



# *Town of Simsbury*

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## **Work Group Reviewing an Ordinance Regarding Short-Term Rentals**

January 24, 2020

8:00AM

Main Meeting Room, Town Hall, 933 Hopmeadow Street

### **SPECIAL MEETING AGENDA**

Call to Order (Chair, Chris Peterson)

- Welcome, Introduction of Members and Staff

1) Review and Discussion of an Ordinance Regarding Short-Term Rentals

- Communication from Town Manager to Work Group, dated January 20, 2020
- Communication from Zoning Commission to Board of Selectmen, dated October 11, 2019
- Staff Research (oral report)

2) Next Steps and Meeting Dates

Adjournment



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

## MEMORANDUM

**To:** Short-Term Rental Ordinance Work Group  
**From:** Maria Capriola, Town Manager  
**Cc:** Mike Glidden, Tom Fitzgerald, Henry Miga  
**Date:** January 20, 2020  
**Subject:** Town Manager's Initial Thoughts on a Short-Term Rental Ordinance

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To help generate discussion on the topic, I have outlined some possible items for consideration. The Zoning Commission has also provided possible items for consideration (included in this meeting packet).

### Life-Safety Items:

- Required inspection by Town staff. How frequently (annually or every other year)?
  - Licensing fee to offset expense of inspection and other administrative work?
  - Building staff to develop a check list (i.e. egress, functioning smoke and CO detectors, proper heating and electrical systems, etc.)
  - Egress routes posted inside the rental.
- Complaint driven inspections?
- Testing of wells for homes not on public water, and if so how frequently? Or a softer "requirement" that the well provides potable water?
- Required pumping of septic tanks for homes not on public sewer? How frequently (annually or every other year)?

### Quality of Life Items:

- Off-street parking required. No parking on lawns. Parking plan must be provided to and approved by Town staff as part of licensing requirements. One off-street parking space per bedroom?
- Weekly refuse removal required by authorized town haulers. If service is deemed to be inadequate (i.e. overflowing waste receptacles) by the town, property owner will be required to increase level of service.
- Local contact must be provided to the town as part of the licensing requirements; if issues arise at the property the local contact may be notified in addition to the property owner (if the two differ).
  - Local property contact's information posted inside the rental.
- Occupancy limits? 2 people per legal bedroom?

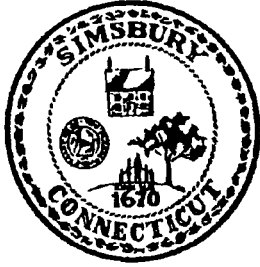
- How would we handle “events”? What scope and scale? All events prohibited?
- Limit to number of days per year a property can be rented as a short term rental? Or how many consecutive days to a single entity/person to still be considered a short-term rental? Would need to define duration.
- Limit rentals to a zone or zone? Distance requirements from any type of properties?

#### **Fines/Penalties:**

- \$250 per occurrence/violation of the ordinance
- Each day the occurrence continues is a separate violation
- Appeal process
- License revoked after 2 or 3 violations? After a certain time period from when the license was revoked, would a property owner be eligible to re-apply for a license?

#### **Miscellaneous:**

Separate from an ordinance, but consider the use of a 24/7 hotline with vendors specializing in this work so residents have a live person to speak with after business hours on nights and weekends when an issue arises. These services can also assist with monitoring for compliance.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

*Office of Community Planning and Development*

October 11, 2019

Eric Wellman, First Selectman  
Board of Selectmen  
933 Hopmeadow Street  
Simsbury, CT 06070

## **Re: Short-Term Rentals Regulations**

Dear Mr. Wellman and Hon. Members of the Board of Selectmen:

Over the past few months, the Zoning Commission has discussed how to regulate Short-Term Rentals. The option recommended by the Zoning Commission is that the Short-Term Rental use be permitted by the Zoning Regulations, with a requirement that the property owner obtain a Short-Term Rental license from the Town. The provisions of such license would be set by Town Ordinance. The ordinance may include provisions for the maintenance of public order and safety that are outside the purview of the Zoning Commission.

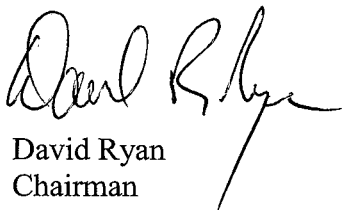
Attached to this correspondence is an outline that the Commission prepared, which gives the Board some guidance regarding what concerns might be covered in a licensing ordinance.

As many of you know, Short-Term Rentals are not permitted pursuant to current regulations. A zoning regulation similar to the attached draft will be developed so that such use is permitted under the Simsbury Zoning Regulations.

If the Board of Selectmen decides to establish a working group to tackle this issue, the Zoning Commission would be happy to participate.

Thank you for your consideration in this matter.

Very Truly Yours,



David Ryan  
Chairman  
Simsbury Zoning Commission

Telephone (860) 658-3245  
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8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Thursday  
8:30 - 1:00 Friday

## **Recommendations for BOS for Adoption of a Short Term Rental Ordinance**

### **I. Definitions**

**A. Occupant:** Any person(s), and their guests, who have entered into an agreement with a property owner for the use of the short term rental.

**B. Owner:** Any person(s) who holds the legal right to the property and uses the property as their legal residence.

**C. Primary Residence:** A housing unit in which an owner resides for the majority of the year. Residency is established by providing documentation through providing a driver's license, vehicle registration, voter registration, etc.

**D. Owner Occupied STR:** During the course of the rental, the owner (as defined above) is present inside the dwelling.

**E. Short Term Rental:** Any property rented by a person(s), of 18 years or older, for a period of one (1) to twenty-nine (29) consecutive days. A short term rental must have separate sleeping areas established for guests and guests must have at least shared access to one (1) full bathroom and cooking area.

**F. Sleeping Area:** A sleeping area is defined as a separate space, with a bed provided that the guest(s) of a short term rental have access to. This area must be inside the dwelling and cannot include: tents, outdoor areas, and/or recreational vehicles.

**G. Non-owner Occupied STR:** A unit in which the owner occupies the dwelling unit as their primary residence, but leaves the unit for a period of time, and rents out all or part of the unit in their absence.

**H. Vacation Rentals-** A vacation rental is an entire residential unit that is not a primary residence and is rented to guests on a short term basis, typically under 30 days.

### **II. Limit to Amount of Rentals**

A. No owner may rent their property as a short term rental for more than one hundred (100) days during any one year period of the short term rental permit. Owners must submit their yearly hotel tax paperwork, which is submitted to the CT Department of Revenue Services, to the Zoning Enforcement Officer for confirmation of yearly rental days.

### **III. Parking Requirements**

- A. The provided parking spaces may not be on the yard of the property.
- B. All parking is to be provided on site, no on street parking is permitted.
- C. Total number of parking spaces required must conform to the Zoning Regulations.

#### IV. Conduct

- A. Short term rental guests are subject to all relevant town codes and ordinances. It is up to short term rental owners to notify their guests of any applicable codes and ordinances and to ensure that they are followed.
- B. Excessive noise or other disturbances are prohibited
- C. No outdoor events are allowed.
- D. No guest may spend the night sleeping outdoors.
- E. No signage advertising the property as a short term rental is allowed.

#### Other Areas to consider:

- Neighbor Notification – Should applicants post a public informational sign similar to public hearing process held by the zoning commission or should applicants physically notify abutting neighbors when a license is first applied for
- Maximum Occupancy – The state building code provides for minimum areas in bedrooms in order to determine occupancy loads for a structure. Does the Board wish to develop a more restrictive standard than the state building code?

## Draft Regulation – Residential Zones

1. A residential property may be rented, or leased, as a residence for rental terms of greater than 30 days.
2. Rentals of Residential Properties for less than 30 days are permitted, subject to the following conditions:
  - a. A single family residence is considered one rental property. A single family residence must be owner-occupied to obtain and to exercise a Short Term Rental License.
  - b. Multi-family residences are considered as one residence per unit. No more than 15% of the units in a multi-family building may obtain Short Term Rental Licenses.
  - c. The number of Short Term Rental Licenses is limited to less than 30 in each Simsbury Voting District.
  - d. Each short term rental property must obtain a Short Term Rental License from the Town of Simsbury.
  - e. The provisions of the Short Term Rental License will be set by Simsbury ordinance.
  - f. No signs may be placed on the outside of a property to indicate that it has Short Term Rental License.