



Department of Planning and Development
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Dial 711 TTY/Voice
929 N Front Street | PO Box 1810
Wilmington, NC 28402-1810

Annual Bed and Breakfast Zoning Permit

Applicant's Name: _____

Email: _____ Phone Number: _____

Site Address: _____

Are you the property owner? ___ Yes ___ No

* If you are not the owner of the property, please attach a letter of permission.

Total number of guest rooms: _____

*Maximum number allowed is three (3) rooms.

Additional Information: _____

Sign Permit: _____

* One sign not to exceed 2.25 square feet, non-illuminated and mounted flat against the wall or one non-illuminated freestanding sign up to four square feet in area and up to six feet in height. Must submit a sign permit along with this application.

Applicant's Signature: _____ Date: _____

OFFICE USE ONLY:

Permit Number: _____ Zoning: _____

Officer Approval: _____ Date: _____

Section 18-157: Lodging

A. Bed and Breakfast

- 1. Location - Lodging is restricted to the principal dwelling unit only; guest rooms shall not be in any accessory building.
2. Separation requirements - Bed and breakfast uses shall not be located within 400 feet of other bed and breakfast uses or whole-house lodging uses.

3. Zoning permits

- a. Bed and breakfast lodging uses shall only be allowed in lawfully permitted dwelling units serving as the principal residence of a host. Only a property owner may apply for a zoning permit for a bed and breakfast lodging; however, the principal resident may act as a host. Bed and breakfast lodging uses do not include homestay lodging uses
- b. A zoning permit number shall be assigned to each establishment, which shall be clearly noted along with any advertisement for lodging.
- c. Active zoning permits shall not expire, provided that a property owner shall renew a permit on an annual basis. If a property owner fails to renew a zoning permit, the zoning permit shall be considered terminated by the property owner.
- d. No permit for a bed and breakfast shall be issued if the issuance of a permit would result in the creation of more than one residentially-zoned bed and breakfast or whole house lodging within 400 feet. In the case of a duplex, triplex, or quadraplex unit, this shall be measured from the parent lot lines.
- e. Any use for which there are three final determinations of violations of the city of Wilmington Code of Ordinances and/or criminal convictions related to the lot (on, adjacent to, or within the property) by a property owner, tenant, guest, host, lessee, or individual otherwise related directly to the property within any rolling 365-day period, shall constitute a violation of the terms of the zoning permit and shall terminate the permit. For any zoning permit that is terminated due to code/criminal violations, a property owner shall be ineligible for a zoning permit for a period of three years.
- f. Only one permit may be issued per property, homestay lodging, whole-house lodging, or bed and breakfast lodging, at any given time.
- g. A permit shall terminate upon any of the following: discontinuance of use for 180 days or more, failure to apply for a zoning permit annually, transfer of property.
- h. Any bed and breakfast lodging establishments existing at the time of the adoption of this ordinance and conforming with the regulations effective prior to adoption of this section for which a zoning permit cannot be issued due the separation requirements shall be considered legal, nonconforming uses. Any such establishment shall register pursuant to the standards of this section.

4. Uses

- a. Cooking facilities shall be prohibited in individual guest rooms.
- b. The maximum number of guest rooms allowed is three.
- c. The only functions permitted are the renting of guest rooms and the serving of meals to guests; food and drink are not served to the general public for pay, and the price of breakfast is included with the room rate.

5. Compliance and insurance

- a. Any property owner applying for a bed and breakfast lodging permit shall be responsible for ensuring compliance with all federal, state, and local laws, including, but not limited to, North Carolina State Building Code, fire code, and environmental health regulations for the level of occupancy of the lodging.
- b. Property owners applying for a bed and breakfast permit are responsible for keeping in full force and effect at all times commercial general liability insurance with a total limit of not less than \$500,000 each occurrence for bodily injury and property damage