

RECORD OF ORDINANCES

Ordinance No. 3837

Passed: August 25, 2026

AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 154: ZONING CODE OF THE CITY OF WEST CARROLLTON CODE OF ORDINANCES TO ESTABLISH REGULATIONS WHICH WOULD PERMIT THE OPERATION OF SHORT-TERM RENTAL UNITS WITHIN THE CITY.

WHEREAS, on March 24, 2026, City Council adopted Ordinance 3827, which established a six-month moratorium on short-term rental ("STR") units in the City, to allow for the research and preparation of STR regulations for consideration; and

WHEREAS, an application has been filed by the City of West Carrollton proposing text amendments to Chapter 154: Zoning Code of the City of West Carrollton Code of Ordinances to establish regulations which would permit the operation of STR units within the City; and

WHEREAS, a public hearing was held regarding this matter on July 23, 2026, by the West Carrollton Planning Commission, which unanimously recommends approval of the proposed amendments; and

WHEREAS, notification of a public hearing before the City Council regarding this matter was properly advertised in the Dayton Daily News on July 12, 2026, in accordance with Section 154.08.01(D)(1) of the Code of Ordinances of the City of West Carrollton, and was also advertised in the Miamisburg News on July 16, 2026; and

WHEREAS, the proposal and meeting notice was posted on the City's website; and

WHEREAS, a public hearing was held by the West Carrollton City Council on August 11, 2026, at which time all people in attendance who wished to testify gave their comments; and

WHEREAS, Section 154.05.05(C) of the West Carrollton Code of Ordinances specifies the circumstances in which City Council is justified in amending the Zoning Code; and

WHEREAS, the City of West Carrollton has determined that the adoption of the proposed amendments is in the best interests of the citizens of the City of West Carrollton to preserve and enhance property values and to protect the public health, safety, and welfare.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, OHIO, HEREBY ORDAINS:

SECTION I. The City Council makes the following findings of fact with respect to the proposed Zoning Code text amendment pursuant to case T-26-2, said findings of fact based upon criteria found within Section 154.05.05(C) of the Zoning Code:

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- a) The past decade has seen the rapid expansion of short-term rentals (STRs) as an alternative to traditional lodging. Many STRs operate inside single-, two-family, or multi-family residential dwellings. STRs are generally defined as the rental for a fee of all or part of a residential dwelling unit for a duration of occupancy of 30 days or less.
- b) The STR market is very dynamic, seasonal, and constantly changing, with significant turnover, which creates code enforcement challenges. In addition, STR platforms have not historically shared data with local jurisdictions. As such, it has been difficult to determine the exact number and location of STRs in the City of West Carrollton.
- c) Staff does receive a handful of calls each year inquiring whether the City permits STRs or not, which could indicate a latent demand for additional STRs.
- d) Existing STRs currently in the City have generated complaints from neighbors. A total of 9 complaints about STRs have been registered with the City, including overflowing parking, trash, noise, and public safety.
- e) Best practices of STR regulations generally aim to balance neighborhood character with property rights through registration systems, safety standards, and tax collection. Key components include mandatory permits/licenses, occupancy limits (e.g., 2 per bedroom), 24/7 contact requirements, noise monitoring, and strict "party house" bans. Regulations also require hosts to comply with local zoning and health codes. This approach is intended to be a balanced regulatory approach that permits STRs in a way that is not disruptive to the neighborhood quality of life and does not lower property values. The advantage of this approach is to identify the location of STRs, ensure life safety and nuisance standards are met, and obtain tax revenue from this enterprise.
- f) On March 24, 2026, City Council adopted Ordinance 3827 which established a six-month moratorium on STRs in the City, to allow for the preparation of recommended STR rental regulations for consideration.
- g) The West Carrollton Zoning Code does not currently permit or address STRs, as it is silent on the use.
- h) The proposed amendments can be justified on the grounds that the change is in conformance with the Comprehensive Plan of the City. The proposal facilitates and encourages the City's goal, as set forth in its Comprehensive Plan, to create additional flexibility in land use controls, thereby enhancing property values and facilitating private investment, which will in turn help to maintain and enhance the community's economic vitality; to identify business opportunities that enhance and fit the local economy; and to preserve and enhance the character and value of existing residential neighborhoods.
- i) The proposed amendments can further be justified on the grounds of substantial or significant change in area conditions. As noted previously, the past decade has seen the rapid expansion of short-term rentals (STRs) as an alternative to traditional lodging in the market. Due to significant City investment as well as market forces,

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the City of West Carrollton is experiencing significant redevelopment of property intended to draw both residents and visitors, with the potential for even more significant development in the future. This proposal is proactively anticipating the demand for lodging associated with that growth.

SECTION II. Chapter 154: Zoning Code of the Code of Ordinances of the City of West Carrollton be and hereby is amended to adopt a new Section 154.16.15: Short-Term Rentals to read as indicated in Exhibit A, attached hereto and incorporated herein by reference, to establish regulations for short-term rental units in the City.

SECTION III. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION IV. This Ordinance shall take effect from and after the earliest period allowed by law.

Passed: August 25, 2026



Mayor

Attest: Tracy Moore
Clerk of Council

Effective Date: September 25, 2026

EXHIBIT A

Title XV: Land Usage Chapter 154: Zoning Code

§ 154.16.15 SHORT-TERM RENTALS.

- (A) Purpose. It is the intent of this section to establish regulations regarding short-term rentals for temporary lodging intended for travel and tourism. These regulations have been established to allow property owners to use their properties as short-term rentals, while mitigating any potential disruption that short-term rentals may have on a neighborhood and ensuring there are no life safety concerns.
- (B) Objectives. The objectives of this section are as follows:
- (1) Provide residents the option to utilize their homes as short-term rentals to generate rental income.
 - (2) Ensure that short-term rentals are not a public nuisance in the neighborhood.
 - (3) Protect the safety of short-term renters and minimize demands on police, fire, and code enforcement services.
 - (4) Protect private property values of the property of neighboring property owners in the city's residential neighborhoods.
- (C) Applicability. These regulations shall apply to all short-term rental units as defined in this section currently operating within the city or seeking to locate or relocate within the city on or after the effective date of this section.
- (D) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- (1) ***EFFICIENCY OR STUDIO UNIT.*** An efficiency or studio unit is a compact, open-concept unit where the living, dining, and sleeping areas are combined into a single room. The only separate space enclosed by a door is the bathroom.
 - (2) ***EMERGENCY CONTACT.*** An easily accessible adult contact person that shall serve as an immediate point of contact to remedy any issues with the short-term rental unit. The emergency contact shall be available as required to address potential issues with the short-term rental unit. Issues include, but are not limited to, damage to persons or property, potential violations of the short-term rental license, health code violations, zoning code violations, building code violations, and public safety violations.
 - (3) ***HOSTING PLATFORM.*** A person or entity that participates in the short-term rental business by providing, collecting, or receiving a fee for a booking service that allows

an operator to advertise the short-term rental unit. Current examples include but are not limited to Airbnb, VRBO, and HomeAway.

- (4) **RENTAL PARTY.** A rental party shall be considered one or more individuals who booked and/or intended to rent the short-term rental unit together at the same time.
 - (5) **SHORT-TERM RENTAL.** Rental of all or any portion of a residential dwelling for dwelling, lodging, or sleeping purposes for a period of less than thirty (30) consecutive days by persons from whom the owner receives monetary compensation. This term does not include hotel or motel rooms, or bed and breakfast establishments, as defined by the City of West Carrollton Code of Ordinances.
 - (6) **SHORT-TERM RENTAL HOST or HOST.** Any person who is the owner of record of residential real property on which the owner operates a short-term rental unit, or the operator or manager of a short-term rental unit.
 - (7) **SHORT-TERM RENTAL UNIT.** A residential dwelling which maintains a valid short-term rental license.
 - (8) **SHORT-TERM RENTAL USER.** Any individual who rents all or a portion of a short-term rental unit for a period of less than thirty (30) consecutive days. Short-term rental user shall also include any overnight guests of the individual renting all or a portion of a short-term rental unit.
- (D) **Short-Term Rental License Required.** Any person desiring to utilize or advertise a property as a short-term rental unit shall comply with all applicable federal, state, and local regulations, and shall obtain a short-term rental license from the Department of Planning and Community Development prior to operating or advertising a short-term rental unit. Any owner or operator of a short-term rental unit already in use or advertised at the time of passage of this section shall obtain a license within sixty (60) days of its passage, or shall be considered in violation of this section.
- (1) **Short-Term Rental License Requirements.** Applications for short-term rental licenses shall be filed with the Department of Planning and Community Development, on a form to be furnished by the Department of Planning and Community Development, which form shall include, but may not be limited to, the following information:
 - (a) The street address of the proposed short-term rental unit.
 - (b) A site plan showing the layout of the property, including the location of off-street parking and the number and size of parking spaces available.
 - (c) A floor plan of the interior of the short-term rental unit, identifying the square footage of the short-term rental unit, the location and number of bedrooms (if any) to be offered for short-term rental use, and the maximum number of occupants.

- (d) Contact information includes:
- (i) The name and contact information of the applicant.
 - (ii) The name and contact information of the owner of record of the property (if different from the applicant).
 - (iii) The name, address, phone number(s), and email address, if applicable, of the emergency contact. The emergency contact designated in the application may receive notices from the pertaining to the operation and maintenance of the short-term rental unit. All contact information shall be complete, current, and legible. The applicant shall immediately notify the Department of Planning and Community Development, in writing, of any change in the emergency contact's address, phone number(s), and email address.
- (e) A list of all hosting platforms where the short-term rental unit will be advertised, as well as any other media used to advertise the short-term rental. A valid city short-term rental license number shall be displayed on all listings.
- (f) A valid copy of all licenses or permits required by the County of Montgomery, the State of Ohio, and any subsidiary enforcement divisions thereof, as well as certification through separate declaratory statements from the property owner, applicant, and host, to the extent they are different individuals, that to the best of his or her knowledge, the short-term rental unit is in conformance with all applicable building codes, health codes, zoning codes, property maintenance codes, fire codes, and covenants and restrictions applicable to the property where the short-term rental unit will be located.
- (g) Certification through separate declaratory statements from the property owner, applicant, and host, to the extent they are different individuals, that he or she has registered with the City of West Carrollton Finance Department, will submit any relevant forms to the City of West Carrollton Finance Department, and will timely pay any applicable hotel/motel or other taxes as may be required by the City of West Carrollton Code of Ordinances.
- (h) The property owner shall furnish and maintain commercial general liability insurance, including products liability damage, property damage, bodily injury, and personal and advertising injury against claims for injuries to persons or damages to property which may arise from or in connection with the operations under the short-term rental license or in connection therewith. Such insurance shall be issued by an insurance company licensed to do business in Ohio and shall provide coverage of not less than \$1,000,000 per occurrence. The property owner shall provide a Certificate of Insurance evidencing compliance with the specifications herein prior to commencing activities pursuant to this license. A short-term rental license issued pursuant to the provisions of this section shall be invalid at any time the insurance required herein is not maintained and evidence of continuing coverage is not filed with the City of West Carrollton.

- (i) Confirmation that the short-term rental unit has all requisite utilities operational and that the property owner is current on all utility payments.
 - (j) A Short Term Rental Unit shall comply with all applicable federal, state, and local fire safety requirements, as determined by an inspection by the West Carrollton Fire Department prior to issuance of a license, and at any other time deemed necessary to address life safety concerns.
 - (k) Applications for a license to operate a short-term rental unit shall be accompanied by an application fee as specified in the city's General Fee Schedule established pursuant to Chapter 37 of the City of West Carrollton Code of Ordinances.
- (2) *License Term.* Each short-term rental license shall be valid until December 31 of the calendar year in which it is issued.
 - (3) *Non-transferable.* Short-term rental licenses are non-transferable. A change in the ownership of the property shall void the license. No license issued pursuant to this section shall be transferable to a different property.

(E) Renewal of Short-Term Rental License.

- (1) *License Term.* All short-term rental unit owners shall apply to renew their short-term rental license before the expiration date of the current License.
- (2) Renewal of short-term rental license shall require the submission of an updated application to operate the short-term rental unit, per the requirements of subsection (D) above.
- (3) Applications to renew a license to operate a short-term rental unit shall be accompanied by an application fee as specified in the city's General Fee Schedule established pursuant to Chapter 37 of the City of West Carrollton Code of Ordinances.
- (4) A renewed short-term rental license shall be valid until December 31 of the calendar year in which it is issued.

(F) General Limitations.

- (1) All short-term rental units shall be in compliance with all applicable federal, state, and local laws, regulations, and directives.
- (2) *Location.* Short-term rental units are permitted in the following zoning districts:
 - (a) *CC City Center District*
 - (b) *A Agricultural District*
 - (c) *R-1 Single-Family Residential District*
 - (d) *R-2 Single-Family Residential District*

(e) *O-R Office-Residential District*

(f) *H Heritage District*

- (3) *Occupancy.* The property owner and host shall be responsible for ensuring that the short-term rental unit is in compliance with the following occupancy requirements:
- (a) The short-term rental unit may only be occupied by a maximum of two (2) parties of short-term rental users on any given date, whether the short-term rental users within the parties are related to one another or not.
 - (b) The maximum occupancy of a short-term rental unit for any given date shall be limited to the lesser of: (i) one person per 200 square feet of the dwelling unit; or (ii) two adult guests per bedroom or per efficiency/studio unit.
 - (c) At least one short-term rental user must be 25 years of age or older at the time of booking. No short-term rental user under the age of 25 may occupy a short-term rental unit without the short-term rental user 25 years or older present in the unit at all times.
 - (d) Renting of a short-term rental unit by the hour is prohibited.
- (4) *Separation.* In no case may a short-term rental unit be located closer than five hundred (500) feet to another short-term rental unit, as measured from closest property line to closest property line.
- (5) *Advertising.* No outdoor advertising signs related to the short-term rental unit shall be allowed on the property.
- (6) *Parking.* Short-term rental units shall provide adequate parking for guests on the property, compliant with Section 154.12.01 Off-Street Parking and Loading Requirements of the City of West Carrollton Zoning Code, and will not obstruct traffic with street parking. All vehicles must be parked on a paved surface.
- (7) *Appearance.* Short-term rental units must maintain the exterior appearance of a single-family residential building. No external cues or indicators that a short-term rental unit exists on the property shall be permitted.
- (8) *Utilities.* The short-term rental unit shall share all public utilities with the principal dwelling unit, and shall not be separately metered.
- (9) *Ingress/egress.* No new access points or driveways shall be created or installed for access to the short-term rental, unless specifically authorized by the Department of Planning and Community Development, by all requisite permits, to do so.
- (10) *Information Packet.* A packet of information shall be provided to each party of short-term rental users by the property owner, host, or manager, and shall be posted conspicuously in the common area of the short-term rental unit. The packet shall summarize guidelines and restrictions applicable to the short-term rental use of the property including:

- (a) City short-term rental license number.
 - (b) Contact information for the short-term rental emergency contact;
 - (c) Information regarding the maximum occupancy of the short-term rental unit;
 - (d) Applicable noise regulations (See Section 138.08 DISTURBING THE PEACE);
 - (e) Location of off-street parking spaces and maximum number of vehicles permitted;
 - (f) Directions pertaining to the disposal of trash on the property, including the following:
 - (i) Trash or junk shall not be stored within public view, except within proper containers for the purpose of collection.
 - (ii) Information about the trash collection schedule;
 - (g) Evacuation routes;
 - (h) The short-term rental user's responsibility to not trespass on private property and to not create disturbances;
 - (i) Notification that the short-term rental user is responsible for complying with this section, as well as all other applicable sections of the City of West Carrollton Code of Ordinances, and may be cited or fined by the City for violating any city ordinances.
- (11) *Uses.* A short-term rental user may use a short-term rental unit for a purpose incidental to lodging or sleeping purposes, provided that the incidental use complies with the rules of the property owner and the requirements of this section, and does not violate any federal, state, and local laws and regulations.
- (12) *Outdoor Facilities.* Short-term rental units shall not be operated in accessory structures, tents, recreational vehicles, or any other outdoor facilities.
- (13) *Emergency Contact.* All requisite emergency contact information shall be provided to the Department of Planning and Community Development. The emergency contact shall respond to any short-term rental user within twenty-four (24) hours after receiving notice of any issue concerning the property.
- (14) The short-term rental unit shall not adversely affect the residential character of the surrounding neighborhood or adversely affect the general public health, safety, and welfare. Short-term rental units shall not be permitted on properties where private covenants and restrictions prohibit such activities. It shall be the responsibility of the applicant, host, and/or property owner to ensure no such prohibitive covenants and restrictions exist prior to application.
- (15) The short-term rental unit shall not generate excessive noise, trash, traffic, glare, obstructions, odors, vibration, or any other effects that unreasonably interferes

with any individual's use and enjoyment of his or her own property.

- (16) All information associated with the short-term rental license and registration must be updated and shared with the Department of Planning and Community Development within seven (7) days of a change in status, including but not limited to any changes in contact information for the applicant, host, property owner, or emergency contact.
- (17) The premises of all short-term rental units are subject to inspection by the Department of Planning and Community Development on an as-needed basis to determine compliance with the regulations set forth in this section and with all applicable building codes, health codes, property maintenance codes, and fire codes.

(G) Denial of Short-Term Rental Application or Renewal Application. A new or renewed short-term rental license may be denied upon a finding that any of the following conditions are true:

- (1) The applicant failed to provide requisite application information or supporting materials for the application.
- (2) The applicant, host, or property owner has had a short-term rental license suspended or revoked in the past.
- (3) The applicant, host, and/or property owner has falsified or misrepresented a fact on the application.
- (4) The applicant, host, and/or property owner continued to operate or advertise a short-term rental unit without a short-term rental license after being notified by the Department of Planning and Community Development to submit a new or renewal license application.
- (5) The applicant, host, property owner and/or emergency contact has been notified by the City of West Carrollton about an issue with the short-term rental unit and did not address the issue in question within twenty-four (24) hours of contact, unless additional time for compliance is authorized by the city.
- (6) The applicant, host, property owner, and/or emergency contact has obstructed, interfered with, or failed to make good faith efforts towards correcting violations of this section for any short-term rental unit in the city with which they are associated.
- (7) The short-term rental unit property is the subject of an outstanding code violation and/or order from the City of West Carrollton, Montgomery County, or another governmental entity or regulatory agency that has not been corrected.
- (8) The short-term rental unit property has been declared a public nuisance by Montgomery County Public Health, the City of West Carrollton, or a court of competent jurisdiction.

- (9) The short-term rental unit property has a documented history or pattern of criminal or drug-related emergency service calls and/or incidents.
- (10) It is determined that private covenants and restrictions prohibit the operation of a short-term rental unit.
- (H) Conflicts. If any provision of this section conflicts with a provision of a lawful and recorded private restrictive covenant, the more restrictive provision shall apply. This provision does not place any duty on the city to enforce private restrictive covenants.
- (I) Revocation of Short-Term Rental License. The Department of Planning and Community Development may revoke a short-term rental license if the short-term rental unit does not comply with this section. A revoked short-term rental license holder may either appeal the revocation as set forth in subsection (K) below or reapply for a new short-term rental license as set forth in paragraph (D). The applicant, host, or property owner may not operate or advertise the short-term rental unit associated with the revoked license until either an appeal is granted or a new license is issued.
- (J) Appeals. Any short-term rental applicant or short-term rental host who has been aggrieved or affected by any decision of the city may appeal such decision in accordance with the provisions of West Carrollton Zoning Code Section 154.05.06(c), Administration Appeals.
- (K) Severability. In the event any provision of this section shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this section as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
- (L) Penalty. Any individual who violates the provisions of this section shall be subject to the penalties specified in West Carrollton Zoning Code Section 154.05.09, Penalty; Equitable Remedies.

**CITY OF WEST CARROLLTON
CITY COUNCIL
STAFF REPORT**

DATE: July 31, 2026

CASE NUMBER: T-26-2
Short-Term Rental Regulations

APPLICANT: City of West Carrollton

**SUMMARY OF
REQUEST:** Proposal for the adoption of amendments to Chapter 154: Zoning Code to establish regulations which would permit the operation of Short-Term Rental Units within the city.

STATUTORY AUTHORITY

Zoning Code Section 154.08.01, Procedure for Amendments, states that *"The City Council may by ordinance, after receipt of a recommendation thereon from the Planning Commission, and following the required public hearing held by City Council, amend, supplement, change, or repeal the regulations, restrictions, or zoning district boundaries or classifications of property whenever the public necessity, convenience, general welfare, provisions of the comprehensive plan, or good zoning practices require."*

The Planning Commission *may* advertise and hold a public hearing on the proposed amendment. The Planning Commission shall, by resolution, recommend the approval, approval with modification, or disapproval of the application, and the secretary of the Planning Commission shall transmit the resolution to the City Council.

On receipt of the recommendation of the Planning Commission, the City Council shall advertise and hold a public hearing on the proposed amendment or supplement. Notice shall be advertised by at least one publication in a newspaper of general circulation within the city, at least 30 days prior to the date of the public hearing. During the 30-day period prior to the public hearing, the text describing the proposed amendment, together with the plans and supporting documentation, shall be on file and available for review by the public, in the office of the City Manager. At or following the public hearing, the City Council shall act on the proposed amendment. When the recommendation of the Planning Commission is for disapproval of the proposed amendment, an affirmative vote of at least a majority plus one member of the City Council present shall be required for approval.

Section 154.05.05(C) of the Zoning Code authorizes the City Council to review amendments to

the Zoning Code recommended by the Planning Commission, and specifies the grounds on which City Council may approve them. The Council shall act favorably upon the changes or amendments only if the request can be justified on one of the following grounds: *“(1) The change is in conformance with the Comprehensive Plan of the city (2) There has been a substantial and significant change in area conditions (3) There is a need for additional land in the zoning district classification being requested for change (4) There is an error in the Zoning Code.”*

PUBLIC NOTICE

As indicated in the enclosed materials and as required by Section 154.08.01(D)(1) of the Zoning Code, a Notice of Public Hearing regarding this proposal was properly advertised in the Dayton Daily News on July 12, 2026 in accordance with Section 154.08.01(D)(1) of the Code of Ordinances of the City of West Carrollton, and was also advertised in the Miamisburg News on July 16, 2026. In addition, the application materials have been posted on the city website.

No input has been received to date from the public on this proposal.

OVERVIEW

The past decade has seen the rapid expansion of short-term rentals (STRs) on platforms such as Airbnb and VRBO as an alternative to traditional lodging. Through these STR platforms, “operators” or “hosts” can advertise any type of space imaginable. Many STRs operate inside of single-, two-family, or multi-family residential dwellings. STRs are generally defined as the rental for a fee of all or part of a residential dwelling unit for a duration of occupancy of 30 days or less.

STRs can be classified into three basic categories:

- Hosted sharing, in which the primary occupants/owners remain on-site while rented.
- Unhosted sharing, in which the primary occupants/owners vacate the unit while rented.
- Dedicated vacation rentals, in which there are no primary occupants. The residence is essentially an investment property used solely for commercial purposes and not for occupancy by the owners. This can be lucrative, often producing more revenue than renting on a long-term lease.

The benefits of STRs is that they provide residents and landlords an opportunity to earn extra income, which can allow aging in place by enabling residents to stay in their homes longer. STRs also are often more affordable than commercial lodging, and can stimulate competition. STRs appeal to travelers looking for a more “authentic” or “local” experience. They can also help “fill the gap” during periods when lodging is in high demand, such as graduation weekends. For the community, STRs help promote tourism and ancillary spending, and can be required to pay a lodging tax which would generate additional tax revenue.

However, much of the STR market is unregulated, without health, building, fire, and housing safety inspections. This poses threats to the quality of life and safety of neighborhoods and serious life safety concerns for guests. Nuisances from STRs such as noise, parking, trash, and crime can have a detrimental effect on residents and property values in neighborhoods which are intended for long-term residential occupancy. In addition, the purchase of previously owner-occupied housing by investors ("speculative") may change the character of a neighborhood due to the more transient nature of STRs, a lack of oversight, and the conversion of properties used primarily for residential purposes to those used for primarily commercial purposes (lodging). Removing housing from the market can also lead to higher housing and rental prices, often displacing residents.

The STR market is very dynamic, seasonal, and constantly changing, with significant turnover which creates enforcement challenges. In addition, STR platforms have not historically shared data with local jurisdictions. As such, it has been difficult to determine the exact number and location of STRs in West Carrollton. However, Airbnb and VRBO do show general locations of STRs within a certain radius in the community. Staff identified 2 STRs on VRBO, and 4 STRs on Airbnb in the city. Others have estimated there are as many as 9 STRs in the city.

Staff does receive a handful of calls each year inquiring whether the city permits STRs or not, which indicates a latent demand for additional STRs. In addition, even the low number of STRs currently in the city have generated complaints from neighbors. A total of 9 complaints about STRs have been registered with the city, including overflowing parking, trash, noise, and safety.

Best practices of STR regulations generally aim to balance neighborhood character with property rights through registration systems, safety standards, and tax collection. Key components include mandatory permits/licenses, occupancy limits (e.g., 2 per bedroom), 24/7 contact requirements, noise monitoring, and strict "party house" bans. Regulations often require hosts to comply with local zoning and health codes.

This approach is intended to be a balanced regulatory approach that permits STRs in a way that is not disruptive to the neighborhood quality of life and does not lower property values. The advantage of this approach is to identify the location of STRs, ensure life safety and nuisance standards are met, and obtain tax information.

BACKGROUND

The city began to address this issue on August 10, 2021 when the Law Director proposed and City Council adopted Ordinance 3703 which imposed a moratorium on the issuance and processing of permits and certificates of occupancy for any building being used as a Short-Term Rental in the city, to allow the city time to study the long-term impact of this use.

On April 12, 2022 the Law Director provided an update on the STR issue at the City Council work

session.

In 2022 House Bill 563 was introduced, which would have pre-empted local regulation of STRs and which required a pause in the city's work on STRs. However, it received significant opposition testimony from individual local governments, the Ohio Mayors' Alliance, Ohio Township Association, and Ohio Municipal League. On April 26, 2022 the Law Director proposed and City Council adopted Resolution 19-2022 opposing the adoption of House Bill 563 as interfering in the Home Rule powers of municipal corporations in the State of Ohio. After monitoring this bill, the city learned that it would not be acted on.

Staff then conducted a work session with City Council on STRs on March 12, 2024, presenting an overview of issues surrounding Short-Term Rentals (STRs).

However, in 2025 House Bill 109 was introduced, which was in part a re-introduction of HB 563 and which again necessitated a pause in the city's work. This bill would have permitted local governments to include STRs under their lodging tax authority, but also would have pre-empted local regulation of STRs. After monitoring this bill, the city learned that it would not advance.

Staff again conducted a work session with City Council on STRs on March 10, 2026. Staff presented a full report containing the results of its research and analysis regarding STRs for City Council's consideration, including reviewing best practices and discussing various issues to be considered in regulating STRs. This information is intended to help City Council make an informed decision on whether to permit STRs in the city, and if so how best to regulate them.

On March 24, 2026 City Council adopted Ordinance 3827 which established a six-month moratorium on STRs in the city, to allow for the preparation of recommended STR rental regulations for consideration.

After substantial research on best practices in other communities and professional literature, draft regulations were prepared and presented for discussion at the July 14, 2026 City Council work session.

EXISTING REGULATIONS

The West Carrollton Zoning Code does not currently permit or address STRs, as it is silent on the use. It does permit Bed and Breakfast establishments, defined as follows:

"A single-family, detached, private residence which offers sleeping accommodations to lodgers in rooms for rent in the owner or operator's principal residence. While renting rooms to lodgers, breakfast is served at no additional cost. For the purpose of this definition, a lodger is defined as a guest who rents a room in a bed and breakfast establishment for fewer than 30 days."

Bed and Breakfast establishments are permitted as a principal use in the Residential-PUD, City Center, and PUD Districts. They are permitted as a conditional use in the Agricultural, R-1 Single-Family, R-2 Single-Family, R-4 Multiple-Family, R-5 Multiple-Family, Office-Residential, and Heritage Districts.

Hotels and motels are permitted as a principal use in the B-2 General Commercial and City Center Districts. However, they are not defined in the code.

In addition, the following definitions in the Zoning Code would seem to exclude STRs in residential dwelling units:

"Dwelling. Any building, or portion thereof, which is designed or used exclusively for residential purposes, including one-family, two-family, and multi-family dwellings, but not including hotels, motels, boarding houses, lodging houses, tents, cabins, travel trailers, or tree houses."

"Dwelling Unit. A single-family dwelling or a single residential unit in a dwelling used by one family for cooking, living, and sleeping purposes."

PROPOSAL

The proposed amendments are provided in the enclosed Ordinance 3837 and Exhibit A.

The proposal would permit Short-Term Rentals in the city with certain restrictions.

A Short-Term Rental is defined as the *"Rental of all or any portion of a residential dwelling for dwelling, lodging, or sleeping purposes for a period of less than 30 consecutive days by persons from whom the owner receives monetary compensation."*

Both owner-occupied and commercial (non owner-occupied) STRs would be permitted.

A STR license with from the city would be required. As part of that license, registration with the Finance Department would be required to ensure any hotel/motel or other taxes are paid. All STR licenses would be valid until December 31, regardless of when obtained, and each license would need to be renewed before that date. An application fee would be paid upon initial application, and a lower renewal fee would be paid for each subsequent renewal.

STRs would be permitted in the following zoning districts:

- City Center District
- Agricultural District
- R-1 Single-Family District

- R-2 Single-Family District
- Office-Residential District
- Heritage District

STRs would also be permitted in certain Residential-Planned Unit Developments and Planned Unit Developments, but would need to be amended by separate processes.

General limitations include the following:

- Not closer than 500 feet to another STR
- Occupancy would be limited to a maximum of two parties. A party is defined as *"One or more individuals who booked and/or intended to rent the STR unit together at the same time."*
- STRs would have a maximum occupancy limited to the lesser of:
 - One person per 200 square feet of the dwelling unit
 - Two adult guests per bedroom or per efficiency/studio unit
- Provide adequate off-street parking as required by the parking code
- Exterior appearance to be maintained as residential
- At least one STR user must be 25 years of age or older
- Provide an emergency contact who can respond within 24 hours
- Proof of general liability insurance
- Not permitted in any outdoor facilities (accessory structures, tents, RVs)
- Provide guests with information on rules for use of the property

Conditions are listed which may trigger a denial of an STR application or renewal.

Appeals of administrative decisions would be made to the Board of Zoning Appeals, per Section 154.05.06(c), Administration Appeals.

Any individual who violates the provisions of this code is subject to penalties specified in Section 154.05.09, Penalty; Equitable Remedies, of the Zoning Code.

PLANNING COMMISSION

On July 23 the Planning Commission held its public hearing on the proposed Short-Term Rental (STR) regulations. No one testified at the hearing.

The Planning Commission recommends one change to the City-initiated text amendment. The Planning Commission recommends Section (F)(3) be modified. This section contains limitations on occupancy within STRs. As previously drafted, the maximum occupancy of a short-term rental unit for any given date shall be limited to the lesser of: (i) 10 persons; (ii) one person per 200 square feet of the dwelling unit; or (iii) (ii) two adult guests per bedroom or per

efficiency/studio unit.

The Planning Commission believes that 10 persons would be overly restrictive, and recommends (F)(3)(b)(i) be removed as shown in the enclosed regulations. No other changes are recommended, and with this amendment the Planning Commission unanimously recommended approval of the proposed STR regulations.

This change has been made to the enclosed proposal in Exhibit A.

ANALYSIS

Circumstances Justifying a Zoning Code Amendment

This section will provide analysis of the four circumstances justifying a Zoning Code amendment as outlined in Section 154.05.04(B)(3) of the Zoning Code. Meeting only one of the four conditions is required.

Comprehensive Plan and Area Plans

The proposed amendments can be justified on the grounds that the change is in conformance with the Comprehensive Plan of the city. The proposal facilitates and encourages the *Comprehensive Plan's* goal to create additional flexibility in land use controls, thereby enhancing property values and facilitating private investment which will in turn maintain and enhance the community's economic vitality; to identify business opportunities that enhance and fit the local economy; and to preserve and enhance the character and value of existing residential neighborhoods.

Substantial Change in Area Conditions

The proposed amendments can be justified on the grounds of substantial or significant change in area conditions. As noted previously, the past decade has seen the rapid expansion of short-term rentals (STRs) as an alternative to traditional lodging in the market. Due to significant City investment as well as market forces, West Carrollton is experiencing significant redevelopment of property intended to draw both residents and visitors, with the potential for even more significant development in the future. This proposal is proactively anticipating the demand for lodging associated with that growth.

Need for Additional Land in Zoning District Classification

This proposal does not recommend a change in zoning district classification.

Error in Zoning Code

Staff has identified no error in the Zoning Code which would justify the proposed amendments.

RECOMMENDATION

Based on the foregoing analysis, the Planning Commission and staff unanimously recommend approval of the proposed amendments to Chapter 154: Zoning Code of the City of West Carrollton Code of Ordinances to establish regulations which would permit the operation of Short-Term Rental Units within the city, as reflected in Ordinance 3837 and Exhibit A.

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