

Short Term Rental Regulations
June 13, 2022

315-2.2 Definitions

ADD THE FOLLOWING DEFINITIONS:

EVENT

A public or social occasion that impacts or encroaches on streets, right-of-ways, or is likely to draw a crowd to a venue.

HOST

Person or persons for whom the designated short-term rental premises is their primary residence and are specifically named *and approved* on the application for permit to serve as host. A permitted host shall be physically present on the rented premises at all times while it is occupied as a short-term rental and shall be responsible for the acceptable use of the rental premises according to the conditions set forth in these regulations.

PRIMARY RESIDENCE

The dwelling unit in which a person lives for the majority of the year. A person can have only one primary residence at any given time, and it may be documented with a driver's license, passport, voter registration card, etc.

SHORT-TERM RENTAL

The rental of a family dwelling unit (FDU), or any part thereof, for no more than thirty (30) consecutive days to no more than six (6) guests on any day for overnight occupancy.

MODIFY THE FOLLOWING DEFINITION:

FAMILY DWELLING UNIT

A dwelling, part of a dwelling, or accessory building occupied or intended to be occupied by one family for residential purposes.

BED-AND-BREAKFAST ESTABLISHMENT

See Short-Term Rentals (STRs)

ARTICLE 4 Rural Districts

4.2 Uses Permitted in Rural Districts.

D. Short-Term Rental establishments permitted under Section 315-8.3.

315-8.3 Short-Term Rentals (STRs)

315.8.3.1 Purpose of Short-Term Rental Regulations

A. This section defines the administration and standards for all Short-Term Rental activity for no more than thirty (30) consecutive calendar days. These standards include all such Short-Term Rentals including those labeled as Bed and Breakfast. This section supersedes the previous regulations, “*Bed and Breakfast 315-8.3.*” These regulations are intended:

- (1) To **maintain** the tranquility of the Town’s rural neighborhoods for all residents, particularly with regard to lighting, noise, parking, parties, and other activities that interfere with residents’ quiet enjoyment of their neighborhoods.
- (2) To **enable** homeowners to derive some extra income from their primary residence, with the goal of keeping properties intact.
- (3) To **regulate** all short-term rental activity as defined by these regulations in order to minimize the off-site impact of short-term rentals, and to support public health standards in neighborhoods.
- (4) To **reinforce** public safety standards by proscribing parking along streets and other public areas.
- (5) To better **ensure** that the owners and hosts of short-term rental properties have clear understandings of their legal responsibility to oversee and control the occupants of short-term rentals.
- (6) To **be consistent** with the vision, policies and recommendations of Lyme’s most recent Plan of Conservation and Development, and to **encourage** the most appropriate use of land.

315.8.3.2 Permitted Short-Term Rental Activities

A. No property in the Town of Lyme shall be used as a Short-Term Rental establishment as defined by these regulations until the appropriate authority of the Town of Lyme issues a zoning permit or a special permit, as the case might be, to authorize such use.

(1) A zoning permit shall be required for a premises on a conforming lot and having three (3) or fewer guest rooms, at which there may be no more than six (6) overnight guests during any rental period.

(2) A special permit shall be required for any Short-Term Rental:

(a) To have more than six (6) overnight guests.

(b) For a Short-Term Rental on a nonconforming lot, regardless of the number of guest rooms and/or overnight guests.

(c) A Short-Term Rental containing more than three but not more than six (6) guest rooms. Such a short-term rental may serve no more than twelve (12) guests at a time.

(3) Any application for a zoning permit or a special permit shall comply with all application requirements set out in these Regulations.

B. The Short-Term Rental facilities should reinforce public safety standards and complement the general appearance of the neighborhood in which it is located.

Regulations, procedures, and standards in this section shall be coordinated with and support other Zoning Regulations.

C. **Standards** for Short-Term Rental Facilities

(1) The Short-Term Rental facility must be within the property owner(s)' primary residence or located in an approved accessory building on the same lot as the residence.

(2) A host, at least 21 years of age, must live *on site* at the Short-Term Rental during the entirety of any rental period. A host shall be personally responsible for oversight of rental guests and compliance with the zoning permits and regulations pertaining to Short-Term Rentals, including those related to such things as number of guests, parking, noise, and outdoor lighting. The host's responsibility shall be in addition to, and not in derogation of, that of the property owner.

(3) One or more hosts must be designated on the permit application and approved by the zoning official. The owner(s) of the premises will generally be identified as host(s). However, other individuals for whom the family dwelling unit, or another dwelling unit on the same lot, is considered their primary residence may also be designated on the permit as host(s). The permit shall include contact information for the property owner(s) and each identified host, including telephone numbers and email addresses, to allow for immediate contact at any time of day or night.

(5) Any on-site septic system or wells shall conform to the Connecticut Public Health Code and be adequate for the use of the dwelling, as defined on the application.

(6) Prior to the issuance of any Short-Term Rental permit, the applicant shall provide satisfactory written evidence that all required inspections have been performed and that state and local licenses and permits have been obtained. Required inspections and permits are listed in Section 315.8.3.3.

(7) A morning meal may be prepared by the owner or host on-site and served to overnight guests if: (a) the facilities have been reviewed by the Health Department and Fire Marshal and permitted for such service; and (b) if such use is expressly permitted by the zoning permit or special use permit issued for the site. No other meals may be prepared or served at any Short-Term Rental. No catering may be provided.

(8) Consistent with Section 315-21.1, the space for off-street parking shall be adequate in size, layout, and design to facilitate the free flow of traffic on public streets and the safe ingress and egress from the premises. The number of parking spaces shall be sufficient to accommodate the vehicles of all occupants and visitors. All parking must comply with the Town's Zoning Regulations and any other relevant governmental requirements.

(9) There shall be suitable direct vehicular access to each short-term rental facility from a public street.

(10) Consistent with Section 315-7.16:

(a) There shall be no exterior floodlighting. Parking, sidewalks, and exterior spaces may be lit for safety using light bollards and other low-level lighting standards with shielded light sources and cutoffs preventing light from intruding on neighboring properties.

(b) Noise, including amplified music and loudspeakers, extending beyond the premises, and disturbing or capable of disturbing neighbors and other persons off-site is prohibited.

(11) Signage, if otherwise allowed in the zoning district, shall comply with the requirements for the zoning district and be approved as part of the zoning or special use permit for the STR.

315.8.3.2 **Prohibited Short-Term Rental Activities**

A. The following are prohibited as part of a Short-Term Rental facility:

(1) Short-Term Rentals made without permits or in violation of the terms of an issued permit are prohibited.

(2) Illegal activities conducted on the premises by the host or guests.

(3) A Short-Term Rentals may not be used or permitted by the Town to be used by short-term renters, or owners or hosts on behalf of short-term renters, as an event venue of any kind, whether or not for consideration. For these purposes “events” shall include but not be limited to gatherings such as weddings, parties, concerts, or banquets to be attended by persons who are not the owners, hosts, or overnight guests of the Short-Term Rental.

(4) Consistent with Section 315-7.16, noise, including amplified music and loudspeakers, extending beyond premises’ boundaries, and capable of disturbing the neighbors and other persons off-site is prohibited.

(5) Parking on the public right-of-way is prohibited.

(6) The sale of other goods and services to anyone at or from the premises is restricted to those allowed under Customary Home Occupations (Section 315-8.1). Such sales must be expressly approved under Section 315-8.1 regulations.

315.8.3.3 **Permits, Inspections, Fees, and Enforcement**

A. **Permits, Inspections, and Fees**

(1) **Town of Lyme Permit to Operate a Short-term Rental Facility**

(a) An approved permit is required before short-term rental activities may commence.

(b) Each application for a permit or renewal must be submitted to the Zoning Enforcement Officer on a form provided by that office. An application will be considered complete when an application form, fee, and all written evidence of satisfactory results of all required inspections and permit applications are filed and approved.

(c) The application form requires (but is not limited to) the following information:

- (i) Address of premises
- (ii) Names of premises’ owners along with contact information
- (iii) Certification of primary residence of owners
- (iv) Description of proposed rental structure
- (v) Maximum number of guests

- (vi) Description of parking availability
- (vii) Designated host(s) – name, age, relationship to owner, contact information
- (viii) Certification of primary residence of designated hosts
- (ix) Intent to serve morning meals to overnight guests

(d) A permit fee is required as part of the application. The fee amount may be found at <https://townlyme.org/fees/>

(e) The Zoning Enforcement Officer will review results of all required inspections, and at the zoning enforcement officer’s discretion, may require an additional in-person inspection before issuing the Short-Term Rental permit.

(f) Zoning and special permits must be renewed annually. Renewal requires up to date inspections and permits described in Sections 315.8.3.3 A (2), (3), and (4).

(2) Health Department Permits and Inspections. A review of the septic system and well water will be required. A separate review fee is required by Ledge Light Health District. Proof of a satisfactory health review is required as part of the Town of Lyme’s Short-Term Rental application.

(3) Sale of other goods and services. If the owners of the Short-Term Rental facility sell goods or services other than lodging and morning meals to overnight guests, these goods and services must conform to and be permitted under the Town’s *Customary Home Occupations* (Section 315-8.1). An additional permitting fee may be required.

(4) Safety Requirements and Inspections. The owner will attest that all smoke, fire, and CO alarms are installed and that located alarms have been tested monthly and are operational. The Fire Marshal’s office may require a safety inspection of the facility, especially if a morning meal is served to guests.

B. Enforcement

(1) Penalties

(a) Section 315-10.1 and Section 315-10.2 are applicable to Short-Term Rentals.

(b) Penalty for non-compliance with these regulations may include immediate revocation of an existing Short-Term Rental permit, a decision not to renew an existing permit, the issuance of a Cease-and-Desist Order, or other enforcement action as provided by law.

(c) Nothing in this section shall preclude the Town from seeking any other legal or equitable remedy or from creating a citation hearing procedure to obtain compliance with these regulations.