

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

## **VILLAGE OF WILLIAMSVILLE**

### **LOCAL LAW NO. X 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 shall be limited to no greater than 500 square feet and shall be clearly incidental to the principal use of the premises and does not change the character thereof.
  - (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. Any violation of this restriction shall constitute an offense against the Village Code (and shall be subject to penalties therefore) and will result in the immediate revocation of the special use permit. In addition, the owner of such premises who violates this restriction shall be prohibited from re-applying for a short term rental special use permit for a period of 5 years.
  - (5) A short term rental dwelling unit may only be located within the main living quarters of the premises and shall not be located within a garage or other accessory structure.
  - (6) Any new or separate entrance(s) proposed to provide access to the short term rental dwelling unit shall be located on the side or in the rear of the premises.
  - (7) No fewer than 3 off-street parking spaces shall be provided for the premises in which the short term rental dwelling unit is located.
  - (8) No two short term rental dwelling units shall be located on the same residential block nor within 750 feet of each other.
  - (9) No exterior display or signage related to the use of the premises for short term rental shall be permitted.
- 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.