



City of Pittsfield

In the Year Two Thousand Twenty Five

AN ORDINANCE

Be it ordained by the City Council of the City of Pittsfield, as follows:

AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 23, ZONING

SECTION I

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-2, Definitions, Section 2.2, Glossary, shall be amended by adding, in the appropriate alphabetical order, the following new definitions:

Short- Term Rental: The rental of a legal or permitted dwelling unit, or a portion thereof including one or more bedroom(s) for residential purposes in exchange for payment, for a duration of less than thirty (30) consecutive days. This definition explicitly excludes bed-and-breakfast homes, hotels, motels or lodging houses, or time shares as defined elsewhere in this Chapter.

Short-Term Renter: Any individual or group of individuals occupying a Short-Term Rental unit, for the duration of a Short-Term Rental stay.

Short-Term Rental Operator: Any individual, firm, association, syndicate, company, trust, corporation, limited liability company, or other legal entity that manages, facilitates, or otherwise operates a Short-Term Rental. This includes, but is not limited to, property owners, lessees, sublessees, mortgage holders, and licensees.

Short-Term Rental Intermediary (Intermediary): Any person or entity, other than the Short-Term Rental Operator, who facilitates, arranges, advertises, or provides booking services for a Short-Term Rental, and/or collects or receives payment for such rental. This includes, but is not limited to, online hosting platforms (e.g. Airbnb, Vrbo) brokers, property managers, property management companies, and real estate agents.

Short-Term Rental Owner (Owner): The individual(s) or entities holding the legal title of record to the property being used as a Short-Term Rental. In cases where the property is held by a trust, corporation, limited liability company, or other entity, the "Owner" shall include any shareholder, beneficiary, or member with a direct or indirect financial interest in said entity.

Approved as to Form and Legality,

Devon W. Grierson

Devon Grierson

City Solicitor



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SECTION II

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-8, Conditional Uses, Section 7.856, Short-Term Rentals, shall be created as the following:

7.856 Short-Term Rentals

Requirements:

1. A Short-Term Rental shall be defined as a rental property offering a consecutive stay of no more than thirty (30) days, with the exception of bed-and-breakfast homes, hotels, motels or lodging houses and timeshares.
2. No Short-Term Rental shall be rented for stays accumulating more than one hundred and fifty (150) total days per calendar year.
3. All Short-Term Rental Operators shall register each Short-Term Rental Unit with the City Clerk's Office and with the Massachusetts Department of Revenue's (DOR) Short-Term Rental Properties list.
4. No Short-Term Rental shall be permitted in a dwelling unit that is designated as an affordable housing unit or is otherwise subject to an income or affordability restriction under any local, state, or federal program.
5. Limitation on Number of Short-Term Rental Units and Special Permit Process for Additional Units:
 - a) General Limit: A Short-Term Rental Owner shall own or have an interest in and register a maximum of one (1) Short Term Rental unit, unless granted a Special Permit as provided in subsection b) below.
 - b) Additional Unit Special Permit: A Short-Term Rental Owner who operates a primary, owner-occupied Short-Term Rental unit, approved through the Administrative Site Plan Review procedure, may apply for a Special Permit from the Community Development Board to operate one (1) additional Short-Term Rental unit.
 - i) Maximum Units: Each Short-Term Rental Owner may own or have an interest in a maximum of two (2) Short Term Rental units in total within the City of Pittsfield: one (1) approved via the Administrative Site Plan Review procedure, and one (1) additional unit approved via this Special Permit procedure.
 - ii) Criteria for Special Permit Review: The Community Development Board shall consider the following criteria when evaluating an application for a Special Permit for an additional Short-Term Rental unit:
 - (1) Units on the Same Parcel: For an additional Short-Term Rental unit proposed on the same parcel as the initially approved owner-occupied Short-Term Rental unit, the application shall be subject to Site Plan Review by the Community Development Board. The Board shall evaluate the proposed unit's impact on neighborhood character, parking adequacy, and potential adverse effects on adjacent properties.
 - (2) For an additional Short-Term Rental Unit proposed on a parcel separate from the initially approved owner-occupied Short-Term Rental Unit, the proposed unit must

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- be located outside of a radius of no less than 0.5 miles from the initial owner occupied Short-Term Rental Unit.
- (3) The concentration of existing Short-Term Rental Units within the immediate vicinity of the proposed additional unit.
- (4) The potential impacts on neighborhood character, parking availability, and residential quality of life.
- (5) The applicant’s demonstrated history of compliance with all Short-Term Rental regulations for their owner-occupied unit.
- 6. **Maximum Occupancy:** The maximum occupancy for any Short-Term Rental unit shall be limited to one (1) Short-Term Renter per two hundred fifty 250 square feet of gross floor area of the rented dwelling unit or to twelve (12) Short-Term Renters, whichever number is less.
- 7. **Minimum Parking Requirements:** Each Short-Term Rental unit shall provide one (1) onsite parking space for every eight hundred (800) square feet of gross-floor area of the rented dwelling unit. All required parking spaces must be located on the same parcel as the Short-Term Rental Unit. All required parking spaces must be located on the same parcel as the Short-Term Rental unit.
- 8. The Short-Term Operator shall designate a local contact person who resides in either the City of Pittsfield, or within Berkshire County. This designated contact person shall be available twenty-four (24) hours a day, seven (7) days a week, during all periods of Short-Term Rental occupancy, and shall be authorized to respond to and resolve any issues or emergencies related to the Short-Term Rental property on behalf of the Owner or Operator. The name and contact information of this local contact shall be provided to the City Clerk’s Office as part of the annual registration and shall be prominently posted within the Short-Term Rental unit.
- 9. All Short-Term Rental properties may be subject to periodic inspections per the current state building and health code.
- 10. All Short-Term Rental properties must meet all requirements of the current Fire Department Safety Standards, Health Department Standards and the State Building Code.
- 11. All Short-Term Rental properties shall be subject to an Administrative Site Plan Review conducted by the Director of the Department of Community Development or their designee prior to the issuance of any initial Short-Term Rental registration. If the Director determines that the proposed Short-Term Rental raises significant issues concerning neighborhood impact, traffic, parking, or other matters of public interest, or if the application involves an additional unit, the application shall be referred to the Community Development Board for full Site Plan Review and approval.

SECTION III

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-9 Section 9.302 “Requirements Home Occupations” shall be amended by adding a new Subsection J, as following:

Approved as to Form and Legality,

Devon W. Grierson

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City Solicitor



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Be it ordained by the City Council of the City of Pittsfield, as follows:

(J) Short-Term Rentals Excluded: For the purposes of this Section 9.302, a rental period of less than thirty-one (31) consecutive days shall not be considered a Home Occupation.

SECTION IV

This Ordinance shall take effect nine (9) months following its enactment.

Approved as to Form and Legality,

Devon W. Grierson

Devon Grierson

City Solicitor

In City Council

Read and passed to be ordained

September 9, 2025

10 Yeas - 1 Nays

/s/ Peter T. White, Council President

/s/ Michele M. Benjamin, City Clerk

Approved by the Mayor

September 10, 2025

/s/Peter M. Marchetti

A true copy, attest:

Michele M. Benjamin
City Clerk