

## Short-Term Rental Ordinance

### **APPLICABLE DEFINITIONS**

*ACCESSORY APARTMENT - An apartment meeting the Special Exception criteria for accessory apartments set forth in Article VII. (11 Mar 08) (No change proposed)*

*ACCESSORY SHORT-TERM RENTAL- An accessory use to a single family detached dwelling unit that is offered for a fee for less than 30 consecutive days at a time. The short-term rental must be secondary to the principal residential use of the dwelling. (9 Mar 22) (No change proposed)*

*ACCESSORY USES - An accessory use is a subordinate use that is clearly incidental to and related to the principal structure, building or use of the land. Aircraft takeoffs and landings shall not be considered an accessory use to a residential use (see NH RSA 674:16 V for reference). (11 Mar 97) (No change proposed)*

*APARTMENT - A room or suite of rooms in a multiple dwelling, or an accessory apartment, in either case designed for use as a residence by a single family. (11Mar 08) (No change proposed)*

*DWELLING UNIT - One room or rooms connected together, constituting a separate, independent, housekeeping unit established for owner occupancy, lease of 30 days or longer, and separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping and sanitary facilities, but not including hotels, resort hotels and motels. (9 Mar 22) (No change proposed)*

*DWELLING, SINGLE-FAMILY DETACHED - A single residential dwelling unit designed for and occupied by one family only, 500 sq. ft. minimum required on the ground. (1986) (No change proposed)*

*SPECIAL EXCEPTION - A use which may be permitted under the Ordinance that contains certain stated conditions applied by the Zoning Board of Adjustment after review and consideration. (1979) (No change proposed)*

### **ARTICLE VII- BOARD OF ADJUSTMENT**

#### **B. SPECIAL EXCEPTIOM- SPECIFIC**

2. Accessory Short-Term Rentals: Short-Term Rentals for periods of less than 30 consecutive days of rental use of an entire single-family detached dwelling unit or room or rooms within the dwelling unit shall be considered accessory to a single-family detached dwelling provided residential occupancy of the single-family dwelling is the primary use. The short-term rental shall meet the following criteria:
  - a. Short-Term Rentals shall be permitted as an accessory use in any zoning district where single-family detached dwellings are permitted upon approval of a one-time Special Exception from the Zoning Board of Adjustment and annual renewal of a license from the Board of Selectmen.
  - b. Owner in Residence (OIR) short-term rentals: may rent the primary dwelling or room(s) within the dwelling. These rentals are for periods of less than 30 consecutive days, are limited to 120 cumulative days per calendar year and are considered an accessory use of the property. OIR short-term rentals in excess of 120 cumulative calendar days per year are prohibited.
  - c. Owner Not in Residence (ONIR) short-term rentals: may rent the primary dwelling for periods of less than 30 consecutive days, are limited to 90 cumulative days per calendar year and are considered an

accessory use of the property. ONIR short-term rentals in excess of 90 cumulative calendar days per year are prohibited.

- d. A septic system with NHDES operational approval or, if undocumented, a septic system evaluation done by a NH Licensed Septic System Evaluator together with a NHDES septic system construction approval shall be in place consistent with the number of permitted bedrooms in the dwelling.
- e. A plot plan to scale showing boundaries, all buildings, number of permitted bedrooms, type of water and sewer service and proposed parking area(s) is required.
- f. Overnight occupancy is restricted to 2 persons per permitted bedroom plus 2 additional persons.
- g. Daytime occupancy from dawn to dusk is restricted to overnight occupancy plus 50% additional persons.
- h. Overnight, off-street parking shall be provided and is limited to one vehicle per bedroom.
- i. All short-term rental properties must have life-safety provisions as approved by a Fire Inspector.
- j. Provisions must be made to secure or remove trash by day of tenant departure. Trash may not be left at roadside overnight anytime.
- k. The Owner or designated agent shall be reachable 24 hours per day and must be available on site within 2 hours, 24 hours per day, every day of the rental. Any owning entity shall identify the designated agent as part of the special exception application.