

Public Hearing \_\_\_\_\_

## VILLAGE OF WILLIAMSVILLE

### LOCAL LAW NO. 8 of 2019

**A Local Law Amending Chapter 112 (Zoning) of the Village Zoning Code to regulate the short-term rental of properties within the Village**

#### **Section 1. Title**

A local law to amend Chapter 112 (Zoning) of the Village Code to regulate the short-term rental of properties within the Village.

#### **Section 2. Enacting Clause**

Be it enacted by the Village Board of the Village of Williamsville, as follows:

#### **Section 3.**

Chapter 112 (Zoning) of the Village Code of the Village of Williamsville is amended as follows:

- A. Section 112-2 (Definitions) is amended to add the following definition following the definition of “SHOPPING CENTER”:

**SHORT-TERM RENTAL** – The rental of a dwelling unit for a time period of between one and thirty days.

- B. Section 112-12 (R-1 Single-Family Residential District), Subsection (A)(2) (Accessory Uses) is amended to add the following subsection:

(a-1) Short-Term Rental, subject to the following:

- (1) Approval of a special use permit granted by the Zoning Board of Appeals under this chapter. An application for a special use permit shall be on a form provided by the Code Enforcement Officer and shall be accompanied by an application fee as established by the Board of Trustees from time to time. Such special use permit shall remain in effect unless revoked by the Code Enforcement Officer for non-compliance with the terms of the permit or any of the following conditions, or the property is transferred to a new owner.

- (2) Before such special use permit may be granted, the premises must be

inspected by the Code Enforcement Officer or his/her designee to ensure that the premises is in substantial compliance with these regulations and the New York State Uniform Fire Prevention and Building Codes. By applying for a special use permit, the owner consents to biennial inspections of the premises for the duration of the permit, unless more frequent inspections are deemed necessary by the Code Enforcement Officer or his/her designee.

- (3) The short-term rental dwelling unit may be, but is not limited to, an attached or detached accessory apartment or whole house property.
- (4) The owner of the premises in which the short-term rental dwelling unit is located shall continuously occupy the premises throughout the operation of the short-term rental units unless the Zoning Board of Appeals finds that such non-owner-occupied short-term rental dwelling unit will not adversely affect the overall character of the neighborhood and would not violate the intent of this Chapter.
- (5) No fewer than 2 off-street parking spaces shall be provided for the premises in which the short-term rental dwelling unit is located.
- (6) No two short-term rental dwelling units shall be located on the same residential block without a finding by the Zoning Board of Appeals that such short-term rental dwelling unit(s) in excess of such limitation will not adversely affect the overall character of the neighborhood and would not violate the intent of this Chapter.
- (7) No exterior display or signage related to the use of the premises for short term rental shall be permitted.
- (8) The owner/operator of a Short-Term Rental Property shall also comply with Chapter 75-Rental Property.

C. Section 112-24 (Zoning Board of Appeals), Subsection E(1) (Special Use Permits) is amended to add the following new subsection:

(c) Short term rentals, as defined in § 112-2 and regulated in § 112-12(A)(2)(a-1).

D. Section 112-24 (Zoning Board of Appeals), Subsection E(2) (Special Use Permits) is amended to add the following new subsection:

(e) That the proposed special use conforms to all applicable requirements, conditions or restrictions provided in this Chapter with respect to such special use.

#### **Section 4. Effective date**

This local law shall take effect upon filing with the Secretary of State.