

Petitioner: Select Board or Planning Department

Article XX

To see if the Town will amend the Zoning By-law as follows:

1. By amending §2.19, "S" Definitions, as follows:

Inserting the following:

1. Short-Term Rental (or "STR") – The rental of a whole or portion of a dwelling for not more than 31 consecutive calendar days, and a) As defined by M.G.L. Chapter 64G, Sec. 1 and b) whose operations meets one of three category types as specified in the operator's Certificate of Registration:

a. Room Share Units - At a Short-Term Rental Operator's Primary Residence, the operator is present in the unit during the rental and occupancy is limited to four guests.

b. Home Share Units – At a Short-Term Rental Operator's Primary Residence, the whole unit is available for a Short-Term Rental and no Short-Term Rental Operator(s) is/are present while the unit is being rented. Occupancy is limited to a single contract at a time and no more than six guests, to the extent permitted by State and local law, including this By-law.

c. Owner Adjacent Units - The Short-Term Rental Operator's Primary Residence is within a two-family building as defined by Principle Uses 2, 3, 4, or 4A in the Table of Use Regulations. The Short-Term Rental Operator owns or has legal control over the Short-Term Rental Unit and at least 1 other unit within the building. The Short-Term Rental Operator is present on the property during the rental. Occupancy is limited to a single contract at a time and no more than six guests, to the extent permitted by State and local law, including this By-law.

In accordance with M.G.L. Chapter 64G, Sec. 1, the term excludes properties that are, or that are required to be, licensed as a lodging house because lodgings are rented to four or more persons not within the second degree of kindred to the owner or operator. The term also excludes properties that are, or that are required to be, licensed as a hotel, motel, or bed and breakfast establishment.

2. Short-Term Rental Operator – Any person operating a Short-Term Rental. An operator may be the owner or leaseholder of the Short-Term Rental Unit with the written permission from the lessor.

3. Short-Term Rental Unit – A whole or portion of a whole Dwelling Unit that is being offered as a Short-Term Rental.

And increasing each subsequent section number by 3.

2. By amending §2.16, "P" Definitions, as follows:

Renumbering the five existing sections titled “PARKING GARAGE OR PARKING AREA, NON-RESIDENTIAL”, “PARKING GARAGE OR PARKING AREA, RESIDENTIAL”, “PORCH, ENCLOSED AND UNENCLOSED”, “PRIVATE CLUB OR LODGE”, and “PROFESSION, RECOGNIZED” as sections 1, 2, 3, 5, 6 respectively and inserting the following after “3. PORCH, ENCLOSED AND UNENCLOSED”:

4. Primary Residence – Any property at which a resident resides for at least 183 days of the calendar year.

3. By amending §4.07, Table of Use Regulations, as follows:

Accessory Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
51C. Short-Term Rentals in possession of a valid Town Certificate of Registration and in accordance with §4.14 only.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

4. By amending the Use Regulations by adding the following section, §4.14, Short-Term Rentals:

§4.14 – SHORT-TERM RENTALS

1. Purpose

This section is intended to protect the health and safety of visitors and residents, ensure that the primary use of these properties remains as a residence, and to minimize the effect Short-Term Rentals have on the character and livability of residential neighborhoods and the well-being of surrounding residents.

2. Applicability

- a. The requirements of this section shall apply to any Short-Term Rental. No property shall be offered as a Short-Term Rental except in compliance with each of the provisions of this By-Law.
- b. This By-Law does not supersede any lease or condominium association’s by-laws. Nothing in this By-Law shall be construed to make the Town responsible for compliance with or enforcement of a lease, condominium by-laws or other governing documents, or any contract or agreement to which the Town is not a party.

3. Requirements

Short-Term Rentals shall comply with all applicable federal, state, and local laws, regulations and codes, including, but not limited to, Town's General By-law entitled "Short-Term Rentals".

These amendments to the Zoning By-law shall go into effect on January 1, 2021.

Or act on anything relative thereto.

EXPLANATION

The purpose of Article XX is to define Short-Term Rentals and other related terms and to add Short-Term Rentals as an allowed use under the Table of Use Regulations of the Zoning By-law. The use would be allowed in all zoning districts but limited to the three types of Short-Term Rentals described under the new definition to be added to Section 2.19, and limited to Short-Term Rentals in possession of a valid Certificate of Registration and operating in accordance with a new Section 4.14. The new Section 4.14 is dedicated to Short-Term Rental uses and simply puts forth basic requirements for the use. The vast majority of the regulations pertaining to the operation of Short-Term Rentals would be added to the General By-law under Article X. See the explanation under that Article for more information.