

Ordinance No. 2022 - 02

**TOWNSHIP OF LANCASTER
Lancaster County, Pennsylvania**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF LANCASTER,
CHAPTER 280 ZONING, AND TO AMEND AND ADD DEFINITIONS AND
REGULATIONS PERTAINING TO BOARDING HOUSES AND SHORT-TERM
RENTAL UNITS WITHIN THE TOWNSHIP**

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Lancaster, Lancaster County, Pennsylvania, as follows:

Background: The Board of Supervisors of the Township of Lancaster has determined that the Code of the Township of Lancaster, Chapter 280, Zoning, should be amended to designate Bed and Breakfast uses as Short-Term Rental Units, and to add definitions and Regulations pertaining to Boardinghouses and Short-Term Rental Units. Accordingly, the Board has determined that this amendment to the Code of the Township of Lancaster is in the best interests of the Township and should be made. Therefore, the Board of Supervisors hereby adopts the following amendments to Chapter 280:

Article II Definitions and Terms § 280-201

1. The definition for Bed and Breakfast Establishment is amended to read as follows:
An establishment which is considered a short-term rental unit within a residential building in which the owner offers temporary overnight lodging accommodations and meal service, for less than 15 days in any thirty-day period, to transient guests, visitors, or tourists for compensation; excludes "boardinghouses" and "visitor accommodations," as defined in Article II of this chapter.
2. The definition for Boardinghouse is amended to read as follows:
An establishment operated by the owner or resident manager providing residential occupancy of a building containing room(s) that do not meet the definition of a "dwelling unit" as defined in this Article II of this chapter, are rented as living quarters (but not dwelling units) for a minimum of 30 consecutive days , and that typically provide communal kitchen/dining facilities. Boardinghouses include facilities commonly known as "rooming houses" and "single room occupancies" but exclude "visitor accommodations," "bed-and-breakfasts," "group homes," "nursing homes," "retirement homes," "personal care homes," or "short-term rental units" as defined in Article II of this chapter.
3. The definition for Dwelling Unit is amended to read as follows:
See the most-recent version of the Lancaster Township Building Code, as amended. A dwelling unit shall not be occupied by more than one family, as defined in this Article II of this chapter. If not owner-occupied, a Dwelling Unit shall be occupied for a minimum of 30 consecutive days.
4. A definition for Short-Term Rental Unit is added to provide as follows:

A portion of a single family detached dwelling that operates as or offers a place of temporary accommodation, lodging or occupancy by concession, permit, lease, license, rental agreement, or similar commercial arrangement, for overnight stay for any period of not more than thirty (30) consecutive calendar days during any part of the calendar year. "Short-term Rental Unit" is inclusive of accommodations commonly referred to as bed-and-breakfasts, vacation rentals, homestays, tourist homes and the like which may be offered for occupancy on platforms such as "VRBO" and "Airbnb."

Short term accommodation shall not mean or include: a residential use with support services, or "visitor accommodations" (motel, hotel), or "boarding houses," as defined in Article II of this chapter.

5. The definition for Visitor Accommodation is amended to read as follows:
An establishment offering temporary overnight lodging accommodations for less than 30 days, but may also offer meal service and entertainment, to transient guests, visitors, or tourists for compensation. It includes facilities commonly known as "hotels" and "motels," but excludes "dwelling units," "boardinghouses," "bed-and-breakfasts," and "short-term rental units." as defined in Article II of this chapter.

Article IV Residential District R-1 Regulations

1. **Section 280-402 Permitted uses** is amended to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.
2. **Section 280-403 Special Exception uses**, subsection A is deleted in its entirety.
3. **Section 280-403 Special exception uses** is amended to add Two (2) to Four (4) room rentals of existing bedrooms for less than 30 days as a special exception use.

Article V Residential District R-2 Regulations

1. **Section 280-502** is amended to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.

Article VI Residential District R-3 Regulations

1. **Section 280-602** is amended to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.

Article VII Local Commercial District (LC) Regulations

1. **Section 280-702 Permitted uses** to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.
2. **Section 280-703 Special exception uses**, subsection A is deleted in its entirety.
3. **Section 280-703** is amended to add Short-term rentals of up to eight (8) new or existing bedrooms as a special exception use.

Article VIII General Commercial (GC) District Regulations

1. **Section 280-802 Permitted uses** is amended to add Short-term Rental Units single room rentals
2. **Section 280-802 Permitted uses**, subsection F is deleted in its entirety.

3. **Section 280-803** is amended to add Short-term rentals of up to eight (8) existing bedrooms as a special exception.

Article IX Industrial District (I) Regulations

1. **Section 280-901 Permitted uses** is amended to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.

Article XI Campus/Open Space District (S) Regulations

1. **Section 280-1102 Permitted uses** to add Short-term Rental Units single room rentals of existing bedrooms as a permitted use.

Article XIII Parking and Loading Regulations

1. **Section 1303 Minimum Parking Requirements** Subsection D is amended to delete bed-and-breakfast establishment.
2. **Section 1303** is amended to add Short-term Rental Units and to require one off-street parking space for each bedroom.

Article XV Performance Regulations

1. **Section 208-1505** is deleted in its entirety.
2. This article is amended to add a new **Section 280-1534 Short-Term Rental Units** which shall provide as follows:
 - A. Single room rentals of existing bedrooms are permitted in all zoning districts.
 - B. Two to four room rentals of existing bedrooms are permitted, by special exception in the R-1 district, and short-term rentals of up to 8 new or existing rooms are permitted by special exception in the LC and GC districts.
 - C. Occupancy of each bedroom is limited as approved by the issued permit.
 - D. Short term rental units of all types require an owner to reside on the property and to be in occupancy on the property during the rental period.
 - E. All short-term rental units shall secure an operating permit from the Township and provide an operations management plan as provided in Section 280-1612 to the Township every two years. The applicant must demonstrate adequate water and sewer service, parking as provided hereafter, compliance with all other building and zoning requirements, fire code, proper registration with relevant County agencies, owner residency, and emergency contact information. Should any information change, it is the responsibility of the owner to update that information with the Township Zoning Officer within 7 days.
 - F. One off-street parking space shall be provided for each guest room unit in the structure in addition to the parking otherwise required for any other existing uses on the property
 - G. There shall be no external alteration of the building except as may be necessary for safety facilities such as fire escapes.

- H. Signage shall comply with the professional, name, or address sign regulations and other applicable sign regulations in Article XII of this chapter relating to sign regulations.
- I. Meals may be served to a guest as part of the rental fee but in no case shall meals be served to outside guests not staying in a guest bedroom. Cooking facilities shall not be permitted in any guest room.
- J. Check in and check out for all guests must occur between the hours of 8 am and 8 pm.
- K. There shall be no outside activities at the property between the hours of 9 pm- 8 am weekdays, nor between 11pm – 8 am on weekends and holidays.
- L. Three or more police calls to the property in a 12-month period, absence of an on-site owner during a rental, or other violations of the zoning or building ordinances will result in a revocation of the short-term rental unit permit for 24 months and imposition of all applicable fines.

Validity. If any provision, sentence, clause, section, subsection, or part of this Ordinance is for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, subsections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, section, subsection, or part not been included herein.

Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Effective date. This ordinance shall be effective five days after the date of passage of this Ordinance.

DULY ORDAINED, this ____ day of _____, 2022, by the Board of Supervisors of the Township of Lancaster, Lancaster County, Pennsylvania.

**BOARD OF SUPERVISORS OF
THE TOWNSHIP OF LANCASTER**

(SEAL)

Iber Guerrero Lopez, Chair

Attest:

Steven P. Elliott, Vice Chair

William M. Laudien, Secretary

Benjamin H. Bamford, Treasurer