

ORDINANCE NO. _____, SERIES 2016

AN ORDINANCE AMENDING LOUISVILLE METRO ORDINANCE O-122-16 TO CORRECT INADVERTANT ERRORS IN THE LIST OF ZONING DISTRICT DESIGNATIONS WHEREIN SHORT TERM RENTAL OF A DWELLING UNIT IS PERMITTED WITH SPECIAL STANDARDS— APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 16AMEND1002).

SPONSORED BY: Councilman James Peden

WHEREAS, the Planning Commission held a public hearing on April 11, 2016 to consider an amendment to the Land Development Code to define and regulate short term rentals of dwelling units.; and

WHEREAS, the Planning Commission has recommended approval of the amendments as stated in the Planning Commission's minutes of April 11 , 2016 and contained in the attachments for this Ordinance; and

WHEREAS, the Metro Council, after considering for several months zoning regulations related to short term rentals of dwellings in Louisville Metro, passed Ordinance O-122-16 on June 23, 2016, but without taking action on the Planning Commission's recommendations related to short term rentals of dwellings within the office residential and office tourist facility zoning district designations, as well as mistakenly including the enterprise zone district designation within the list of zoning districts that permit with special standards the short term rental of a dwelling unit; and

WHEREAS, these unintentional omissions and inclusion were the result of an editing error that took place between drafts of the proposed O-122-16 before the Council approved the final iteration of the Ordinance; and

WHEREAS, the Metro Council still concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 16AMEND1002, as reflected in the Planning Commission's minutes and records, and wishes to correct its previous legislative action on O-122-16 as more specifically set forth in Exhibit A attached hereto;

Now THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: The Metro Council hereby adopts the amendments to the Land Development Code as contained in the minutes and records of the Planning Commission in Case No. 16AMEND1002, dated April 11, 2016, and as more specifically set forth in Exhibit A attached hereto.

Section II: This Ordinance shall take effect upon passage and approval.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By:_____

EXHIBIT A

4.3.20 Short Term Rentals

In a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district, a short term rental of dwelling unit that is the primary residence of the host is permitted by the Planning Director with special standards set forth in this section. In a OR, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, EZ-1, W-1, W-2, PVD, PTD or PRD district, any short term rental is permitted by the Planning Director with special standards set forth in this section.

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant for 30 consecutive days or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals.
- D. The dwelling unit shall be a single-family residence or duplex unless the dwelling unit is located on property zoned C-R, C-N, C-1, C-2 or C-3 and the property meets all of the following criteria:
 - 1. The property is within 200' of a TARC route;
 - 2. The property is within .75 miles of a public park; and
 - 3. The property is within one mile of a National Register District or Local Preservation District.This provision shall not be waived or adjusted.
- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- F. Outdoor signage which identifies the short term rental is prohibited.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the Planning Director. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. In the event that a complaint(s) is filed concerning the lack of adequate parking, the Planning Director may require that the host submit a parking study to Planning & Design Services. If the parking study concludes that there is inadequate parking available to the host and guests, the host shall either a) increase the amount of parking or b) discontinue the short term rental use.
- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. In order to maintain a registry of short term rentals, the host of the short term rental shall submit a notice of intent to commence a short term rental to the Office of Planning & Design Services in a form prescribed by the Planning Director. This form may be an online form that does not require the host to visit the office.
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Planning Director may revoke the approval.