

Short-Term Rental Ordinance (DRAFT)
City of Franklin

Definitions.

As used in this article, the following terms shall have the meanings indicated:

ACCESSORY SHORT-TERM RENTAL – An accessory use to a single-family 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.

ACCESSORY USE – A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use. (No change proposed)

APARTMENT – A room or suite of rooms in a multi-family dwelling, or designed for use as a residence by a single family.

DWELLING UNIT – A single unit, used for human habitation, providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and having no enclosed space (other than vestibules, entrances, hallways or porches) in common with any other dwelling unit. The structure that contains one or more dwelling units shall be attached to a permanent foundation, shall have an approved sewer connection or on-site sanitary sewer system, and shall have a permanent connection to a public or private drinking water supply. A boardinghouse, dormitory, motel, inn, nursing home, fraternity, sorority or other similar building shall not be deemed to constitute a "dwelling unit." (See also "dwelling" references under "accessory," "single-family," "multi-unit," and "two-family.") [Amended 4-3-2017 by Ord. No. 03-17]

SINGLE-FAMILY DWELLING – A structure consisting of one living unit, used exclusively for human habitation. (See "dwelling unit.") Also known as a "single-family home." (No change proposed)

SPECIAL EXCEPTION – A use that would not be appropriate generally or without conditions but which, if controlled as to number, area, location or relation to the neighborhood, would not be detrimental to the public health, safety, order, comfort, convenience, appearance, prosperity or general welfare. (No change proposed)

ARTICLE - ZONING BOARD OF ADJUSTMENT

B. SPECIAL EXCEPTION - SPECIFIC

2. Accessory Short-Term Rentals: Short-Term Rentals for periods of less than 30 consecutive days of rental use of an entire single-family dwelling unit or room or rooms within a dwelling unit shall be considered accessory to a single-family dwelling provided

residential occupancy of the single-family dwelling is the primary use. The short-term rental shall meet the following criteria:

- a. Short-Term Rentals shall be permitted as an accessory use in any zoning district where single-family dwellings are permitted upon approval of a one-time Special Exception from the Zoning Board of Adjustment.
- b. Owner in Residence (OIR) short-term rentals: may rent the primary dwelling or room(s) within the dwelling. These rentals are for periods of less than 30 consecutive days, are limited to 120 cumulative days per calendar year and are considered an accessory use of the property. OIR short-term rentals in excess of 120 cumulative calendar days per year are prohibited.
- c. Owner Not in Residence (ONIR) short-term rentals: may rent the primary dwelling for periods of less than 30 consecutive days, are limited to 90 cumulative days per calendar year and are considered an accessory use of the property. ONIR short-term rentals in excess of 90 cumulative calendar days per year are prohibited.
- d. A septic system with NHDES operational approval or, if undocumented, a septic system evaluation done by a NH Licensed Septic System Evaluator, together with a NHDES septic system construction approval, shall be in place consistent with the number of permitted bedrooms in the dwelling.
- e. A plot plan to scale showing boundaries, all buildings, number of permitted bedrooms, type of water and sewer service, and proposed parking area(s) is required.
- f. Overnight occupancy is restricted to 2 persons per permitted bedroom plus 2 additional persons.
- g. Daytime occupancy from dawn to dusk is restricted to overnight occupancy plus 50% additional persons.
- h. Overnight, off-street parking shall be provided, and is limited to one vehicle per bedroom.
- i. All short-term rental properties must have life-safety provisions as approved by a Fire Inspector.
- j. Provisions must be made to secure or remove trash by day of tenant departure. Trash may not be left at roadside overnight anytime.
- k. The Owner or designated agent shall be reachable 24 hours per day and must be available on site within 2 hours, 24 hours per day, every day of the rental. Any owning entity shall identify the designated agent as part of the special exception application.