

FOR PUBLIC HEARING ON SHORT-TERM RENTALS ON APRIL 2, 2024

- 1. Amend Chapter 290, Article III, § 290- 3.2 Definitions by adding the five Short-Term Rental related definitions.**

COMMERCIAL SHORT-TERM RENTAL

A short-term rental where the owner of the rental does not claim primary residency on the property and the owner operates a short-term rental unit.

*Note: These short-term rentals may be permitted provided the operation of the rental is in accordance with all applicable regulations of this Chapter and Chapter 215 Rentals, Short-Term.

RESIDENTIAL SHORT-TERM RENTAL

A short-term rental where the rental is located on a lot where the owner claims primary residency, and the owner may or may not be “in residence” during the tenancy of the short-term rental by transients.

*Note: These short-term rentals may be permitted provided the operation of the rental is in accordance with all applicable regulations of this Chapter and Chapter 215 Rentals, Short-Term.

SEASONAL SHORT-TERM RENTAL

A short- term rental located within a building containing a single dwelling made up of a room or group of rooms containing facilities for eating, sleeping, bathing, and cooking, but has water service available only seasonally and is occupied only seasonally. These structures typically do not contain insulation, or whole house heating, ventilation, and air conditioning (HVAC) systems.

*Note: These short-term rental units may be permitted provided the operation of the rental is in accordance with all applicable regulations of this Chapter and Chapter 215 Rentals, Short-Term.

SHORT-TERM RENTAL

The use of a dwelling for rent to a transient occupant(s) for a period of no more than 28 consecutive days (or one calendar month), whichever is less.

TRANSIENT OCCUPANT

A transient occupant is any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual apparent control or possession of residential property, which is either: 1) registered as a short-term rental property, or 2) satisfies the definition of a short-term rental property, as such term is defined in this article and Chapter 215, Rentals, Short-Term Rental. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

2. Amend Chapter 290, Article VIII, District Regulations, §290 - 8.2, 8.3 & 8.5 through 8.13, 8.15 & 8.16. by adding the defined STR uses (Commercial STR, Residential STR, and Seasonal STR) to Residential and Commercial sections of applicable zoning districts.

§290-8.2 Rural 1 District (RU-1)...

B. Permitted uses. The following uses are permitted in the Rural 1 District:

(3) The following residential uses:

- (a) Single-family dwellings.
- (b) Open space residential developments that meet the standards of Article IX.
- (c) Accessory apartments.

[\(d\) Residential Short-Term Rental](#)

[\(e\) Seasonal Short-Term Rental](#)

(5) The following commercial uses:

- (a) Outdoor storage of boats, provided the screening standards of Article XA, § 290-10A.4E, are met.
- (b) Storage within barns or similar accessory structures existing as of the date of adoption of this chapter.

[\(c\) Commercial Short-Term Rental](#)

§290-8.3 Rural 2 District (RU-2)...

B. Permitted uses. The following uses are permitted in the Rural 2 District:

(3) The following residential uses:

- (a) Single-family dwellings.
- (b) Two-family dwellings.
- (c) Open space residential development that meet the standards of Article IX.
- (d) Accessory apartment.

[\(e\) Residential Short-Term Rental.](#)

[\(f\) Seasonal Short-Term Rental.](#)

(5) The following commercial uses:

- (a) Outdoor storage of boats, provided the screening standards of Article XA, § 290-10A.4E, are met.
- (b) Storage within barns or similar accessory structures existing as of the date of adoption of this chapter.

[\(c\) Commercial Short-Term Rental](#)

§290-8.5 Coastal Residential District (CR)...

B. Permitted uses. The following uses are permitted in the Coastal Residential District:

(3) The following residential uses:

- (a) Single-family dwellings.
- (b) Two-family dwellings.
- (c) Open space residential development that meet the standards of Article IX.
- (d) Accessory apartment.

[\(e\) Residential Short-Term Rental.](#)

[\(f\) Seasonal Short-Term Rental.](#)

(5) The following commercial uses:

- (a) Outdoor storage of boats, provided the screening standards of Article XA, § 290-10A.4E, are met; tradesmans' shops; and indoor storage, maintenance, and construction of boats in existing

commercial buildings on lots of five or more acres in size, provided that the storage facility was in existence on January 1, 2003, and is located at least 125 feet from any residential lot boundary or public way.

(b) Storage within barns or similar accessory structures existing as of the date of adoption of this chapter.

(c) Private residential treatment facility, provided that:

[1] The facility shall have a maximum of 12 single-occupancy bedrooms which must be in buildings in existence as of January 1, 2018.

[2] The facility must be on a single parcel of land of at least 10 acres in size and containing a house with at least five bedrooms all in existence before November 3, 1992, the date of the enactment of this chapter.

[\(d\) Commercial Short-Term Rental.](#)

§290-8.6 Village Extension District (VE)...

B. Permitted uses. The following uses are permitted in the Village Extension District:

(3) The following residential uses:

(a) Single-family dwellings.

(b) Two-family dwellings.

(c) Open space residential development that meet the standards of Article IX.

(d) Mobile home parks.

(e) Accessory apartments.

(f) Multifamily dwellings.

[\(g\) Residential Short-Term Rental.](#)

[\(h\) Seasonal Short-Term Rental.](#)

(5) The following commercial uses:

(a) Outdoor storage of boats, provided the screening standards of Article XA, § 290-10A.4E, are met.

(b) Storage within barns or similar accessory structures existing as of the date of adoption of this chapter.

[\(c\) Commercial Short-Term Rental.](#)

§290-8.7 Traditional Village District (V)...

B. Permitted uses. The following uses are permitted in the Traditional Village District:

(3) The following residential uses:

(a) Single-family dwellings.

(b) Two-family dwellings.

(c) Open space residential development that meet the standards of Article IX.

(d) Accessory apartments.

[\(e\) Residential Short-Term Rental.](#)

[\(f\) Seasonal Vacation Rental.](#)

(5) The following commercial uses:

(a) Outdoor storage of boats, provided the screening standards of Article XA, § 290-10A.4E, are met.

(b) Storage within barns or similar accessory structures existing as of the date of adoption of this chapter.

(c) Hotels or motels with more than 10 but fewer than 15 sleeping rooms on lots of 3.5 or more acres, provided that the sleeping rooms are in existence and used as such and are located wholly

within one structure existing as of June 8, 1993, and further provided that any restraint facilities located therein shall prepare food and serve meals only to overnight guests of that hotel or motel.

[\(d\) Commercial Short-Term Rental.](#)

§290-8.8 Downtown Business District (B-1)...

B. Permitted uses. The following uses are permitted in the Village Extension District:

(2) The following residential uses:

(a) Single-family dwellings, except that no residential use and not use accessory to a residential use (including but not limited to parking and storage), except a home occupation, shall occur on a floor at street level.

(b) Two-family dwellings, except that no residential use and not use accessory to a residential use (including but not limited to parking and storage), except a home occupation, shall occur on a floor at street level.

(c) Multifamily dwellings, except no residential use and no use accessory to a residential use (including but not limited to parking, storage or other facilities operated principally for the benefit of residents of the dwellings) shall occur on a floor at street level.

(d) Congregate housing, except no elements of a congregate housing facility as defined shall occur on a floor at street level.

[\(e\) Residential Short-Term Rental.](#)

[\(f\) Seasonal Short-Term Rental.](#)

(4) The following commercial uses:

(a) Boat and marine sales and service, provided there is no exterior storage or display.

(b).....

(r) Commercial Short-Term Rental.

§290-8.9 Highway Business District (B-2)...

B. Permitted uses. The following uses are permitted in the Highway Business District:

(2) The following residential uses:...

(h) Residential Short-Term Rental.

(i) Seasonal Short-Term Rental.

(4) The following commercial uses: ...

(aa) Commercial Short-Term Rental.

§290-8.10 Transitional Business District (B-3)...

B. Permitted uses. The following uses are permitted in the Transitional Business District:

(2) The following residential uses:...

(j) Residential Short-Term Rental.

(k) Seasonal Short-Term Rental.

(4) The following commercial uses: ...

(o) Commercial Short-Term Rental.

§290-8.11 Neighborhood Service District (B-4)...

B. Permitted uses. The following uses are permitted in the Neighborhood Service District:

(2) The following residential uses:...

(f) Residential Short-Term Rental.

(g) Seasonal Short-Term Rental.

(4) The following commercial uses: ...

(k) Commercial Short-Term Rental.

§290-8.12 Harbor Business District (B-H)...

B. Permitted uses. The following uses are permitted in the Harbor Business District:

(2) The following residential uses:...

(d) Residential Short-Term Rental.

(e) Seasonal Short-Term Rental.

(4) The following commercial uses: ...

(k) Commercial Short-Term Rental.

§290-8.13 River Business District (B-R)...

B. Permitted uses. The following uses are permitted in the River Business District:

(2) The following residential uses:...

(c) Residential Short-Term Rental.

(d) Seasonal Short-Term Rental.

(4) The following commercial uses: ...

(v) Commercial Short-Term Rental.

§290-8.15 Transitional Harbor Business District (B-TH)...

B. Permitted uses. The following uses are permitted in the Transitional Harbor Business District:

(2) The following residential uses:

(d) Residential Short-Term Rental.

(e) Seasonal Short-Term Rental.

(4) The following commercial uses:

(p) Commercial Short-Term Rental

290-8.2

B(3) [\(d\) Residential Short-Term Rental](#)
[\(e\) Seasonal Short-Term Rental](#)

B(5) [\(c\) Commercial Short-Term Rental](#)

290-8.3

B(3) [\(e\) Residential Short-Term Rental](#)
[\(f\) Seasonal Short-Term Rental](#)

B(5) [\(c\) Commercial Short-Term Rental](#)

290-8.5

B(3) [\(e\) Residential Short-Term Rental](#)
[\(f\) Seasonal Short-Term Rental](#)

B(5) [\(d\) Commercial Short-Term Rental](#)

290-8.6

B(3) [\(g\) Residential Short-Term Rental](#)
[\(h\) Seasonal Short-Term Rental](#)

B(5) [\(c\) Commercial Short-Term Rental](#)

290- 8.7

B(3) [\(f\) Residential Short-Term Rental](#)
[\(g\) Seasonal Short-Term Rental](#)

B(5) [\(d\) Commercial Short-Term Rental](#)

290-8.8

B(2) [\(e\) Residential Short-Term Rental](#)
[\(f\) Seasonal Short-Term Rental](#)

B(4) [\(r\) Commercial Short-Term Rental](#)

290-8.9

B(2) [\(h\) Residential Short-Term Rental](#)
[\(i\) Seasonal Short-Term Rental](#)

B(4) [\(aa\) Commercial Short-Term Rental](#)

290-8.10

B(2) [\(j\) Residential Short-Term Rental](#)
[\(k\) Seasonal Short-Term Rental](#)

B(4) [\(o\) Commercial Short-Term Rental](#)

290-8.11

B(2) [\(f\) Residential Short-Term Rental](#)
[\(g\) Seasonal Short-Term Rental](#)

B(4) [\(k\) Commercial Short-Term Rental](#)

290-8.12

B(2) [\(d\) Residential Short-Term Rental](#)
[\(e\) Seasonal Short-Term Rental](#)

B(4) [\(k\) Commercial Short-Term Rental](#)

290-8.13

B(3) [\(c\) Residential Short-Term Rental](#)
[\(d\) Seasonal Short-Term Rental](#)

B(5) [\(v\) Commercial Short-Term Rental](#)

290-8.15

B(2) [\(d\) Residential Short-Term Rental](#)
[\(e\) Seasonal Short-Term Rental](#)

B(4)[\(p\) Commercial Short-Term Rental](#)

290-8.16

B(1) [\(c\) Residential Short-Term Rental](#)
[\(d\) Seasonal Short-Term Rental](#)

B(2) [\(j\) Commercial Short-Term Rental](#)