

Date: 05/16/2019

Local Law Filing

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Town of Woodstock

Proposed Local Law No. 1 of the year 2019

A **local law** amending Chapter 260 Zoning Law of the Town of Woodstock, Ulster County, New York to permit and regulate Bed and Breakfasts and Short-Term Rentals.

Be it enacted by the Town Board of the Town of Woodstock as follows:

SECTION 1. PURPOSES

This Local Law is enacted to allow the use of housing units in the Town of Woodstock for short term rental purposes so as to enhance the tourism economy of the Town while protecting the safety of renters and the privacy for residences and freedom from nuisances; ensuring that the value of housing is tied to its use for residential purposes, helping to maintain the affordability of both home ownership and rental units; encouraging the development of appropriate sized short term rental facilities in the commercial areas of the community where allowed; and, continuing the use of housing for traditional bed and breakfast accommodations.

SECTION 2. INTENT AND AUTHORITY

The intent of this Local Law is to regulate the use of residential structures for short term rental purposes by defining such uses in § 260-123 of the Town of Woodstock Zoning Law, and providing quality of life, environmental, land use, building code safety and STR operational requirements to be met in permitting these uses to be established. This Local Law is intended to apply to all existing and future housing units in the Town as the requirements for the establishment of a short term rental.

This Local Law is adopted in accordance with Articles 9 and 16 of the Town Law of the State of New York which grants the Town of Woodstock the authority to enact local laws for the purpose of promoting the health, safety and welfare of the Town, and in accordance with Municipal Home Rule Law, Article 2, Section 10, that gives the Town of Woodstock the power to protect and enhance its physical environment.

SECTION 3. ZONING AMENDMENTS

Chapter 260, Zoning Law is hereby amended as follows:

- *Replace existing § 260-56 Bed and Breakfasts with the following:*

§ 260-56 Bed-and-breakfasts and Short Term Rentals (STR). Bed-and-breakfast establishments, STR establishments, bed-and-breakfast homes, STR homes, and STR non-owner occupied establishments as defined in § 260-123 of this Chapter, require property owner application for an annual operating permit from the Building Department, including any related permitting/inspection fees, submittals and compliance with the following:

A. Application process and required submittals:

- (1) Provide a completed annual permit application.
- (2) Provide a safety/egress plan, to be posted in rental unit in a visible location and on the back of each bedroom door.
- (3) A parking layout plan identifying where parking is to be located as required, in accordance with standards set forth in §260-30 of this chapter is to be submitted.
- (4) Provide garbage removal plan (garbage receptacles will not be left out for more than 24 hours).
- (5) For non-owner occupied STR's, the name and contact information of the designated Host shall be provided to the Building Department and shall be posted in the STR. Both the property owner and the Host will be responsible for addressing renter issues and compliance with STR requirements within 24 hours. When host contact information changes the Building Department will be notified and STR posted Renter Notices shall be revised accordingly.
- (6) Occupancy shall be limited to 2 guests per bedroom and total maximum house occupancy shall be posted in the STR. Children twelve years old and under are not counted as guests.

- B. STR's must register with Ulster County (per Ulster County Local Law #5 of 1991) and a copy of said registration is to accompany STR Applications to the Town of Woodstock Building Department. Property Owners in Woodstock, that are listed on an Ulster County maintained list of homes used for STR's shall receive notification by the Town of the Woodstock STR Law including that Law's registration and operational requirements.

- C. STR's must pass a yearly fire/safety inspection and the report of said inspection is to be attached to STR annual renewal permit applications. All STR units must comply with NYS Building Code requirements.
- D. Non-owner occupied STR's may be rented out a maximum of 180 days per calendar year with no more than 26 weekends or parts of weekends included in that total. Weekends include any time between Friday evening and Monday morning.
- E. Only the property owner is permitted to register an STR. An individual property owner can register or have an interest in one (1) non-owner occupied STR unit. Registration by a corporation whose owners have an interest in more than one (1) STR's is prohibited in residential districts. Registrations are transferable with a new application. Transfer must be applied for within 30 days of sale.
- F. The Town Board will set caps on the number of both owner occupied STR's and non-owner occupied STR's permitted within the Town and the fee schedule on an annual basis.
- G. Host will provide guests with copies of local laws, especially the noise, fire, safety ordinances and requirements. Host will also provide emergency contact information as well as address of property and will ensure the property address is clearly identifiable from the street. Host will provide guests with a property map that shows the property boundaries.
- H. Approved STR's will be assigned a registration number that must be included in all rental listing, both print and on-line and posted within the STR. On site advertising is prohibited.
- I. Failure to comply with these standard will result in denial of STR applications.
- J. Three or more violations of Local Laws may lead to revocation of an approved STR operation permit.

• *Amend existing § 260-123 Word usage and definitions to add the following new definitions:*

HOST

A designated adult who lives within a 10 mile distance from the STR property and is required to be available to promptly deal with emergencies and other STR renter issues and compliance with STR operating requirements in the owner's absence.

SHORT TERM RENTAL (STR)

An accessory use or supplementary business allowing a Short-Term Rental (less than thirty days) of at least one room in a private home or habitable accessory structures. Property owners seeking to operate a Short-Term Rental must apply for and receive from the Town of Woodstock a Short-Term Rental Registration, and post the Woodstock Registration Number on all on-line listings. Registrations are good for one (1) calendar year, and the total number of properties owned by or in which an interest is held by an individual person(s) or entity offering STRs is limited to one (1). (See Paragraph E. above).

SHORT TERM RENTAL (STR) HOME

A supplementary business in a private home or habitable accessory structure in which at least one and not more than two bedrooms are offered for rent within the private residence, and in which no public restaurant is maintained and no other commercial services are offered. Each STR occupied unit shall have no more than 2 guests per bedroom as lodgers. Children twelve years old and under are not counted as guests. The STR home shall not have more than four occupants as lodgers. The owner of an STR Home must live on the property.

SHORT TERM RENTAL (STR) ESTABLISHMENT

A supplementary business in a private home or habitable accessory structure in which three and not more than five bedrooms are offered within the private residence, and in which no public restaurant is maintained and no other commercial services are offered. Each STR occupied unit shall have no more than 2 guests per bedroom as lodgers. Children twelve years old and under are not counted as guests. The STR establishment shall not have more than ten occupants as lodgers. The owner of an STR Establishment must live on the property.

SHORT TERM RENTAL (STR) NON-OWNER OCCUPIED

A supplementary business in a private home or habitable accessory structure in which the entire private residence is rented for less than 30 days and no host/owner is present, and in which no public restaurant is maintained and no other commercial services are offered. Each STR occupied unit shall have no more than 2 guests per bedroom as lodgers. Children twelve years old and under are not counted as guests. STR non-owner occupied establishments must have a designated local Host as defined herein; and must comply with the other STR Standards in or referred to in § 260-56. STR Non-owner Occupied shall be rented for no more than 180 days per calendar year with no more than 26 weekends or parts of weekends included in that total. Weekends include any time between Friday evening and Monday morning.

- Amend existing *Schedule of Use Regulations (260 Attachment 1)* referenced in § 260-14 *Schedule of Uses* to include the following as additional “Accessory Uses” (under Item C):

Structure/Land Use	R8	R5	R3	R1. 5	HR	HC	NC	LI/S LI	FW
STR Home	P	P	P	P	P	P	P	P	X
STR Establishment (see § 260-56)	SP	SP	SP	SP	SP	P	P	P	X
STR Non-Owner Occupied (see § 260-56)	SP	SP	SP	SP	SP	SP	SP	SP	X

- Amend existing § 260-30A(3) by adding a new subsection (c):
 - (c) STR Home, and supplemental businesses, STR Establishment and STR Non-Owner Occupied: one parking space per bedroom plus required spaces for the principal residence.

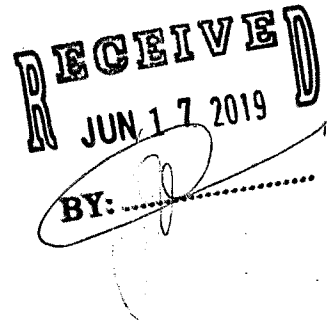
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ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

June 10, 2019

Town of Woodstock
45 Comeau Drive
Woodstock, NY 12498



RE: Town of Woodstock, Local Law 1 2019, filed on 6/5/2019

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us.

Sincerely,
State Records and Law Bureau
(518) 474-2755