

# Planning Commission

December 6, 2018



<b>Case No:</b>	18AMEND1002
<b>Project Name:</b>	Short Term Rentals
<b>Location:</b>	Louisville Metro
<b>Applicant:</b>	Louisville Metro Planning Commission
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	All Council Districts
<b>Case Manager:</b>	Joseph Haberman, AICP, Planning Manager

## REQUEST

Amend the Land Development Code (LDC) concerning the Short Term Rental regulations.

## SUMMARY

Louisville has a growing number of dwelling units being rented for short terms. Individuals in need of short term rentals are increasingly turning to the internet as a method to secure short term rental opportunities, including the ability to rent an entire home or only a room. Internet platforms include popular sites such as airbnb.com and VRBO.com.

These short term rentals are often different than other transient rental options currently permitted, such as hotels, motels, and bed and breakfast inns. Usually situated in residential areas, they serve as alternatives to more traditional lodging arrangements.

In general, short term rentals take three forms: 1) hosted home sharing, where there is a primary occupant of the residence who resides in the dwelling with guests; 2) un-hosted home sharing, where there a primary occupant of the residence who 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 rented out exclusively to guests.

In addition, the frequencies of short term rentals vary: homes rented only for special occasions (i.e. the Kentucky Derby); homes rented often but not continuously; and homes rented continuously, in some cases available for rent each day all year.

For residents, short term rentals can provide extra income. For visitors, the properties can provide more authentic local experiences and/or affordable alternatives to hotels. On the other hand, if not adequately regulated, short term rentals have the potential to change the character of established residential areas and can impact the affordability and availability of rental housing.

From August 1, 2016 to date, short term rentals have been regulated by way of the Louisville Metro Code and the Louisville Metro LDC. With the exception of the City of Middletown, the cities with zoning authority have not adopted LDC regulations related to short term rentals.

### *Summary of Existing Louisville Metro Code Provisions:*

- Requires annual registration of all short term rentals, regardless of type or frequency;
- Limits hosts to renting a dwelling unit under a single contract at a time (rooms within a dwelling unit cannot be rented to multiple parties at once);
- Caps occupancy by limiting the number of guests (2 x the number of bedrooms + 4);

- Prohibits hosts from providing meals to guests;
- Requires smoke detectors and posted evacuation plans within the dwelling units;
- Prohibits outdoor signage;
- Requires an emergency contact;
- Reinforces the requirements related to the remittal of taxes; and
- Provides penalties for non-compliance with the Metro Code provisions.

*Summary of Existing Louisville Metro LDC provisions:*

- Provides a definition of short term rental that distinguishes the use from other uses;
- Identifies appropriate locations and levels of approval:
  - Special Standards – approved administratively (Planning Director)
    - Any short term rental in a residential zoning district in which the dwelling unit is the host’s primary residence (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);
    - Any short term rental in a commercial/office zoning district and in most special zoning districts (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);
  - Conditional Use Permit – approved at a public hearing (BOZA):
    - Any short term rental in a residential zoning district in which the dwelling unit is not the host’s primary residence (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);
    - Any short term rental in a TNZD (Old Louisville and Limerick);
    - Any short term rental in a multi-family condominium building in a residential zoning district;
- Does not permit short-term rentals in the M-1, M-2, M-3, EZ-1, PRO, PEC, and W-3 zoning districts;
- Provides required zoning standards:
  - Limits hosts to renting a dwelling unit under a single contract at a time (rooms within a dwelling unit cannot be rented to multiple parties at once);
  - Caps occupancy by limiting the number of guests (2 x the number of bedrooms + 4);
  - Limits to single and two-family buildings unless a) the property is commercially zoned and within proximity of a bus route; park; and historic district or b) a condo;
  - Prohibits provision of food/alcoholic beverages;
  - Prohibits outdoor signage;
  - Requires parking based on the land uses of immediate vicinity;
  - Allows for the registration/conditional use permit to be revoked if the property is subject to 2+ civil/criminal complaints;
- Does not supersede lease agreements, association bylaws, or any other agreements, laws, or regulations that prohibit use of a dwelling or property as a short term rental; and
- Provides penalties for non-compliance with the LDC provisions (the same as those that apply to all violations of the LDC).

Additional information regarding the existing short term rental provisions can be found on Louisville Metro’s website: <https://louisvilleky.gov/government/planning-design/short-term-rental-information>.

## BACKGROUND

Prior to August 1, 2016, short term rentals were not addressed in the Louisville Metro LDC and the Planning Director had interpreted that the rental of a dwelling unit of less than 30 days was not permitted.

On December 3, 2015, Metro Council passed Resolution #124, 2015. The resolution requested that the Planning Commission, through its staff at Planning & Design Services, research short term rentals and recommend LDC amendments that regulate such use to Metro Council to consider. The LDC amendments were associated with Metro Code amendments approved by Metro Council. On December 17, 2015, Metro Council passed Ordinance #217, 2015. The ordinance amended Louisville Metro Code Section 115 to require short term rentals to meet certain standards and be registered annually with Louisville Metro's Department of Develop Louisville. Subsequently, the effective date of the ordinance was postponed to August 1, 2016 in order to provide time for consistent LDC amendments to be crafted and adopted (thus becoming effective at or around the same time).

At a public hearing on April 11, 2016, the Planning Commission recommended LDC amendments to regulate short term rentals of dwelling units. Following the recommendation, on June 23, 2016, Metro Council passed Ordinance #100, 2016 adopting those recommendations with some amendments. The regulations became effective on August 1, 2016. The regulations within the LDC were subsequently amended by Metro Council on August 11, 2016 and November 17, 2016 (by Ordinances #144, 2016 and #201, 2016 respectively). With the exception of the City of Middletown, the cities with zoning authority did not adopt LDC regulations related to short term rentals.

On October 11, 2018, Metro Council passed Resolution #178, 2018 (see Attachment #1). The resolution requests that the Planning Commission undertake a review of Louisville Metro Code Sections 115.515–115.521, LDC Chapter 4 regarding short term rentals, and the list of suggested changes and public comments, and propose amendments thereto.

## STAFF ANALYSIS

In anticipation of amendments, Develop Louisville solicited public comments regarding the short term rental ordinances from August 14, 2018 to September 14, 2018. Further, staff accepted additional public comments provided to the case manager after the close of the public comment period. The public comments received up until the publication date of this report are provided in Attachment #2. In general, there are comments in support and opposition to allowing short term rentals, with some members of the public requesting less regulation and other members of the public requesting additional regulation.

While there are comments in support and opposition to the allowance of short term rentals, most of the comments and other feedback received by staff focus on the impact of short term rentals on residential neighborhoods. In this report, two options are presented for the Planning Commission to consider in relation to the public comments regarding short term rentals in residential zoning districts.

The draft amendments described in this report update the LDC in the following ways:

- Adds a new definition of *Primary Residence*;
- Disallows short term rentals within dwelling units that are not the primary residences of the hosts in residential zoning districts:

- Option 1: Removes all residential zoning districts (R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, and R-8A) and TNZD;
- Option 2: Removes only single-family residential zoning districts (R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N);
- Allows short term rentals in the EZ-1 district (only applies to properties that are permitted pursuant to LDC Sections 4.3.3, 4.3.4, and 4.3.5 or are lawfully nonconforming thereto; affected areas are shown in Attachment #3);
- Modifies occupancy requirements (2 x the number of bedrooms + 2, with total occupancy not to exceed 10 persons regardless of the number of bedrooms);
- Allows outdoor signage for short term rentals in nonresidential zoning districts that otherwise allow signage; and
- Provides other necessary technical revisions to the existing wording in affected sections.

The draft amendments described in this report update the Louisville Metro Code in the following ways:

- Removes requirement for an initial registration fee (currently \$25.00);
- Makes it a violation in and of itself to advertise an unlawful short term rental;
- Modifies occupancy requirements (2 x the number of bedrooms + 2, with total occupancy not to exceed 10 persons in a dwelling unit regardless of the number of bedrooms);
- Requires that the emergency contact is located in Jefferson County and/or within 25 miles of the property (follows Planning Committee recommendation);
- Modifies the fine structure by removing discretionary ranges and allowing the zoning enforcement officer to have discretion on when to provide a warning/ courtesy notice; and
- Provides other necessary technical revisions to the existing wording in affected sections.

This item was reviewed by the Planning Committee on November 1, 2018. The Committee recommended that the item be docketed for review and consideration by the Planning Commission.

### **INTERESTED PARTY COMMENT**

Interested party comments through the publication date of this report are included in Attachment #2.

### **PROPOSED AMENDMENTS**

*The Planning Commission must make a recommendation to Metro Council and the legislative bodies of cities with zoning authority to approve, approve with modifications, or deny the LDC text amendments. This section shows specific amendments to the Louisville Metro version of the LDC. The cities with zoning authority in Louisville Metro have different versions. If any of the cities consider incorporating the amendments into its LDC, staff will assist the city in preparing specific amendments that reflect the nature of the changes recommended in this report.*

*Note: In 2016, the Planning Commission only reviewed and provided a recommendation regarding short term rentals in relation to the LDC provisions. Louisville Metro Code text amendments are also presented in this report. Metro Council requested that the Planning Commission make a recommendation or otherwise provide comments to Metro Council regarding these amendments.*

# LOUISVILLE METRO LAND DEVELOPMENT CODE

## 1.2.2 Definitions

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Primary Residence (or Principal Residence) – A primary residence is the main home of an individual. An individual has only one primary residence at a time. If an individual owns and lives in just one dwelling unit, then that property is his or her primary residence. If an individual owns or lives in more than one dwelling unit, then he or she must apply a "facts and circumstances" test to determine which property is his or her primary residence. While the most important factor is where he or she spends the most time, other factors are relevant as well. The more of these factors that are true of a home, the more likely that it is a primary residence: Factors include, but are not limited to, the address listed on an individual's U.S. Postal Service address, Voter Registration Card, federal and state tax returns, driver's license, state identification card, and/or vehicle registration.

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**Short Term Rental** - A dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days duration, where no meals are served. This term does not include hotel or motel rooms, extended stay lodging facilities, bed and breakfast inns or boarding and lodging house rooms.

**Short Term Rental Host** - Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short term rental.

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*Note:*

*(Not Part of Amendment)*

*In response to varying public comments received to date concerning rentals in residential neighborhoods, staff is showing two options concerning short term rentals that are not the primary residences of the hosts in residential zoning districts. The first option would disallow such rentals in residential zoning districts and the TNZD. The second option disallows such rentals in single-family residential zoning districts, but continues to allow such short term rentals in multi-family residential zoning districts and the TNZD.*

**4.2.63 Short Term Rental of a dwelling unit in a TNZD district that is the primary residence of the host that is not the primary residence of the host or the short term rental of a condominium unit within a multi-family building 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 Short Term Rental of any dwelling unit in a TNZD district**

A short term rental of dwelling unit that is not the primary residence of the host in a TNZD district or the short term rental of a condominium unit within a multi-family building 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 a short term rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

Option 1

**4.2.63 Short Term Rental of a dwelling unit that is not the primary residence of the host or the short term rental of a condominium unit 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, Short Term Rental of a condominium unit within a multi-family building that is the primary residence of the host and 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 Short Term Rental of any dwelling unit in a TNZD district**

A short term rental of dwelling unit that is not the primary residence of the host R-5A, R-5B, R-6, R-7, or R-8A district; ~~or the a~~ short term rental of a condominium unit within a multi-family building 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 a short term rental of any dwelling unit in a TNZD district may be allowed upon the granting of a Conditional Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 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~~ two individuals with total occupancy not to exceed 10 persons in a dwelling unit regardless of the number of bedrooms.
- D. The building in which the dwelling unit is located shall be a single-family residence, ~~or duplex,~~ or a condominium unit. If the short term rental is a condominium unit, the condominium unit must be the primary residence of the host. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. This evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board wherein all condominium owners were notified that short term rental of the subject condominium would be discussed and a majority of the board members voted in favor of permitting /allowing the short term rental of the subject condominium. In addition to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. 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 in residential zoning districts.
- G. 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.

- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- I. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a one-year period, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6.

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#### 4.3.23 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~~ two individuals with total occupancy not to exceed 10 persons in a dwelling unit regardless of the number of bedrooms.
- D. The building in which the dwelling unit is located 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, or EZ-1 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 in residential zoning districts.
- 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 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. I If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a one-year period, the Planning Director may revoke the approval.



## LOUISVILLE METRO CODE OF ORDINANCES

### § 115.515 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DIRECTOR.** The Director of the Louisville Metro Department of Develop Louisville.

**HOST.** Any person who is the owner of record of real property, or any person who is a lessee of real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short term rental.

**HOSTING PLATFORM.** An internet based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange short term rental and payment through the hosting platform.

**SHORT TERM RENTAL.** A dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days duration, where no meals are served. This term does not include hotel or motel rooms, extended stay lodging facilities, bed and breakfast inns or boarding and lodging house rooms.

**TRANSIENT USER.** A person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than 30 consecutive days duration.

### § 115.516 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate a short term rental on any premises within Jefferson County unless the short term rental has been registered annually with the Louisville Metro Department of Develop Louisville.

### § 115.517 ANNUAL REGISTRATION; FEE.

- (A) Each annual registration for a short term rental shall be per the procedure prescribed by the Director, ~~and approved by the Louisville Metro Revenue Commission~~ and shall be available for paperless, online registration ~~upon the effective date of this subchapter~~. The registration form, at a minimum, shall include the following:
- (1) The name, address, phone number, and email address of the ~~Host and of a person~~ an emergency contact residing or located in Jefferson County, Kentucky and/or within 25 miles of the short term rental who shall be responsible for addressing any maintenance or safety concerns and nuisance complaints requiring immediate attention. The Host shall provide the emergency contact's information to Transient Users prior to commencing their stays; and
  - (2) The location of the short term rental.
- (B) A nonrefundable fee of \$25 shall accompany the annual registration form of a short term rental. The initial registration fee shall be waived.

**§ 115.518 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.**

Each separate short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

**§ 115.519 REGISTRATION WITH THE LOUISVILLE METRO REVENUE COMMISSION. TRANSIENT OCCUPANCY TAXES.**

- (A) Pursuant to LMCO Chapter 121, transient room Transient occupancy taxes are to be collected and paid by the Host to the Louisville Metro Revenue Commission Metro Government pursuant to this Code; and
- (B) Pursuant to LMCO Chapter 110, the host may be subject to occupational license taxes to the Metro Government. Transient occupancy taxes are ultimately the responsibility of the host, but the collection and remission of all required taxes pursuant to LMCO Chapters 110 and 121 may be paid by a hosting platform on behalf of host if the short term rental is created through a hosting platform that has an agreement with the Metro Government for collection and payment of such taxes to the Metro Revenue Commission.
- (C) The Host shall register with the Louisville Metro Revenue Commission to ensure compliance with all applicable local taxes including the transient room tax and occupational license tax.

**§ 115.520 DUTIES OF A HOST.**

It shall be the duty of a hHost under this subchapter to ensure that:

- (A) The short term rental meets the smoke detector requirements set forth in LMCO § 94.02 and that a clearly marked evacuation plan is posted on the premises;
- (B) There shall be no more than one contract per short term rental 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~~ two individuals with total occupancy not to exceed 10 persons in a dwelling unit regardless of the number of bedrooms. The occupancy maximum shall be conspicuously posted within the short term rental; and
- (D) There is no signage on the premises of the short term rental advertising or identifying the short term rental in residential zoning districts.
- (E) The name and telephone number of the Host and any emergency contact shall be conspicuously posted within the short term rental.

**§ 115.521 ADVERTISING ON A HOSTING PLATFORM.**

Short term rentals registered in accordance with § 115.517 may be advertised for short term stays of less than 30 days on a Hosting Platform. A Host and/or property owner that advertises an un-registered short term rental on a Hosting Platform is subject to enforcement as stated in §§ 115.522 and 115.999(N)(2).

**§ ~~115.524~~ 115.522 ENFORCEMENT.**

In addition to the penalties provided in § 115.999(N), the Director is authorized to enforce the provisions of this subchapter through declaratory, injunctive and other civil actions filed in any court of competent jurisdiction.

**§ 115.999 PENALTY.**

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(N)

- (1) ~~Any person who violates any provision of §§ 115.515 through 115.520 shall receive a notice of violation as a warning for a first offense~~ will be subject to a civil penalty of \$50 as imposed by a Zoning Enforcement Officer . A second offense will be subject to a civil penalty of not less than \$100 and no more than \$500 \$250 as imposed by the Director a Zoning Enforcement Officer. A third offense will be subject to a civil penalty of not less than \$500 and no more than \$1,000 as imposed by the Director a Zoning Enforcement Officer. Any additional offense beyond the third offense will be subject to a civil penalty of \$750 as imposed by a Zoning Enforcement Officer. Each day that a violation continues after notice has been served shall be deemed a separate offense. Any person who receives a citation for violating §§ 115.515 through 115.520 may appeal the violation to the Code Enforcement Board.
- (2) Any person who violates any provision of §115.521 related to advertising on a Hosting Platform shall receive a notice of violation as a warning for a first offense. Any additional offense will be subject to a civil penalty of \$50 as imposed by a Zoning Enforcement Officer. Each day that a violation continues after notice has been served shall be deemed a separate offense. Any person who receives a citation for violating § 115.521 may appeal the violation to the Code Enforcement Board.
- ~~(2)~~(3) In addition to the penalties provided herein, the Director is authorized to pursue remedial civil actions for violations of §§ 115.515 through 115.520 by civil complaint or petition for injunctive relief, declaration of rights or other appropriate proceedings filed in the Jefferson County, Kentucky Circuit Court.



RESOLUTION NO. \_\_\_\_\_, SERIES 2018

**A RESOLUTION REQUESTING THE LOUISVILLE/JEFFERSON COUNTY PLANNING COMMISSION TO REVIEW THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") SECTIONS 115.515–115.521 AND THE LAND DEVELOPMENT CODE ("LDC") CHAPTER 4 REGARDING SHORT TERM RENTALS.**

**SPONSORED BY: COUNCIL MEMBER COAN**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government ("Metro Council") adopted LMCO §§ 115.515–115.521 and amended LDC Chapters 1, 2, and 4 regarding short term rentals that became effective in August 2016;

**WHEREAS**, since August 2016, the implementation of the short term rental ordinance has been monitored, and now changes have been proposed in response to the growing popularity of this tourist experience in an effort to better integrate it into our neighborhood fabric; and

**WHEREAS**, the public was asked to submit comments regarding the short term rentals, and the public comments and a list of suggested changes can be viewed at <https://louisvilleky.gov/government/planning-design/short-term-rental-information>.

**NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** The Planning Commission shall undertake a review of the LMCO §§ 115.515–115.521 and the Land Development Code Chapter 4 regarding short term rentals, and the list of suggested changes and public comments, and propose amendments thereto.

**SECTION II:** This resolution shall take effect upon its passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

Short Term Rental Proposed Changes Public Comments

1. I think this is a good idea as someone could rent out to person or a party who come into town for illegal reasons like drug trafficking, a criminal ring like counterfeiting, or human trafficking. A counterfeiting ring happen at a Fordhaven Road apartment building in June 2017 which was raided by a SWAT team. Without regulations, a rental home could turned into a flop house for the above. The renter could trash the place and grounds. Also there might be a loud noise, traffic, or party issue for the residents in the hood.
2. This proposal ignores the issue of non-owner occupied short term rentals that have proven a problem in many cities around the country. Your map lacks proper detail to fully explain the areas you propose to make the changes. Please add street names at least. The proposal does not differentiate between Non-owner occupied short term rentals and the owner occupied short term rentals. The Lack of differentiation is important and the proposal as it stands should be out right rejected. As you are so quick to leap upon the fast dollar don't forget the folks who elected you reside in traditional residential neighborhoods for a reason. They like the continuity of the neighborhood populated by long-term residents. Many do not want to see or have to clean up after folks that have no vested interest in the community and make their vacation at other's expense. Do not bend to the will of some short-sighted developers eyeing the low overhead application models that streamline small hotels where no one is accountable to those forced to live around them and their "guests." My family and friends are against the proposed changes to the short term rental ordinance (Chapter 115.515-521 of the Louisville Metro Code of Ordinances and Chapter 4 of the Land Development Code).
3. I oppose these changes. We need less government regulation.
4. Please raise the fees for this practice in the city.  
Airbnb creates a rotating door of strangers in our neighborhood that take up our already limited parking and have no investment in the cleanliness or safety of our neighborhood.
5. I am an Airbnb host and have registered here are a couple of pieces of feedback. 1) I like the enforcement measures of this ordinance. 2) There needs to be more guidance for hosts to make it easier for them to comply. It could be a how-to guide for Louisville. 3) As a host, I host someone once every couple of months. Filing the Transient Return form TR1M-S for the revenue every month is a little cumbersome. This could easily be done every quarter rather than monthly.
6. Stay out of my home. Stay out of my life. The government which governs best, governs least! Fix potholes. Get drug dealers off our streets. Fix police corruption. Leave short term rentals alone!
7. When the short term rental legislation was introduced, I recall the intent being to allow a homeowner to have a side business to earn income. However, I have noticed many of the short term rentals in the Highlands are being proposed or managed by one or two commercial interests. I keep seeing the same management company and or investment companies proposing new short term rentals. Can Louisville Forward and the Metro Council please look into restricting these properties to one or two offerings per individual home owner? Otherwise, you're going to have companies owning or

operating dozens of rental properties. Plus I continue to follow available public research on what positive or negative impact these properties are having on neighborhoods. Much of the independent research is suggesting these properties are degrading — not improving — neighborhoods. People don't buy a home with expectation a hotel will open up next door to them. I am concerned the city is allowing too many of these properties by corporations that are manipulating the local law. What happens when one company owns 50 or 100 short term rentals? They are basically operating as a hotel and degrading neighborhoods at the same time.

8. AirBnB allows people to visit Louisville and stay in our neighborhoods. They spend money and time at our local neighborhood restaurants and shops. The money they pay to our local Hosts stays in Louisville. The city should help Airbnb hosts instead of putting obstacles in our path. Please DROP the CUP requirement for Old Louisville and Limerick for Hosts who live in the home they use as an Airbnb. It is unfair to require a CUP for Old Louisville Hosts.
9. I support registration of all short term rental units within Louisville Metro. I do not support a maximum guest limit of 10 people; the limit should be based on size of the property, number of beds, common area space, and adequate parking spaces. There are a number of large groups (10+) such as families & friends that visit our city and want to stay together in one short term rental unit. I believe an arbitrary limit of 10 people will make Louisville a less attractive option for family & friend visits (and will negatively impact leisure attractions, bourbon trail visits, restaurants, etc.).
10. Limiting the number of guests to 10 seems unfair to host with larger homes that can accommodate larger groups. I could understand the concern for smaller dwelling in congested neighborhoods but this should not be a blanket rule. Stick with the number of bedrooms rule.
11. Stay out of our business, we own our homes and should be allowed to do as we wish!
12. Please, PLEASE be progressive- Work with Airbnb and VRBO on the front end to \*completely disallow\* any advertising of illegal units (as they have done in California) because this would make it much, much easier for the Metro to get their fees and tax money than trying to collect punitive fees on the back end.
13. Why limit to 10 people? There is no reason to change the "2 people per bedroom plus 4" rule. This is a disadvantage to the larger houses that are currently following the rules. These homeowners are being unfairly targeted.
14. RE: Limiting the number of individuals eligible to reside in a short term rental to ten (10)—I think that's too many. If you're renting to 10 people, you're running a small hotel. I'd prefer a limit of six.
15. Butchertown is like a little village in the great relationships with neighbors. But short term rentals are destroying this. More and more houses and apartments are now short-term rentals with no owner present, like the two houses next door to me. Most are handled by management companies. These people care nothing about the neighborhood or the concerns of neighbors. They care only about good reviews and the money they make. There are noise problems and parking problems. I am a retiree; my house is my major life's investment. This will have a negative effect on my property value if I sell. Who wants to buy a house in the midst of some mini-hotels? I want to live



in my house for as long as I can but I don't want to live surrounded by a daily parade of indifferent strangers. I can't believe that the city will allow this wonderful neighborhood to be ruined. It is perfectly fine if people wish to rent part of their primary residence, which is their right. But please do not allow more special conditional use permits for entire houses. There are multiple neighbors that feel as I do and we are determined to fight this with everything we can.

16. I have a difficult time understanding why the metro council would seek to effectively limit tourism in Louisville, Particularly when the act of Louisville capping the number of occupants in an Airbnb or changing it from its current guidelines will only result in people staying in southern Indiana or in Shelby County where the laws are going to be less stringent. The city is truly becoming a destination to visit and home-sharing platforms truly give people a flexibility both homeowners in the area who list their homes as well as groups traveling to Louisville. I own an Airbnb property on Eastern Parkway. It is registered with the city. We have a local Jefferson County House manager and we have a policy for no parties however, we very much welcome families and cater to them. The limit of 10 people for a six bedroom home is prohibitive for many of our guests. They would like to stay together, we hosted two wonderful high school girls' basketball teams this summer when they were in a tournament and we are happy to be hosting a trio of families for the livestock convention right now. I provide strollers and Cribs for these families to explore our city. When I travel with my brothers and their families, we number 12 and when our parents come, 14, now, families like ours will have to rent two properties so there are many that can accommodate groups are size in the area. I certainly find that prohibitive. I have no issue with registering with the city, the city is already charging me 9% tax. I do however have issues with the city taking a 9% tax and telling me that my six bedroom house is only big enough for 10 people when I have created a space purposefully for families just like mine. I started an Airbnb because I have been using them for years, it has provided a wonderful way for me to travel with old friends and their families attend family events everywhere, and the metro council's proposals are going to mean that people will choose to go to Lexington or Nashville and stay out of Louisville because people traveling with families do not want to stay in hotel.. Given that the city itself has been so purposefully touting tourism and selling our amazing city as a Destination for travel, I cannot see how this will benefit the larger picture. It certainly will make Louisville less attractive to the kind of people that I think we should be attempting to attract
17. I live next door to 2509 Top Hill Road an Airbnb operating on an unapproved conditional use permit. This property has been operating for 3 years as an Airbnb and has been a problem ever since it began. My major concern is my liability (i.e.) renters parking illegally on my property, walking across my property, driving across my property illegally. Another concern is lower property values because of this rental. Late night noise is also troubling. I wish metro city council would ban Airbnb rentals altogether, and at least allow the closest neighbors to stop the property owner from operating at best a flophouse. There is no upside that comes with this situation for the neighborhood. The Airbnb property owner is making money at the neighbors' expense. I have had to call the police on more than one occasion cause by disturbances at this

location. I have had property damage from the renters, a rock thrown on my front porch in the early a.m. I would love to talk to any city official who wants to listen.

18. The following suggestions were developed by the Cherokee Triangle Associations subcommittee on short term rentals and approved by our board. We feel the draft of proposed changes does NOT address the core problems. We urge the city to PAUSE all new registrations for a period of time while effective and fair regulations are developed.

#### Cherokee Triangle Association Suggestions to Improve STR Ordinance:

1. Increase annual registration fee to at least \$100 to provide funding for enforcement (we believe lack of manpower for enforcement is the largest single issue with STRs in our neighborhood. In general, we are experiencing problems with the illegal STRs that are not following the current law. A fee of \$100 would fund an enforcement officer)
2. Require STR dwelling units advertised on hosting platforms, such as Airbnb, VRBO, and Home Away, to display the STR registration number and effective date at the beginning of the listing's description (this would allow Metro staff to quickly verify registrations quickly and easily).
3. Allow only owner operated STRs. (Our biggest headaches have been with companies renting multiple properties in our neighborhood and turning them all into STRs with no close by oversight)
4. Require that a host be located within 5 miles of the STR (so problems can be dealt with in minutes instead of hours).
5. On Short Term Annual Rental Registration Form, require additional information as follows (to make enforcement of rules easier for Metro staff):
  - a. The number of dwelling units on the residential property.
  - b. The total square footage of the unit, the number of bedrooms, the number of bathrooms of the dwelling unit being registered.
  - c. The maximum number of STR guests permitted in the dwelling unit.
  - d. The number of on-site (not on public property) parking spaces for the dwelling unit being registered available to STR guests.
6. Waiting Periods (to prevent bad actors from just re-opening STRs)
  - a. For a period of 24 months from the date an STR registration is voided for that dwelling unit due to violations, the property owner is prohibited from running an STR.
  - b. For a period of 24 months from the date of a BOZA denial or loss of a CUP for an STR for that dwelling unit, the property owner is prohibited from running an STR at that address.
7. STR Enforcement & Violations: Penalties for violating the STR Ordinance need to be swiftly imposed and collected against property owners. Non-payment of fines should result in liens being placed on the property. Property owners and their managers should be held accountable for STR violations.
  - a. Eliminate the "first offense free" practice for failing to register and/or obtain a CUP for an STR.
  - b. Eliminate the practice of non-enforcement of violations while there is an STR registration and/or CUP for an STR application in progress
  - c. Advertising an STR on a hosting platform before registering the STR or form more

guests than allowed shall be a violation with a substantial penalty.

d. Penalties to be assessed on a daily basis for each type of STR violation.

8. The STR Registration must be clearly posted inside the main entry door of the dwelling unit.

9. Require Hosting platforms must remove ads for STR dwelling units without an STR registration and effective date. Metro Louisville should enter into binding contracts with platforms doing business in Louisville.

19. Please increase registration fee to fund an enforcement officer. Please require the registration number on all online advertising to make enforcement easier. Please pause all new registrations until workable regulations with real enforcement are in place.
20. I am in favor of keeping the occupancy standard at 2 per bedroom + 2. An arbitrary cap of 10 doesn't address the issue of hosts overcrowding smaller homes, but it penalizes and limits earnings for hosts with large homes. My home is 4000+ square feet with five bedrooms and three bathrooms and could easily accommodate 12. I would ask that you reconsider that flat cap and instead go with the more helpful size-based limit.
21. I appreciate that the city is taking a second look at these regulations. While I am generally supportive of the Airbnb/Home Away/VRBO concept, without oversight, it has the potential to do real harm to some of our city's most historic (and in some instances, vulnerable) neighborhoods. As a former resident of Old Louisville, I have seen how difficult it has been for that neighborhood to come back from years of unscrupulous owners allowing historic homes to be poorly chopped up into multiple units and then fall into serious disrepair. While this concept is obviously much different, it has similar consequences if there is not enforcement of the regulations you're proposing. We can pass all the laws we want, but if there is no one tasked with enforcing them, they're useless. And if you're hoping that vigilant citizens will do that work instead, we need make it easier for them to do so -- for example, by requiring homeowners to list their short-term rental license number in their online advertisements, so at least neighbors could determine if a rental is operating illegally and report that to the city. I am a former city employee myself, and I know how this goes -- there is not enough funding to go around, so you can't just hire more code enforcement personnel to spend all day online looking at Airbnb postings for violators. And you don't have the resources to dispatch someone to a rental location every time a renter has allowed in disrespectful tenants who cause chaos in a residential neighborhood. But without some vehicle for enforcing these regulations, they won't make anything better -- they will only cause dissatisfaction for all parties involved. I urge you not to go for the 50% solution, only to return for a third try at these regulations in a year or two. Let's make sure that in this second go-round, we are fully addressing all issues with clear direction and decisive action.
22. As the owner of a house that is occasionally available for short-term rental stays on both VRBO and Airbnb, my perspective on the proposed changes to Louisville's short-term rental ordinance is that most of them make sense. The one element of the proposal that I fully disagree with is the proposal to cap the maximum number of guests who can stay in a property at one time to 10 people. This one-size-fits-all approach fails to take into account either the size of the house or the property. And, while most rental properties in Louisville will likely be unaffected by this change, my family's house has 7 bedrooms,

is over 7,000 square feet and sits on 5 acres of property. It also has ample parking. It can comfortably accommodate many more than 10 people without bothering the neighbors. To me, it would make more sense to take into account both house and property size when determining how many guests a property can accommodate. My house is registered with the city and we've paid quite a bit this year in both city and state taxes – which we're happy to do. That said, I strongly disagree with the proposal to cap the number of guests (without taking into account any other factors) and like to share my perspective directly with whomever would make sense. I can only imagine how tricky it must be to balance the needs of both neighborhoods and rental property owners when revising the short-term rental ordinance. However, a more nuanced approach for something as basic as the number of people who can stay in a property, is more logical. At a minimum, I would hope there would be a grace period for existing reservations. We have a handful of 2019 reservations for multi-generation family groups (all of which exceed 10 people), and I would feel terrible about ruining those families' plans.

23. I feel that the penalties being proposed for illegal short term rentals (e.g. Airbnb) are not high enough. When you consider how much money is made each weekend or week by the owner(s) of these rentals, these penalties can be considered just a business expense.
24. We rent out our home for the KY Derby. It's an incredible experience for our guests and it helps to cover our expenses - we're about to have our first baby this fall. We see no harm in this type of activity. We hope you're willing to reconsider this option.
25. Dear Metro Council, I ask that you please consider the following changes in regards to the short term rental ordinance: 1) Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use) 2) Allow for a property to be rented once a registration application has been submitted and is pending approval.
26. Please consider eliminating the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use). I rarely lend out my location and typically do it more for the purpose of meeting new people and attending local events. I host approximately 5 to 8 times a year.
27. I only rent my home for one weekend a year and that is derby. I believe that homeowners who rent their residency for less than 60 days should have different rules than those who use them constantly. It is also my home, it is not a rental property. I simply vacate one day and come back the next. I also do not believe it is your job to tell me how I should handle renting my home. I pay all of my taxes that I owe, as well as tons of money to the bank. It is unfair for the city to reach their hands into our pockets even more than they already do. Quit being selfish and allow us to get ahead without putting more money in your pocket.
28. I support the EZ-1 change proposal. Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use); and Allow for a property to be rented once a registration application has been submitted and is pending approval.
29. Please do not add the proposed changes to the short term rental laws. We are very fortunate to live in a city that so many want to visit. These changes would greatly impact

- the number people that rent their homes. I would Also please Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use); and Allow for a property to be rented once a registration application has been submitted and is pending approval.
30. Please eliminate charges for paying guest. I need this income during Derby that is the only time I rent out a room.
  31. I support the EZ 1 change. There is no reason that people renting their house for Derby and specific events shouldn't be allowed to rent out their homes without being subjected to unnecessary rules and regulations.
  32. I am paying taxes on my rental in my basement. I rent a limited amount and cause not noise or other problems to neighbors. I support the EZ-1 change, believe it is fair to include a minimal use exception for hosts who only share their homes under 60 nights a year, and allow for rentals while registration is pending.
  33. I appreciate Louisville's willingness to allow homeowner's such as myself to generate revenue using our homes as short term rentals via sites like AirBnB and VRBO, but am worried that some of the upcoming rule changes negatively impacting the culture and community of short term rentals as a whole. Please consider eliminating the registration requirement for hosts who rent their home for less than 60 nights and allow for rentals while registrations are pending. In addition, please support the EZ-1 change. I would also request that you lift the maximum number of guests in one residence to more the ten (10) as it would hinder those who have homes with a far larger bedroom count to have reduced returns on their listing (in addition to reducing taxable wages for the city!).
  34. Please support the EZ-1 change, include a minimal use exception for hosts who only share their homes under 60 nights a year, and allow for rentals while registration is pending.
  35. PLEASE include this as a proposed change: Additionally, as a host who shares a private or shared space in their primary residence, ask the Metro Council to eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use).
  36. My concerns involve the maximum guest section, registration and notice of violations sections.  
One if the primary draws to the short term rental business is that larger groups and families can rent a space and stay together instead of renting multiple hotel rooms. The current limit of #bedrooms, plus 4, is most appropriate. Submission of registration should be sufficient to begin hosting. A Host should not have to rely on the City to get back to them before renting. Any issues can be dealt with in the violation policy. Also, I believe a warning notice is still sufficient for any violation. I would be in favor of a 15 day window to correct a violation before incurring a second notice with a fee attached. Clarification of definition of Second Offense should be addressed so that a separate offense from the First Offense is not considered a Second Offense. I am in favor of registration fees at reasonable levels. It would not be the City's best interests to make this personal business a Target and discourage hosting. The tourism revenue is growing in Louisville during to these opportunities.

37. I live at the residence and only rent part time!
38. I pay taxes, I vote. Why does paying govt. more than the taxes I pay on income, and the taxes that guests from all over the world, who come to visit Louisville, who spend money at restaurants, venues, etc. help anyone or anything? What does govt. collecting money, so they have to hire more govt. workers to collect the money, how does that help anyone? The hotel industry is obviously behind this. What business is it of yours what I do with my property? Did you pay for it? Do you pay my mortgage? No, you didn't. Why do you think having long term loser tenants is better than having higher class citizens from all over the world? Do you even know who rents? Traveling nurses, who come to help hospitals, med students on rotation, UPS internships, GE Internships, tourists? Why are these bad people?? Perhaps you should focus on cleaning up the criminal wild west that Louisville has become due to poor policing and political correctness. I'm going to sell and move anyway, because Louisville has become such a dump. #1. If I own a property in Jefferson Co. then I live in Jefferson Co. the fact that I may travel to other states to find work, or have other houses is none of your concern. Why must I physically hang out in crime infested Louisville? Why do you hate people making a couple bucks on their properties? And I mean a couple bucks, not much, I'm in the negative this year. The people I rent to pay taxes through Airbnb to the city, they pay money at restaurants, at rental car companies, at local attractions, and they come here for work, for play, from all over the world. Hotels are nasty, no one likes hotels and bedbugs, stop trying to stifle progress, I pay taxes on the money I earn, I pay tradesmen to fix things, just this month, 6k for ac units, 550 for drywall repair, I've spent thousands at value city furniture, at Walmart for cleaning supplies, I pay someone to clean, she is elderly, it helps her survive, she uses the money to buy things in Louisville. I would have to take 6 months off work to understand and do your application process of blueprints and crap like that. It is crazy! We're are not hotels, so don't treat us as hotels. This is SOCIAL, I don't rent to spring breakers, like the idiot in the courier journal who wrote an article about herself and her Super Host status, Super Dumb if she rents to spring break children who cause trouble. This isn't a fulltime career, i have to work to afford to have a place to rent to people. I've spent 6k more this year than i made on rent. So stop this thought, that we're making all this money and being jealous. Would you like it more if I stopped renting through Airbnb and made my place available to section 8 housing? Would my neighbors in old Louisville like to see section 8 or people from New Zealand?
39. Short term rentals is the reason I purchased my multi family home. Changes in the short term rental ordinance would greatly impact my ability to make a living.
40. I think the proposed changes would help the owners so much. Please pass the proposed changes.
41. As a super host with Airbnb, I object to many of the ordinances you are proposing that will hamper my ability, as a widow, to make a little money to pay the bills. A small registration fee is ok, providing YOU help advertise my Airbnb bedroom....if not, then what am I getting for the fee? Nothing. The neighbors already know of my Airbnb and think it is grand, as they know how lovely my hospitality is. Please consider making the ordinances leaner and affordable. Louisville is a Hospitality city what with all the

events...what better way to welcome guests than to provide a home environment mixed with Southern Hospitality.

42. The current short term rental (STR) rules are not reflective of the way people actually use these services. Short term rentals are attractive to a different type of tourism guest than a hotel. STR guests are looking to stay a night or two maximum. They want to visit local businesses and restaurants they cannot experience anywhere else and are often only able to participate in this space because of the lower cost and last minute availability of STR properties. STR guests often stay last minute, because of weather or work, or fatigue while driving through the area. STR guests want to stay near interesting places, and a STR home that is uniquely located in neighborhoods of interest that visitors would otherwise not be exposed to. Most STR guests aren't interested in the primary tourist attractions in town. Locations near bus routes or historical districts are nice, but aren't necessary. Most guests will be either looking to explore but aren't necessarily interested in the big tourist destinations like distilleries, Churchill Downs or Fourth Street Live. STR guests generally want to support the small businesses that make a neighborhood unique. Expanding the E-Z zone would allow more people to participate in this micro-economy, helping to support the diversity and economic prosperity of our many small neighborhoods. Expanding the zoning to include multi-family homes would allow property owners to continue to bring visitors to these growing areas of interest in our city, especially areas with pending construction additions like Portland and Butchertown neighborhoods. Apps like VRBO and Airbnb already have insurance and contact information requirements, as well as guest verification requirements so contact laws are redundant. These services are extremely reliable in terms of managing expectations and behavior requirements as their business model relies on maintaining a high-quality service to their customers. I highly recommend that you involve property owners that are actively participating in the STR economy in the decisions surrounding these regulations. Otherwise the outcome will be redundant laws that are detrimental to the continuing growth and prosperity of our up and coming neighborhoods.
43. As a lifelong Jeff Co. resident, I find Airbnb a great option for us locals to promote our community as only a proud local can. Providing accommodations to our visitors (albeit for a few nights in some cases) give us a chance to promote our local restaurants, attractions, companies and our universities. To that end, I'm asking that you please detour from proposed changes to our current process. I feel Airbnb will work in OUR community's best interest.
44. These proposals are outrageous! Taxes are paid by home owners for renting rooms to guests visiting this city. We are providing a service to this city by promoting tourism when there are few hotels to choose from and offer a less expensive alternative. It is much like the old days when widows rented rooms in their homes to support themselves while providing a service to visitors.  
My guests are quiet and mostly students doing internships as part of their college degrees, nurses completing travel assignments in much needed hospitals in our local area and others, interested in moving here for school or work. It would be a crime for the city to dictate what private people can do in their own homes. And a shame that would prevent and deter younger people with limited incomes from visiting our city and

possibly making a career change to move here for work or attend college. It is ridiculous to require a guest to have an emergency contact in the Jefferson county area- if that were the case chances are they would not need to stay here! I have never had any complaints from my neighbors regarding any of my guests. These proposals are ridiculous and outrageous! More government taking control of the rights of private people!

45. I ask that you please support the EZ-1 change, include a minimal use exception for hosts who only share their homes under 60 nights a year, and allow for rentals while registration is pending.
46. I hate hate hate the cup's! They destroy the fiber of my neighborhood. There's already a few cup Airbnb's around me - they're basically revolving doors of loud, obnoxious frat parties. Right now, there's only a few in the blocks surrounding me, but what if everyone did it?? We wouldn't have a neighborhood anymore! Cherokee triangle is a place where people care about their homes and their neighbors...every additional cup deteriorates what makes our neighborhood great. Every cup is a lost opportunity for a real resident (including long term renter) who actually lives here, cares about the place, and those around them. I don't like the few that already exist (and what they take away from our neighborhood), and i worry that allowing more will exponentially exacerbate the problem.
47. These new proposed were written by an attorney who is not pro-business / it seems like Louisville has a lot - I'm moving to Nashville - god bless you dumb louisvillians. You all don't see regulation as stifling to business. What the heck is wrong with you all? As graduate of Vanderbilt I never should have left. Wow the epitome of dumb lawyers running the town.
48. I appreciate the clause of adding an emergency contact who can help if an immediate issue arises. I would ask that less requirements occur for people who are renting their spaces for very short terms (less than 20 nights a year) because I think the effect on the neighborhood is different for a house that has out-of-towners for one or two weekends a year vs a house where renters are constantly moving in and out. I would also ask for reconsideration for the condominium pieces, specifically where a special meeting must be called. If short term rentals are agreed upon in the condo's bylaws, why would more information need to be provided?
49. Government should serve the interest of the people rather than corporations. Allowing individuals the autonomy to generate revenue/income is the essence of small business and the American dream. Catering to lobbyists and large multi-national corporations who largely dwell outside our neighborhood limits is short-sighted and self-serving. Take a stand. I am a registered voter. I ask that the Metro Council eliminate the registration requirement for hosts who only share their homes under 60 nights throughout the year. Additionally I think we should allow for a property to be rented once a registration application has been submitted and is pending approval. Please support the EZ-1 change, and please support grassroots individuals who want to share with others the magic that Louisville has to offer while generating tourism dollars and tax revenue.



50. Hey Angela feedback to you as an elected officials and I support the EZ-1 change and include a minimal use exception for hosts who only share their homes under 60 nights a year. I hope you will too.
51. I propose eliminating the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use). As if property taxes is not enough, levying an annual fee on private property, is like membership fees. And regulating primary residence private property is infringing on the rights of the owner of the property who annually have pay his taxes due. So what gives?
52. First, I think there are too many regulations regarding home rental. If the objective is to create obstacles to renting so that people do not rent, then all of this is heading in the right direction. It reminds me how the farmers markets were regulated out of existence years ago and now it is difficult to get fresh produce in the west end. Specifically, I think regulation should deal with safety of those guests who rent. I think you should eliminate the registration requirement for hosts who only share their homes occasionally and allow property to be rented once a registration application has been submitted and is pending approval. Also, limiting the number to 10 might make sense for some, but my house has 6 bedrooms and almost 5000 square feet. I think you should stick with the old formula and not put a limit on it.
53. Please support the inclusion of Airbnb in EZ-1 properties, include a minimal use exception for hosts who only share their homes under 60 nights a year, allow rentals while registration is pending, and elimination of the requirement to file monthly statements to metro revenue.
54. Airbnb has been great for the city of Louisville. Most people who choose to stay in our home in Old Louisville are NOT people who would stay in hotels. They're wanting to be together and enjoy the city as a local. Hotels do NOT offer this experience. Hotels are great and needed, but ultimately serve a different purpose. Airbnb solves a problem the city has. Airbnb offers greater tourism dollars to flow into the state AND allows homeowners (like myself) to take better care of their home and neighborhood. Airbnb has what is best in mind for their renters AND homeowners. Thankfully, they also have what is best in mind for the city knowing that this new market promotes city growth.
55. I ask you to support the EZ-1 change, include a minimal use exception for hosts who only share their homes under 60 nights a year, and allow for rentals while registration is pending.
56. I just feel that without the assistance of people like us who are willing to short term rent our homes, the city of Louisville would not be able to bring in the tourists dollars that our short term tenants bring. The city is not required to handle so much tourism and if we are willing to rent our home then the city should be more cooperative to make it beneficial for us as well as the city!
57. Allow people to rent their home for short term rental once the application is submitted and pending. This is due to the lengthy time for the review process. Eliminate the application and necessity to submit for a 'short term rental' for those who rent out their home for less than 40 days per year. I believe it is well within our legal right to allow our families & friends stay at our home for a vacation. Why must we submit for a short term rental to have family and friends stay at our house? Why is the maximum occupancy set

at 10 people? How was that number determined? More than 10 were previously allowed, why is it changing? A more reasonable maximum number should be suggested. We want people to visit this City, tourism is a major financial asset to all who reside here.

58. I oppose the above proposed changes to the Airbnb system, as they amount to additional fees and taxes. We are taxed enough. Airbnb is as entrepreneurial and American as yard sales, next you'll want to tax those!
59. Please do not change the way people can use their homes as rental incomes. The pace of wages has not kept up with inflation. Using your home as a way to keep up with inflation allows a taxpayer the additional assistance to make ends meet. As taxpaying citizens we should be able to fill a need in the market for people who prefer to rent a house when visiting the area.
60. All are common sense changes. Please consider removing the stipulation that requires a proximity near a TARC stop location. Many people in great neighborhoods have to walk farther than 2000 steps to catch a bus.
61. I own a 3,000 sq ft, 5 bedroom short term rental in old Louisville. My house has been the location of many family events that would have never happened if the amount of people allowed to stay was reduced to 10 people. The amount of people staying has never been an indication of whether or not they would be good tenants. The process to register for a short term rental was very confusing, stressful, and lengthy. Not allowing rentals during a pending application hurts the small business owners significantly. The mortgage still has to be paid while the house just sits there. Going even a month without a rental is enough to put many out of business.
62. Our out of state neighbor just opened illegally a whole house rental next door as did the last one and apparently that's okay because the last guy from California with 150 rentals was just fine with BOZA! Ban these now! If I cannot rent out my house as a halfway house or conduct business of a C-1 or C-2 nature why should they? It's a hotel in a residential zone! I am not willing to babysit while my absentee neighbor enjoys revenue illegally and if fined gets a paltry \$50 fine??
63. Please include a minimal use exception for hosts who only share their homes under 60 nights a year, and provide flexibility on the residential location of the emergency contact.
64. I live in my home and rent it out occasionally to make ends meet...I am in favor of eliminating the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use); and would like to allow for a property to be rented once a registration application has been submitted and is pending approval.
65. Suggest change to allow for a property to be rented once a registration application has been submitted and is pending approval. Also, the limit of 10 persons seems unreasonable unless tied to the number of bedrooms.
66. Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use); and Allow for a property to be rented once a registration application has been submitted and is pending approval. I don't think short term rentals should be required to register with the city.

67. Please include a minimal use exception for hosts who only share their homes for under 60 nights a year.
68. Please make registering properties with the city easier. Online submission and acceptance vs. drawn out processes with neighborhood meetings.
69. We were surprised to see that there were only 200+ registered Airbnb's out of some 1700 available at the time. We were one of the registered ones. Many cities are limiting a short term rental only to persons that reside at the listed address. So, I don't think asking that the person on record lives in Jefferson Co. Yes, I think if you want to advertise on line, you should be required to register with the city.
70. Very good.
71. Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use); and Allow for a property to be rented once a registration application has been submitted and is pending approval.
72. Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year. I am homeowner and live 100% of time in our residence. I rent fewer than 60 times per year and am always present in the home when our lower level bedroom is rented.
73. STRs in residential areas should only be allowed on owner occupied properties. The proposed changes do not address the lack of resources for enforcement-- please increase registration fees to fund enforcement of STR ordinances. Please require the registration number on all online advertising to enable better enforcement. Put a moratorium on all new registrations until workable regulations with adequate enforcement resources are in place.
74. Short term rentals are part of the new economy and provide sustainable income to residents. As you formulate proposed regulations, please consider minimal use exception for hosts who only share their homes under 75 nights a year, and provide flexibility on the residential location of the emergency contact due to the state/county border at the edge of Louisville.
75. Please allow self-serve individually packaged food items such as microwaveable breakfast foods, pop tarts juices and cereal. These are items offered by hotel chains and do not require special handling requirements, only checking use-by dates. Guests are often road weary when they first arrive and appreciate a quick and easy snack. Coffee is usually morning staple for most travelers. At the very least, Keurig machines which require very little maintenance should be allowed. Many hosts have properties with full-size kitchens. Guests often choose properties for just such a reason to cook full size family style meals. Simple condiments like salt and pepper should be allowed. Derby guests could be treated to Kentucky's own Kern's Derby Pie. It is individually packaged and has a use-by date. Food items from local food vendors such as Cellar Door Candies should not be banned. They are staples of Louisville's wonderful tourism draw and promote our local flavor. Please do not ban food entirely. It can be such a plus for traveling guests. With a little modification, the rules should be expanded to include simple items.

76. To Metro Council and my Representative, Bill Hollander: I am an Airbnb host who shares my home with short-term transient guests who stay no more than 29 days per booking. I am currently paying Kentucky Sales & Use Tax 6%, KY Transient tax 1 %, Louisville short-term transient tax (TRIM-S) 8.5%, Louisville Occupational tax 2% (calculated based on Schedule E and paid annually when filing income tax). I paid an initial \$25 registration/permit fee to the city.
- I understand the initial registration fee may be eliminated, replaced by an annual Registration fee. What will be the due date of that annual fee? I think Metro Council should eliminate the registration requirement for those who rent/share their space or home less than 60 nights per year--just for Derby, for example. That will eliminate messy bookkeeping for all involved, likewise identifying and penalizing violators. I urge the council to be reasonable in levying fines. I think there should be a warning notification, then escalating fines --but I think per day fines are unreasonable. From the date of the first notice, give the host a 30-day period in which to "get legal." Tell the host advertising must stop by X date, or the fine will be imposed. As to registering with the Louisville Revenue Commission for the first time, I recall that was particularly onerous. I had to pay back taxes and penalties because I had been slow to register. Happily, employees at the Revenue Commission were helpful and polite. I am not trying to excuse scofflaws, but the city might realize hosts need a few months to determine if they want to continue hosting. Airbnb does send strong messages telling hosts to observe local tax rules, but hosts may not realize they are setting up a business impacted by both state and city laws. Actually, the city might set up a check list. I resent media accounts implying that Airbnb hosts are get-rich quick entrepreneurs. I am a senior citizen with minimal income, social security of \$800 per month. Renting one bedroom and bath helps me stay in my home. I have had wonderful guests--graduate students, persons here to attend religious conferences, or music festivals. Many who stay with me could not afford a corporate hotel. I introduce my guests to Louisville tourism sites, eateries, and events. Dare I mention that I think the 8.5 % Metro tax is too high? I benefit minimally from the Visitors Bureau.
77. Eliminate the registration requirement for hosts who only share their homes occasionally (under 60 nights) throughout the year ('de minimis' use). Under the minimal rental use, please allow renting of personal dwellings, under 14 days, to remain untaxed and unmandated by tax code 415. I only rent for Derby and it brings the city plenty of tourists and spending money. If I had to register, it would not be worth the hassle and I would not rent my home for the two nights I do for Oaks and Derby.
78. I would like for the requirement for registering your personal home as a rental to be waived when renting only occasionally, 60 days per year or less.
79. I can't take 6 months off to learn and apply for your ridiculous application program, blueprints, etc. is just plain ridiculous. I'll just turn my historic Victorian in Old Louisville into a section 8 property, perhaps which will make you and the hotel association happier. And all the nosey neighbors who hate others and therefore hate themselves. Why am i treated differently than other rental properties based on length of stay? I've spent \$1000 in the past day at home depot and Wal-Mart buying things for this property, I won't spend that when i sell it and leave the area due to Nazi fascist councils

bending over for the hotel associations. How about working on crime, instead of bothering people who bring tourist and value to Loserville? Imagine if minorities were doing this and how you would give them free money as opposed to penalizing non minorities. What is the problem? And how does more govt. help it? (answer: there is no problem and we don't need more government) It's nice to know one old maid and one lousy newspaper can control the world. I'm moving to Florida, bye! (After I Section 8 my places out).

80. I got a C.U.P for my house in 2017 in order to be an Airbnb. My small house in the Highlands is my pride and joy. After allowing several of my friends to stay there for free after the downturn of the economy in 2008, I decided that paying the utilities for people who were down on their luck and allowing them to take advantage of my generosity was not the best decision for me to have made. I had discovered that no one will take care of a home that they do not own. The yard was allowed to go, and the last person who stayed there allowed their dogs to chew the bottom of every brand new cherry cabinet that I had put into my kitchen after the renovations that I had not been able to do when I lived there myself. I knew that I was not cut out to be a landlord, I love my house too much for that. The Airbnb platform allows me to keep control of my beloved Victorian house and still remain a part of my neighborhood while I do the renovations that are needed to maintain the house. It was frustrating for me to have to go over to my house to take care of the yard when I was allowing people to stay there for free. I had to ask permission to be able to go into my own house because I was nice enough to want to try to help people survive difficult economic times. My neighbors took advantage of the fact that I did not live in my house to do things like dig up my flowers and transplant some of them in their yards. One neighbor put a swing in one of my trees and killed the tree. If the neighbor had asked me if they could put a swing in my tree, I would have instructed them how to do it without killing the tree. When I asked them to remove the swing, they refused because they put the swing on the branch on their side of the property line. Now, I need to cut the tree down because it became diseased and everything above the swing is dead. Airbnb allows me to maintain my Victorian House in Louisville's Highlands because I have access to the house. I can paint it when I want to paint it because I do not need to ask my renter if I can come over to work on my house. I can work on my backyard when I have time to do so. When I moved to the countryside to start a farm, I knew that I would want to come back to my house when I was too old to farm. I have owned my house for over 30 years and without the Airbnb option, I would have to sell it. When I got the CUP to use this property as a short-term rental, one of my neighbors from across the street sent an email to the woman who helped me go through the CUP process to tell the Board who was hearing my case to not allow me to get the CUP. She claimed that I was an absentee landlord and that she had never seen me the entire time that she lived in her house. I saw her come home from work for years when I was over working in my yard. The neighbor who lives two doors down from my house says that I am the only person that she sees working in the yard on our block anymore. We used to have a lot of people who did landscaping. I understand the impulse of the city to want to protect the citizens who live in our neighborhoods. However, when I had the open house to invite all the people in my neighborhood over

to see my house and ask me about Airbnb, not very many people attended. The people in the rear did not show up at all. One of those neighbors sends me a couple letters a year asking to buy my house. I am not interested in selling my house to that neighbor so that his son can move in across the alley from him. In my opinion, the property is mine. I paid for it. I have owned and maintained it for over 30 years, I should decide how best to use it. I own the Louisville area's first certified organic farm. I willingly submit to voluntarily be responsible for complying with multiple regulations which insure that I do not use synthetic chemicals to raise the food that I raise. Organic farmers willingly submit to regulations that could cost them \$11,000 per incident if they mislead the public by claiming to use organic methods but actually do not use those methods. I think unnecessary regulations are unnecessary. I believe the regulations that are currently in place are adequate.

81. Requiring an emergency contact for all short term rentals be in Jefferson County is not realistic. I do not agree with this.
82. In addition I think when it comes to enforcement, we need serious penalties. This would help pay for 24/7 enforcement. If an enforcement officer or LMPD is called to the property: 1st offense within 1 year period - \$1000; 2nd offense within 1 year period- \$2500; 3rd offense within 1 year period- \$5000 and permanent loss of CUP on property. Nonpayment of fines equal a lien placed on property. Also, CUP's issued should automatically dissolve at the sale of property. This would force those that have previously lost the privilege of applying for CUP from obtaining through purchase of property.
83. I would like to oppose the elimination of the registration fee. There need to be funds available to regulate short-term rentals and the fee would provide a revenue stream. If people are renting their places, they should be able to afford the \$25 fee. Also, I believe the fines should be raised. Having lived across the street from an illegally run Airbnb, there were very minimal penalties imposed on him during his time of running the property as an Airbnb. There need to be deterrents to such behaviors.
84. Hi Councilman Coan -- as an occasional short-term rental host, I am largely in agreement with the proposed changes to the "Airbnb" law. However, with respect to the maximum number of people, I think the proposed change is uniformly unfair. I am in support of putting a cap on the total number of people...and would even be in support of capping the number at 2 per bedroom, however, a maximum of 10 people in a 3 bedroom condo is much different than 10 people in a 10,000 square foot house on 2 acres. If I have a house with 6 legitimate bedrooms (which I do), a maximum of ten people is less than could traditionally live in the house. I think this clause could more fairly be stipulated if it took into consideration the size of a house or number of true bedrooms. I understand the need to attempt to regulate short-term rentals, but a small hotel that had 5 rooms would be allowed to host more people than a house with 6 bedrooms. Out of respect for my neighbors (and my house), I won't rent to groups of more than 12 people, and normally limit it to groups of 10 people or less....nor do I want to live next door to a house that has 20 people in it, but I think there are other areas we can focus on regulation that are more intrusive to a neighborhood -- i.e. number of cars, noise

restriction, etc. I respectfully ask that this point be explored further and amended to more fairly take into consideration the size of the property.

85. I think the penalty for first offence should be \$100. \$50 is "pocket change" and doesn't seem sufficient to deter bad behavior in the neighborhood from the rental occupants.

86. I have three concerns with the language; two of them are related.

The first concern is that the ordinance consistently uses the term person with an assumption that a person is a human, and not a legal creation. This opens the ordinance to abuse by an investor who creates corporations to hold the real estate and mask ownership. The opening is widened by the second concern, that lessees may operate short term rentals. The third concern is the language "If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a one-year period, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6.". Revocation should apply to the short term rental host, and should be "shall", rather than "may". I also have general concerns. First, whether there is any requirement for hosts to keep a log of time in residence. There is a story on our block that new owners have family close by and simply go there whenever they do not have a STR. It exposes the rest of us to a transient population coming into the place where we are trying to raise our own families, and also pumps up real estate values on a basis that is not what we intend for our neighborhood. As a retiree, I might be able to withstand the slow increase of property tax increases for our residential neighborhood gentrifying. I will have no chance to stay in my home of nearly thirty years competing with new economy investors, wherever they live. Second, whether there is any requirement for length of residence. This is related to the language concerns. Third, I am concerned about the EZ-1 zoning. How do we fight that if we do not want our block or our neighborhood zoned to allow STR? Does the separate form of zoning not mean a whole collection of protections for a residential zone could be shunted off into a silo called EZ-1 and quietly eroded there?

87. I am staying in an Airbnb right now in Savannah and it is lovely. I am quiet and respectful and it all works. In the Cherokee Triangle we have experienced where the whole thing can go wrong----houses rented 10-12 months a year, crowds of 12 or more in one house, and loud partying. No one wants to live near this. We are fortunate enough to have the resources to organize and defeat these bad situations, but what about citizens who cannot attend daytime meetings, etc.? Please make the process user friendly to protest the ones that are bad. I believe that we can do this.

88. I am OK with waving the initial registration fee particularly when a CUP is required because of the added cost of the CUP application. I like the much clearer definition of Primary Residence, but hope that the ordinance will allow the BOZA to make the final decision on what is classified as a primary residence as far as the CUP is concerned as I can see people claiming something as a primary residence based on documentation when they actually spend little time there. I like the additional requirements around host and emergency contact information. I think Metro Govt should have a database of STR contact/Emergency contact information searchable by address available to residents who may have a situation or problem with a STR in their neighborhood. The information should be updated annually as part of the registration process. I like the

- clearer penalties and enforcement information. Since it is clearly neighbors that are going to have to ensure infractions are reported I would suggest adding STR issues to all Metro Call 311 websites, apps, etc. to make it easier for them to ensure STR issues get to the necessary agencies/departments. Also I would clearly define somewhere for neighbors how to report problems with STR, i.e. Metro Call, non-emergency dispatch for Metro Police, etc. I like the MAXIMUM of 10 occupancy but could see how this can still exceed the limits in some neighborhoods and situations with parking, residential proximity, etc. I would encourage Metro Govt to seek out more agreements with online STR sites to ensure lodging taxes are collected. I would also encourage Metro Govt to look at putting some of the STR taxes that are collected back into the neighborhoods/council districts since these are the areas that are most directly affected by the additional traffic of a STR. It could also help offset the costs of projects like Councilman Coan's proposed Bardstown Rd/Baxter Ave management district.
89. Enforce the rules that are put in place. That deed restriction be honored. That a limit of 90, 120 or 150 days of rental of a given address be put in place. This would discourage companies from coming in and buying up property as a commercial investment.
  90. The proposed changes to the STR ordinance do not go far enough. I live in a neighborhood and next to an Airbnb that has presented significant noise problems for me and my next door neighbors. To be effective, the proposals need to include stiffer penalties/fines and expanded enforcement that go beyond 9-5 Mon-Fri office hours. More enforcement officers need to be hired whose working hours extend into the weekend or evening (that's when the noise is most problematic). Short term rentals that advertise on an Airbnb site need to be required to post their license or approval number in the ad. Too many Airbnb establishments operate without such permits, and should be penalized more heavily for noncompliance. I am in favor of what the Cherokee Triangle Neighborhood Association has recommended with regard to how the STR ordinance should be strengthened.
  91. I beg the Metro Council to review the permission of Air B&B and Short Term Rentals to do business in our single family residential neighborhoods. I live on Eastover Court, a beautiful historic street in the Crescent Hill area, and the short term rentals that are active on either side of me tear at the fabric of our neighborhood. This neighborhood is zoned single family residents. STR belong in areas properly zoned for that. There are lots of old homes on Frankfort Avenue that would be perfect for investors who want to rent short-term to visitors. My old historic street is not zoned for this and it is inappropriate for the neighborhood.
  92. Winter is residential. We have limited parking. The guy who bought this seems ok, but he doesn't live on site so no telling how the renters are going to treat this place. Plus it seems as if they just snuck it in overnight. I don't think insinuating these businesses into a mostly residential area without a hearing is a good idea.
  93. I understand notification to neighbors may be required. Could this be extended to condo boards and neighborhood associations that dues or fee are paid to? My condo fees include water, garbage, common areas etc. All of these things could be affected by higher than normal occupancy.



94. A few thoughts: a) I don't favor waiving an initial registration fee. b) To me, the maximum occupancy should be 8, not 10. (Ten is a small hotel.) c) I'm not sure how to accomplish this, but I'd love to see something in the initial registration process that requires the owner to notify neighbors in the same block of the owner's intention to offer short-term rentals. Owners do not need approval of neighbors if all requirements are met, but neighbors can help ensure that everything is done properly.
95. I wish a 12 month moratorium on the issuance of any new Short Term Rental licenses. My concerns are the fact that many of these Ordinances are based on the premise that the property is owner occupied and the primary residence, which is NOT the actual case. There is no enforcement or audit of this that I have heard of. I think you will start to see a number of banks doing their own audits for residency. Many of the residences are actually 2 unit properties on a single plot. Example converted carriage homes or garages being used as short term rentals and not being reported as a separate unit. This creates a lot of concern in my mind for resale values of these properties. They should have to disclose the fact that the property operated as a short term rental and give the rental history. It is a given fact that a rental property undergoes greater deferred maintenance and upkeep. Potential buyers need this disclosed. Property owners should be required to purchase additional City issued garbage and large recycling cans. The amount of trash is doubled. The number of cars should be limited to one, there is NO room for an additional 5 cars on the streets and especially alleys. The number of rental contracts per year should be limited to one a month. Owners need to disclose the fact the property is now operating as a short term rental to banks that hold a lien on property.
96. The proposed changes are worthless as is enforcement of the some 2000 illegal units spreading like a commercial virus throughout our neighborhoods. I do not want a man from California who is a 160 house owner operating Baby Omni while I cannot open any commercial establishment in my home! These are C-1 and C-2 uses in residential zones!! The paltry fines are a joke! We have had two more open illegally and in spite of our concerns Hotel California was approved with "conditions" we have to enforce via a "manager". I support a moratorium on whole house rentals until Metro Council gets a clue about why "affordable housing" is a joke here. We had men on our street yesterday asking to buy houses. And not for cheap flips.
97. No new short term rental licenses should be permitted while neighborhood associations are attempting to figure out the ramifications of the proposed changes. There is a difference in zoning for single family homes and hotels, motels, and boarding houses. You should not be able to have a short term rental in any area zoned as single family homes without formally changing the zoning. There should be some sort of monitoring of the short term licenses such that the owners of the homes where problems repeatedly occurred can be subject to fines and have their licenses revoked.
98. These changes seem to be fairly common sense and I am in agreement with them. I don't believe a few bad actors should negatively affect the other responsible individuals in the community from providing a much demanded service. The hysteria many have has only grown due to lack of enforcement. Reasonable rules and a clear process for enforcement seems to be all that is needed.

99. I support the proposed changes and would like to see a moratorium on new registrations until the neighborhood boards involved have time to vote.
100. I have a number of concerns about the changes proposed to the short-term rental rule. First, they do not solve the core problem with the existing rules – their lack of enforcement. The vast majority of the current issues relate to short-term rentals operating illegally. If enforced, the existing rules would generally work. The focus of any changes to the ordinance should be on making it easier to enforce the existing rules, not on adding more rules – people that don't care about the existing rules are very unlikely to care about new ones, particularly as there are no new enforcement resources. In order to make enforcement easier you should require all rentals to post pictures of their license in their advertising to guarantee they are legal and insist that the online rental sites monitor compliance. San Francisco successfully got Airbnb to comply by playing hardball and evicting guests from illegal rentals without warning. It only took a couple of evictions before Airbnb changed their tune about actively supporting compliance efforts – they have to in order to protect their brand. It is not hard to identify a number of illegal operators to make examples of. I would be happy to sit down with someone from the appropriate department at Louisville Metro and show them how to do so (feel free to contact me at the phone number above). In addition, there should be at least one full time staff person added to drive enforcement – any reasonable fine structure would cover their costs easily until the illegal, problem units are driven out of the market. With all of the press short-term rentals have received, it is not possible that operators are not aware of the rules – they know. Accordingly, those that have been operating illegally should not be allowed to get CUPs once caught. I believe a moratorium on new CUPs should be implemented while a real solution to the issues with short term rentals is developed. Regarding the proposed rule changes, the hard cap of 10 people does not make sense – the issue is again bad actors that are claiming a larger number of bedrooms than exist, or are flaunting the existing 2 per B/R +4 rule. If the number of bedrooms was held to the number in the property records and was enforced (something that would be much easier to do if the license was included in all ads), the issues with 20 people being crammed into properties could be fixed without penalizing the operators that are following the rules today.
101. It is my opinion that short term rentals are hotels and that they should be zoned and regulated as such. Short term rentals destroy neighborhoods. I have remained in this community for over 10 years because of the people and the ability to know my neighbors. That is not possible with short term rentals. If short term rentals become prominent, it will drive out the residents like myself that care about our schools, our beautiful architecture and about reducing crime. Those that remain will be absentee landlords and their tenants with no meaningful investment in our area. If short term rentals are inevitable, they should be severely restricted in terms of the proportion of units allowable in a given area and their proximity to each other should be regulated to prevent multiple units on the same street. In addition, applicants wishing to convert their homes to short term rentals should be required to get the permission of any immediately adjacent residents. Ultimately, I believe that short term rentals create far more problems than they solve and should be avoided.

102. I am respectfully diverging from the short-term issue to the long-term rental issue. The college student rentals are having a very negative effect on the Highlands. Why are we worrying about short-termers while long-term college rentals continue to ruin our quality of life and property values? On my street, Richmond, some of the houses have 5-7 cars out front on regular basis. The noise is intolerable, and it is tiresome to pick trash up off of your lawn or beer cans out of the gutter. How is this allowed to persist on this level? Because we are the Highlands, we cannot get the police to patrol regularly. If they did, they would see DUI candidates coming out of most of the houses on Friday/Saturday nights. I have looked out my window to a truck on my lawn. Yes, really. They are out of control and the landlords of the illegal and zone-breaking units know they are completely immune from any repercussions.
- I will end this now by pleading with you to get a handle on student rentals. You could look at what Delaware did in their college towns, and make the landlords liable for their tenants. You can provide resident stickers to limit the cars/DUI drivers on the street, for a start. I implore you to help us out.
103. I have actually reached out to the Planning & Design a few times this past year as I purchased my first condo and have a neighbor who is 'working on' the proper paperwork to have their Airbnb set up but has been operating it for the past 16 months. It's a 4-unit building. The Planning & Design department has been responsive and helpful. I have had issues with smoking, loud noise - people actually screaming as I sometimes wonder if I should call the police, which I have never had to do in my life - in the middle of the night and countless other problems. (One time the building shook as the 'Airbnb guests' put a hole in the wall.) I never really know what is going to happen. It's very frustrating and sometimes I worry about my safety. I know cities like NY and San Francisco are trying to ban or apply heavy regulations on Airbnb's. I don't like the business model. Airbnb is obviously not checking to see if people are properly set up through the city so there are countless illegal units in operation. Simply want to express my viewpoint as I am aware of next steps in order to resolve the situation but am waiting it out until my neighbor decides that it's too much of an aggravation to themselves. I have never had problems with neighbors in the past. I purchase my first place, and am forced to deal with an inconsistent nightmare.
104. I am greatly concerned and alarmed by the rate of notices of these ARBNB or similar entities. This should be alarming to any resident. Why the great increase in these in recent months? What's being done? How does it affect my property values when one is right next to me? The original highlands is saturated with bars, now this? I'm not saying there isn't room for some but what's the cut off? Where does it end? AGAIN VERY CONCERNED RESIDENT HERE!
105. Controlled amount of permits issued. Less than 10 people in 2 bedroom space. Large fine if police called and no one responds in person as responsible person. Are people renting for occasions as bachelor parties? Use of premises should be restricted. Is there adequate parking for transportation being used?
106. I recommend that the city only allow short term rentals in owner occupied structures.
107. I am a divorced teacher who loves my neighbors and appreciates my diverse neighborhood. Airbnb has provided me the ability to not only stay in my home post-divorce, but also to help with maintenance such as repairing plumbing issues and replacing broken gutters. Adding more fees for this part time support (which benefits the neighborhood by allowing me income to keep my home in shape) would prevent me from finding this extra income a viable option. Ultimately, i would be forced to sell my home and leave my "frieneighbors"
108. 1) Moratorium. Please pause all new registrations until enforcement can be increased.  
 2) Lack of STR Enforcement. The proposed changes do not address the lack of enforcement. Additional enforcement officers are needed. Fees need to be built into the STR ordinance to fund enforcement. We as neighbors impacted by 2 illegal rentals spent countless hours fighting these rentals, repeatedly reporting, repeatedly calling and emailing Louisville Metro, fielding irate calls from other frustrated neighbors, attending neighborhood meetings, preparing for zoning hearings, and then attending zoning hearings. Even after the STR CUPs were denied, both properties continued to operate. This continued our ongoing time and effort to see that these properties were shut down permanently. Current Issue: Eliminate the practice of non-enforcement of violations while there is an STR registration and/or CUP for an STR application in progress. In § 115.516, Annual Registration Required, the Ordinance clearly prohibits this practice: "No person, firm, or corporation shall own or operate a short term rental on any premises within Jefferson County unless the short term rental has been registered annually with the Louisville Metro Department of Develop Louisville."  
 3) Limiting Number of STRs: For any given census tract, there can be no more than 3 percent of dwelling units serving as STRs.  
 4) Owner Occupied STRs. Only allow owner occupied STRs.  
 5) Multiple Dwelling Units on a Property. An STR registration and, if applicable, a Conditional Use Permit (CUP) for a non-owner occupied STR should be required for each dwelling unit on a residential property. For residential properties with more than one dwelling unit on the property (e.g., multiple structures such as a house and carriage house), at no time can more than one STR dwelling unit be rented. In other words, there shall be no more than one STR contract at a time on the property.

- 6) Illegal Operation of an STR. Please deny an STR for any property for 12 months if the STR has been operating without a registration.
- 7) 311 Reporting. Please make it easier to report STR on 311. Currently, STR is not listed as a specific category for reporting purposes. This may lead to online and 311 app reporting submissions to be misrouted, STR issues to not be reported because a person gives up trying to understand which category to make the report, or STR issues to be under reported when using 311 data for future analysis.
- 8) Emergency Contact for an STR. On Louisville Metro's STR website, please list the name and contract information for the STRs emergency contact. Neighbors need a way to contact a person running the commercial enterprise in their neighborhood in the event of an emergency.
- 9) Waiting Periods After Denial, Loss or Violations. Please deny an STR registration for any property for 24 months to give the neighbors a well-deserved break from an illegal commercial enterprise in the neighborhood. For a period of 24 months from the date an STR registration is voided for that dwelling unit due to violations, the property owner is prohibited from running an STR. For a period of 24 months from the date of a BOZA denial or loss of a CUP for an STR for that dwelling unit, the property owner is prohibited from running an STR at that address.
- 10) STRs Are Commercial Enterprises. STRs are small hotels operating in residential neighborhoods. Since these are hotels, regulate them like other commercial enterprises providing one night rentals (e.g., proper egress in the event of an emergency, smoke alarms).
- 11) Advertising. Require the registration number on all online advertising – including, but not limited to, forums like NextDoor -- to make enforcement easier. Penalize per day with increasing fines for ongoing violations.
- 12) STR Registration Form. On Short Term Annual Rental Registration Form, require additional information as follows: (a) The number of dwelling units on the residential property and specify which single units is being registered with the application; (b) The total square footage of the unit, the number of bedrooms, the number of bathrooms of the dwelling unit being registered; (c) The maximum number of STR guests permitted in the dwelling unit; (d) The number of on-site (not on public property) parking spaces for the dwelling unit being registered available to STR guests; and (e) proof of liability insurance for the STR dwelling unit.

**109.** The Original Highlands Neighborhood Association Board of Directors  
September 13, 2018

Motion to Request a Moratorium on Any & All Conditional Use Permits for short- term rentals

I offer a motion to the Board of Directors of the Original Highlands Neighborhood Association:

We request a moratorium on any and all Conditional Use Permit applications for Short Term Rentals until the Ordinance proposed changes on Short Term Rentals can be reviewed and approved. Thus said, the moratorium is requested to extend until effective and adequate enforcement is provided. We also propose the following changes to the Ordinance on Short Term Rentals.

1. Increase annual registration fee to at least \$100 to provide funding for enforcement (we believe lack of manpower for enforcement is the largest single issue with STRs in our neighborhood. In general, we are experiencing problems with the illegal STRs that are not following the current law. A fee of \$100 would fully fund an enforcement officer
2. Require STR dwelling units advertised on hosting platforms, such as Airbnb, VRBO, and Home Away, to display the STR registration number and effective date at the beginning of the listing's description (this would allow Metro staff to quickly verify registrations quickly and easily).
3. Allow only owner operated STRs. (Our biggest headaches have been with companies renting multiple properties in our neighborhood and turning them all into STRs with no close by oversight)
4. Require that a host be located within 5 miles of the STR (so problems can be dealt with in minutes instead of hours).
5. On Short Term Annual Rental Registration Form, require additional information as follows (to make enforcement of rules easier for Metro staff):
  - a. The number of dwelling units on the residential property.
  - b. The total square footage of the unit, the number of bedrooms, the number of bathrooms of the dwelling unit being registered.
  - c. The maximum number of STR guests permitted in the dwelling unit.
  - d. The number of on-site (not on public property) parking spaces for the dwelling unit being registered available to STR guests.
6. Waiting Periods (to prevent bad actors from just re-opening STRs)
  - a. For a period of 24 months from the date an STR registration is voided for that dwelling unit due to violations, the property owner is prohibited from running an STR.
  - b. For a period of 24 months from the date of a BOZA denial or loss of a CUP for an STR for that dwelling unit, the property owner is prohibited from running an STR at that address.
7. STR Enforcement & Violations: Penalties for violating the STR Ordinance need to be swiftly imposed and collected against property owners. Non-payment of fines should result in liens being placed on the property. Property owners

and their managers should be held accountable for STR violations.

8. Eliminate the "first offense free" practice for failing to register and/or obtain a CUP for an STR.

a. Eliminate the practice of non-enforcement of violations while there is an STR registration and/or CUP for an STR application in progress.

b. Advertising an STR on a hosting platform before registering the STR or for more guests than allowed shall be a violation with a substantial penalty.

c. Penalties to be assessed on a daily basis for each type of STR violation. Penalties of \$500 for not registering your STR and or obtain CUP.

d. Penalties not paid equal a lien placed on your property for non-payment.

9. The STR Registration must be clearly posted inside the main entry door of the dwelling unit.

10. Require that Hosting platforms must remove ads for STR dwelling units without an STR registration number and effective date. Metro Louisville should enter into binding contracts with platforms doing business in Louisville.

11. Require 24/7 enforcement, we need serious penalties. This would help pay for 24/7 enforcement. If an enforcement officer or LMPD is called to the property:

a. 1st offense within 1 year period - \$1000,

b. 2nd offense within 1 year period- \$2500,

c. 3rd offense within 1 year period- \$5000 and permanent loss of CUP on property

d. Non-payment of fines equal a lien placed on property.

12. All CUP's dissolve at time of sale of property. CUP does not follow property in transaction.

13. No more than 3% of the single-family, detached residential units within the census tract of the property are short-term rental (including secondary dwelling unit or secondary apartment) uses.

I hereby call for a vote by email to be conducted by the Secretary of the OHNA

President, Original Highlands Neighborhood Association

Passed September 13, 2018

**110.** I request a moratorium on any and all Conditional Use Permit applications for Short Term Rentals until the Ordinance proposed changes on Short Term Rentals can be reviewed and approved. Thus said, the moratorium is requested to extend until effective and adequate enforcement is provided.

I also propose the following changes to the Ordinance on Short Term Rentals.

1. Increase annual registration fee to at least \$100 to provide funding for enforcement (we believe lack of manpower for enforcement is the largest single issue with STRs in our neighborhood. In general, we are experiencing problems with the illegal STRs that are not following the current law. A fee of \$100 would fully fund an enforcement officer

2. Require STR dwelling units advertised on hosting platforms, such as Airbnb, VRBO, and Home Away, to display the STR registration number and effective date at the beginning of the listing's description (this would allow Metro staff to quickly verify registrations quickly and easily).

3. Allow only owner operated STRs. (Our biggest headaches have been with companies renting multiple properties in our neighborhood and turning them all into STRs with no close by oversight)

4. Require that a host be located within 5 miles of the STR (so problems can be dealt with in minutes instead of hours).

5. On Short Term Annual Rental Registration Form, require additional information as follows (to make enforcement of rules easier for Metro staff):

a. The number of dwelling units on the residential property.

b. The total square footage of the unit, the number of bedrooms, the number of bathrooms of the dwelling unit being registered.

c. The maximum number of STR guests permitted in the dwelling unit.

d. The number of on-site (not on public property) parking spaces for the dwelling unit being registered available to STR guests.

6. Waiting Periods (to prevent bad actors from just re-opening STRs)

a. For a period of 24 months from the date an STR registration is voided for that dwelling unit due to violations, the property owner is prohibited from running an STR.

b. For a period of 24 months from the date of a BOZA denial or loss of a CUP for an STR for that dwelling unit, the property owner is prohibited from running an STR at that address.

7. STR Enforcement & Violations: Penalties for violating the STR Ordinance need to be swiftly imposed and collected against property owners. Non-payment of fines should result in liens being placed on the property. Property owners and their managers should be held accountable for STR violations.

8. Eliminate the "first offense free" practice for failing to register and/or obtain a CUP for an STR.

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b. Advertising an STR on a hosting platform before registering the STR or for more guests than allowed shall be a

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c. Penalties to be assessed on a daily basis for each type of STR violation. Penalties of \$500 for not registering your STR and or obtain CUP.

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b. 2nd offense within 1 year period- \$2500,

c. 3rd offense within 1 year period- \$5000 and permanent loss of CUP on property

d. Non-payment of fines equal a lien placed on property.

12. All CUP's dissolve at time of sale of property. CUP does not follow property in transaction.

13. No more than 3% of the single-family, detached residential units within the census tract of the property are short-term rental (including secondary dwelling unit or secondary apartment) uses.

- 111. Metro Council needs to put a 6 month moratorium on issuing short term rental licenses to give neighborhood boards and neighbors adequate time to fully assess and understand the impact on their neighborhoods and come up with inclusive, functional legislation. While the proposed changes are certainly better than the situation we have now, I don't believe they go far enough to address the issues. For example, why eliminate the initial registration fee? Keep it and have a yearly renewal application and fee. The renewal could require that the 12 month history be reviewed and if there are on-going problems, deny the renewal. I also suggest a much higher fee. Folks need to have more skin in the game and have more risk assigned when they do not comply with regulations. \$500 might be a good starting point for discussion. Proposed fines are too low. They do not put enough financial risk to discourage violations. Additionally if there is a fourth violation, take their license away for one year. If they apply again after that year and if they violate even one time, make it permanent that they cannot operate an Airbnb for a period time - perhaps 5 years. Slaps on the hand discourage nothing and it is my experience, actually encourage negative behavior to continue.**
112. I think the fines are not enough for owners to actually listen. I am a home owner and there is not enough oversight currently. Any slumlord can open a Short term rental, we have to make sure these do not damage our community and safeguard our permanent residents.
113. I live in the 1400 block of Christy Avenue. I moved there almost 3 years ago. One of the main reason I moved to my street was the feel of community. From the beginning my neighbors came to my moving truck to help me unload. One by one my neighbors came over to meet me. I know most of my neighbors by name. It breaks my heart that 10% of the houses in the 1400 block of Christy and 1400 block of Morton are short term rental "hotels." I've been told there are 7 more applications for CUPS in our area. I know of one neighbor who has already moved because of the Airbnb's. Please Please put a limit on the number of Airbnb's allowed on one street. We are supposed to be living in a residential community.
114. I believe there should be an immediate moratorium on all whole-house STR's until substantive and enforceable regulations are developed and implemented. Whole-house STR's are illegal, commercial enterprises operating without oversight in residential neighborhoods. I find them to be detrimental to the overall health of a neighborhood.
115. Butchertown is known for its sense of community. We are a true urban village where people know each other, talk to each other and help each other out. We are united in

our love for our urban neighborhood and the joys and challenges of caring for old houses. We are a community of mutual support and interests. But Butchertown is also very convenient for visitors and short term rentals. Apartments that were formerly long term rentals are converted to short term. Entire houses are converted to short term rentals and others are being built or renovated specifically for short term rentals. There are now approximately 12 short term rentals, current or under renovation, in the 800 block of East Washington alone. Most of these are not registered with the city and most do not have an owner in residence. This is the worst type of absentee landlording. Owners are obsessed with getting positive reviews from their guests and show little to no concern for the fabric of the neighborhood or neighboring residents. If there are issues they will always chose their guests over a neighbor for fear of getting a negative review. That is just how Airbnb is set up. We can complain but the owner or managers are not going to risk a negative review just because a neighbor can't sleep due to noise or has to park 40 yards away. Two houses right next to me are now totally short term rentals. There is no owner in residence and none is registered with the city. Now I live next door to a constant string of strangers where I once had friends and neighbors. If this short term rental trend continues unabated, I foresee myself living amidst a sea of mini-hotels with little regulation or oversight and severe reduction of quality of life. When the time come to sell my house, I foresee that the property value will be depressed due to reduced quality of life. My house is my major life investment and I am very worried that these mini hotels will cheapen the value. While the Airbnb listings may state no parties and no events, I know that both have occurred frequently. Who would want to live next to a party house with no resident manager? I don't and I don't think many people would. I had contacted a short term rental management company about a large party that went on until 3 am. They said they would handle it but I never heard a word from them afterwards. And the guests continued to stay at the house. They did not have another party but they continued to socialize loudly in the front yard. By not following up with me, the management clearly showed their lack of regard for neighbors and the norms of the community. Now I just call the police if I heard noise after midnight or witness illegal drug use in the front yard. Parking is also an issue. The parking habits of the short term guests in these properties, as well as their numbers and the narrow lots on the street, are causing the problem. First, they want to park as close to their rental as possible which often takes up all space for half of the block on the south side of the street, leaving residents no access to the front of their properties. They will squeeze into small spaces, often parking way too close to other cars. Second, short term guests tend to leave their vehicles in the same space for the entire length of their stay, sometimes days at a time, not allowing the 24 hour turn over required by Metro for on-street parking. I know these are parking problems in other areas throughout the city, but these problems did not exist in Butchertown prior to the explosion of short term rentals While I generally do not expect or need to park in front of my house, I am elderly and there are times that I need vehicle access to the front of my house for loading and unloading, etc. My neighbors have a baby and need access as well. To unload groceries, I need to either double park, a safety concern, or slowly lug items across the street. This isn't just an occasional problem. During the summer it is an

everyday thing. Personal and property safety is an issue. As an experiment I made a new Airbnb account, immediately booked one of the units near me and was immediately approved. No screening whatsoever. With so little oversight, I am concerned for personal safety in our formerly safe neighborhood. I have a long term rental unit in my house and I carefully screen prospective renters' residents and run background checks. Airbnb guests have minimal screening. With so many short term rentals on our block without owner supervision this is a huge issue. We had a neighborhood meeting with the management company responsible for some of the local units. We were told that the city and the board of zoning was strongly in favor of short term rental did not look positively on neighbors "not in my backyard" opinions. Why do neighbors and homeowners opinions not count for a great deal? Do our concerns for our property values and our quality of life not matter in the face of profit for out of town residents and large management companies? I am appalled that I, as a homeowner of 30 years, would matter less than an absentee owner and a large management company. Is money all that matters when considering the future fabric of a neighborhood? Many cities are passing laws to restrict short term rentals, for example San Diego limiting number of days units can be rented and requiring the host to be present in the building during the rental. However it seems that Louisville is throwing the door wide open to short term rentals by making the conditional use permits so easy to get, even over the objections of neighbors. To sum it up: I am opposed to expansion and lack of oversight of short term rental because:

- 1) the large numbers of short term rentals on the 800 block and Butchertown as well.
- 2) lack of owner supervision of the majority of these rentals.
- 3) noise issues and lack of onsite management to deal with it.
- 4) Parking issues where residents cannot park in reasonable proximate to their homes
- 5) Safety issues due to lack of screening of constant turnover of short term renters
- 6) Future depressed property values of my own home

One positive thing, I now appreciate even more the wonderful (full-time) neighbors that I do have in Butchertown.

116. I love the idea of STR, and have used them when traveling. Unmonitored STR guests that don't respect the neighborhood, however, can significantly impact the character and property value of a neighborhood. For this reason, I support the CTA recommendations except that instead of owners being located within a 5 mile radius I propose this be reduced to 1 mile. My true preference is that only owner-occupied STR would be allowed but 1 mile allows a little flexibility. As a member of BHA I support the 12-month moratorium on any new STR licenses, allowing Metro Louisville and neighborhoods to refine regulations to address the concerns of the neighborhood residents/owners.
117. I have two points of feedback for the current and proposed short term rental regulations:
  1. "Limiting the number of individuals eligible to reside in a short term rental to ten (10). The proposed changes would permit the number of individuals who can reside in a short term rental to two (2) times the number of bedrooms plus two (4) with a limit of ten (10) individuals."
    - a. Please define what is meant by a bedroom, any such room should meet the minimum



code standards as defined in Louisville's property maintenance codes. Otherwise this could be abused by short term operators to claim more bedrooms than meet code.

2. Another revision should be to restrict usage when the property is NOT a primary residence.

a. Non-primary residences should NOT be allowed to operate as a short term rental, but rather be operated as long term rentals (apartments) or to rezone as commercial and be regulated as the hotels they truly are.

b. An exception to this could be made for EZ-1 zoned properties.

c. Why restrict this? For three reasons.

i. First is that this would require out of town operators to properly expand and maintain their properties, otherwise the increased parking, noise, and nuisance would create an undue burden on neighborhoods where these units operate.

ii. Second, to reduce property speculation and artificial cost inflation of housing by out of town investors, potentially freezing local and lower income residents out of the housing market in desirable urban neighborhoods. This has already started to happen in my neighborhood!

iii. And third, to insure the city and state are receiving the proper tax income from hotel operations as opposed to the reduced income of short term rental taxes.

Overall, this change would be to protect neighborhoods to prevent Louisville to from being preyed upon by unscrupulous interests. Let's not forget that the short-term rental concept was created with a vision as a secondary income stream for home owners, not as an investment scheme for realtors or corporations.

118. The Deer Park Neighborhood Association would like to go on record as requesting that a moratorium be placed on considering or granting conditional use permits for STR's until the Metro Council implements what changes it will to the short term rental ordinance.
119. The proposed regulations fail to address the problem with non-owner occupied short term rentals which place businesses operating mini hotels with no supervision in residential neighborhoods. Most of these entities are owned and operated by corporate entities which are not located in Louisville. These entities hire corporate property managers who manages numerous business. These are simply businesses operating in residential neighborhoods in clear violation of Cornerstone 2020's commitment to prevent commercial intrusion into residential areas. There is no onsite supervision of renters. They check in by keypads and no one regulates the activity until there is a disturbance. Under these regulations the responder could be 25 miles away requiring the neighbors and Louisville Metro police to address any disturbance. The corporate owner and corporate host have no interest in upsetting the renter and risking a bad review online, which may affect the corporate owner's profit. These one-time family homes are being rented for Bachelor parties and the like in the middle of long established residential neighborhoods. This is not a positive for Louisville or its residence. The corporate owners regularly ignore the rules set out by the ordinances. An example is 1933 Alfresco Place. The Indianapolis based LLC which purchased the home began advertising and renting it as a non-owner occupied short term rental with obtaining a Conditional use permit. The LLC with its local corporate host then applied for a CUP and the request was denied by the Board of Zoning adjustment (18CUP1078).

Despite this the corporate entities continue to advertise this property as a STR on AIRBNB and rent it on a short term basis. A notice of Violation was issued (18PM21152) which has also been ignored. These entities are unconcerned with the rules or the fines and continue to operate in clear violation of the BOZA ruling and Metro ordinances. Louisville should look to what has occurred in Nashville, Los Angeles, Paris, France and New York and a moratorium should be placed on these entities until a strict and enforceable set of rules can be developed to protect Louisville neighborhoods from intrusion by purely corporate entities with no regard for the ordinances or rulings of Louisville's governing boards from establishing businesses with no security or supervision in residential neighborhoods.

120. All locations STR's should be under the ownership and/or control of a local person. This local control will reduce or hopefully eliminate many of the problems. All my other concerns have been expressed by many of the persons attending our meeting on Sept. 13th.
121. I think there should be a 1 year moratorium on issuing STR applications until all neighborhoods have had time to properly assess the impact of Air BNBs as well as to properly address the regulations. I do not believe the current regulations, or the proposals, are even close to being adequate to handle the issues that are arising in our neighborhoods. From unregistered owners, to large out of town companies coming into the market, to non-enforcement, to noise, etc., I believe the current situation with respect to Air BNBs is going to ruin our beautiful neighborhoods. I believe only owners should that live in the same neighborhood as their rental should be allowed to have and Air BNB; these people seem to be the most responsive to issues/problems. I think companies should not be allowed to come into the market; they should be limited to commercial areas. I also think that we need more money to have very tough enforcement of the registration rules and rental rules. I think registration and penalty fees should be substantially increased as well. I also think there needs to be a limit on the number of registrations allowed in a neighborhood and also on a particular street. This is why I believe we need to stop issuing licenses until we can get a grip of all of the outstanding issues and ways to correct them.
122. First and foremost I am encouraging a moratorium on issuing any further permits or accepting any further applications for short term rentals while the regulations are under review. All neighborhood associations should be given additional time to hold community meetings, review and respond. I am not opposed to a limited number of short term rentals, but am concerned that the "tourist experience" not destroy the neighborhood experience and fabric. I fully support the recommendations of the Cherokee Triangle Association. At a recent meeting I listened to comments from residents who in some instances have become surrounded by short-term rentals, often being operated as a business by long distance owners, as well as comments from resident owners attempting to operate within the regulations. It's clear to me that there needs to be a limit on such rentals as well as strict enforcement of all current and any future MORE stringent regulations. The Highlands is populated by a mix of single family homes as well as duplex and multiple unit apartment buildings. The neighborhood plans anticipate the coexistence of such residential structures. The neighborhood plans do not

anticipate or support an IMBALANCE between residents who are committed to maintaining the rich and diverse quality of life, and preserving the integrity and harmony of our neighborhoods, versus short term visitors who in some instances are not. I AM NOT OPPOSED to short term rentals and welcome those visitors who want to experience our wonderful city. However it will not remain a wonderful city if our neighborhoods become a collection of short terms rentals with distant or unconcerned owners who simply want to operate a hotel in our neighborhoods.

123.
  1. Occupancy of two times # bedrooms + 2 is still too high for shotgun style houses.
  2. Should limit #of STR CUPs to percentage of census tract. STRs currently are detrimental to affordable housing policy. Availability of rental property is hampered and drives up cost of remaining rental property.
  3. 24-hour contact info should be provided to neighbors in case of issues.
  4. Provide details of enforcement protocols.
  5. Request moratorium on any new CUP issuance until neighbor concerns are resolved.
124. Hello, we own a home in Crescent Hill, and about a year ago someone bought the property next door and began renting it out on Airbnb. It has been a continually unsettling experience that has changed our personal home space and environment in a way that we do not believe fits in with the either the zoning or expectations of buying a home in an intimate residential community like Crescent Hill. It is, essentially, a small hotel we live next to now. There are strangers in and out all the time. People partying and staying in large groups together. It's usually groups of single adults, not families. Quite simply, it's a hotel. We believe there are good reasons that zoning laws exist, and allowing these short-term rentals is in violation of those good reasons. It is unfair to the neighbors who bought a home and are now hotel-adjacent. Not to mention what it may do to property values on resale. We very much hope the city will do more to restrict these mini-hotels and keep our residential communities just that: residential communities.

## Haberman, Joseph E

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**From:** Ashburner, Clifford <Clifford.Ashburner@DINSMORE.COM>  
**Sent:** Friday, September 14, 2018 11:09 PM  
**To:** Haberman, Joseph E  
**Subject:** STR ordinance changes

Joe:

I am writing regarding the Short Term Rental ordinance and proposed changes. There are two main objections our client has to the proposed list of changes. First, existing permitted STR's that may house more than 10 people based on the number of bedrooms in the house should be allowed to continue. At this point, these uses are established and legally operating. Any change to the rules should acknowledge the non-conforming status of existing, legally established uses.

Second, the changes appear to eliminate the possibility of an STR in a condominium except in cases where the unit is the primary residence of the owner. It does not make sense to me that a land use regulation should make a distinction based solely on the ownership structure of the property. In addition, there are legal, established STR's in condominium buildings that should be allowed to continue.

Please include these comments in the comments that the Louisville Metro Council and Louisville Metro Planning Commission will review when discussing the issue.

Best,  
Cliff

Cliff Ashburner  
Dinsmore & Shohl, LLP  
502-540-2382  
Sent from my iPad

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## Haberman, Joseph E

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**From:** OBrien, Jeff  
**Sent:** Monday, October 22, 2018 10:01 PM  
**To:** Haberman, Joseph E  
**Subject:** Fwd: Contact Councilman S. Brandon Coan [#817]

Air BnB comments to include w Planning Commission file for STRs.

Jeff O'Brien  
Develop Louisville  
Office 502.574.1354  
Mobile 502.434.9985

Begin forwarded message:

**From:** Love Yascone <[blessedtowin@gmail.com](mailto:blessedtowin@gmail.com)>  
**Date:** October 22, 2018 at 5:25:47 PM EDT  
**To:** "Coan, Brandon" <[Brandon.Coan@louisvilleky.gov](mailto:Brandon.Coan@louisvilleky.gov)>  
**Cc:** "OBrien, Jeff" <[Jeff.OBrien@louisvilleky.gov](mailto:Jeff.OBrien@louisvilleky.gov)>, "James, David A" <[David.James@louisvilleky.gov](mailto:David.James@louisvilleky.gov)>  
**Subject:** Re: Contact Councilman S. Brandon Coan [#817]

Mr. Coan,

Thank you so much. I am aware of the changes being discussed by Metro Council which is why I emailed each member. Thank you for also emailing Mr. O'Brien as I forgot to include him. Old Louisville should be preserved. There are buildings that were originally built as apartments but the zoning has neglected to preserve those building's historic uses. These building were not converted into apartments they were built as apartments. The Old Louisville Association has seem to forgotten those building and gone against their true history in some if the zoning decisions. So it seems to me that Old Louisville is having a contradiction in goals preserve "Old Louisville change the true history of the original building". Ours is a 1928 4 plex built as a 4 plex. It is also surrounded by apartments. The peace of our neighborhood is threatened by drugs and prostitution not Airbnb. Cheap/slum properties are housing this activity and I don't blame the owners they are doing the best they can. But if they upgrade their property they won't have to rent to just anybody. Our neighborhood will improve and I don't have to witness some unnecessary evils. When people have money things get better. Airbnb is a great incentive to get owners to improve their property. Also historic does not mean only single family homes. That have been building apartments since the time of the Romans.

Sincerely,

Love Yascone

Sent from my iPhone

On Oct 22, 2018, at 4:10 PM, Coan, Brandon <[Brandon.Coan@louisvilleky.gov](mailto:Brandon.Coan@louisvilleky.gov)> wrote:

Ms. Yascone,

Thanks for your email. I'm copying Develop Louisville Director Jeff O'Brien and your Councilman David James. Mr. O'Brien is leading the effort from the administration side with me to revisit the existing short term rental ("Airbnb") ordinance. He'll make sure your comments here are considered as the Planning Commission works to recommend changes to the current rules and regulations. There will also be an opportunity for you to speak at a Planning Commission public hearing on this matter once it is set.

I anticipate the issue will go before the Metro Council at the end of this year to enact any changes. I know the rules in Old Louisville (and Limerick) are a little different than other parts of the city; and I'm sure CM James has a better grasp on how that's working out than I do.

Best Regards,

Brandon Coan

Metro Council District 8  
(502) 574-1108

601 W. Jefferson Street  
Louisville, KY 40202

Please sign-up to receive important notifications regarding District 8! Our goal is to increase from zero to 8,000 engaged subscribers by 2019.

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**From:** Weatherby, Jasmine  
**Sent:** Monday, October 22, 2018 12:36:40 PM  
**To:** Coan, Brandon  
**Subject:** FW: Contact Councilman S. Brandon Coan [#817]


Jasmine Weatherby  
Legislative Aide  
Councilman Brandon Coan  
District 8  
601 West Jefferson St  
Louisville, KY 40202  
Email: [jasmine.weatherby@louisvilleky.gov](mailto:jasmine.weatherby@louisvilleky.gov)  
Office: (502) 574-1108

Help your friends and neighbors stay informed! Share [this link](#) to spread the joy of District 8 eNews.

**From:** Wufoo <[no-reply@wufoo.com](mailto:no-reply@wufoo.com)>  
**Sent:** Monday, October 22, 2018 1:42 AM

**To:** Weatherby, Jasmine <[Jasmine.Weatherby@louisvilleky.gov](mailto:Jasmine.Weatherby@louisvilleky.gov)>  
**Subject:** Contact Councilman S. Brandon Coan [#817]

**Name** Love Yascone

**Address**   
1335 S Brook st  
Louisville, KY 40208  
United States

**Email** [blessedtowin@gmail.com](mailto:blessedtowin@gmail.com)

**Phone** (502) 817-2421  
**Number**

**Comments, Questions or Concerns:**

Concerning Airbnb and the city of Louisville with a focus on Old Louisville multi-family homes.

Areas like Old Louisville have an extremely unique situation. It is not only a historic community but also an eclectic Old Louisville has a mixture of people from all economic and cultural back grounds and for the most part that is a blessing. The problem lies in the fact that the homes both multi-family and single family cost a lot of money to run maintain. So while buying a home in Old Louisville for people in all socioeconomic backgrounds is possible; renovat maintaining and operating such properties over long periods of time becomes a burden even for the "wealthy". It is belief that no one intends to be a slumlord in Old Louisville. They may just be an owner that cannot afford the man that accumulate over the years. They may also be older and dreamed that their home or rental property would be a payoff in their retirement only to deal with the constant horror of the truth. Old Louisville homes and rental propert always be a major expense whether or not you are retired. Many people have blown through their retirement saving keeping their homes livable.

If you can't afford to take care of your property you begin to rent to people who don't care if the property is mainta Those renters are not people that are usually good for the neighborhood. Drugs and other activities usually end up happening in and on those properties bringing the neighborhood down. My point is Airbnb is a solution to the final burden that accompanies owning a historic property. When you own a multi family property in Old Louisville it still same amount of money or more, as a single family home to maintain/renovate. You can't earn that money back wit alone and by the time you pay off whatever loans you have it is time to redo it all over again. Only Victorian homes historic communities have this specific problem. Add to that the fact the city of Louisville has literally grown up aro

Old Louisville area and you can begin to see how unique the situation is. This has given our community the Good (L Speed, Asia Institute), the Bad (drug and prostitution problem) and the Ugly ("residential" homes with freeway views brings me to my next issue.

My mother owns a property on Floyd and Woodbine that we spend a lot of money to upkeep. We are surrounded by apartments, an old church and a FREEWAY. The apartments next to us have gone the way of slum and we know for that it would cost too much for those buildings to be renovated using rent money alone! We are surrounded by the the Ugly due to the tenants in these buildings. Which brings me to this question? Why is one side of Woodbine Floyd Orange while the other side is zoned a yellow (residential only). This creates too many problems. If your property is surrounded by apartments and a freeway this makes no city planning sense! It hurts the value of our property and t rundown apartments next to us.

Also the rule of having 4-plex buildings unable to obtain a CUPS permit is also harmful to Old Louisville because as explained before it cost more money to renovate/maintain/run a property in Old Louisville. Property owners should have to take out a loan every five years to maintain their property; not when there is a feasible way to pay for these problems mainly short term rentals. I have listened to "others'" reasoning for making a 4-plex unavailable but with simple law change these reasons are baseless. Change the law to Owner of the 4-plex must agree to allow Airbnb a must be written agreed upon within the lease. Of course this doesn't even address the fact that my family owns our property and only rents it out to one client at a time. Last year was not a problem because many times we lease lon than 30 days to film crews. We did that a lot last year and this year and therefore those Airbnb clients did not fall u CUPS. That said in order to for us just to break even with the property we need to be able to do short term rental as

Short term renters bring money not only to Airbnb hosts but to Old Louisville business as a whole. I am not worried an Airbnb client stealing from me or bringing drugs into our community because there are real consequences if the have seen neighbors rent to long term renters and those renters had cars stop in front of the property every 30 mir day and night. Those renters were the community "problem" and the property owners were forced to terminate tho: term renters lease costing the poor owners a major loss! Airbnb clients never robbed my family but a neighbor that family knew for years did! It is not outsiders who are destroying our neighborhoods and our city. We don't have to l outside, the problem is LOCAL! Meanwhile those of us who want to improve our community are forced to go into UNNECESSARY debt to do so. Airbnb gives owners a reasonable way to maintain their property and raise the level of neighborhood. Old Louisville is one of the few places in the world that requires constant money going into properti the neighborhood to change the status quo.



Sincerely,

Love Yascone

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**DATE:** November 20th, 2018  
**TO:** Jeff O'Brien, Director, Develop Louisville  
**Cc:** Mayor Greg Fischer, Louisville Metro  
**FROM:** Viviana Jordan, Airbnb Public Policy (U.S. Southeast)  
**SUBJECT:** Proposed changes to City's short term rental ordinance (Chapter 115.515-521 of the Louisville Metro Code of Ordinances and Chapter 4 of the Land Development Code)

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We appreciate your time and willingness to discuss with us the proposed changes to City's short term rental (STR) ordinance over the past weeks. We commend the City on opening up these proposed changes for public input, as this is critical to giving everyone a voice in the process. Per our conversations, below is a summary of additional recommended amendments to the City's current short term rental regulations, which we believe would help improve enforcement and compliance efforts.

1. **Registration/Compliance:** When it comes to registration, there is a direct correlation between the complexity/length of a registration process and compliance rates. The simpler, more user-friendly and streamlined the process is, the higher the compliance rate. Furthermore, the more complex the process to become compliant is, the more of an administrative and financial burden it becomes for the City. To help address the present challenges with the City's compliance rate, we recommend the following:
  - a. Simplify the registration process for non-primary residences. Currently, the process for coming into compliance for a non-primary residence takes over 70 days. At a time when someone can register to share their home in less than 48 hours, a process that takes over two months to achieve compliance is discouraging and impractical.
  - b. Merge the City's STR registration forms with those (applicable) of the Revenue Commission, making it all one application that can all be completed at the same time/place - with a fully online option. Presently, applicants are required to go through two different registration processes in order to become compliant - even for a primary residence application. We recommend that any relevant Revenue Commission form required should be a part of the City's standard STR application, not a separate, stand-alone process.
  - c. Exempt or eliminate additional registration and *monthly* reporting requirement for Airbnb hosts to the Revenue Commission, as we have a voluntary collection agreement (VCA) with the City. Should the City have any questions as to a host's transactions, it can request the online transaction history from the host at the time of registration renewal. This amendment would allow for a streamlined path to

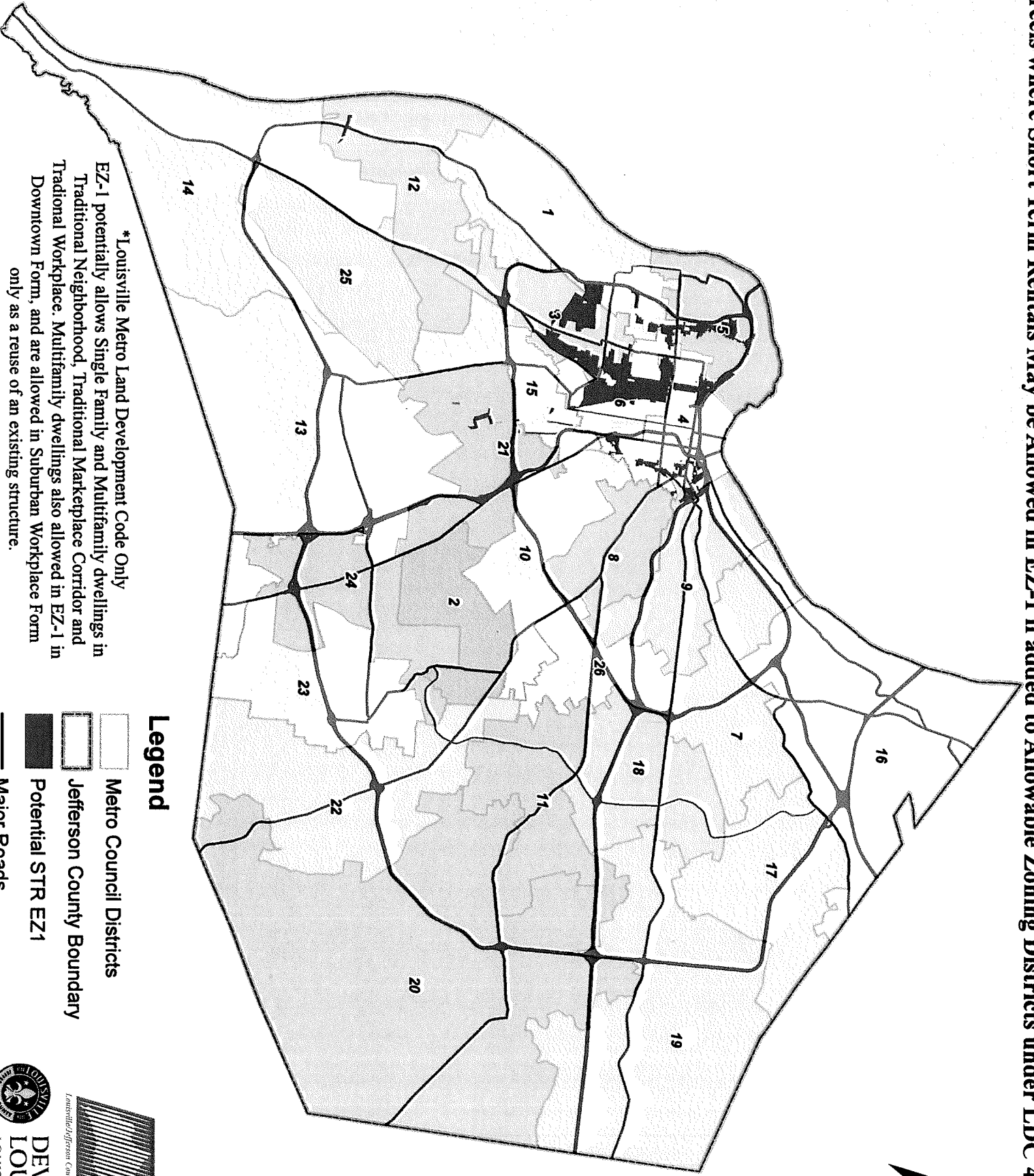
compliance for any individuals who use platforms that already collect and remit taxes on their behalf (i.e. Airbnb).

2. **Enforcement:** Below are a number of suggestions that we believe will help improve the City's enforcement efforts:
  - a. Have a dedicated Code Enforcement officer on call for weekends to record, and cite, the most problematic properties residents are calling about in real time. This could be tried as a pilot for a few months, until properties with the most frequent complaints are identified and cited.
  - b. Create a dedicated public e-mail address for members of the public to submit STR violations to. This would facilitate the City's tracking of complaints specific to non-compliant or problematic STR properties. It would also serve as an additional way to track complaints - one that is available at all times.
  - c. Add [Airbnb Neighbors Tool](#) to the City's short term rental website. This Airbnb-specific tool provides an additional avenue for residents to communicate any complaints related to short term rental properties.
3. Comments on changes proposed by Louisville Metro Department of Develop Louisville, Metro Council District 8 and Louisville Tourism:
  - a. We support the changes being proposed, with the exception of the modifications being requested by the Revenue Commission. These modifications remove acknowledgement of Airbnb's existing tax agreement with the City and therefore respectfully request oppose this change.





We respectfully request that you consider the recommendations outlined above. Airbnb remains committed to working with the City toward policy solutions that reasonably address enforcement and compliance challenges.



**Parcels where Short Term Rentals May be Allowed in EZ-1 if added to Allowable Zoning Districts under LDC 4.3.23**



**Legend**

-  Metro Council Districts
-  Jefferson County Boundary
-  Potential STR EZ1
-  Major Roads

\*Louisville Metro Land Development Code Only  
 EZ-1 potentially allows Single Family and Multifamily dwellings in Traditional Neighborhood, Traditional Marketplace Corridor and Traditional Workplace. Multifamily dwellings also allowed in EZ-1 in Downtown Form, and are allowed in Suburban Workplace Form only as a reuse of an existing structure.

