

## **EXPANSION OF HOTELS, MOTELS, AND OTHER TOURIST ACCOMMODATIONS**

**This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.**

There is no size limit for hotel or motel units under the Adirondack Park Agency Act. The expansion of a lawfully existing tourist accommodation that increases the number of the units available by up to 25%, or increases the square footage of the footprint of the structure by up to 25%, does not need a permit for a tourist accommodation. Expansions of 25% or more require a permit. Any new tourist accommodation established outside of a Hamlet land use area also requires an Agency permit.<sup>1</sup>

For density purposes, hotel and motel units (which are attached to a similar unit by a party wall) are treated differently from tourist cabins (which are stand-alone structures) in the APA Act. A hotel or motel unit attached to another unit by party wall constitutes one-tenth of a principal building, regardless of the unit's size. Therefore, ten units together comprise a single principal building. Each tourist cabin or similar structure also constitutes one-tenth of a principal building if it involves less than three hundred feet of floor space. A tourist cabin involving three hundred square feet or more of floor space constitutes one principal building. The principal building calculation is relevant when a permit is needed, as the size of the parcel on which a hotel or motel is located could limit the opportunity for additional units.

### **Example of APA jurisdiction:**

A lawfully existing motel with 10 motel units, each 300 square feet in size, with a 500 square foot office/reception/utility area would have a total size of 3500 square feet and constitute one principal building.

**Without an APA permit** the square footage of the motel in this example could expand by up to 25% in size (up to 4375 square feet of structure footprint, assuming the motel was not already expanded since 1973). The expansion could also include the addition of two new units, provided the resulting square footage of the motel remains below 4375 square feet.

---

<sup>1</sup> The Agency generally does not consider the rental of a property to be a tourist accommodation when: 1) only one party rents on a single lot at any time, and no other persons are living or renting on the lot at that time; 2) only lawfully existing structures are rented; and 3) no off-site services are advertised with the rental, such as catering or music for an event.

**An APA permit would be required** if the expansion in this example exceeded 4375 square feet or if more than two new units were added. Please remember that APA review may also be necessary for a project that involves wetlands, is located within a shoreline setback area, is subject to a prior permit, involves the construction of any structure greater than 40-feet tall, or if any other predicate of APA jurisdiction applies.

-----  
This flyer is intended to provide general information regarding Agency jurisdiction. Other provisions or restrictions may apply if an Agency permit or variance is required or if the property has previously been subject to Agency review.

Please contact the Agency with any questions at 518-891-4050. For a binding written response as to whether a specific proposal requires Agency review, please submit a Jurisdictional Inquiry Form (JIF). The JIF form is available on the Agency website at [www.apa.ny.gov/Forms/jiform.pdf](http://www.apa.ny.gov/Forms/jiform.pdf).