



**CITY OF AVON LAKE**  
150 Avon Belden Road  
Avon Lake, Ohio 44012

## VOTING ORDER

Z. Arnold  
J. Fenderbosch  
A. Gentry  
D. Kos  
R. Shahmir  
G. Smith  
K. Zuber

The following business is to be considered at the special meeting of the Avon Lake City Council on July 7, 2025, immediately following the Collective Committee Meeting in the Council Chamber.

### Pledge of Allegiance

Roll Call: Mr. Arnold, Mrs. Fenderbosch, Ms. Gentry, Mr. Kos, Mr. Shahmir, Mr. Smith, Mr. Zuber, Mayor Spaetzel, Law Director Ebert, Finance Director Krosse, Public Works Director Liskovec.

### Audience Participation

### Legislation

#### Second Readings:

**Ordinance No. 25-128, AN ORDINANCE APPROVING THE FINAL PLAT FOR PORT SIDE TOWNHOUSE SUBDIVISION AND DECLARING AN EMERGENCY. →Sponsor: G. Smith**

**Ordinance No. 25-130R, AN ORDINANCE IMPOSING A MORATORIUM ON THE USE OF RESIDENTIAL PROPERTY FOR SHORT-TERM RENTAL AND DECLARING AN EMERGENCY. →Sponsor: D. Kos.**

### Executive Session

In compliance with Ohio Revised Code Section 121.22(G)(8), Council will adjourn to Executive Session to discuss confidential business information for economic development assistance.

### Reconvening of Open Meeting

### Adjournment

→ Suspension of the rule requiring three readings

AN ORDINANCE APPROVING THE FINAL PLAT FOR PORT SIDE TOWNHOUSE  
SUBDIVISION AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has, at its meeting of June 3, 2025, approved the final plat for Port Side Townhouse Subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the final plat for Port Side Townhouse Subdivision, consisting of 18 fee-simple townhouse lots on 5.0206 acres located south of Walker Road, north of Krebs Road, and east of Lear Road in a Planned Unit Development (PUD), submitted to and approved by Planning Commission and referred to this Council, be, and it is hereby approved.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to allow for the timely recording of the final plat to prevent unnecessary delay in the mortgage closings of homes and to allow the City to begin collecting taxes on these properties to add to the revenue of the City, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

1<sup>st</sup> reading: 6/23/2025

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

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

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE IMPOSING A MORATORIUM ON THE USE OF RESIDENTIAL PROPERTY FOR SHORT-TERM RENTAL AND DECLARING AN EMERGENCY.

WHEREAS, over the last several years, the City of Avon Lake (“City”) has witnessed an increase in the number of residential properties being used as short-term rental properties (“STRPs”) to house transient guests for periods of fewer than thirty (30) days; and

WHEREAS, the City has previously authorized the use of certain residential properties as bed-and-breakfast establishments, subject to certain restrictions and requirements, including location, lot size, activities, capacity, and parking; and

WHEREAS, the City finds that the use of residential properties as STRPs is akin to the use of residential properties as bed-and-breakfast establishments but are not currently regulated or specifically permitted;

WHEREAS, the City is concerned about the number of STRPs within the City and the effects such use has on the City as a whole; the availability of housing stock for long-term residents; the burden on the properties adjoining STRPs; the increase of noise, traffic, and disturbances of the peace; lack of owner supervision; and the ability of the City to exercise appropriate oversight to promote the health, safety, and welfare of the residents of the City, as well as persons who use such properties; and

WHEREAS, the City is in the process of adopting comprehensive legislation to regulate the use of residential properties as STRPs to further the City’s interest in the health, safety, and general welfare of the City and its constituents; and

WHEREAS, pursuant to the Ohio Constitution and the Charter of the City of Avon Lake, the City has powers of local self-governance to enact ordinances governing the operation and placement of business and the zoning and use of property within its borders as may be found necessary or desirable to promote the public health, safety, morals, convenience, and the general welfare of the community; and

WHEREAS, until such time as the City has adopted legislation to regulate the use of residential properties as STRPs, Council has determined that a moratorium of six (6) months should be imposed upon the new use of any residential property as a STRP on and after the date of this ordinance; and

WHEREAS, the moratorium imposed herein is not intended to be and shall not operate as a moratorium on any properties being operated as STRPs prior to the effective date of this ordinance, provided that the use of such properties as STRPs must be demonstrated to the satisfaction of Council and such operation is in full

compliance with all other ordinances currently in effect in the City; and

WHEREAS, as set forth in Section 10 of the Avon Lake City Charter, this Council, by a vote of at least two-thirds of its members, determines that this Ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public health, safety, morals, convenience, and the general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Council hereby imposes a moratorium of ~~six (6) months~~ **for up to ninety (90) days** from the effective date of this Ordinance **or upon the adoption of the Short-Term Rental Properties Ordinance** whichever shall first occur upon the new use of residential property as short-term rental property, and no person may offer, list, advertise, or otherwise promote the use of any residential property as a short-term rental property when such use did not exist prior to the date of this Ordinance.

Section No. 2: That properties being used as short-term rental properties prior to the date of this Ordinance are not affected by and may continue to operate as short-term rental properties, provided that the owner of such property can demonstrate the use of that property as a short-term rental property prior to the date of this Ordinance and such use is otherwise in full compliance with all applicable City Ordinances and generally applicable health, building, and safety codes.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate preservation of the public health, safety, morals, convenience, and the general welfare of the community. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

1<sup>st</sup> reading: 6/23/2025

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

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

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor