

TEMPORARY ORDINANCE NO. 31-25

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE LANCASTER CODIFIED ORDINANCES, PART ELEVEN – PLANNING AND ZONING, TITLE THREE – ZONING AND PROPERTY RESTRICTIONS, AND TO ADOPT CHAPTER 1131 – SHORT TERM RENTALS

WHEREAS, the Community Development Department is proposing the addition of Chapter 1131 - Short Term Rentals to the Lancaster Codified Ordinances; and

WHEREAS, because this is a zoning code amendment, the City Planning Commission reviewed and revised the new Chapter proposed for adoption at three separate meetings, and held a public hearing on the same on June 26, 2025, in accordance with Lancaster Codified Ordinance 1159.02; and

WHEREAS, on June 26, 2025, the Lancaster City Planning Commission voted unanimously to recommend the proposed Chapter 1131 – Short Term Rentals to Lancaster City Council pursuant to Lancaster Codified Ordinance 1159.01; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Lancaster Codified Ordinances are hereby amended to adopt Part Eleven – Planning and Zoning, Title Three – Zoning and Property Restrictions, Chapter 1131 – Short Term Rentals pursuant to “Exhibit A” attached hereto and incorporated herein by reference.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by: Code Enforcement & Zoning Committee

I, Anitra Scott, Clerk of Council do hereby certify that on \_\_\_\_\_, 2025 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

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Clerk of Council



**1131.01 Zoning Clearance Permit for Short Term Rental Required.**

- a. No person, as defined in Section 1161.01 of the Codified Ordinances, shall engage in, conduct, carry on, or permit to be engaged in, conducted, or carried on, in or upon any premises, the operation of a short term rental, as defined in Section 1161.01 of the Codified Ordinances, without an approved Zoning Clearance Permit in accordance with this Chapter and Section 1155.02 of the Codified Ordinances.
  - i. A separate Zoning Clearance Permit application is required for each dwelling unit; for two-family or multi-family dwellings, a separate Zoning Clearance Permit application is required for each dwelling unit.
  - ii. A copy of the approved Zoning Clearance Permit for the short term rental must be maintained on-site and available for inspection upon request.
- b. A Zoning Clearance Permit to operate a short term rental shall be effective until December 31 of the calendar year following the year in which it is issued.
- c. A Zoning Clearance Permit to operate a short term rental shall be renewed by the applicant before the end of each calendar year.
  - i. The deadline for applying for a Zoning Clearance Permit renewal shall be the first Monday in November of the year in which the current Zoning Clearance Permit will expire.

**1131.02 Application & Renewal Fee.** The fee for a new Zoning Clearance Permit application or Zoning Clearance Permit renewal to operate a short term rental shall be established as set forth in the Planning & Zoning fee schedule as determined by the Mayor of Lancaster.

- a. Any Lodging Tax collected pursuant to Chapter 185 of the Codified Ordinances shall be paid directly to the City Income Tax Department.

**1131.03 Application Requirements.**

- a. The application for a Zoning Clearance Permit to operate a short term rental as required by this Chapter shall include the following:
  - i. The address of the proposed short term rental premises.
  - ii. The type of dwelling unit.
  - iii. The name of the applicant, including contact address, telephone number, and email address.
  - iv. The name of the local host, including contact address, telephone number, an email address, who shall be available at all times for any issues related to the short term rental unit and/or transient guests and who must be able to respond within one (1) hour of being notified of an on-site emergency.
  - v. The maximum number of occupants that will be accommodated at the short term rental, which shall not exceed the Occupancy Permit for the premises.
  - vi. The maximum number of motor vehicles that will be permitted to park at the short term rental, unless it is located in the Central Business District. This number shall not exceed the number of vehicles that can be garaged on-premises, plus two that may park in a driveway, plus two that may park on-street. A specific number of parking spaces is not required for short term rentals in the Central Business District as long as

the premises are within one thousand (1,000) feet of on-street parking spaces or a public parking facility.

- vii. A labeled site plan or aerial photograph that identifies the parking spaces required to comply with this section.
  - viii. A floor plan with square footage that identifies rooms on all floors and the specific location of bedrooms in a manner that demonstrates compliance with the requirements of this section.
  - ix. A copy of the results from a BCI and FBI Background Check is required for the following individuals:
    - a. The applicant;
    - b. The local host, if applicable and different than the applicant; and
    - c. The property manager, if applicable.
  - x. Any additional information deemed necessary by the City Planner or designee to evaluate an application's compliance with the provisions of the Codified Ordinances or Ohio Revised Code.
- b. The applicant must notify the City Planner, or designee, of any change in information contained in the Zoning Clearance Permit application or renewal within ten (10) days of the change.
- c. Any change in ownership or leasehold of the short term rental premises shall void the current Zoning Clearance Permit and shall require submission and approval of a new Zoning Clearance Permit application.

**1131.04 Short Term Rental Standards.** The following standards of operation shall be the minimum requirements for any short term rental within the City:

- a. On-site parking shall only be in designated spaces as identified in the approved site plan (except for short term rentals in the Central Business District). Overnight occupancy or parking of recreational vehicles, campers, trailers, or tents at the premises of a short term rental is not permitted.
- b. No advertising or signage viewable from the exterior shall be permitted on short term rental premises regardless of the zoning district.
- c. Security cameras shall only be installed on the exterior of the premises or in a communal space inside the premises, such as a living room or kitchen. No cameras shall be placed in a bedroom, bathroom, or any other place where an occupant would have a reasonable expectation of privacy.
- d. Short term rentals shall not house sex offenders, be rented by the hour, or be used for any sexually oriented business as specified in Section 707.02 of the Codified Ordinances.
- e. Short term rentals shall obtain an Occupancy Permit from the City Building Department prior to renting the premises to demonstrate compliance with applicable state and local laws, including those pertaining to fire and building codes, and smoke-detecting and carbon monoxide-detecting equipment.

- f. Short term rentals shall not adversely affect the character of the surrounding neighborhood in a manner that disturbs the peace as specified in Section 509.08 of the Codified Ordinances.
- g. Short term rental premises shall be maintained in a manner that remains free of any Zoning Code, Building Code, or International Property Maintenance Code violations.

**1131.05 Grounds for Denial of Permit.** The City Planner or designee shall approve a Zoning Clearance Permit application or renewal for a short term rental in compliance with the Codified Ordinances unless any of the following apply:

- a. The applicant submits an incomplete application or renewal and/or fails to pay the required fee.
- b. The applicant makes a material misrepresentation of fact as determined by the City Planner or designee.
- d. The short term rental premises has pending Zoning Code, Building Code, International Property Maintenance Code, or other regulatory violations.
- e. The applicant or short term rental premises have a documented history of nuisance behavior or criminal activity that endangers neighborhood or public safety in violation of the Codified Ordinances or Chapter 3767 of the Ohio Revised Code.

**1131.06 Revocation of Permit.** In addition to the penalty provided in Section 1131.99, the City Planner or designee may revoke the Zoning Clearance Permit for a short term rental and prohibit the applicant and/or local host from operating any short term rental or reapplying for a Zoning Clearance Permit for a short term rental for a period of six (6) months for any of the following:

- a. Violating any of the requirements set forth in Section 1131.03 or Section 1131.04 of the Codified Ordinances.
- b. Failing to permit the City Planner or designee to inspect the premises to verify compliance with the provisions of this Chapter in accordance with Section 1155.06 of the Codified Ordinances.
- c. Failing to register with the City Income Tax Department or failing to pay the lodging tax and/or fees required by the Codified Ordinances or Ohio Revised Code.

**1131.07 Appeal of Denial or Revocation.** Any applicant whose short term rental Zoning Clearance Permit application or renewal has been denied or revoked by the City Planner or designee, may file an Appeal From an Administrative Official to the Board of Zoning Appeals in accordance with the provisions of Section 1157.07 of the Codified Ordinances.

**1131.99 Penalty.** Any person who violates the provisions of this Chapter shall be guilty of a misdemeanor of the fourth degree on the first offense and a misdemeanor of the second degree for each offense thereafter.