

TO: Mayor Brown and Members of Council

FROM: Rules and Law Committee – Susan Brownknight, Chairperson

DATE: April 11, 2022

RE; Fencing, Generators, Artificial Grass, Short-Term Rentals

The Rules and Law Committee met on April 4, 2022 at 4:30pm. Present were Committee Chairperson Susan Brownknight, Committee member Kelly Rankin, Mayor Bill Brown and Building Administrator, Rod Holloway.

The Rules and Law Committee is recommending to Council the below updates to the Mariemont Code and subsequent Council approval:

Fencing:

1. Clarity regarding the language in 151.005, to ensure that it is clear that no fence can be constructed in a public right of way
2. Prohibiting vinyl fencing in the historic district
3. Providing owners of corner lots with clearer direction on where they can install privacy fences

Back-up Generators:

Currently, there are no existing regulations regarding backup generators, which means they can (and have been) installed in front yards. Backup generators will be added to Section 151.087, permitted obstructions in required yards:

1. The Committee recommends we include language prohibiting backup generators in front yards
2. The Committee recommends we include language that allows for an additional system, such as a backup generator be permitted in the required rear yard.

Artificial Grass

Currently, there are no regulations for artificial grass installation in Mariemont. There have been installations that have occurred.

1. The committee recommends prohibiting artificial grass in front yards and in line of sight
2. Creating strict quality, installation and color standards for artificial grass in backyards

Additionally, the Rules and Law Committee discussed short-term rentals. Given the legislation that has been presented in the State Ohio Revised Code to limit a local jurisdiction's ability to regulate short-term rentals, The Rules and Law Committee discussed having a process for regulation prior to any State law being passed. Currently, zoning prohibits commercial activity in a residential area in Mariemont.

The Committee agreed that there is value to the community in some ways for short-term rentals. For example, when families need to relocate while their home is being renovated. The Committee also agreed there were also concerns about short-term rentals. For example, what happens if noise and/or partying

becomes an issue? Support was also expressed for our hotel and concern that short-term rentals may hurt the hotel's revenue.

Currently, there are two units in Mariemont listed as short-term rentals and no complaints have been logged regarding these rentals.

At the next Committee meeting, we will review and discuss **draft** language to offer a conditional use permit for short-term rentals. This is to ensure that if there is an issue with a short-term rental, Mariemont positions itself to have recourse to address the situation should the state-wide legislation pass and no further legislation is permitted regarding short-term rentals.

The Committee recommends that the Solicitor prepare any necessary legislation.

Finally, the Rules and Law Committee would recommend that updates related to paver/patio installation regulations be referred to the Planning and Zoning & Economic Development Committee.

Susan Brownknight, Chairperson

Kelly Rankin, Vice-Chair

Marcy Lewis, Member