

Town of Killington, Vermont

Zoning Bylaws re: Short Term Rentals

FOR INTERNAL USE ONLY

Definitions

Dwelling Unit Capacity – Short Term Rental: When used as a Short-Term Rental, the Dwelling Unit Capacity shall be increased by an additional two occupants. For example, a three-bedroom Dwelling Unit shall have a Dwelling Unit Capacity of eight persons ((3 bedrooms X 2) + 2) when used as a Short-Term Rental. A Dwelling Unit subject to a Vermont Land Use (Act 250) Permit shall be limited to the Dwelling Unit Capacity stated on that permit and shall not be increased by an additional two units when used as a Short-Term Rental. This definition shall have no further operation, force, or effect once a Short-Term Rental Ordinance adopted by the Selectboard becomes effective.

Hotel / Lodge: A hotel, motel or lodge consisting of a Building(s) or portion thereof kept, used, maintained, advertised, or held out to the public to provide overnight accommodations to said public for compensation, by the renting of rooms or a bed within a room. The renting of an entire Dwelling Unit does not constitute a lodging operation; however, such use may qualify as a Short-Term Rental depending upon the extent of use. See Definition of “Short-Term rental”.

NOTE: A Short-Term Rental constitutes a “Hotel” for purposes of the State of Vermont Rooms and Meals Tax. See 32 V.S.A. §9202(3).

Short-Term Rental: A furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

NOTE: The Short-Term Rental of a Dwelling Unit in or of a Building qualifies the Building as a “public building” subject to the jurisdiction of the State of Vermont Division of Fire Safety pursuant to 30 V.S.A. §2730(a)(1)(D).

General Regulations

SECTION 403 - STRUCTURES EXEMPT FROM ZONING PERMIT REQUIREMENTS

- 1 The following Structures are exempt from the requirement to obtain a Zoning Permit provided they meet all dimensional requirements of these Zoning Bylaws, including Setbacks, for the District in which the Structure is to be located:

- A. One Accessory Building on a parcel where One- or Two-Family Dwelling are permitted, which does not exceed 144 square feet in size and is 12 feet or less in height and does not have plumbing.
- B. Residential entry stairs, handicap access Structures, walkways, at-grade patios, fences or walls less than six feet in height which do not extend into or obstruct a public or Town right-of-way or interfere with vehicular traffic or sight distances. Decks and porches are not exempt from the requirement to receive a Zoning Permit.
- C. Normal maintenance and repair of an existing Structure which does not result in an expansion or change of use. Examples of such normal maintenance are roof repair or replacement, new siding and foundation work.

2. The operation of a Short-Term Rental shall not require a zoning permit once a Short-Term Rental Ordinance adopted by the Selectboard becomes effective.

SECTION 407 – SHORT-TERM RENTAL OF DWELLING UNIT

1. The operation of a Short-Term Rental shall not require a zoning permit once the adoption of a Short-Term Rental Ordinance by the Selectboard becomes effective, pursuant to 24 V.S.A. § 2291(29). Until the date that such an ordinance becomes effective, The Short-Term Rental of a Dwelling Unit requires a Zoning Permit (hereinafter in this section referred to as a Short-Term Rental Registration) from the Zoning Administrator. A person shall not commence the use of a Dwelling Unit as a Short-Term Rental unless and until the Zoning Administer issues the requisite Short-Term Rental Registration.

2. An application for Short-Term Rental Registration shall, for Dwelling Units with an occupancy of 8 or less, require self-certification of compliance with the following consistent with the Town Zoning File; or, for Dwelling Units with a Dwelling Unit Capacity of greater than 8 occupants, copies of the following:

A. The State of Vermont Wastewater and Water Supply Permit for the property for Dwelling Units constructed or occupied after July 1, 2007, OR, the local zoning or septic permit for Dwelling Units constructed before July 1, 2007, OR, the Listers Property Card with the number of bedrooms indicated if a local zoning or septic permit does not exist for Dwelling Units constructed before July 1, 2007.

B. A State of Vermont Land Use (Act 250) Permit if subject to Act 250 jurisdiction.

C. An inspection report with occupancy approved from the State of Vermont Division of Fire Safety for Dwelling Units with a Dwelling Unit Capacity of greater than 8 occupants. For Dwelling Units with an occupancy of 8 or less the self-certification form in subsection 2(E) below shall suffice.

D. The Posting of Contact Information required by 18 V.S.A. §4467.

E. The education materials required by 18 V.S.A. §4468(a), including without limitation the self-certification form pertaining to health and safety precautions that Short-Term Rental

operators must take into consideration prior to renting a Dwelling Unit required by 18 V.S.A. §4468(b).

F. Proof that the liability insurance policy that covers the Dwelling Unit extends bodily injury and property damage insurance coverage that occurs during or as result of the use of the Dwelling Unit as a Short-Term Rental.

G. If the proposed Short-Term Dwelling Unit Capacity is for greater than 16 occupants ((7 bedrooms X 2) + 2), the use shall only be allowed in a Zoning District which allows “Hotel/Lodge” use and the applicant shall also obtain Site Plan Approval from the Development Review Board pursuant to §510 in addition to a Short-Term Rental Registration.

H. No Registration for the Short-Term Rental of a Dwelling Unit shall be issued unless the applicant has self-certified (for Dwelling Units with an occupancy of 8 or less) or has obtained and submitted to the Zoning Administrator (for Dwelling Units with a capacity of greater than 8 occupants) the documents and permits set forth in subsection 2 above.

I. The duration of a Short-Term Rental Registration shall be one year from the date of issuance.

J. The number of lessees, guests, or other persons using a Dwelling Unit pursuant to the Short-Term Rental lease or other agreement with the Short-Term Rental Registration holder shall not exceed the Short-Term Dwelling Unit Capacity of the Dwelling Unit.

K. The use of a Dwelling Unit by a number of lessees, guests, or other persons in excess of the Short-Term Rental Dwelling Unit shall constitute a violation of §407 by the Registration holder and/or the person with whom the Registration holder contracted for the Short-Term Rental of the Dwelling Unit.

SECTION 432 – OFF STREET LOADING AND PARKING

1. **Intent and Obligation:** No Land Development shall occur within the Town unless the provisions for off street parking and loading as set forth in this Section have been met. The requirement for off street Parking Space and off street loading space shall be a continuing obligation of the owner of the property on which any such Building or use is located, as long as the Building or use is in existence and its use requiring vehicle parking facilities continues, unless a change in use also increases the parking requirements. No owner of any Building or use affected by this Section shall discontinue, change or dispense with, or cause the discontinuance of any required parking or loading space. No person, firm or corporation shall occupy a Building without providing off street parking and loading spaces which meet with the requirements of, and are in compliance with, these Zoning Bylaws.

All parking shall comply with the short-term rental requirements of the Town of Killington.

Town of Woodstock, Vermont

Zoning Bylaws re: Short Term Rentals

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Definitions

SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 526.

District Regulations

Conditional Use in:

Forest Reserve 28 Acres, Residential 5 Acres, Residential Low Density, Residential Medium Density, Residential High Density, Residential/Office, Hamlet Commercial, Commercial/Light Industrial, Light Commercial/Light Industrial, Business Service/Light Industrial

Requires Administrative Permit in:

Residential 3 Acres, Residential 1 Acre

Additional Specific Standards

SECTION 526 SHORT TERM RENTALS (effective 02/11/2020)

The Town recognizes the benefit of Short Term Rentals to homeowners, visitors and the community. However, it is important not to create a nuisance or change the residential character of the area. A permit is not required during foliage season (September 15 - October 21) when the owner or primary tenant is in residence throughout the rental period and provisions "C. - I." are met.

The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located. In addition, homeowners have the responsibility to comply with the Vermont Department of Taxes re: rooms and meals tax rules and regulations.

A. Conditional Use Approval is required for rental periods of fewer than thirty (30) days.

B. Short Term Rentals are allowed no more than ten (10) times in a calendar year with a two night minimum stay, excluding foliage season. When the owner is in residence, five (5) additional rentals are allowed for up to a total of 15 rentals per calendar year.

C. In Residential Five Acre and Forestry zones, Short Term Rentals are allowed no more than 15 times in a calendar year with a two night minimum stay. When the owner is in residence, Short Term Rentals are unlimited.

D. All Short Term Rental units shall be inspected and approved by the Fire Chief before the use is allowed.

E. Only one Short Term Rental use is allowed per property.

F. Occupancy shall be restricted to two persons per bedroom, with a six person maximum per household.

G. All associated parking shall be on-site in designated spaces and comply with Section 521 Off-street Parking.

H. Rubbish service shall be provided, and containers shall be maintained out-of-sight, not viewed from the street.

I. Prohibitions:

1. Weddings, parties, catered events, and similar events.
2. Signs and other outside indications the dwelling is used as a short term rental.
3. Outdoor activities between 9 PM and 7 AM.

J. Notice to renters of house rules pertaining to parking, rubbish, noise, parties etc. shall be visibly displayed in the dwelling.

K. Name, address and telephone number of a manager shall be filed with the application and kept up to date. The manager shall live within 30 minutes of the property and shall be able to respond 24 hours per day 7 days per week.

L. A Section 526 report shall be filed by the permit holder with the Planning & Zoning Office by January 31 of each year. Failure to file the annual report and failure to meet the above standards shall require revocation of permit. After revocation of permit, a property owner shall not be able to reapply for one year. One may appeal a revocation notice to the TDRB via Section 817 Appeals from Decisions of Administrative Officer.