

Case No. 15AMEND1000

LDC Text Amendment – Boarding and Lodging Houses



Ad Hoc Committee on LDC

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September 21, 2015

Case Summary / Background

- August 18, 2014 – Planning Commission held public hearing and recommended multiple changes to LDC. Among them were minor changes to boarding and lodging houses
 - Consistently use “boarding and lodging houses” in R-8A
 - Make boarding and lodging houses in R-7 and R-8A a CUP
 - Require compliance with Metro licensing requirements
 - Specify parking requirements
 - Remove “dwelling unit” & replace with “structure” in definition
- February 9, 2015 – Ad Hoc Committee on LDC tabled boarding and lodging house items
- March 23, 2015 – Ad Hoc Committee recommended approval of more extensive amendments to the boarding and lodging house Conditional Use Permit standards to Metro Council
- April 16, 2015 – Metro Council approved the Ad Hoc Committee’s ordinance, O-069-15. Assistant County Attorney determined the ordinance must go to the Planning Commission for a public hearing and then return to Metro Council for final action. At this meeting, Metro Council also approved an Ordinance amending the Metro Code related to licensing of boarding and lodging houses.

Case Summary / Background

- May 21, 2015 & June 4, 2015 – Planning Commission held public hearings
- Main Concerns
 - Client Profiles - 4.2.11.H.1
 - Owner maintaining a record of residents - 4.2.11.I

Proposed Solutions

H. The following information shall be provided for all boarding and lodging houses conditional use applications:

~~1. Resident/client profile (population to be served);~~

1. Type of resident population intended to be served, if any (e.g. veterans, a victim group, persons recovering from substance abuse (without on-site assistance services or supervision), college students, contract/seasonal workers, parolees (without on-site assistance services or supervision), single persons, etc.);

2. Site plan and floor plans;

3. Rules of conduct and business management plan;

~~I. The operators of a boarding and lodging house shall maintain records relating to boarder identity, term of stay, and client profiles and shall have said information available for inspection by a Code Enforcement Officer.~~

I. The operator(s) of a boarding and lodging house shall maintain a registry of residents, which shall document the term of stay of each resident. This registry shall be made available for inspection by a Code Enforcement Officer in order to determine the total number of residents residing in the boarding and lodging house at a given time and whether or not a term of stay is temporary or permanent. However, under these provisions, the operator is not required to collect and/or maintain records that may be used for discriminatory purposes under the Fair Housing Acts, including but not limited to records relating to the race, religion, gender, national origin, family status and/or disability of any resident.

J. The Board of Zoning Adjustment shall, to the best of their abilities, find that the establishment