

Zoning Amendment

Planning Board Amendment #2 Transient Occupancy.

Amend the Windham Zoning Ordinance and Land Regulations as follows:

A) Amend the Definition of "Dwelling: Duplex" in Section 200 by addition of the following language:

Dwelling Units in duplex dwellings do not include Business Commercial Accommodations for Transient Occupancy".

B) Amend the Definition of "Dwelling: Multi-Family" in Section 200 by insertion of the word "Business" in the second sentence, such that it will read:

"Multi-Family dwellings do not include Business Commercial Accommodations for Transient Occupancy".

C) Amend the definition of "Bed and Breakfast" in Section 200 by insertion of the word "lodging" such that it will read:

An establishment providing transient lodging accommodations to the public, including meals, within an owner-occupied dwelling containing up to twelve (12) guest rooms.

D) Amend the definition of "Motel" in Section 200 by insertion of the word "lodging" such that it will read:

An establishment providing transient lodging accommodations to the public, containing five (5) or more guest rooms, a majority of which have direct access without passing through a main registration lobby of the establishment, which is supervised by staff at all hours.

E) Amend Section 200 to insert the following new definition:

Business Commercial Accommodations for Transient Occupancy/Transient Lodging Accommodations: for the purposes of this Ordinance is occupancy of a dwelling unit where the occupants pay consideration to the property owner (i.e. rental) to occupy said unit for a period of time less than thirty (30) days, or otherwise do not intend to establish a domicile in said unit. Examples include (but are not limited to) occupancy in a Hotel/Inn, Motel or Bed and Breakfast.

F) Amend the Definition of Accessory Dwelling Unit in Section 602.1.9.2 of the Ordinance by addition of the following sentence:

Accessory dwelling units do not include Business Commercial Accommodations for Transient Occupancy.

Meaning and Intent – It is declared that the purpose of this amendment is to clarify and re-affirm previously existing restrictions on Business Commercial Accommodations for Transient occupancy of residential living units within the Town of Windham.