

NOTICE OF HEARING TO AMEND THE TOWN AND VILLAGE ZONING REGULATIONS

WOODSTOCK PLANNING COMMISSION
TOWN AND VILLAGE OF WOODSTOCK, VERMONT
31 The Green
Woodstock, VT 05091

Pursuant to 24 V.S.A. §§ 4441 and 4444, notice is hereby given of a public hearing by the Woodstock Planning Commission to hear public comments on the proposed amendments to the Town and Village Zoning Regulations and recommended Short-term Rental Ordinance. The public hearing will take place during the Planning Commission's special meeting on March 25, 2024, with the hearing starting at 7:00 PM.

You may access the hearing as follows:

To join virtually by computer, please click this URL: www.zoom.us/join enter the Meeting ID and password:

Meeting ID: 886 4885 1165

Passcode: 345452

To join virtually by phone, please dial 646-931-3860 and enter the Meeting ID and password:

Meeting ID: 886 4885 1165

Passcode: 345452

To join the meeting in person: Woodstock Town Hall, Large Conference Room (Second Floor), 31 The Green, Woodstock, VT 05091

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose:

The intent of this ordinance is to enact simple, appropriate, and enforceable mechanisms that:

- (1) Promote and protect the public health, safety, welfare, and convenience of Woodstock's residents and visitors;
- (2) Preserve Woodstock's sense of place;
- (3) Allow a limited number of short-term rentals to contribute to the local tourism economy in a way that does not adversely impact the availability of long-term rental housing;
- (4) Balance the needs and rights of property owners and neighbors; and
- (5) Incentivizes the conversion of short-term housing to long-term housing.

Geographical areas affected:

The proposed amendments apply to all areas and zoning districts within the Town and Village of Woodstock.

List of Town Zoning Regulations sections headings affected:

Section 110: Definitions
Section 301: Forest Reserve
Section 302: Residential Five Acres
Section 303: Residential Three Acres
Section 304: Residential One Acre
Section 305: Residential Low Density
Section 306: Residential Medium Density
Section 307: Residential High Density
Section 308: Residential/Office
Section 309: Hamlet Commercial
Section 310: Commercial/Light Industrial
Section 311: Light Commercial/Light Industrial
Section 312: Business Service/Light Industrial
Section 504: Bed and Breakfast Establishments
Section 526: Short Term Rentals

List of Village Zoning Regulations sections headings affected:

Section 109: Definitions
Section 308: Central Commercial
Section 504: Bed and Breakfast Establishments
Section 522: Short Term Rentals

The full text of the Town and Village Zoning Regulations and the recommended Short-term Rental Ordinance is available for review online at <https://townofwoodstock.org/planning-zoning>. The proposed amendments can also be reviewed in hard copy posted on the second floor of Town Hall, 31 The Green, Woodstock, VT 05091.

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PLANNING COMMISSION REPORT

AMENDMENTS TO THE TOWN AND VILLAGE ZONING REGULATIONS TO REGULATE SHORT-TERM RENTALS AND BED AND BREAKFAST ESTABLISHMENTS WOODSTOCK PLANNING COMMISSION

31 The Green
Woodstock, VT 05091

Pursuant to 24 V.S.A. §4441, the Planning Commission has prepared this written report to accompany the proposed amendments to the Town Zoning Regulations and Village Zoning Regulations and the recommend Short-term Rental Ordinance.

STATEMENT OF PURPOSE:

The purpose of these amendments is to update the definition and requirements of bed and breakfast establishment to remove an existing loophole for owner-occupied short-term rentals and remove short-term rentals from the land use regulations as it will transition to a stand-alone municipal ordinance, pursuant to 24 V.S.A. §2291(29).

FINDINGS:

The 2023 Comprehensive Plan (“The Plan”) provides that the municipality’s regulations and policies should “discourage the conversion of residential units to commercial use.” The Plan at 65. Furthermore, the Plan calls for the discouragement of “investments in residential property for repeat short-term rentals to transients in residential zones where the owner or primary tenant does not occupy the premises.” *Id.*

The Planning Commission recognizes that Woodstock, like the entire state of Vermont, faces a serious housing crisis. While short-term rentals are not responsible for the crisis, when left unregulated or poorly regulated, short-term rentals can be a natural and ever-growing threat to the availability of affordable and workforce housing.

The Plan’s Housing Chapter primarily focuses on the dire need to build more housing contiguous to existing infrastructure. However, it specifically states that the Town will also “consider zoning changes that would reduce or remove legitimate or perceived barriers to the development of affordable housing” to combat the further loss of housing units for commercial use. The Plan at 68.

With great clarity, Woodstock views the inherent economic incentive of short-term rentals as a legitimate barrier to the development of affordable housing. Accordingly, over the past several months, we have worked closely with the community to take the necessary steps to reach a balance amongst the various stakeholders. We are extremely grateful to the many in our community who attended multiple meetings, shared their stories, and who selflessly sacrificed

time away from family and friends to help us develop the best possible solution to a complex issue. Through your assistance, we can confidently recommend that these changes are a commitment to the betterment of Woodstock.

Respectfully submitted,

Steven D. Bauer
Director of Planning & Zoning

Frank Horneck
Chair, Planning Commission

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AMENDMENTS TO THE TOWN ZONING REGULATIONS FOR THE REGULATION OF SHORT- TERM RENTALS AND BED AND BREAKFAST ESTABLISHMENTS

TOWN OF WOODSTOCK SELECTBOARD
TOWN OF WOODSTOCK, VERMONT
31 The Green
Woodstock, Vermont 05091

SECTION 110. DEFINITIONS

* * *

~~BED AND BREAKFAST: A residential dwelling, occupied by owner of the business and involving not more than one full time employee, in which a portion of the home is adapted to use as lodging for travelers or transients as an accessory use to the residence. See Section 504.~~
Is a residential building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) total sleeping spaces within the building.

* * *

~~SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 526. Is a furnished house, condominium, other dwelling unit, or sleeping space of a dwelling unit that is 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: Once the adoption of the "Short-term Rental Ordinance" by the Town of Woodstock Selectboard becomes effective, short-term rentals shall be regulated under that Ordinance and not these regulations.

* * *

SECTION 301. FOREST RESERVE – 28 ACRES

~~D. Uses Requiring a Conditional Use Permit~~

~~12. Short Term Rentals §526~~

* * *

SECTION 302. RESIDENTIAL FIVE ACRES – 5 ACRES

~~D. Uses Requiring a Conditional Use Permit~~

~~12. Short Term Rentals §526~~

* * *

SECTION 303. RESIDENTIAL THREE ACRES – 3 ACRES

~~C. Uses Requiring an Administrative Permit~~

~~8. Short Term Rentals §526~~

* * *

SECTION 304. RESIDENTIAL ONE ACRE – 1 ACRE

~~C. Uses Requiring an Administrative Permit~~

~~8. Short Term Rentals §526~~

* * *

SECTION 305. RESIDENTIAL LOW DENSITY – 20,000 sq. ft.

~~C. Uses Requiring a Conditional Use Permit~~

~~10. Short Term Rentals §525~~

* * *

SECTION 306. RESIDENTIAL MEDIUM DENSITY – 8,000 sq. ft.

~~C. Uses Requiring a Conditional Use Permit~~

~~10. Short Term Rentals §526~~

* * *

SECTION 307. RESIDENTIAL HIGH DENSITY – 5,000 sq. ft.

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

* * *

SECTION 308. RESIDENTIAL/OFFICE

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

* * *

SECTION 309. HAMLET COMMERCIAL

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

~~* * *~~

SECTION 310. COMMERCIAL/LIGHT INDUSTRIAL

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

~~* * *~~

SECTION 311. LIGHT COMMERCIAL/LIGHT INDUSTRIAL

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

~~* * *~~

SECTION 312. BUSINESS SERVICE/LIGHT INDUSTRIAL

~~C. Uses Requiring a Conditional Use Permit~~

~~9. Short Term Rentals §526~~

~~* * *~~

SECTION 504. BED AND BREAKFAST ESTABLISHMENTS

~~Bed and Breakfast establishments are limited to three guest rooms, unless located in a commercial zone. Breakfast only may be served. The establishment shall not be used to cater parties or events.~~

Bed and breakfasts must:

- (1) Be licensed by the Vermont Department of Health to operate a food and lodging establishment;
- (2) Provide breakfast for guests in a common dining area;
- (3) Have a caretaker who resides on-site; and
- (4) Not provide cooking facilities for guests.

~~* * *~~

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.~~

- A. Once the adoption of the “Short-term Rental Ordinance” by the Town of Woodstock Selectboard becomes effective, the operation of a short-term rental shall not require a zoning permit.
- B. In accordance with the Short-term Rental Ordinance, the Administrative Officer is prohibited from issuing any new zoning permits for the use of a property as a short-term rental under these regulations.

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AMENDMENTS TO THE VILLAGE ZONING REGULATIONS FOR THE REGULATION OF SHORT- TERM RENTALS AND BED AND BREAKFAST ESTABLISHMENTS

WOODSTOCK BOARD OF VILLAGE TRUSTEES
VILLAGE OF WOODSTOCK, VERMONT
31 The Green
Woodstock, Vermont 05091

SECTION 109. DEFINITIONS

* * *

~~BED AND BREAKFAST: A residential dwelling, occupied by owner of the business and involving not more than one full time employee, in which a portion of the home is adapted to use as lodging for travelers or transients as an accessory use to the residence. Breakfast only may be served. See Section 504.~~

Is a residential building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) total sleeping spaces within the building.

* * *

~~SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 526.~~ Is a furnished house, condominium, other dwelling unit, or sleeping space of a dwelling unit that is 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: Once the adoption of the "Short-term Rental Ordinance" by the Town of Woodstock Selectboard becomes effective, short-term rentals shall be regulated under that Ordinance and not these regulations.

* * *

SECTION 308. CENTRAL COMMERCIAL (CC)

~~C. Prohibited Uses:~~

- ~~1. Short Term Rentals~~ (See Section 522)

* * *

SECTION 504. BED AND BREAKFAST ESTABLISHMENT

~~Bed and Breakfast establishments are limited to three guest rooms, unless located in the Central Commercial, Light Commercial, Commercial/Light Industrial, and Inn zones. Breakfast only may be served. The establishment shall not be used to cater parties or events.~~

~~Bed and breakfasts must:~~

- ~~(1) Be licensed by the Vermont Department of Health to operate a food and lodging establishment;~~
- ~~(2) Provide breakfast for guests in a common dining area;~~
- ~~(3) Have a caretaker who resides on-site; and~~
- ~~(4) Not provide cooking facilities for guests.~~

* * *

SECTION 522. SHORT TERM RENTALS

~~Short term rentals in all districts require a permit. 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.~~

~~A. Conditional Use Approval is required for rental periods of fewer than thirty days.~~

~~B. Short term rentals are allowed no more than six times a calendar year, excluding foliage season.~~

~~C. All associated parking shall be on site.~~

~~D. Garbage service shall be provided and garbage containers shall be maintained out of sight.~~

~~E. Notice to renters of regulations pertaining to parking, garbage, noise, parties etc. shall be visibly displayed in the dwelling.~~

~~F. Name, address and telephone number of a manager shall be filed with the application and kept up to date.~~

~~G. Prohibitions~~

~~1. Parties and/or catered events etc.~~

~~2. Signs and other outside indications that dwelling is used as a short term rental.~~

~~3. Outdoor activities between 9 PM and 7 AM.~~

~~H. A change in ownership shall require a new permit.~~

~~I. Exception: No permit is required during foliage season (September 15 – October 21) if the owner or primary tenant is in residence throughout the rental period and provisions C., D., E. & G. above are met.~~

~~A. Once the adoption of the “Short-term Rental Ordinance” by the Woodstock Board of Village Trustees becomes effective, the operation of a short-term rental shall not require a zoning permit.~~

~~B. In accordance with the Short-term Rental Ordinance, the Administrative Officer is prohibited from issuing any new zoning permits for the use of a property as a short-term rental under these regulations.~~

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ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM RENTALS

TOWN OF WOODSTOCK, VERMONT
VILLAGE OF WOODSTOCK, VERMONT
31 The Green
Woodstock, VT 05091

TO THE TOWN OF WOODSTOCK SELECTBOARD AND WOODSTOCK BOARD OF
VILLAGE TRUSTEES:

The Woodstock Planning Commission and Planning & Zoning Department respectfully
reports that it has considered the regulation of short-term rentals in the Town and Village of
Woodstock and recommend that the following Ordinance be adopted as presented:

* * * Short-term Rentals * * *

Sec. 1. AUTHORITY

Under the authority granted in 24 V.S.A. § 2291(29) and §§1971 *et seq.*, the Selectboard of
the Town of Woodstock and the Board of Village Trustees for the Village of Woodstock hereby
collectively adopt the following civil ordinance requiring the annual registration and regulation
of all short-term rentals advertising or operating within the Town and Village of Woodstock,
Vermont.

Sec. 2. PURPOSE

(A) The purpose of this ordinance is to enact simple, appropriate, and enforceable mechanisms
that:

- (1) Promote and protect the public health, safety, welfare, and convenience of Woodstock's
residents and visitors;
- (2) Preserve Woodstock's sense of place;

- (3) Allow a limited number of short-term rentals to contribute to the local tourism economy in a way that does not adversely impact the availability of long-term rental housing;
- (4) Balance the needs and rights of property owners and neighbors; and
- (5) Incentivizes the conversion of short-term housing to long-term housing.

Sec. 3. SHORT TITLE

This ordinance shall be known and may be cited as the “Short-Term Rental Ordinance.”

Sec. 4. DEFINITIONS

As used in this ordinance:

(A) “Accessory dwelling unit” means a building that is clearly subordinate to a residential building and has facilities for independent living, including sleeping, food preparation, and sanitation.

(B) “Advertising” means any method used to promote the existence or availability of a short-term rental. Advertising includes but is not limited to the use of websites, short-term rental platforms, search engines, emails, signs, displays, radio and television broadcasts, newspapers, periodicals, direct mail, other printed forms, and any electronic media.

(C) “Bed and breakfast” means a building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of sixteen (16) sleeping spaces within the building. Bed and breakfasts must:

- (1) Be licensed by the Vermont Department of Health to operate a food and/or lodging facility;
- (2) Provide breakfast for guests in a common dining area;
- (3) Not provide individualized cooking facilities for guests; and
- (4) Have a caretaker who resides on-site.

1 (D) “Building” means a building or structure whose use or occupancy requires the construction
2 or modification of a potable water supply or wastewater system.

3 (E) “Department” means the Woodstock Planning & Zoning Department.

4 (F) “Dwelling unit” means a building or the part of a building that is used as a home, residence,
5 or sleeping space by one or more persons and has facilities for independent living, including
6 sleeping, food preparation, and sanitation. This definition does not include hotels, inns,
7 motels, or bed and breakfasts.

8 (G) “Existing permit holders” means any short-term rental operator who applied for and received
9 a zoning permit prior to September 1, 2023, as determined by the Short-term Rental Officer.

10 (H) “Existing registration holders” means any short-term rental operator who has an active and
11 in good standing Short-term Rental Registration at the time of renewal for the upcoming
12 short-term rental year.

13 (I) “Hotels,” “Inns,” and “Motels” means any business establishments that offer furnished
14 lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and
15 individually rentable units.

16 (J) “Initial short-term rental year” means the initial period under this ordinance which runs from
17 January 1, 2025, to December 31, 2025.”

18 (K) “Issuing Municipal Official” means the Short-term Rental Officer, Municipal Manager,
19 Village of Woodstock Police Officers, or the Town of Woodstock Fire Chief.

20 (L) “Maximum occupancy” means the maximum number of short-term rental guests allowed per
21 unit as determined by the certificate of occupancy, issued by the State of Vermont Fire
22 Marshal.

(M) “Natural person” means a living human being as distinguished from a person created by operation of law.

(N) “Multi-household parcel” means a parcel that has five or more distinct and individually rentable dwelling units on the same parcel and no unit is an accessory dwelling unit.

(O) “Non-owner-occupied” means any property that is not considered a Vermont “homestead,” as determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

(P) “Owner” means the person who is the owner of record of real property as documented by deed or other document evidencing ownership recorded in the Woodstock Land Records.

(Q) “Owner-occupied” means a property owner whose home meets the definition of a Vermont “homestead” as determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

(R) “Person” means a natural person, partnership, association, company, corporation, limited liability company, organization, or a member, manager, agent, owner, director, officer, or employee thereof.

(S) “Preexisting multiple unit operator” means any existing permit holder who is in good standing and has continuously owned and operated more than one short-term rental prior to September 1, 2023.

For guidance on how to qualify as a preexisting multiple unit operator, please see Attachment B.

(T) “Preexisting rural operator” means any short-term rental owner whose property is in the Forest Reserve or Residential Five Acre Zoning District who has never applied for or received a zoning permit because under the previous zoning regulations, the short-term rental was considered a legal preexisting nonconforming use.

For guidance on how to qualify as a preexisting rural operator, please see Attachment A.

(U) “Short-term rental” or “STR” means a furnished house, condominium, other dwelling unit, or sleeping space within a dwelling unit that is 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.

The short-term rental of a dwelling unit in 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).

(V) “Short-term rental guest” means any person who rents, licenses, occupies or has the right to occupy a dwelling unit, in whole or in part, for less than 30 consecutive days, such definition is to be interpreted broadly to prohibit subleases, occupancies or assignments designed to circumvent the purposes of this Ordinance.

(W) “Short-term rental operator” means the person designated to manage the short-term rental property and communications.

This person could be the property owner, short-term rental registrant, employee of a management company, or independent contractor.

(X) “Short-term rental registrant” means a natural person who is authorized by law to receive service of process and can attest that the property owner does not operate more than one (1) short-term rental in the Town or Village of Woodstock under the pains and penalties of perjury.

(Y) “Short-term rental year” means a calendar year (January 1 to December 31) in which a registered short-term rental is permitted to operate in accordance with this Ordinance.

For example, the 2025 Short-term rental year is January 1, 2025, to December 31, 2025. The 2026 Short-term rental year is January 1, 2026, to December 31, 2026.

(Z) “Sleeping space” means a space that is designed or designated to sleep one person.

For example, a single or twin bed equals one sleeping space, and a double bed equals two sleeping spaces.

Sec. 5. ADMINISTRATION.

(A) The Short-term Rental Officer is the administrator of the Short-Term Rental Ordinance in the Town of Woodstock and the Village of Woodstock. In the administration of and in accordance with this Ordinance, the Short-term Rental Officer is expressly authorized to:

- (1) Issue, revoke, or suspend Short-term Rental Registrations;
- (2) Establish rules and forms; and
- (3) Conduct or delegate inspection and enforcement authority to Department staff or other Municipal Issuing Officials.

Section 6. SHORT-TERM RENTAL ANNUAL REGISTRATION.

(A) Short-Term Rental Registry. There is hereby established a short-term rental registry. Effective January 1, 2025, the advertisement or operation of a short-term rental requires a Short-Term Rental Registration. No person may advertise or operate a short-term rental in the Town or Village of Woodstock without a Short-term Rental Registration, issued by the Short-term Rental Officer.

(1) A Short-Term Rental Registration:

(a) Is valid for one short-term rental year and must be renewed annually in accordance with subsection (6)(D) of this Ordinance; and

(b) Attaches to an individual owner and cannot be assigned upon the transfer of the property.

(2) Only one (1) Short-Term Rental Registration is allowed per short-term rental registrant unless the registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023.

(3) Only one (1) Short-Term Rental Registration is allowed per property unless:

(a) The registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023; or

(b) The parcel has more than five (5) distinct and individually rentable dwelling units. No more than 15% of the total number of units on any multi-household parcel may be registered as short-term rentals.

(4) The Short-term Rental Officer is only authorized to issue:

(a) Fifty-five (55) Owner-occupied Short-Term Rental Registrations per short-term rental year;

(b) Fifty-five (55) Non-owner-occupied Short-Term Rental Registrations per short-term rental year.

(5) The Short-term Rental Officer is authorized to issue Short-Term Rental Registrations that do not count toward the limitations as established by Section (6)(A)(4) if the short-term rental registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023, or qualifies as “preexisting rural operator” prior to July 31, 2024.

(B) Application.

A Short-term Rental Registration application is deemed complete once the Short-term Rental Officer receives the following:

(1) A completed Short-term Rental Registration application form, signed by all persons and entities that have an ownership interest in the property. This form must include the name, address, telephone number, mailing address, and email address of the person or company designated as the short-term rental operator;

(2) The accurate Short-term Rental Registration fee according to Section 9 of this Ordinance;

(3) Building floor plan, specifying the location of all proposed sleeping spaces and fire exits, including egress windows;

(4) Current photographs of short-term rental unit that matches or will match any advertisement of the property as a short-term rental;

(5) A site plan showing the proposed guest parking areas, specifying the number of available on-site parking spaces;

(6) Self-certification of compliance affidavit, signed by the short-term rental registrant, attesting that the property owner does not own or operate more than one (1) short-term rental in the Town or Village of Woodstock, Vermont, under the pains and penalties of perjury;

(7) A valid change of use permit and certificate of occupancy, issued by the State of Vermont Fire Marshal;

For existing permit holders, a change of use permit and certificate of occupancy is considered valid if issued after May 1, 2023.

(8) Proof of registration of a Vermont Meals and Rooms Tax account;

If the operator uses an internet platform which has an agreement with the Vermont Department of Taxes to collect and remit tax on behalf of its operators (i.e. Airbnb), then the short-term rental registrant must provide the proof of registration as provided by the platform.

(9) Proof of short-term rental insurance or homeowners' insurance with short-term rental endorsement; and

(10) A statement of knowledge and compliance, signed by the short-term rental registrant, attesting that the owner, short-term rental registrant, and short-term rental operator agree to manage the short-term rental in compliance with this Ordinance and acknowledge that

non-compliance may result in civil penalties or the revocation of the Short-term Rental Registration, pursuant to Section 10 of this Ordinance.

(C) Procedure Upon Filing a Complete Application.

(1) Within sixty (60) days of receiving a completed Short-term Rental Registration application, the Short-term Rental Officer must provide written notification of decision to the applicant of record.

(2) In reviewing the application for compliance with this Ordinance, the Short-term Rental Officer may:

(a) Inspect the property and short-term rental unit, after obtaining the express consent of the owner, short-term rental registrant, or short-term rental operator;

(b) Attach reasonable conditions as deemed necessary to fulfill the intent of this Ordinance;

(c) Deny a Short-term Rental Registration application for any of the following reasons:

(1) The application is deemed incomplete because information required by subsection (6)(B) of this Ordinance was not included with the application;

(2) The applicant failed to pay the full permit fee, in an acceptable form of payment, within 15 days of the request for payment as required by Section 9 of this Ordinance;

(3) Within the previous twelve (12) months, the Short-term Rental Officer has revoked a Short-term Rental Registration from any of the owners associated with the application for cause; or

(4) The owner denies the Short-term Rental Officer, the Fire Marshal, or their designee access to the property for the purposes of an inspection.

(D) Short-Term Rental Registration Application Windows.

(1) Initial Short-term Rental Year Application Windows.

(a) Application Window One (1). This application window opens on August 1, 2024, and closes September 15, 2024. This application window includes the following short-term rental pool of applicants:

(1) “Existing permit holders;”

(2) “Preexisting rural operators;” and

(3) “Preexisting multiple unit operators.”

(b) Application Window Two (2). This application window opens on November 1, 2024, and closes on June 30, 2025, or until the authorized number of registrations has been issued. This application window includes any short-term rental applicant that did not receive a determination of qualified status as an “existing permit holder,” “preexisting rural operator,” or “preexisting multiple operator” prior to August 1, 2024.

(2) Ongoing and Renewal Short-term Rental Application Windows. Following the initial short-term rental year, the application windows will be as follows:

(a) Application Window One (1). This application window is for all “existing registration holders” that are in good standing and applying to renew their Short-term Rental Registration. After the initial short-term rental year, this application window opens annually on August 1 and closes on August 31.

(b) Application Window Two (2). This application window opens annually on November 1 and closes on June 30, or until the authorized number of registrations has been issued. This application window includes any short-term rental operator that does not

qualify as an “existing registration holder” prior to June 30 of the previous short-term rental year.

Sec. 7. OPERATING STANDARDS AND RULES.

The operation or advertisement of a short-term rental is only allowed if it complies with the following operating standards and rules:

(A) Maximum Occupancy. The advertised or actual operating occupancy must not exceed the maximum occupancy;

(B) Tax Remittance. The owner, short-term rental registrant, or their registered platform must collect and remit all applicable state and municipal taxes, including, but not limited to the State of Vermont 9% Meals and Rooms Tax and the 1% local options tax on every short-term rental reservation;

(C) Fire and Life Safety. Every registered short-term rental unit must:

(1) Display a valid certificate of occupancy, issued by the State of Vermont Fire Marshal, in a conspicuous place inside the dwelling unit; and

(2) Complete a fire & life safety inspection at least every five (5) years.

Any change of ownership, occupancy, or construction requires a new fire & life safety inspection from the Vermont Fire Marshall.

(D) Parking. The Property must provide at least one (1) on-site parking space for every four (4) permitted short-term rental guests, as determined by the maximum occupancy.

For example, if the maximum occupancy for a short-term rental unit is eight (8), the Property must be able to provide at least two (2) 9' X 18' on-site parking spaces.

(E) All registered short-term rentals must designate a short-term rental operator. Short-term rental operators must be able to respond to incidents and provide interior and exterior access to the short-term rental within thirty (30) minutes.

(F) Good Neighbor Policy. Display a completed copy of the “Good Neighbor Policy,” signed by the short-term rental registrant.

Sec. 8. PROHIBITED ACTIVITIES.

The following activities are prohibited under this Ordinance:

(A) The advertisement or operation of a short-term rental without a valid Town-issued Short-term Rental Registration Number included in the advertisement;

(B) Signage identifying, advertising, providing way of finding, or otherwise related to use of the dwelling unit as a short-term rental, either on- or off-site;

(C) The sublease, sublicense or assignments of any or all portions of the short-term rental by the short-term rental guests to another person during the rental period;

(D) Use of the short-term rental to host parties, conferences, family reunions, weddings, fundraisers, or similar gatherings of vehicles parked off site exceeds or is reasonably anticipated to exceed the maximum allowable number of short-term guests; and

(E) The preparation or service of food to any short-term rental guests by the short-term rental operator that would require a license to operate as a food service establishment, according to the Vermont Department of Health.

Sec. 9. FEES.

A non-refundable administrative processing fee of \$250 must be paid to the Town of Woodstock with the submission of any Short-term Rental Registration application or annual renewal. Upon approval of the Short-term Rental Registration application or renewal, the applicant must pay any outstanding fee in accordance with Tables 9-1 and 9-2. The failure to pay the entire fee within 15 days of the request for payment will result in a denial of the application.

A Short-term Rental Registration cannot be issued by the Short-term Rental Officer until the

- 1 correct fee amount is paid in full. See Tables 9-1 and 9-2 for a schedule of Short-term Rental
- 2 Registration fees.

SHORT-TERM RENTAL ANNUAL REGISTRATION FEES		
Table 9-1		
Short-term rental type	Base Annual registration fee	Per allowable occupant fee
Owner-occupied	\$750	\$250/per occupants allowed
Non-owner-occupied	\$3,000	\$250/per occupants allowed

Table 9-2	
“Owner-occupied/preexisting rural operator” fee waiver request.	Any short-term rental unit that qualifies as “owner-occupied” and is owned by a person who qualifies as a “preexisting rural operator” may submit a request for a Short-term Rental Registration fee waiver up to \$2,000, less the \$250 administrative processing fee.

Sec. 10. VIOLATION AND ENFORCEMENT.

Any person who violates any provision of this Ordinance is subject to a civil penalty of not more than \$800 per day for each day that such violation continues. Each day the violation continues is a separate offense.

(A) Issuing Municipal Officials. The Short-term Rental Officer, Municipal Manager, Village of Woodstock Police Officers, and the Town of Woodstock Fire Chief are designated and authorized to act as Issuing Municipal Officials to issue and pursue civil penalties before the Vermont Judicial Bureau, or other court having jurisdiction over a municipal complaint.

(B) Civil Penalties

An Issuing Municipal Official is authorized to issue citations to recover civil penalties up to the following amounts for each violation:

(1) The advertisement or operation of a short-term rental without a valid Short-term Rental Registration number – \$800 per offense.

(2) All other violations:

(a) First offense – \$500

(b) Second offense – \$500, plus the Short-term Rental Officer must provide a written warning that the existing registration and the future eligibility to apply or operate a short-term rental under this Ordinance may be revoked.

(c) Third offense – \$800, plus the Short-term Rental Officer may revoke any existing Short-term Rental Registration and institute up to a twelve (12) month ban on the eligibility to apply for a Short-term Rental Registration under this Ordinance.

(d) Fourth and subsequent offenses – \$800, plus the Short-term Rental Officer may
revoke any existing Short-term Rental Registration and institute up to a twenty-
four (24) month ban on the eligibility to apply for a Short-term Rental
Registration under this Ordinance.

Sec. 11. SEVERABILITY.

If any provision of this Ordinance is deemed by a court of competent jurisdiction to be
unconstitutional, invalid, or unenforceable, that provision shall be severed from the Ordinance
and the remaining provisions that can be given effect without the severed provision shall
continue in effect.

Sec. 12. EFFECTIVE DATE.

Unless a petition is filed in accordance with 24 V.S.A. §1973, this Ordinance shall become
effective 60 days after the date of its adoption, or at such time following the expiration of 60 days
from the date of its adoption as is determined by the legislative body.

ADOPTED at Woodstock, Vermont, this ____ day of _____, 2024 by the
Town of Woodstock Selectboard:

ADOPTED at Woodstock, Vermont, this ____ day of _____, 2024 by the
Woodstock Village Board of Trustees:

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ATTACHMENT A

GUIDANCE ON HOW TO QUALIFY AS A PREEXISTING RURAL OPERATOR UNDER THE SHORT-TERM RENTAL ORDINANCE WOODSTOCK PLANNING & ZONING DEPARTMENT

31 The Green
Woodstock, Vermont

DEFINITION:

“Preexisting rural operator” means any short-term rental owner whose property is in the Forest Reserve or Residential Five Acre Zoning District who has never applied for or received a zoning permit because under the previous zoning regulations, the short-term rental was considered a legal preexisting nonconforming use.

To be considered a “preexisting rural operator” under the Short-term Rental Ordinance, the requestor must submit the following documentary evidence for review by the Administrative Officer by July 31, 2024:

- ☐ The property was in the Forest Reserve or Residential Five Acre District on February 11, 2020, and has remained in the Forest Reserve or Residential Five Acre District since that date.
- ☐ The property owner was renting the dwelling unit as a short-term rental prior to February 11, 2020, and has never stopped renting it for any period of twelve (12) or more months since February 11, 2020.
- ☐ The use of a dwelling unit as a short-term rental has conformed to all applicable laws throughout the duration of such use. To show compliance, applicants must provide the following:

For short-term rentals with a maximum occupancy greater than eight (8):

- ☐ Submit an inspection report with occupancy approved by the State of Vermont Division of Fire Safety.

For short-term rentals with a maximum occupancy of eight (8) or less:

- ☐ Submit dated copies of a valid Safety, Health, and Financial Obligations Self-Certification form.
- ☐ Proof of registration of a Vermont Meals and Rooms Tax account.
If the operator used an internet platform which has an agreement with the Vermont Department of Taxes to collect and remit tax on behalf of its operators (i.e. Airbnb), then the applicant must provide proof of registration as provided by the platform.

All requests for determination of preexisting status must be submitted via email to pz@townofwoodstock.org.

The subject line must include the requestor’s name, the address of the short-term rental, and “preexisting rural operator request.” Example subject line: *John Smith, 1234 South Road – Preexisting rural operator request.*

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ATTACHMENT B

GUIDANCE ON HOW TO QUALIFY AS A PREEXISTING MULTIPLE-UNIT OPERATOR UNDER THE SHORT-TERM RENTAL ORDINANCE

WOODSTOCK PLANNING & ZONING DEPARTMENT

31 The Green
Woodstock, Vermont

DEFINITION:

“Preexisting multiple unit operator” means any existing permit holder who is in good standing and has continuously owned and operated more than one short-term rental prior to September 1, 2023.

To be considered a “preexisting multiple unit operator” under the Short-term Rental Ordinance, the requestor must submit the following documentary evidence for review by the Administrative Officer by July 31, 2024:

- ☐ Copies of each zoning permit to “operate a short-term rental” that has been issued by the Administrative Officer prior to September 1, 2023.
- ☐ If the short-term rental is located in the Town, submit copies of the “Section 526 Report” that was filed annual by January 31 with the Planning & Zoning Department.
- ☐ The use of a dwelling unit as a short-term rental has conformed to all applicable laws throughout the duration of such use. To show compliance, applicants must provide the following:

For short-term rentals with a maximum occupancy greater than eight (8):

- ☐ Submit an inspection report with occupancy approved by the State of Vermont Division of Fire Safety.

For short-term rentals with a maximum occupancy of eight (8) or less:

- ☐ Submit dated copies of a valid Safety, Health, and Financial Obligations Self-Certification form.
- ☐ Proof of registration of a Vermont Meals and Rooms Tax account.
If the operator used an internet platform which has an agreement with the Vermont Department of Taxes to collect and remit tax on behalf of its operators (i.e. Airbnb), then the applicant must provide proof of registration as provided by the platform.

All requests for determination of preexisting status must be submitted via email to pz@townofwoodstock.org.

The subject line must include the requestor’s name, the address of the short-term rental, and “preexisting rural operator request.” Example subject line: *John Smith, 1234 South Road – Preexisting rural operator request.*