



Summit County Planning Commission (SCPC)

Thursday March 25, 2021 - 3:00 p.m.

~~County of Summit, County Council Chambers~~

~~175 South Main Street, 7th Floor, Akron, Ohio~~

By Zoom Meeting

Meeting Agenda

- | | | |
|----|--|-----------------------|
| A. | Call to Order | Chair Mavrides |
| B. | Roll Call | Tubbs |
| C. | Approval of the February 25, 2021 SCPC Minutes | Chair Mavrides |
| D. | Business Items | Knittel |

New Business

Item # 1 - The applicant has proposed that the Coventry Township Zoning Resolution revise Article 28.03 1B and Article 6.01 B7. The proposed text revisions would make the approval of Short-Term Rentals an administrative function of the Zoning Office versus the current process of requiring an approval by the Coventry Township Board of Zoning Appeals.

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|----|----------------------------------|-----------------------|
| E. | Report from Assistant Director | Tubbs |
| F. | Comments from Public | Chair Mavrides |
| G. | Comments from Commission Members | Chair Mavrides |
| H. | Other | |
| | 1. Legal Update | Matz |
| I. | Adjournment | Chair Mavrides |

County of Summit
Ilene Shapiro, County Executive
Summit County Planning Commission
Thursday, February 25, 2021- 3:00 p.m.
~~County of Summit, County Council Chambers~~
~~175 South Main Street, 7th Floor, Akron, Ohio~~
By Zoom Meeting
Minutes of February Meeting

Members Present: George Beckham, Becky Corbett, Helen, Humphrys, David Kline, Allen Mavrides, Jeff Snell, Dennis Stoiber, Robert Terry, Liz Walters.

Members Absent: Jerry Feeman, Jason Segedy

Staff: Dennis Tubbs, Stephen Knittel, Diane Miller Dawson.

Others: Joe Paradise – SCE, Bill Funk– Bath Twp, Jason Brewer – Project Engineer (Item #1), Paul Karnow – Applicant (Item #2), Thomas Jenkins – Applicant (Item #3).

I. Call to Order

Allen Mavrides called the meeting to order on **Thursday, February 25, 2021 at 3:05m pm** in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308. A roll call was conducted by **Dennis Tubbs** the attending members constituted a quorum.

II. Approval of January 28, 2021, Meeting Minutes

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X			X		
Corbett, Becky	X			X		
Feeman, Jerry						
Humphrys, Helen	X			X		
Kline, David	X	X		X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X		X	X		
Terry, Robert	X			X		
Walters, Liz	X			X		

Motion

David Kline made a motion to approve the minutes of **January 28, 2021** meeting, and it was seconded by **Dennis Stoiber** the motion passed with no abstentions.

**** The meeting was stopped @ 3:15 pm due to a technical issue with Zoom. ****
**** The meeting was resumed @ 3:24 pm on Zoom. ****

IV. Business Items

A. New Business – (1) item

New Business

Item # 1 – Estates of Bath Phase II – Final Plat - Bath Township –located in Bath Township at the terminus of Fox Hollow Ln. of West Bath Estates. Proposing three sublots 30, 31, and 32.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Final plat be **CONDITIONAL APPROVAL.**

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X		X	X		
Corbett, Becky	X			X		
Feeman, Jerry						
Humphrys, Helen	X			X		
Kline, David	X	X		X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X				X	
Walters, Liz	X			X		

Comments

Jason Brenner: spoke about the comments from the Engineer's office and SSWCD.

Bill Funk: Stated the Township has no comments.

Joe Paradise: Soke about the Engineer's comments and asked if any additional lots will be created.

Jason Brenner: Comment about the future use of Block “A”.

Allen Mavrides: Called the meeting back to order @ 3:24 pm with a quorum.

Dave Kline: Made a motion to conditionally approve based on comments from the Engineer and Planning Staff.

No comments from the public

Motion

A request was made by the applicant to table **Item # 1 – Estates of Bath Phase II – Final Plat - Bath Township** a motion was made by *David Kline* to approve this item, it was seconded by *George Beckham* the motion passed with no abstentions.

Item # 2 - Heartridge Final Plat Phase 1 – Sagamore Hills Township – Proposing 41 Sublots and the extension of Hawthorne Drive and the beginning of Heartridge Drive.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Final Plat be **CONDITIONAL APPROVAL**.

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X			X		
Corbett, Becky	X			X		
Feeman, Jerry						
Humphrys, Helen	X			X		
Kline, David	X		X	X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X					X
Stoiber, Dennis	X	X		X		
Terry, Robert	X			X		
Walters, Liz	X			X		

Comments

Paul Karnow: Spoke about the Engineer's office and SSWCD comments.

Allen Mavrides: Asked about the sewer connections.

Jeff Snell: Spoke about the township approvals and the SSWCD comments and the sewer connections.

Joe Paradise: Asked about the access to the construction site.

Dennis Stoiber: Made a motion to conditionally approve based on Engineers and County Health Dept comments.

No comments from the public.

Motion

Item # 2 - Heartridge Final Plat Phase 1 – Sagamore Hills Township a motion was made by *Dennis Stoiber* to approve this item, it was seconded by *David Kline* the motion passed with one abstention.

Item # 3 - Jenkins Lot Split and Variance – Springfield Township – Applicant is requesting a Variance from 1105.05 (e) Access to Public Streets “...shall provide each lot with a minimum of thirty (30) feet of continuous frontage on a dedicated street.” The applicant is proposing a lot with roughly 15.7 feet of access to a dedicated street.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Variance be **CONDITIONAL APPROVED.**

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X					
Corbett, Becky	X				X	
Feeman, Jerry						
Humphrys, Helen	X				X	
Kline, David	X		X			
Mavrides, Allen	X					
Segedy, Jason						
Snell, Jeff	X	X				
Stoiber, Dennis	X					
Terry, Robert	X					
Walters, Liz	X					

Comments

Allen Mavrides: Asked staff about the 15-foot sliver of land and if the subject parcel has access to other public R/W.

Thomas Jenkins: Spoke about the proposed lot split and variance.

George Beckham: Asked about the construction of a new house and the existing septic system.

Jeff snell: Asked about the structures located on the subject parcel and access to Lakes James Ter.

General conversation: About lot access to Lake James Ter.

Ali Rogalski: Spoke about the application that was submitted.

Thomas Jenkins: Spoke about the lot split and the new plans for final septic.

Allen Mavrides: Asked about the septic systems.

Jeff Snell: Asked about what has the Township seen and approved.

Ali Rogalski: Stated conditional approval would be ok with SCHD.

Joe Paradise: Stated the Engineer has no comment but would like to know if the township supports this item.

Stephen Knittel spoke for the Township due to technical issues: Stated the township has no issue with the application as long as it gets approval from the County.

Jeff Snell: Made a motion to conditionally approve the variance with approval from SCHD and an approved survey that meets all County and Township requirements.

Dennis Stoiber: Asked about the approval process for the variance and the split.

Stephen Knittel: Spoke about the lot depth to width requirements.

Jeff snell: Asked about the approval of the lot split.

Stephen Knittel: Spoke about the approval of the lot split.

No Public Comments

Motion

Item # 3 - Jenkins Lot Split and Variance a motion was made by *Jeff Snell* to approve this item, it was seconded by *David Kline* the motion passed with no abstentions.

V. Report from Assistant Director

VI. Comments from Public

VII. Comments from Planning Commission Members

VIII. Other

IX. Next Meeting

The next Summit County Planning Commission meeting will be held on *Thursday, March 25, 2021.*

X. Adjournment

Being no further business to come before the Planning Commission, *Dennis Stoiber* made a motion to adjourn, and it was seconded by *Helen Humphrys*. The motion passed unanimously. The meeting adjourned at 4:05 pm.



Planning Commission
Zoning Text Amendment
Short Term Rentals Permitted Use
Coventry Township

Item No.: 1
Meeting: March 25, 2021
Applicant: Coventry Township Zoning Commission
Proposal: **Article 28.00 Short Term Rentals, Permitted Use**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Coventry Township Zoning Resolution revise Article 28.03 1B and Article 6.01 B7. The proposed text revisions would make the approval of Short-Term Rentals an administrative function of the Zoning Office versus the current process of requiring an approval by the Coventry Township Board of Zoning Appeals.

Proposed Text Amendments: Text that is ~~struck~~ through is text proposed for deletion, new proposed text is underlined.

**ARTICLE 28.00 SHORT
TERM RENTALS**
ARTICLE 28.00

SHORT TERM RENTALS

SECTION 28.01 PUBLIC PURPOSE

Article 28.00 is intended to protect and promote the health, safety, and general welfare of all the citizens of Coventry Township by requiring the registration and certification of short term rentals within the Township. It is also the intent of **Article 28.00** to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from rental of a dwelling to help maintain the dwelling.

SECTION 28.02 DEFINITIONS

Caretaker - A caretaker is an individual, other than the short term rental permit holder, who is responsible for the oversight and care of the short term rental.

Parking Space – For purposes of **Article 28.00**, a parking space shall be a minimum of 10 feet by 20 feet, located off-street, outside of a road right of way, and in one of the following locations:

- a garage or carport
- a paved or gravel driveway
- a paved or gravel parking pad.

Renter – As used in this Resolution, a renter is an occupant or renter of a short term rental pursuant to a rental agreement.

Septic Approval, Current – As used in **Article 28.00**, Septic Approval is a form or document prepared by Summit County Health Department attesting to the rental property being compliant in regards to its home sewage treatment system (HSTS).

Short Term Rental- Any dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receives monetary compensation.

Short Term Rental Permit – A permit for a short term rental property located in a residential zoning district duly issued by Coventry Township Zoning department.

Special Events – In association with a short term rental: A wedding, outdoor party, family reunion or similar gathering that exceeds the maximum number of occupants allowed under the short term rental permit.

SECTION 28.03 APPLICABILITY

This section applies to all residential dwellings in Coventry Township and owners of those dwellings wherein the dwelling is rented for a period of thirty (30) days or less.

1. Permit Required.

A permit is required prior to the rental of any residential dwelling to be rented for a period of thirty (30) days or less.

- a. A permit issued by the Township shall be valid for a period of 1 year or until the dwelling is sold.
- b. A permit will be issued by Coventry Township Zoning within 30 days of receipt of ~~Coventry Township Board of Zoning Appeals approval~~ a permit will be issued by Coventry Township Zoning within 30 days of receipt of a complete short-term rental permit application, and:
 - (a) For properties on Akron Sanitary Sewer or Summit County Sanitary Sewer documentation attesting that is the case or:
 - (b) For properties with a home sewage treatment system (HSTS) a current Summit County septic approval.
- c. The permit shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in **Article 28.00 Section 28.04.D** (Capacity Limit).
- d. A permit and permit holder shall be subject to all of the standards and penalties of the zoning resolution.

2. Application.

An application provided by the Township for a short term rental permit shall include the following at a minimum:

- a. Address of property.
- b. Property owner name(s).
- c. Signature of property owner(s) and caretaker.
- d. Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the caretaker.
 - i. This information must be kept up to date in the Township's records.
 - ii. It is the permit holder's responsibility to inform the Township of any change in caretaker or contact information for the permit holder or caretaker.
- e. Number of bedrooms in the dwelling.
- f. Number of parking spaces as defined under Section 28.02.

3. Site plan.

Site plan of the property including location of the dwelling, location and number of smoke and carbon monoxide detectors, driveway or other point of access, and designated parking spaces meeting the definition of a parking space under Section 28.02.

SECTION 28.04 SHORT TERM RENTAL STANDARDS

A. Parking.

Parking for guests in a short term rental shall only be in identified parking spaces as defined in this resolution. No on-street parking shall be permitted in association with a short term rental.

B. Trash.

Refuse and recyclables shall be stored in appropriate containers with tight fitting lids and shall be regularly picked up by a licensed waste hauler.

C. Special Events.

Special events as defined in this section are not permitted at a short term rental property.

D. Capacity Limit.

The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2. The number of bedrooms shall be as certified by the applicant.

1. The permit issued by the township shall indicate the maximum number of renters that may be accommodated as calculated under these standards.

E. Contact.

The permit holder or a caretaker representing the property owner must be available by telephone at all times and must be physically located within a 75 mile radius of the property in the event of an emergency or an issue that requires immediate attention.

F. Permit Number.

The unique short term rental permit number issued by the Township shall be:

1. Included in any advertisement for the rental.
2. Posted in a location visible from the street or road serving the property.

G. Pets.

Pets shall be secured on the premises or on a leash at all times.

H. Applicable Rules.

Renters shall be made aware of the following:

1. The rules applicable to the renters under **Article 28.00**
2. **Summit County Noise Ordinance 509.08**
3. **Summit County Fireworks Ordinance Chapter 551**
4. **Summit County Rental Registry**

I. Signs. Under **Article 19 Section 19.02.L.2** of the Coventry Township Zoning Resolution, a residence in the Township is permitted an on-site identification sign no larger than 2 square feet in area.

J. Campfires.

Any campfires at a short-term rental property:

1. Shall be contained within a fire ring or other comparable container.
2. Shall be located no less than 50 feet from any structure or any combustible material, located away from overhanging tree branches, and located such that the prevailing winds will not deliver smoke to adjacent residences.
3. Shall be under the direct supervision of an adult at all times.
4. Shall be fully extinguished prior to leaving the fire.

SECTION 28.05 VIOLATIONS AND REVOCATION OF PERMIT

A. Violations.

Any of the following will be considered a violation of the Coventry Township Zoning Resolution:

1. Failure to update information with the Township such as the caretaker's or owner's contact information in a timely manner.
2. Advertising a short term rental for a capacity in excess of that allowed under the permit issued by the Township.
3. Failure of the permit holder or his/her designated caretaker to be available at any time during the tenure of an active short-term rental
4. Providing false or misleading information on the application for a short term rental permit.
5. Failure to obtain a short term rental permit when operating a short-term rental.
6. Failure to comply with any of the standards under Section 28.04.

B. Nuisance Per Se.

Any short term rental permit holder or caretaker who violates any provision of this resolution shall be responsible for an infraction of the Coventry Township Zoning Resolution and shall be subject to a fine of not more than \$500 dollars. The Township shall have the right to commence a civil action to enforce compliance with this resolution. Each day this resolution is violated shall be considered a separate violation.

- C. Revocation.** The Township may revoke a short term rental permit following two separate violations on the same property under the same ownership within any single calendar year. The property owner may reapply for a permit the following calendar year and receive a short term rental permit if all violations have been resolved.

SECTION 28.06 ENFORCEMENT OFFICIALS

In accordance with Ohio Revised Code, the Coventry Township Zoning Inspector or an

officer of the Summit County Sheriff department is hereby designated as authorized officials to issue violations directing alleged violators to appear in court.

ARTICLE 6.00

R-1 RESIDENCE DISTRICT REGULATIONS

SECTION 6.01 PERMITTED USES

In an "R-1" Residence District, no building, structure, lot, or land shall be used except for the following purposes.

A. PERMITTED USES

1. Single family dwelling.
2. Accessory buildings or structures customarily incidental to the foregoing permitted use, including private boat house and dock facilities, roadside stands, and private garages.
3. Short Term Rentals.

B. CONDITIONALLY PERMITTED USES

(Uses which may be permitted by issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals that said Board finds that the proposed conditional use is listed in the conditional uses in the district and that the conduct of the use meets beyond any reasonable doubt, both the general and specific requirements thereto.)

1. Public owned and operated facilities such as, but not limited to, fire stations, township halls, community center buildings or areas, libraries, museums, parks, recreation, or conservation areas.
2. Public or parochial schools.
3. Churches and comparable buildings for religious worship, instruction, or devotion, but excluding tents temporarily erected for such purposes.
4. Golf courses or country clubs, but excluding miniature golf courses or practice driving ranges operated for business purposes.
5. Accessory buildings or structures customarily incidental to any of the foregoing conditionally permitted uses, including accommodations for personnel employed on the premises, private boat house and dock facilities, home occupation, and roadside stands.
6. Residential and non-residential alcohol, drug and related mental health treatment facilities and associated uses.
7. ~~Short Term Rentals.~~

Summary of the changes proposed:

- Article 28.03 1B- Delete text "Coventry Township Board of Zoning Appeals approval" to read "A permit will be issued by Coventry Township Zoning within 30 days of receipt of a complete short-term rental permit application, and:"
- Article 6.01 B7 "Short Term rentals" as listed as a Conditional Use would be moved to Article 6.01 A3 and listed as a Permitted Use per Article 28.

Research:

City of Hudson

Codified Ordinance

CHAPTER 876

Short-Term Rental Operations

Adopted February 2, 2021 per Ordinance 20-1 60

876.01 DEFINITIONS.

As used in this chapter:

(a) " Dwelling " means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence, or sleeping place for one or more persons.

(b) " Guestroom " means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

(c) " Hosting platform " means a person or entity in whatever form or format that facilitates, through advertising or any other means, a short-term rental booking transaction for accommodations between a short-term rental host and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental host. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.

(d) " Owner " means an individual(s), corporation, or partnership that has legal title to and control of a dwelling.

(e) " Permanent occupant " means persons who reside in a dwelling more than fifty- one percent of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.

(f) " Primary residence " means a residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy, or a utility bill. An owner or permanent occupant can only have one primary residence.

(g) " Short-term rental " means any room or dwelling that is rented wholly or partly for a fee for less than thirty consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the permanent occupant or owner by a hosting platform. " Short-term rental " does not include a room in any hotel or motel, as defined elsewhere in the Codified Ordinances of the City of Hudson.

(h) "Short-term rental guests" means persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than thirty consecutive days.

(i) "Short-term rental host" or "host" means the owner and/or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging.

(j) "Short-term rental operation" or "operation of a short-term rental" means the occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.

(k) "Transient guests" means persons occupying a room or rooms for sleeping accommodations for less than thirty consecutive days.

(Ord. 20-160. Passed 2-2-21.)

876.02 PERMIT REQUIRED.

(a) No person, including, but not limited to, an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the City of Hudson, the operation of a short-term rental in a calendar year without obtaining a permit in accordance with this chapter. It shall be prima facie evidence of a short-term rental operation if a short-term rental guest is found to be occupying or using a short-term rental or if a residence has been placed on any hosting platform for short-term rental purposes.

(b) An application for a new short-term rental permit may be submitted at any time to the Community Development Director, or his/her designee. If the application is approved and a permit is issued, the short-term rental permit shall take effect on the day of issuance and shall expire on December 31st of the year in which it was issued.

(c) A permit to operate a short-term rental shall be renewed by the applicant before the end of each calendar year. The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the permit is set to expire. Failure to renew shall result in expiration of the short-term rental permit on December 31st. If a short-term rental permit is successfully and timely renewed, it shall be in effect for one calendar year, beginning on January 1st and expiring on December 31st of the same year.

(d) Bed and breakfast establishments lawfully operating within the City, as defined by the City of Hudson Land Development Code, shall not be subject to the requirements of this Chapter 876 provided that such establishments were in operation prior to the effective date of Ordinance 20-160, and have not ceased operation for more than ninety consecutive days.

(Ord. 20-160. Passed 2-2-21.)

876.03 APPLICATION FOR SHORT-TERM RENTAL PERMIT, NEW AND RENEWAL.

(a) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Community Development Director, or his/her designee, upon approved forms, for an application processing fee of one hundred dollars (\$100.00). City Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this chapter.

(b) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address. For a non-owner-occupied short-term rental application, the permanent occupant shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in Section [876.01\(f\)](#);

(2) The names of the legal owner or owners of the property, including mailing address, telephone number, and email address;

(3) Sufficient information to demonstrate compliance with either the permanent occupancy or ownership requirements defined and outlined in Sections [876.01](#) and [876.04](#);

(4) The names and addresses of any other short-term rental located in the City that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management;

(5) The names of all hosting platforms that are used by the short-term rental host and proof of rental insurance for the unit rental;

(6) The names of all advertising outlets in which the short-term rental host intends to advertise such rental if the short-term rental host is not using a hosting platform;

(7) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two per bedroom, plus three additional occupants. For example, in a short-term rental with two bedrooms, the maximum number of occupants would be seven;

(8) The maximum number of motor vehicles that will be permitted to park at the short-term rental; this number shall not exceed the number that can be garaged on premises plus two that may park in a driveway;

(9) An affidavit attesting that the short-term rental operation is in compliance with all applicable local, state, and federal laws and regulations concerning the provision of sleeping accommodations to transient guests; and

(10) The contact name and telephone number for the short-term rental that may be used twenty-four hours a day, seven days a week for any issues that may arise related to the short-term rental unit or its transient guests.

(c) The applicant must notify the Community Development Director, or his/her designee, of any change in information contained in the permit application within ten days of the change.

(d) Any change in ownership of the dwelling shall void the current short-term rental permit and shall require submission and approval of a new short-term rental permit application.

(e) A short-term rental shall be assigned an individual registration account number that must be prominently posted with the unit on any hosting platform(s) or in any other advertisement regarding the unit. Said valid registration shall be displayed but removed upon expiration.

(f) Posted Public Notice and Comment; Fire Department Inspection.

(1) Fire Department inspection. A short-term rental shall be inspected by the City Fire Department on an annual basis prior to issuance and/or renewal of a permit to ensure compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes including the requirements set forth below in Section [876.04](#) (a)(4) and (a)(5).

A. If a short-term rental fails to pass the City Fire Department inspection required pursuant to this section, then the short-term rental applicant may request a re-inspection, provided that the re-inspection request is submitted within sixty days of the first inspection. The short-term rental permit application (or renewal application) shall be voided, and no permit will be issued (or renewed) if the proposed short-term rental fails to pass re-inspection.

(2) Public Notice and Comment. For short-term rental permit applications in any residential zoning district, the City shall cause a temporary sign to be placed on the property which is the subject of the short-term rental application for the purpose of giving notice of the proposed

short-term rental and soliciting public comment. The City shall use any public comment received for the purpose of assisting in the City's evaluation of the short-term rental application's compliance with Section 876.05 . The temporary sign shall be placed on the property no less than fourteen days before the short-term rental permit is issued by the City. The temporary sign notice requirements described in this section shall not apply to timely filed renewal applications. Any public comment received during the notice period shall be kept on file by the City. (Ord. 20-160. Passed 2-2-21.)

876.04 SHORT-TERM RENTAL HOST REQUIREMENTS.

(a) Short-Term Rental Host Requirements. A short-term rental host shall be the owner and/or the permanent occupant of the dwelling. The short-term rental host must provide: one form of proof of identity, and two pieces of evidence that the dwelling is the host's primary residence or two pieces of evidence that the host is the owner of the dwelling.

(1) One short-term rental permit per short-term rental operation may be issued.

(2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform or to advertise the dwelling in any other manner for use as a short-term rental.

(3) The short-term rental host must provide written notice to the short-term rental guest of:

A. The contact information, including a telephone number, of a local person who resides or is located within ten miles of the dwelling unit with responsibility to resolve any complaints, regarding the condition, operation, or maintenance of a dwelling unit;

B. The trash and recycling collection days for the dwelling and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the dwelling. The short-term rental host shall provide proper trash and recycling containers for the short-term rental guest(s).

(4) Smoke detectors shall be provided and maintained within each sleeping area in each dwelling unit;

(5) One or more carbon monoxide detection devices shall be installed and maintained as close to the center of the dwelling unit and within close proximity to the living area and within each sleeping areas of the dwelling unit.

(6) Occupancy shall be limited to two individuals per bedroom, plus three additional occupants within the dwelling unit. For example, in a short-term rental with two bedrooms, the maximum number of occupants would be seven.

(7) Maximum number of motor vehicles that will be permitted to park at the short-term rental: the maximum number of motor vehicles that are permitted to be parked at any short-term rental shall not exceed the number that can be garaged on-premises plus two that may park in the attached driveway.

(8) Compliance with all other applicable provisions of the City of Hudson Codified Ordinances related to residential housing.

(9) All short-term rental hosts shall obtain liability insurance for the short-term rental. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements: A general liability insurance policy or certificate that shall provide the following minimum coverage:

A. Not less than three hundred thousand dollars (\$300,000). Such policy or certificate must be issued by an insurance company that is admitted to do business in the State of Ohio or by an eligible surplus lines company or risk retention group;

B. The policy or certificate shall provide notice of cancellation of insurance to the Community Development Director at least ten days prior to cancellation; and

C. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.

(10) Rentals for thirty or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(b) Records Required. Short-term rental hosts that offer short-term rentals shall retain and, upon request, make available to the Community Development Director, or his/her designee, official records to demonstrate compliance with this chapter, including, but not limited to, primary residency, the dates and duration of each stay in the short-term rental, the maximum occupancy permitted at the short-term rental, and the maximum number of motor vehicles permitted at the short-term rental. A short-term rental host that provides units for short-term rental use shall retain records for a period of at least four years.

(c) Nothing in this chapter shall be construed as permitting any person to obtain a permit or offer a short-term rental, where prohibited by any other provision of law.

(Ord. 20-160. Passed 2-2-21.)

876.05 GROUNDS FOR DENIAL.

(a) The Community Development Director, or his/her designee, shall issue a new permit upon application, or grant the renewal of an existing permit, except as provided in divisions (b) and (c) of this section.

(b) The Community Development Director, or his/her designee, shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the short-term rental property:

(1) The applicant makes a material misrepresentation of fact on the application for a short-term rental permit or, if requested, fails to submit documentation evidencing compliance with the rental host requirements outlined in Section [876.04](#);

(2) The applicant or any owner of the short-term rental has been convicted of violating Section [876.02\(a\)](#);

(3) Any owner, applicant, operator, or manager of the short-term rental is shown to have been convicted of the act of prostitution or soliciting for prostitution, or an act that would constitute a violation of R.C. Chapters 2925 (Drug Offenses) or 3719 (Controlled Substances), in or on the premises of the dwelling of the short-term rental in question, or any short-term rental in which the owner has any interest in, including, but not limited to, ownership, licensure, or management;

(4) The property taxes of the short-term rental host are in arrears with the Summit County Auditor's Office;

(5) The short-term rental host is not in good standing with the City of Hudson Income Tax Division;

(6) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its

vicinity (as such conditions are defined below in Section 876.06; or of conduct in violation of Section 876.08;

(7) The short-term rental has outstanding orders from the City Fire Department that have not been corrected;

(8) The owner, applicant, operator, or manager of the short-term rental has hindered or prevented any inspection by the City Fire Department as authorized above by Sections 876.03(f)(1).

(c) Evidence of conduct under division (b) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial unless specifically indicated.

(Ord. 20-160. Passed 2-2-21.)

876.06 REVOCATION AND SUSPENSION OF SHORT-TERM RENTAL PERMIT.

(a) The Community Development Director, or his/her designee, may revoke and/or suspend a short-term rental permit if it is determined that the activities set forth above in Sections 876.05(b) are determined to have occurred at the short-term rental; or a short-term rental unit is listed on a hosting platform or advertised elsewhere without the registration number as required under Section 876.03(e); or is perpetuating conditions interfering with use and enjoyment of properties within its vicinity; or is delinquent in filing or payment with the City of Hudson Income Tax Division; or is engaging in conduct in violation of Section 876.08. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) The occurrence of any of the activities set forth in the Hudson Codified Ordinances relating to noise disturbance, nuisance, drug offenses, or disorderly conduct;

(2) Occupancy by a number of short-term rental users exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum occupancy permitted pursuant to this chapter;

(3) Parking of a number of motor vehicles exceeding either (1) the maximum number included in the application for the short-term rental permit or (2) the maximum number of motor vehicles permitted at any short-term rental pursuant to this chapter;

(4) Uninvited entry of short-term rental occupants upon private property within 500 feet of the short-term rental.

(b) A violation of any of the conditions in division (a) of this section shall result in progressive discipline:

(1) Upon the first violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit for six months from the date of termination.

(2) Upon the second violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit for one year from the date of termination.

(3) Upon the third violation, the permit for the short-term rental shall be terminated and the short-term rental host prohibited from re-applying for a new permit at any time in the future.

(Ord. 20-160. Passed 2-2-21.)

876.07 APPEAL OF DENIAL OR REVOCATION OF PERMIT.

In the event an applicant has been denied a permit, or if a permit has been revoked or suspended, the party affected shall have the right to appeal to the City Manager from such denial, revocation, or suspension within ten business days. Notice of appeal shall be filed with the City Manager's office on a form created by the City Manager for such purpose, and the City Manager shall set the date and time of the appeal hearing. The burden of proof in such an appeal shall be upon the appellant to show that the denial or revocation was arbitrary or unreasonable.

(Ord. 20-160. Passed 2-2-21.)

876.08 TRANSFER OF SHORT-TERM RENTAL PERMIT PROHIBITED.

(a) No permit under this chapter shall be transferable to another short-term rental operation.

(b) No permit under this chapter shall be transferable to another individual, corporation, firm, partnership, association, organization, or other group acting as a unit.

(Ord. 20-160. Passed 2-2-21.)

876.09 DISCRIMINATION PROHIBITED.

A short-term rental host shall not:

(a) Decline a short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(b) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(c) Post any listing or make any statement that discourages or indicates a preference for or against any short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status.

(Ord. 20-160. Passed 2-2-21.)

876.10 RULES AND REGULATIONS.

The Community Development Director may promulgate and enforce reasonable rules and regulations to carry out the intent of this chapter.

(Ord. 20-160. Passed 2-2-21.)

876.11 SHORT-TERM RENTAL PERMIT DISPLAY.

The short-term rental host shall maintain the short-term rental permit and prominently display it in the dwelling.

(Ord. 20-160. Passed 2-2-21.)

876.99 PENALTY.

(a) Whoever violates Section [876.02\(a\)](#) shall be guilty of a misdemeanor of the first degree, the penalty for which shall be a maximum fine of one thousand dollars (\$1,000) and imprisonment for a maximum period of 180 days, or both, in addition to any other penalties as imposed by this chapter.

(b) Unless otherwise specified, whoever violates any provision of this chapter shall be guilty of an unclassified misdemeanor and shall be fined not more than five hundred dollars (\$500.00) in addition to any other penalties as imposed by this chapter. Upon subsequent convictions, the penalty shall be an unclassified misdemeanor but the guilty party shall be fined not more than one thousand dollars (\$1,000), in addition to any other penalties as imposed by this chapter.

Comments from Coventry Township:

Date: February 16, 2021

Final

To: Zoning Commission

From: Trustee, George Beckham

Subj.: Revise Short Term Rentals to a Permitted Use from a Conditional Use

The short-term rental section of the zoning code was adopted in July 2019. There had been a few short term rentals in the past that have had a minor issue that was brought to the attention of the Zoning Department and the issue was resolved with a phone call an/or a letter to the owner. As more short-term rentals were established, more issues were reported leading to the Townships adoption of Section 28 of the regulations. The Trustees believed the continuation of allowing the use of Short-Term Rentals was needed or the Township would face substantial legal fees if Short Term Rentals were not permitted. There are communities that do not allow short-term rentals, however, it does not appear they have the same issues as the Township and the enforcement of not allowing Short-Term rentals is doubtful.

Prior to the Township adopting short-term rental regulations there was discussion as to whether the Township would have a stronger case legally if we approached these properties as a nuisance complaint. The Township Attorney has been consistent in advising the Township not to regulate this use due to likely legal entanglements and the time involved, noting that reported issues at these Short-Term rental locations were infrequent. However, code requirements were adopted and the short-term rental use was made Conditional, resulting in the Board of Zoning Appeals approving each request.

Making short-term rentals a Conditional Use has given rise to neighbors who are against short-term rentals under any circumstances testifying against a location, not so much on fact but because they do not agree with short-term rentals in the Township. The BZA is caught in the middle, even if the evidence/complaints against a short-term rental are questionable, having several residents passionately speaking against the request is hard to disagree with. That leaves the Township in a weak position if a decision by the BZA ends up in Court.

Most communities have rental requirements for all rentals and may have specific requirements for short-term rentals within the rental requirements. Coventry Township has around 30% of their properties that are full time rental units, however the current regulations are for short-term rental properties only. The structures being rented as short-term rentals are typically newly remodeled with current well and septic inspections, if applicable. It has been the experience of the Zoning Office that there is little to no concern that a short-term rental is a substandard dwelling.

Most requests presented to the BZA have been approved once all of the requirements are met. To date, three have been disapproved, one has currently filed an appeal in Court. The Board of Zoning Appeals, during various hearings have stated they believe it is unfair that

the BZA have to make these decisions. They realize their decisions are often influenced not completely based on facts, but neighbors simply not wanting a short-term rental in their neighborhood and providing examples of neighborhood disruption. The code as written places the Township in the middle of a "Not In My Backyard"- NIMBY, zoning issue.

With this revision of changing short-term rentals to a Permitted Use vs Conditional Use, the Zoning Inspector will issue a permit based on all requirements being fulfilled. If there are verifiable complaints that come to the attention of the Zoning Inspector, the owner would be notified of complaints and requested to rectify the issues. If the issues are not resolved, Court action would be initiated by the Township.

This text change was initiated unanimously by the Coventry Township Board of Trustees. The Code requirements will remain unchanged and be administered by the Zoning Inspector. The Board of Trustees ask that you send this revision to Summit County Planning Commission for a recommendation and the Zoning Commission act on the revision prior to sending to the Coventry Township Board of Trustees for final action.

Staff Comments: Staff sees no issues with the proposed text changes. Staff also supports the idea of introducing public notice language similar to what is in the City of Hudson code:

(2) Public Notice and Comment. For short-term rental permit applications in any residential zoning district, the City shall cause a temporary sign to be placed on the property which is the subject of the short-term rental application for the purpose of giving notice of the proposed short-term rental and soliciting public comment. The City shall use any public comment received for the purpose of assisting in the City's evaluation of the short-term rental application's compliance with Section 876.05 . The temporary sign shall be placed on the property no less than fourteen days before the short-term rental permit is issued by the City. The temporary sign notice requirements described in this section shall not apply to timely filed renewal applications. Any public comment received during the notice period shall be kept on file by the City.

(Ord. 20-160. Passed 2-2-21.)

This would allow for the public to still comment on proposed short term rental properties which is beneficial to the township and to the public.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVAL with due consideration to staff comments.**