special permit may be issued for the following uses in the Residential – Agricultural Zone pursuant to § 300-23 of these regulations:~~**

- ~~(17) Accessory structures and uses customarily incidental to and associated with the above special permit uses:~~**
- ~~(a) Rural businesses, in accordance with § 300-17I of these regulations.~~**
  - ~~(b) Agricultural waste storage not associated a farm operation.~~**
  - ~~(c) Short term rentals, in accordance with § 310-17D.~~**

**Article VI. Town-Wide Requirements / Standards**

**Section L. Short-Term Rentals**

**The following standards ~~conditions~~ standards and requirement shall apply to all Short-Term Rentals:**

- (1) Owner/operators of a Short-Term Rental must obtain a ~~zoning~~ Special Permit from the Commission prior to offering their properties for rental. As Short-Term Rentals are conducted on a temporary and periodic basis, no nonconforming use rights will be recognized for short-term rentals existing at the time of the passage of these regulations.**

**The ~~zoning~~ Special Permit application must include either:**

- a. The name of the property owner residing on the premises; or**
  - b. The name and contact information of the property manager who must live or work within two hours of the site and the express written consent of the property owner for such temporary rental.**
- (2) At any one time, the number of persons occupying a room or rooms in a single dwelling unit authorized for short-term room rentals shall be limited to four adults (in total) and minor children related to at least one of the adults by blood, marriage, adoption, custodianship, or guardianship, subject to a minimum square footage of usable floor area of 70 square feet for one person and 50 square feet for each additional person, including children one year of age or older.**
  - (3) If a short-term room rental occurs ~~in an RA Zone, or if it occurs in any other district~~ on a lot containing only a ~~one-unit~~ single-family dwelling (and no additional dwelling units or other nonresidential uses), then the property must be the primary residence of the owner.**

- (4) **The first permit issued pursuant to this Subsection D shall expire within one year of issuance. After one year of compliance with all regulations pursuant to this subsection, renewed permits shall expire within two years of issuance. A permit of any time length may be revoked if the Zoning Enforcement Officer receives information in the form of complaints, documentation, photographs or witnessed noncompliance with the regulations by the permittee, including any activity or condition that interferes with an owner's/abutter's reasonable and lawful use and enjoyment of his property. Such revocation is subject to a review by the Planning and Zoning Commission. A permit issued pursuant to this subsection may be conditioned to limit the number of days during which temporary rentals may occur.**
- (5) **The requirements in this subsection shall not apply to sublets or assignments of a possessory interest in the entire portion of a dwelling unit pursuant to a written lease agreement of one month or more in duration.**
- (6) **Accessory dwelling units and long-term room rentals are not permitted on the same lot as a short-term room rental.**
- (7) **Parking. Applicant shall submit a parking plan to the Commission showing at least one parking space per bedroom rented.**
- (8) **Proof well and septic system suitability from NDDH (Northeast District Department of Health).**
- (9) **Emergency information and phone numbers, including but not limited to location of nearest hospitals, evacuation routes and fire safety information shall be provided to the renter in writing.**
- (10) **Penalties**