



Louisville Metro Short Term Rental Frequently Asked Questions

Beginning August 1, 2016, short term rentals will be permitted on certain properties in Jefferson County. A short term rental is a dwelling that is rented or leased for less than 30 consecutive days.

Q: What is a short term rental?

A: A short term rental is a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days. This term does not include hotel or motel rooms, extended stay lodging facilities, bed and breakfast inns or boarding and lodging house rooms.

This includes renting a portion or your entire dwelling while you are also present. Short term rentals include the following arrangements: 1) hosted home sharing, where the primary occupant(s) of the residence remains in the dwelling with the guests; 2) un-hosted home sharing, where the primary occupant(s) of the residence vacates the dwelling while it is rented to guests; and 3) dedicated short term rentals, where there is not a primary occupant of the dwelling and it is only used by guests.

Q: On what date will Louisville Metro begin to allow short term rentals?

A: The effective date of the short term rental ordinances is August 1, 2016.

Q: In what areas of Jefferson County are short term rentals permitted?

A: As of August 1, 2016, short term rentals may be permitted in areas of Jefferson County in which Metro Council has zoning authority. At this time, the following cities that retain independent zoning authority have not adopted a zoning ordinance specifically allowing short term rentals: Anchorage, Douglass Hills, Graymoor-Devondale, Hurstbourne, Indian Hills, Jeffersontown, Lyndon, Middletown, Prospect, Shively, St. Matthews and St. Regis Park. Please click on the following the link to view a map showing areas in which Metro Council has zoning authority.

<https://louisvilleky.gov/file/mczoningauthorityareapdf>

Q: What do I need to do in order to have a dwelling that is my primary residence approved for short term rental use?

A: On properties zoned R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, R-8A (residential zoning districts), short term rentals of dwellings that are the primary residences of the hosts are permitted if the required standards are met and the rentals are registered with Louisville Metro. A Conditional Use Permit is not required. Hosts must submit an annual registration form to Louisville Metro's Department of Develop Louisville for each rental.

On properties zoned OR, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, W-1, W-2, PVD, PTD or PRD, regardless of the residency of the host, short term rentals are permitted if the required standards are met and the rentals are registered with Louisville Metro. A Conditional Use Permit is not required. Hosts must submit an annual registration form for each rental Louisville Metro's Department of Develop Louisville.

On properties zoned TNZD (Old Louisville and Limerick neighborhoods), regardless of the residency of the host, short term rentals may be permitted only with a Conditional Use Permit approved by the Board of Zoning Adjustment and if the required standards are met. In addition, hosts must submit an annual registration form for each rental. The processes for obtaining a Conditional Use Permit and submitting an annual registration form are set forth below.

Please click on the following the link to access an interactive map that allows you to determine a property's zoning district.

[Link to LOJIC Online Map Tool:
http://apps.lojic.org/lojiconline](http://apps.lojic.org/lojiconline)

Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: What do I need to do in order to have a dwelling that is not my primary residence approved for short term rental use?

A: On properties zoned R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, R-8A (residential zoning districts), short term rentals of dwellings that are not the primary residences of the hosts may be permitted with a Conditional Use Permit approved by the Board of Zoning Adjustment if the required standards are met. Hosts must submit an annual registration form for each rental.

On properties zoned OR, OR-1, OR-2, OR-3, OTF, C-N, C-R, C-1, C-2, C-3, C-M, W-1, W-2, PVD, PTD or PRD, regardless of the residency of the host, short term rentals can be permitted if the required standards are met and the rentals are registered with Louisville Metro. Hosts must submit an annual registration form for each rental. A Conditional Use Permit is not required.

On properties zoned TNZD (Old Louisville and Limerick neighborhoods), regardless of the residency of the host, short term rentals can be permitted only with a Conditional Use Permit approved by the Board of Zoning Adjustment if the required standards are met. Hosts must submit an annual registration form for each rental.

Please click on the following the link to access an interactive map that allows you to determine a property's zoning district.

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Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: Am I required to register my short term rental?

A: Yes. All hosts must register each of their short term rentals annually. There are no exemptions to this requirement. You may submit your annual registration form, along with the \$25 fee, online at:

<https://louisvilleky.gov/government/construction-review/online-permitting-portal>

If you do not wish to utilize the online submittal option, you may submit the form and \$25 fee at Louisville Metro's Office of Planning & Design Services, located at 444 South 5th Street.

Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: How do I register a short term rental and is there a fee?

A: You may submit your annual registration form, along with the \$25 registration fee, online at:

<https://louisvilleky.gov/government/construction-review/online-permitting-portal>

If you do not wish to utilize the online submittal option, you may submit the form and \$25 fee at Louisville Metro's Office of Planning & Design Services, located at 444 South 5th Street.

Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: Can I register multiple short term rentals on a single registration form?

A: No. Each short term rental requires its own independent registration.

Q: How long does the registration process take?

A: In most cases, within 10 days of registration form submittal, Develop Louisville's Office of Planning & Design Services will contact the applicant to inform that a) the registration has been approved and that he or she may proceed with the short term rental; b) the registration has been deferred pending approval of a Conditional Use Permit application or c) the registration has been denied due to failure to meet the planning and zoning requirements. Denials may be appealed to the Board of Zoning Adjustment.

Q: How long is the short term rental registration valid?

A: The registration is valid for 12 months from the time of approval and may be renewed on an annual basis.

Q: Is the short term rental registration transferable?

A: No. The registration is issued to a specific host and a specific property. A new host at a registered address must submit a new registration form and cannot operate under the registration of the previous host. In addition, a host that moves to a new address must submit a new registration form for the new address.

Q: Am I required to receive a Conditional Use Permit for my short term rental?

A: A Conditional Use Permit is only required in certain situations. On properties zoned R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, R-8A (residential zoning districts), short term rentals of dwellings that are not the

primary residences of the hosts can only be permitted with a Conditional Use Permit approved by the Board of Zoning Adjustment and if the required standards are met. On properties zoned TNZD (Old Louisville and Limerick neighborhoods), regardless of the residency of the host, short term rentals can be permitted only with a Conditional Use Permit approved by the Board of Zoning Adjustment if the required standards are met.

Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: Can I have multiple short term rentals reviewed on a single conditional use permit application?

A: No. Each short term rental requires its own independent conditional use permit.

Q: How do I apply for a Conditional Use Permit and is there a fee?

A: At this time, Conditional Use Permit applications must be submitted in person at Louisville Metro's Office of Planning & Design Services, located at 444 South 5th Street. Applications cannot be submitted online or by mail. The application form may be downloaded at:

<https://louisvilleky.gov/government/planning-design/planning-and-design-applications>

There are application fees for New Conditional Use Permit and Modified Conditional Use Permit applications, as well as for Pre-Application reviews. As these fees are subject to change, please contact the Office of Planning & Design Services (502) 574-6230 for assistance. The correct fee will be reflected on the application.

Please note that the application requirements for a short term rental Conditional Use Permit are different than those for other types of Conditional Use Permits. A LOJIC, Google or other type of aerial map that shows existing site conditions may be submitted in lieu of a site plan.

Please call the Office of Planning & Design Services (502) 574-6230 for assistance.

Q: What is a Conditional Use Permit?

A: Certain land uses due to their extent, nature of operation, limited application, or relationship to natural resources are considered as exceptional cases. The uses listed in this Part may be permitted in certain districts by Conditional Use Permit following a public hearing before the Board of Zoning Adjustment provided such uses will not have an adverse effect on neighboring property, are not in conflict with the goals and plan elements of the Comprehensive Plan, the proposed uses are essential to or will promote the public health, safety, and the general welfare in one or more zones, and are in compliance with the listed standards and requirements.

Q: What is the Conditional Use Permit Process?

A: The following steps must be undertaken to obtain a Conditional Use Permit (CUP):

1. Pre-Application. The Host/Property Owner submits a Short Term Rental CUP Pre-Application Form to the Office of Planning & Design Services (PDS).
 - a. A Pre-Application review is carried out by PDS staff.
 - b. The Host/Property Owner may elect to have a Pre-Application Conference with PDS staff to discuss the proposal (optional).

2. Neighborhood Meeting.
 - a. The Host/ Property Owner shall send a letter stating that a Pre-Application Form has been filed with PDS and announcing a public meeting held by Host/Property Owner to discuss the proposed project.
 - The letter shall be mailed no less than 14 calendar days prior to the neighborhood meeting.
 - The letter shall be sent to: 1) First Tier Property Owners (the owner(s) of every parcel of property adjoining at any point, and every parcel directly across the street, from the subject property); 2) Second Tier Property Owners (the owner(s) of every parcel of property that adjoins the adjoining property or the property directly across the street from said adjoining property within 500 feet of the subject property); the mayor and city clerk of any 2nd through 6th class city if the development is located within such a municipality; 4) Metro Council district representative; and 5) PDS staff.
 - Any person listed in the applicable PDS Electronic Notification for Development Proposals List for the appropriate Council District will be sent an email notification.
 - b. The Host/Property shall hold the neighborhood meeting.
 - The neighborhood meeting shall be held no more than 90 calendar days prior to the filing of formal application.
 - At time of Formal Application for a CUP, the applicant shall provide a summary of a public meeting between the applicant and the parties listed above. The summary shall include a list of those invited, those in attendance and a summary of the issues discussed.
3. Formal Application. The Host/Property Owner submits formal application for a Short Term Rental CUP to PDS.
 - a. The application for the CUP must be submitted on a form supplied by PDS.
 - b. The application must be accompanied by supporting material and by the appropriate fee. The list of required supporting materials shall be available from PDS (Failure to submit all required material may result in delay of the application review).
4. Public Hearing. The Host/Property Owner has public hearing by Board of Zoning Adjustment (BOZA).
 - a. The BOZA shall hold at least one public hearing on the application.
 - Notice of the hearing shall be given as specified in Kentucky Revised Statutes Chapter 100. Second Tier Property Owners shall also be notified of the hearing.
 - Any person listed in the applicable PDS Electronic Notification for Development Proposals List for the appropriate Council District will be sent an email notification.
 - b. Based on the application, the requirements of the Land Development Code, the recommendations of staff and testimony at the hearing, the BOZA shall prepare findings of fact and issue an approval or a denial with or without conditions as it deems necessary to assure that the proposed conditional use will not adversely affect the use of surrounding properties or unreasonably interfere with the use and enjoyment of such properties.

Note: Applicants for Zoning or Form District map amendments may elect, at the time of application, to have the Conditional Use Permit for the same development heard and decided by the Planning Commission. In such cases, the Planning Commission shall assume all powers and duties otherwise exercised by the Board of Adjustments.

You may refer to Land Development Code Chapter 11, Part 5A and Kentucky Revised Statutes Section 100.237 for more detailed information regarding the conditional use permit process.

Q: How long is the Conditional Use Permit valid?

A: A Conditional Use Permit is valid in accordance with per the terms and conditions of the permit. In most cases, it is valid as long as the use exists and re-application is not necessary. However, if the terms and conditions of the permit are not followed and/or if the property is subject to two or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval.

Q: Is the short term rental Conditional Use Permit transferable?

A: A Conditional Use Permit is valid in accordance with per the terms and conditions of the permit. In most cases, a permit may be transferred to a successive property owner. However, if warranted, the Board of Zoning Adjustment may apply conditions or approval related to transferability.

A Conditional Use Permit for one property cannot be transferred to another property.

Q: Are neighbors notified of a proposed short term rental?

A: Neighbors will be notified of a short term rental application requiring a Conditional Use Permit. If a Conditional Use Permit is not required, neighbors will not be notified of the short term rental application by Louisville Metro Government.

Conditional Use Permit applications require a Neighborhood Meeting in which certain neighbors are notified in advance. Prior to formally filing an application, a letter shall be sent from the applicant announcing a neighborhood meeting to discuss the proposal. The letter shall be sent to First and Second Tier Property Owners and shall be mailed no less than 14 calendar days prior to the meeting. In addition, any person listed in the applicable Planning and Design Services Electronic Notification for Development Proposals List for the appropriate Council District will be sent an email notification.

Conditional Use Permit applications require a Public Hearing in which certain neighbors are notified in advance. The Board of Zoning Adjustment shall hold at least one public hearing on an application. Notice shall be given to First and Second Tier Property Owners shall be mailed no less than 14 calendar days prior to the hearing. In addition, any person listed in the applicable Planning and Design Services Electronic Notification for Development Proposals List for the appropriate Council District will be sent an email notification. A sign is also posted on the property providing the date of the public hearing.

Q: Is a host required to remit transient occupancy taxes?

A: Yes. Any rental of less than 30 consecutive days is subject to Louisville Metro's transient occupancy tax (8.5%). A platform such as Airbnb may remit taxes on behalf of a host; however the responsibility of remitting taxes appropriately and as required by law remains with the host.

<https://www.metrorevenueservices.org/registration/Forms/nDisclaimer.aspx>

Please call Louisville Metro's Revenue Commission at (502) 574-4860 for more information concerning taxes.

Q: Will I be required to make improvements to my building to meet building and life safety codes?

A: Whether or not building improvements will be required depends on the condition of the building and its approved use and occupancy classification. In some instances, property owners will need to make improvements to the dwelling so that it meets the appropriate use and occupancy classification.

Please call Louisville Metro's Office of Construction Review at (502) 574-3321 for more information.

Q: What are the required standards for short term rentals?

A: The following standards apply to all short term rentals:

- The maximum stay for a guest shall be 29 consecutive days.
- The dwelling unit shall be limited to a single short term rental contract at a time.
- At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals.
- Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.
- Outdoor signage which identifies the short term rental is prohibited.
- The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- The short term rental shall meet the smoke detector requirements set forth in Louisville Metro Code of Ordinances Section 94.02.
- A clearly marked evacuation plan shall be posted on the premises.

The following additional standards apply to the short term rental of a dwelling that is not the primary residence of the host 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 and of any dwelling in a TNZD district:

- The dwelling unit shall be a single-family residence or duplex. This provision shall not be waived or adjusted.
- There shall be a sufficient amount of parking available for the host and guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the short term rental use shall be removed when the short term rental use is terminated.
- If the property is subject to two or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval pursuant to Land Development Code Section 11.5A.6.

The following additional standards apply to the short term rental of a dwelling that is the primary residence of the host 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 and of any dwelling in C-N, C-R, C-1, C-2, C-3, C-M, W-1, W-2, PVD, PTD or PRD district:

- 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.
- 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.

- 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.
- If the property is subject to two or more substantiated civil and/or criminal complaints, the Planning Director may revoke the approval.

Q: What constitutes primary residence?

A: Your primary residence is the address provided on your driver’s license or other state-issued identification card. Residency and domicile are established pursuant to Kentucky Revised Statutes.

If the address on your driver’s license or other state-issued identification card is incorrect, please contact the issuing agency to amend.

Q: I am a tenant, not the property owner. Can I use my dwelling as a short term rental?

A: The host is not required to be the property owner. The Department of Develop Louisville strongly recommends that you review your lease and/or contact your lessor before submitting any form or application. A registration or conditional use permit does not override any agreement or regulation that prohibits subletting or use of a dwelling as a short term rental including but not limited to lease agreements, homeowner’s association bylaws, condominium bylaws, covenants or deed restrictions.

Q: I am in a homeowners association that prohibits short term rentals. Can I use my dwelling as a short term rental if registered with Louisville Metro?

A: No. A registration or conditional use permit does not override any lease agreements, homeowner’s association bylaws, covenants, deed restrictions, or any other agreement, law or regulations that prohibit subletting or use of your dwelling as a short term rental. The Department of Develop Louisville strongly recommends that you review your homeowner’s association documents and/or contact your homeowner’s association before submitting any form or application. Develop Louisville does not review homeowner’s association bylaws and rules for compliance or enforce such.

Q: I am in a condominium that prohibits short term rentals. Can I use my dwelling as a short term rental if registered with Louisville Metro?

A: No. A registration or conditional use permit does not override any lease agreements, homeowner’s association bylaws, covenants, deed restrictions, or any other agreement, law or regulations that prohibit subletting or use of your dwelling as a short term rental. The Department of Develop Louisville strongly recommends that you review your condominium association documents and/or contact your condominium association before submitting any form or application. Develop Louisville does not review condominium association bylaws and rules for compliance or enforce such.

Q: Can my Homeowner’s Association or Condominium Association prohibit short term rentals?

A: Yes. Association rules may be more restrictive than Louisville Metro Government regulations.

Q: Is a host allowed to serve food and beverages to guests?

A: No. If a host is interested in providing food and/or beverages to guests, the development must be approved as a hotel, bed and breakfast inn or similar establishment that allows such.

Q: What if operate a short term rental that is not registered and/or properly permitted?

A: Failure to register is equivalent to operating without a permit and will result in enforcement action. Any person who violates any provision shall receive a notice of violation as a warning for a first offense. A second offense will be subject to a civil penalty of not less than \$100 and no more than \$500. A third offense will be subject to a civil penalty of not less than \$500 and no more than \$1,000. Each day that a violation continues after notice has been served shall be deemed a separate offense.

Q: How do I report an unlawful short term rental?

A: You may report an unlawful short term rental, or any other violation, via the MetroCall 311 system.

<https://louisvilleky.gov/government/metrocall-311>

Q: Which Louisville Metro Government agency administers the program?

A: The Department of Develop Louisville administers the registration and permit programs, via its Offices of Planning & Design Services and Construction Review.

Q: Who can I contact to answer a question not in this FAQ?

A: For questions concerning planning and zoning requirements, such as those pertaining to the registration and conditional use permit processes, please contact Louisville Metro’s Office of Planning & Design Services at (502) 574-6230.

For questions concerning tax requirements, please contact Louisville Metro’s Revenue Commission at (502) 574-4860.

For questions concerning building permit requirements, such as those pertaining to building and life safety codes, please contact Louisville Metro’s Office of Construction Review at (502) 574-3321.