



# Key Facts About Town Meeting Warrant Article 60

## Related to Short-Term Rentals (STRs) on Nantucket

### Homeowners that STR are Currently Unprotected and Face Real Risk

- A Massachusetts Supreme Judicial Court ruling (Styller, June 2021) determined that STRs are not compatible with residential zoning, swayed by the need to preserve the residential character of neighborhoods.
- Therefore, under Nantucket's current zoning bylaw, STRs are not legal in residential zones (97% of Island) because any use not explicitly allowed in zoning is prohibited. This leaves homeowners who short-term rent their homes completely unprotected.
- Pending court decisions put homeowners who STR at risk of potentially losing thousands in rental income and/or hundreds of thousands in legal fees.

### Unrestricted Commercial Interests are Threatening Nantucket's Tradition

- Commercial interests are taking advantage of Nantucket, at the expense of neighborhoods and our year-round housing and community.
- Homeowners who STR to offset expenses are competing against and being replaced by unrestricted for-profit commercial interests. This is not Nantucket's tradition.
- Article 60 prohibits purely commercial STRs operating in residential neighborhoods - which can help slow the conversion of our year-round housing to STRs.

### The Town's Lack of Action is Reckless and Irresponsible

- The Town's lack of action to update zoning makes STRs in residential neighborhoods illegal, leaving homeowners unprotected.
- Last year, over 1,000 voters turned out to vote at Town Meeting on STR zoning articles that were tabled as a result of a motion by the Planning Board.
- After more than 80 public meetings, 3 town meetings, and hundreds of thousands of dollars on consultant fees, we are no closer to a solution on STR zoning. This lack of action to amend our zoning bylaw only protects and benefits commercial STRs at the expense of Nantucket homeowners and neighborhoods.
- After 10 months, the STR Workgroup is also no closer to making a recommendation. A future special town meeting will be needed - prolonging necessary changes to zoning - if any are proposed.
- The time to act is now - voters should decide this important issue and take immediate steps to update Nantucket's zoning bylaw. The STR Workgroup can still continue its work to build on the foundation provided by Article 60.

### Article 60 is a Simple, Common-Sense Step to Create a Foundation for STR Policy

- Article 60 is a zoning amendment that legalizes STRs in residential neighborhoods under one simple condition - STR use must be less than residential use. (Residential use means any use by the owner for any length of time or any rental longer than 31 days).
- Long-term rentals (>31 days) by homeowners or commercial interests are not affected.
- Prohibits strictly commercial STR businesses in residential districts.
- Protects homeowners' ability to STR - 100% of existing STRs in residential zones would have a pathway to compliance regardless of residency/ownership.

**Vote YES on Article 60 to protect Nantucket homeowners and neighborhoods.  
Annual Town Meeting • May 6th at 8:30 am • Nantucket High School**

**Learn more at [www.YESonArticle60.com](http://www.YESonArticle60.com)**

## **COMPLETE TEXT OF ARTICLE 60**

(Zoning Bylaw Amendment: Short-Term Rental Accessory Use)

To see if the Town will vote to amend the Zoning Bylaws by amending Chapter 139 by inserting a new provision as follows, and further to authorize the Town Clerk to make non-substantive, ministerial revisions to the numbering of this bylaw in order that it be in compliance with the numbering format of the Code of the Town of Nantucket; or to take any other action relative thereto:

### **§139-\_\_SHORT-TERM RENTALS**

In residential districts, Short-Term Rentals are permitted on Owner Occupied properties. For purposes of this section 139 only, the duration of Owner Occupied shall be at least six months in each calendar year.

For non-Owner Occupied properties in residential districts, a Short-Term Rental shall be considered a permitted accessory use provided (1) the primary dwelling and secondary dwelling, if applicable, are each used for long-term residential use more than short-term rental use; and (2) the Short-Term Rental is registered with the Town in accordance with General Bylaw § 123.

All other STRs in residential districts are prohibited.

**Please Vote YES on Article 60**

**Nantucket Town Meeting**

**Saturday, May 6, 2023**

**8:30 am**

**Nantucket High School**

**Mary P. Walker Auditorium**