

DRAFT
Proposed Revisions to Short-Term Rental Ordinance – UPDATE No. 3
November 27, 2023

Notes to STR Committee members:

Changes have been made per discussions in November 27, 2023 STR Committee meeting:

Definitions: Minor wording changes to definition of OIR and ONIR.

Paragraphs c. and d.: Cumulative days of rentals per year changed from 120 days to 90 days. Statement regarding excess rentals per year in para d. added to para c.

Paragraph f.: Added “A” to improve wording (editor’s license)

Paragraph k.: Rewording for clarity.

Paragraph m.: Changed to para n. Added “The” to improve wording (editor’s license)

Paragraph n.: Reworded and changed to para m.

ARTICLE VII – BOARD OF ADJUSTMENT of Meredith Zoning Ordinance

Changes are proposed only to Town of Meredith Zoning Ordinance:

Paragraph B, Special Exceptions – Specific, sub paragraph 2. Accessory Short-Term Rentals and, Applicable Definitions.

APPLICABLE AND PROPOSED NEW 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)**

OWNER – The legal owner of the property or a legally responsible person for the owning entity. **(New)**

OWNER IN RESIDENCE (OIR) - Property owner is primarily residing on the property during the time of the short-term rental. (New)

OWNER NOT IN RESIDENCE - (ONIR) - Property owner not residing on the property during the time of the short-term rental. (New)

PROPOSED ORDINANCE

2. Accessory Short Term Rentals – Short Term Rentals of an entire single-family dwelling or room or rooms within the dwelling shall be considered accessory to a detached, single-family dwelling provided the occupancy of the single-family dwelling is the primary use. The short-term rental shall meet the following criteria: (Per 11/17/2023 STR Committee meeting)
 - a. Short Term Rentals shall be permitted as an accessory use in the zone where single-family dwellings are allowed and require a one-time Special Exception from the Zoning Board of Adjustment and annual renewal of a license from the Board of Selectmen.
 - b. Short term rentals shall not be permitted in accessory apartments.
 - c. Owner in Residence (OIR) short-term rentals may rent the primary dwelling or room or rooms within the dwelling, are limited to 30 days each and 90 days cumulative per year and are considered an accessory use of the property. Short term rentals in excess of 90 cumulative days per year are not allowed as an accessory use.
 - d. Owner Not in Residence (ONIR) short-term rentals may rent the primary dwelling, are limited to 30 days each and 90 cumulative days per year and are considered an accessory use of the property. Short term rentals in excess of 90 cumulative days per year are not allowed as an accessory use.
 - e. A septic system with state operational approval or a septic system evaluation done by a certified septic evaluator together with a state construction approval shall be in place and consistent with the number of bedrooms permitted in the dwelling.
 - f. A plot plan to scale showing boundaries, all buildings, number of bedrooms, type of water and sewer service and proposed parking area(s) is required.
 - g. Overnight occupancy is limited to 2 persons per bedroom plus 2 additional persons.
 - h. Daytime occupancy is limited to overnight occupancy plus 50% additional persons.
 - i. Adequate overnight, off-street parking shall be provided and is limited to one vehicle per bedroom.
 - j. All rental properties must have life-safety provisions determined by a Fire Inspector including working smoke and CO₂ detectors and proper egress from all bedrooms.
 - k. Provisions must be made to secure or remove trash by day of tenant departure. Trash may not be left at roadside overnight anytime.
 - l. A responsible contact person reachable 24 hours per day must be available on site within 2 hours, 24 hours per day, every day of the rental.
 - m. It is the owner's responsibility to comply with local Condominium and/or Home-Owner Association rules or By-Laws if applicable.
 - n. The owner is solely responsible for compliance with these provisions.

Items below are not part of the ordinance but suggested as topics for further discussion at some point.

Administration of the Program

Form of application for license – on-line, printed, web site pdf. template?

GovOS – Austin, TX. A leading provider of transaction and compliance software for state and local governments to streamline property licensing and tax interaction. (\$20K/yr. per Sunapee)

Surveillance – reporting by rental agencies, active searching of rental advertising and state rooms and meals tax compliance?

Non-Compliance and Enforcement – Failure to obtain Special Exception and/or license.

Failure to observe requirements of Special Exception or license.

Process of determining non-compliance.

Self-financing program – Special Exception fees and abutter notification

Application fees

Fines

Consideration of all costs such as inspections, police nuisance call response and administration of program.