

# RECORD OF ORDINANCES

Ordinance No. 2016-3

March 28, 2016

## City of Bellbrook

### Ordinance No. 2016-3

#### **An Ordinance Amending Certain Sections of the City of Bellbrook Zoning Code to include Regulations for Transient Rentals.**

WHEREAS, the City of Bellbrook has identified a need to regulate transient rentals in the City based on an immediate and direct threat to public safety; and

WHEREAS, the City of Bellbrook has determined the need to regulate transient rentals to protect property values and the character of the City's residential neighborhoods; and

WHEREAS, the City staff recommended amendments to the Bellbrook Zoning Code relating to transient rental regulations; and

WHEREAS, the Bellbrook Planning Board conducted a public hearing on those amendments to the Bellbrook Zoning on January 13, 2016; and

WHEREAS, the Bellbrook Planning Board unanimously approved the amendments and recommended adoption by City Council; and

WHEREAS, all amendments to the Zoning Code must be approved by ordinance.

#### **Now, Therefore, the City of Bellbrook Hereby Ordains:**

Section 1. That the following amendments to the Bellbrook Zoning Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

#### **Article 3 Construction of Language and Definitions**

##### **3.02 Definitions**

*Transient Occupancy: Means the right to use, occupy or possess, the use, occupancy or possession of the following: dwelling unit, dwelling, one family; dwelling, two family; or a dwelling, multiple family; or a portion of any of the aforementioned, for a period of 25 consecutive calendar days or less.*

*Transient Rental: Means the renting, letting, subletting, leasing or subleasing of a: dwelling unit; a dwelling, one family; dwelling, two family; or a dwelling, multiple family; or a portion of any thereof for "transient occupancy".*

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## **Article 5 R-1AA, R-1A, R-1B One Family Residential Districts**

### **5.01 Intent**

These districts are the most restrictive of the residential districts. The purpose and intent is to provide for an environment of predominantly low density single unit dwellings plus certain other facilities which serve the residents living in the district[.] and to regulate transient occupancy within the city to protect and preserve the permanency of residential neighborhoods, protect property values, and ensure the comfort and safety of the residents.

### 5.09 Transient Rental Regulations

No dwelling unit or dwelling, one family or a portion of any thereof in the R-1AA, R-1A, or R-1B districts shall be used as a transient rental.

## **Article 2 R-2 Two Family Residential District**

### **6.01 Intent**

The purpose and intent of this district recognizes the existence of older residential areas of the municipality where larger houses have been or can be converted from single family to two family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. This district also allows the construction of new two family residences where slightly greater densities are permitted. This Article also regulates transient occupancy within this district and protects and preserves the permanency of residential neighborhoods, protects property values and ensures the comfort and safety of the residents.

### 6.09 Transient Rental Regulations

No dwelling unit or dwelling, two family or a portion of any thereof in the R-2 district shall be used as a transient rental.

## **Article 7 R-3 Multi-Family Residential District**

### **7.01 Intent**

The purpose and intent of this district is to allow construction of apartment buildings [~~and related uses~~] and condominiums and to regulate transient occupancy within this district to protect and preserve the permanency of residential neighborhoods, protect property values and ensure the comfort and safety of the residents.

### 7.09 Transient Rental Regulations

No dwelling unit or dwelling, multi-family or a portion of any thereof in the R-3 district shall be used as a transient rental.

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## Article 17 Planned Development

### 17.01 Purposes

(6) To regulate transient occupancy within the residential districts to protect and preserve the permanency of residential neighborhoods, protect property values, and to ensure the comfort and safety of the residents.

### 17.05 PD-1 Planned Residential Development

#### (14) Transient Rental Regulations

No dwelling unit or dwelling, one family, dwelling, two family or dwelling multi-family or a portion thereof in the PD-1 district shall be used as a transient rental.

Section 2. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:

Patricia N. Campbell, Municipal Attorney