

SHORT-TERM RENTAL

Issue to be Considered when Reviewing a Conditional Use Permit

When required. Under the new ordinance, a conditional use permit is required for the following circumstances:

- Any unhosted stays
- More than 60 days per year of hosted stays
- Property with less than 80 feet of road frontage
- Rental of a guesthouse
- More than six guests at a time

The conditional use permit process provides for site-specific review of factors that may be unique to the property. It requires a public hearing, which increases the involvement of the neighbors. It also allows for the Board of Zoning Appeals (BZA) to impose conditions of approval, which may address specific issues of the site or specific concerns raised by the neighbors at the public hearing.

Issues to be considered. In reviewing a conditional use permit for short-term rental, the following issues should be considered by the BZA in deciding whether to approve the application, and in drafting conditions of approval:

- Is the proposed use consistent with the zoning ordinance and the 2026 Future Land Use Map?
- Will the proposed use have any substantial detrimental impacts on nearby property?
- Is the dwelling itself appropriate for short-term rental? Is it large enough? Are there enough bedrooms? Does it comply with setbacks and other requirements?
- Is the property on which the dwelling is located appropriate for short-term rental? Is the lot area adequate for the proposed use? Is there room on the property for the required parking? Is there room on the street for overflow parking?
- Are there appropriate outdoor spaces, such as decks, patios, and open yards, for the proposed use? Will outdoor activities be likely to cause noise and glare that will have an impact on nearby property?
- Is the property served by public water and sewer? If not, will short-term rental of the dwelling be likely to affect the functionality of the well and septic system? Will it be likely to affect wells and septic systems on nearby property?
- Is the property easy to locate for a traveler who is not familiar with the area? Is it likely that guests will arrive at the wrong house and disturb the neighbors?
- Is the property located in an area where short-term rental is appropriate? Is it within walking distance of tourist attractions, public facilities, or other amenities?

Conditions to be considered. If the BZA determines that the proposed use will be consistent with the zoning ordinance and comprehensive plan and will not have substantial detrimental impacts on nearby property, the application should be approved. In drafting conditions of approval, the BZA should consider the following:

- Limit on the total number of renters at any time
- Limit on the number of days per week, month, or year
- Limit days of the week (e.g. weekends or weekdays only)
- Limit the number of vehicles that may be parked at the property
- Limit nighttime activities
- Require additional parking to be provided
- Prohibit on-street parking
- Require additional fences or screening
- Prohibit or limit outdoor lighting
- Conditions regarding utilities, wells, or septic systems
- Additional house rules required by site-specific issues
- Additional information to be posted based on site-specific issues
- Permit may be authorized for either a limited or an indefinite period of time
- Specific violations that will trigger revocation of the permit
- Require posting of a financial guarantee as appropriate