

Summary of Proposed Andover Zoning Regulation changes:

1. Changed “Board of Selectmen” to “Selectboard” throughout
2. Section 105 (1), changed “accepted ag practices” to “required ag practices”
3. Section 220, changed “include” to “including”
4. Section 222.1, clarified (1) by adding “Except as indicated in (2) below”
5. Section 241 (1) – just added the word “and”
6. Section 241 (3) – added more language from 24 VSA 4449(d) to clarify
7. Section 241, Effective date – changed “substantially commenced” to “substantially completed” and defined that as “**the point when work is nearly complete**, and the building or structure is able to be used for its intended purpose.”
8. Section 242 (1) – Replaced “prior to the use or occupancy of the land or structure” with “when construction is fully complete.”
9. Section 250 – added the amount of the fine allowed by statute.
10. Section 610 added “multi-family dwellings” and “short-term rentals” as Conditional Uses.
11. Added Section 395 “Short-Term Rentals” - see below.

Section 395. SHORT-TERM RENTALS

- (1) **Purpose.** The purpose of this provision is to promote and protect the public health, safety, welfare, and convenience of the town, to preserve residents’ rights to quiet enjoyment of homes and properties, and to ensure the safety of occupants of short-term rentals.
- (2) **Conditional Use Review.** Short-term rentals are subject to Conditional Use Approval by the Zoning Board of Adjustment and must meet all requirements under Articles IV and VI, and Section 395.
- (3) **Application Requirements.** A complete application for short-term rentals must include all applicable fees and a written description of how they meet all applicable standards, as well as copies of the following materials:
 - a. The State of Vermont Wastewater and Water Supply Permit for the property for dwelling units constructed or occupied after June 30, 2007, OR the local zoning or septic permit for dwelling units constructed before July 1, 2007, OR the Listers Property Database with the number of bedrooms indicated if a local zoning or septic permit does not exist for dwelling units constructed before July 1, 2007.
 - b. An inspection report with occupancy approved from the State of Vermont Division of Fire Safety.
 - c. The Posting of Contact Information required by 18 V.S.A. § 4467.
 - d. A State of Vermont Land Use (Act 250) Permit, if subject to Act 250 jurisdiction.
 - e. The education materials required by 18 V.S.A. § 4468(a), including without limitation the self-certification form pertaining to health and safety precautions that short-term rental operators must take into consideration prior to renting a dwelling unit required by 18 V.S.A. § 4468(b).

- (4) **Standards.** All short-term rentals must meet the following requirements and standards.
- a. A person shall not commence the use of a dwelling unit as a short-term rental unless and until the Zoning Board of Adjustment has issued an affirmative Conditional Use decision.
 - b. Occupancy is restricted to two persons per bedroom, plus an additional two occupants. Total capacity must not exceed wastewater permit conditions or current wastewater rules.
 - c. The number of lessees, guests, or other persons using a dwelling unit pursuant to the short-term rental lease or other agreement with the Short-Term Rental owner or manager shall not exceed the approved dwelling unit capacity as established in the conditional use decision by the Zoning Board of Adjustment.
 - d. A minimum of one parking space for each bedroom shall be provided on-site in designated spaces.
 - e. Rubbish service shall be provided, and containers shall be maintained out-of-sight from the street.
 - f. ~~Prohibitions:~~
 - i. ~~Weddings, parties, catered events, and similar events.~~
 - ii. ~~Signs and other outside indications the dwelling is used as a short term rental.~~
- (5) **Previously Existing Short-Term Rentals.** A short-term rental that exists on the date this section was adopted by the Selectboard (_____) may continue to exist as a nonconforming use for a period not to exceed one year, at which time the use shall cease, unless it has been approved under this Section and meets all applicable standards. A short-term rental that exists at the time of the passage of this section, which use is subsequently discontinued for a period of 180 days, shall not be reestablished unless the owner of the parcel has obtained approval under this Section and meets all applicable standards.
- (6) **Annual Registration.** An annual report, and the required annual fee, shall be filed by the permit holder with the Administrative Officer by April 30th of each year. Failure to file the annual report, pay the annual fee, or 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 Zoning Board of Adjustment via Section 222.1.