

4/11/18
Charles Safford
S. 204

AGENDA SUMMARY
January 22, 2018

Agenda Item No. 3c
Planning Commission Proposed Zoning Revisions

Summary: The Stowe Planning Commission held a public hearing on January 9, 2018 on proposed revisions to the Stowe Zoning Regulations and is recommending the revisions as attached. The purpose of the proposal is to regulate Short-term Rentals by allowing them as an accessory residential use in all zoning districts as long as they meet certain conditions.

In accordance with 24 V.S.A., Section 4442, not less than 15 nor more than 120 days after receipt of these proposed revisions, the Selectboard shall hold the first of one or more public hearings. In the past, the Selectboard has scheduled a series of work sessions to review proposed zoning revisions and make any changes in advance of scheduling a public hearing.

Town Plan Impact: As indicated in the attached proposal.

Fiscal Impact: N/A

Recommendation: Move to accept receipt of the proposed zoning revisions and unless otherwise directed, the Town Manager will begin to schedule a work session sometime in March for the Board to review the proposal and make any changes as appropriate before scheduling a public hearing.

**STOWE PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
PROPOSED CHANGES TO ZONING REGULATIONS
Tuesday, January 9, 2018, 5:30 PM**

Pursuant to 24 VSA Chapter 117, Section 4441, the residents of the Town of Stowe and all interested persons are hereby notified that the Stowe Planning Commission will conduct a public hearing in **Memorial Hall of the Akeley Memorial Building** on **Tuesday, January 9 at 5:30 PM** to receive input on proposed revisions to the Town of Stowe Zoning Regulations.

The purpose of the proposed revisions is to regulate Short-Term Rentals by allowing them as a residential accessory use in all zoning districts as long as they meet certain conditions, including meeting fire safety codes and providing proof of submitting meals and rooms taxes. The proposal can be viewed on the Town of Stowe website at www.townofstovevt.org

For questions, please contact Tom Jackman, Director of Planning at 253-2705 or tjackman@townofstovevermont.org.

**Planning Commission Reporting Form
for Municipal Bylaw Amendments**

This report is in accordance with 24 V.S.A. §4441 (c). The purpose of the proposed revisions is to bring existing Short-Term Rentals into conformance with the Stowe Zoning Regulations and to regulate them in order to promote the public health, and safety against fire, explosions, and other dangers in accordance with 24 V.S.A §4302(a).

The report includes the following findings:

1. The proposed revisions further the goals and policies contained in the 2015 Stowe Town Plan, including:
 - Economic Development Policy #3: *Stowe's continued development as a four season resort should be actively supported by the Town through public-private partnerships to the extent that such development enhances Stowe's economy, tax base, and the quality of life for all town residents, and does not adversely impact facilities and services, community character, or environmental quality.*
 - Economic Development Policy #13: *The Town will continue to collect a 1% options tax on rooms, meals and alcohol as additional revenue for capital expenditures unless otherwise decided by the voters.*
2. The proposed revisions are compatible with the proposed future land uses and densities of the municipal plan in that they are only intended to create a use that is accessory to residential dwellings, which are permitted in all zoning districts except for the Forest Reserve District.
3. The proposed revisions do not relate to any specific proposals for any planned community facilities.

Proposed Zoning Revisions

Bold red font indicates additions

~~Strikethrough~~ indicates deletions

Comments are in purple italics

Definition Amendments:

Unit, Dwelling: One or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease ~~on a weekly, monthly or longer basis,~~ and physically separated from any other rooms or dwelling units which may be in the same building, and containing independent cooking and sleeping facilities and bath facilities. Does not include an accessory apartment to a single-family dwelling **for the purpose of density calculations.** *(Amended definition)*

Short-term rental: means a furnished home, condominium, or other dwelling rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days. A short-term rental is considered an accessory use of a dwelling unit. *(New definition)*

Lodging Unit: A rentable accommodation whose maximum design capacity is four (4) people. A room with two (2) double beds equals one (1) unit; a suite with two (2) double beds equals one (1) unit; a suite with two (2) twin or single beds plus sofa bed equals one (1) unit; a suite with two (2) double beds plus sofa bed equals one and one-half (1 ½) units. A lodging unit may include provisions for a kitchen, provided that the facility in which the unit is located is designed for and operated as a short-term facility. **A lodging unit is located within a Lodging Facility and is not considered a short-term rental.** *(Amended definition)*

Add the following to the use chart under residential classifications:

Short-Term Rental: Allowed as a permitted use in all districts

Add the following to Section 4: Specific Use Standards:

4.17 Short-Term Rentals

Short-term rentals are permitted as an accessory use of a dwelling unit in any district and require approval by the Zoning Administrator. Approval of short-term rentals requires the following:

- 1. Short-term rentals shall meet the requirements of the Vermont Fire and Building Safety Code. Proof of compliance shall require submittal of approval documentation from the Vermont Division of Fire Safety.**
- 2. The applicant shall submit proof that they have obtained a license to collect meals and lodging taxes from the Department of Vermont Taxes or are using a rental agent that is filing any required meals and lodging taxes on behalf of the applicant.**
- 3. The applicant shall submit proof that they have obtained a lodging license if such a license is required from the Vermont Department of Health.**
- 4. The applicant shall certify the total number of bedrooms, both rented and not rented, in the dwelling unit.**
- 5. The applicant shall submit contact information for a person or firm who can be contacted in regards to the short-term rental.**