

Short Term Rental Zoning Bylaw - DRAFT
October 7, 2022

Chapter 255. Zoning

Article VII. Supplemental District Regulations

§255-X. Short Term Rentals

A. Purpose and Intent. The operation of short term rentals within residential properties shall be permitted under the provisions of this section. It is the intent of this section to:

1. Ensure the compatibility of the short term rental with the social, cultural, and physical characteristics of the neighborhood;
2. To protect and enhance the essential characteristics and quality of life within existing residential neighborhoods for all residents; and,
3. Allow residents to engage in generation of revenue from their properties while avoiding excessive noise, traffic, and other possible adverse effects of transient populations in residential areas.

B. Special Permit required per Article IX of the Zoning Bylaw.

[Zoning Districts where use is allowed by Special Permit to be noted in Use Regulations Schedule]

The Planning Board, acting as the Special Permit Granting Authority, may approve a special permit allowing for a short term rental in such zoning districts where permitted under the Use Regulations Schedule.

C. A short term rental is defined as all or part of a legally established Dwelling Unit for no more than twenty-eight (28) consecutive days or less, including home-sharing and vacation rentals.

D. Application Requirements. Plans for short term rental need only comply with the following requirements, and not those of Article XII:

1. Plan Requirements: A parcel map showing the following, at a scale determined sufficient by the SPGA:
 - a. Parcel boundaries;
 - b. Location of all structures within the parcel, including the dwelling proposed for the short term rental;
 - c. Location of parking for maximum number of potential occupants in the short term rental, as well as any other occupants of all dwelling units on the parcel.
 - d. Floor plan of the dwelling indicating entrance(s) and layout of the short term rental and all other dwelling units.

2. A list of each room, including bedrooms, offices, dens, living rooms, kitchen and sunroom in the Dwelling Unit. The list shall include for each room: (i) whether or not the room will be rented; (ii) the maximum number of overnight guests that will be allowed.
3. Contact Information. Name(s) and current contact information for the owner-occupant of the property subject to the short term rental, including but not limited to mailing address, telephone number and email address.
4. Trash Collection. Narrative detailing how trash will be stored and removed from the property.
5. Snow Removal. Narrative detailing how and where snow will be removed and stored on site while STR is occupied.

E. General Criteria and Standards.

1. Applicant must be the owner-occupant of the dwelling unit.
2. The dwelling unit must have been legally established under the Town of South Hadley Zoning Bylaws Chapter 255.
3. The tax parcel(s) subject to the location of the dwelling unit to be used as the short term rental must be in compliance with the Zoning Bylaw Dimensional Schedule.
4. The tax parcel(s) for the dwelling unit designated for the short term rental must be current on all local taxes and fees.
5. Deed restricted units for affordable housing are not eligible.
6. Owner-Occupied Short Term Rentals
 - a. Owner-Occupied Short Term Rentals – The owner-occupant or their representative must reside on the property during the rental period to satisfy the owner occupancy requirement.
 - b. In the event the property is owned by multiple persons, related or unrelated, only one of the persons having an ownership interest in the property must reside on the property to be owner-occupied.
7. Non-Owner Occupied Short Term Rentals
 - a. The owner-occupant must be the license applicant.
 - b. The owner-occupant does not reside on the property during the rental period, however they assume all responsibility for the operation and maintenance of the property, including but not limited to any complaints.

F. Conditions and Restrictions. The following conditions and restrictions shall apply to each parcel on which one or more short term rental Special Permits are approved under these provisions:

- a. All applicable building and fire codes must be complied with.
- b. Adequate onsite parking, as determined by the SPGA, shall be provided, to be determined by the number of bedrooms within the short term rental.
- c. No exterior signage is permitted.
- d. There shall be no exterior storage of materials, equipment, vehicles or other supplies used in conjunction with the short term rental business.

- e. A Business License from the Town Clerk must be obtained.
- f. A Lodging Permit from the Board of Health must be obtained.
- g. An annual Rental Registration License must be obtained through the Building Commissioner.
- h. The Planning Board may waive any of these conditions as deemed appropriate to the specific conditions of the site.
- i. The Building Commissioner may adopt regulations for the administration of this bylaw and short term rental special permits.
- j. No more than one short term rentals are permissible on any one tax parcel.
- k. Any approved Special Permit shall expire with a lapse or revocation of the annual Rental Registration License, and/or a change in ownership of the property. The Special Permit is non-transferable.

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CHAPTER 255 USE REGULATIONS SCHEDULE
DRAFT
October 7, 2022

Use Classification	Zoning Districts											
	Residence				AGR	Business				Industrial		
	A-1	A-2	B	C		A-1	A	B	C	A	B	Garden
Bed-and-Breakfasts	SP	SP	N	N	SP	N	N	N	N	N	N	N
Home Occupation I	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N
Home Occupation II	SPR	SPR	SPR	N	SPR	N	SPR	SPR	N	N	N	N
Motels-Hotels	N	N	N	N	N	N	N	N	SP	N	SP	N
PROPOSED Short Term Rental – Owner Occupied	SPR	SPR	SPR	SPR	SPR	Y	Y	Y	Y	N	N	N
PROPOSED Short Term Rental – Non-Owner Occupied	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	N	N