

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
April 11, 2016**

A meeting of the Louisville Metro Planning Commission was held on April 11, 2016 at 6:30 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Commission members present:

Donnie Blake, Chair
Jeff Brown
David Tomes
Robert Kirchdorfer
Marilyn Lewis
Lula Howard

Commission members absent:

Vince Jarboe, Vice Chair
Chip White
Rob Peterson
Clifford Turner

Staff Members present:

Jim Mims, Director, Develop Louisville
Emily Liu, Director, Planning & Design Services
Joe Haberman, Planning Manager
Brian Davis, Planning Manager
Brian Mabry, Planning Coordinator
Will Ford, Communications Specialist
Jonathan Baker, Legal Counsel
Sue Reid, Management Assistant

The following matters were considered:

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING

CASE NO. 16AMEND1002

Request: Amend the Land Development Code Related to Short-Term Rentals

Project Name: Short-Term Rentals Text Amendment

Location: Multiple properties in Louisville Metro

Owner: N/A

Applicant: Louisville Metro

Representative: Louisville Metro

Jurisdiction: Louisville Metro

Council District: Louisville Metro

Case Manager: Joseph Haberman, AICP, Planning Manager

Notice of this public hearing appeared in **The Courier Journal**.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Agency Testimony:

00:06:15 Joseph Haberman presented the case and showed a Powerpoint presentation. Mr. Haberman also responded to questions from the Commissioners (see recording and staff report for detailed presentation).

The following spoke in favor of the request:

Jim Mims, Director, Develop Louisville, 444 S. 5th Street, Louisville, KY 40202
Dr. John Gilderbloom, 426 West Bloom Street, Louisville, KY 40208
Eric Carrico, 8700 Oldbury Place, Louisville, KY 40222
Jonathan Klunk, 1372 S. 6th Street, Louisville, KY 40208
Alex Davis, 312 S. 4th Street, 6th Floor, Louisville, KY 40202

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Deirdre Seim, 937 Cherokee Road, Louisville, KY 40204
Linda Erzinger, 1035 Ash Street, Louisville, KY 40217
Bob McAuliffe, 3522 Frankfort Avenue, Louisville, KY 40207
Charles Stephens, 2834 Hikes Lane, Louisville, KY 40218
Michael Meador, 626 Floral Terrace, Louisville, KY 40208
Mo McKnight Howe, 911 E. Franklin Street, Louisville, KY 40206
Cliff Ashburner, 101 S. 5th Street, Suite 2500, Louisville, KY 40202
Stephen Fonte, 1219 Hull Street, Louisville, KY 40204
Scott Howe, 911 E. Franklin Street, Louisville, KY 40206
William Morrow, 833 E. Washington, Louisville, KY 40206

Summary of testimony of those in favor:

00:32:37 Jim Mims stated he was here neither in support nor opposed to the Ordinance as drafted by our team. Mr. Mims thanked the team and the Commissioners for their work thus far on this particular proposal. Mr. Mims stated from the standpoint of Develop Louisville and the Administration, this is really just kind of a recognition of expansion of the sharing economy. Mr. Mims stated from the standpoint of Develop Louisville, we are very much in favor of this. However, Mr. Mims noted that enforcement could be difficult (see recording for detailed presentation).

00:36:52 Dr. John Gilderbloom spoke in favor of this request (see recording for detailed presentation).

00:42:53 Eric Carrico spoke in favor of this request (see recording for detailed presentation).

00:44:44 Jonathan Klunk spoke in favor of this request (see recording for detailed presentation).

00:48:00 Alex Davis spoke in favor of this request (see recording for detailed presentation).

00:52:12 Deirdre Seim spoke in favor of this request (see recording for detailed presentation).

00:55:25 Linda Erzinger spoke in favor of this request (see recording for detailed presentation).

01:00:22 Bob McAuliffe spoke in favor of this request (see recording for detailed presentation).

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01:05:28 Charles Stephens spoke in favor of this request (see recording for detailed presentation).

01:08:13 Michael Meador spoke in favor of this request (see recording for detailed presentation).

01:11:06 Mo McKnight Howe spoke in favor of this request (see recording for detailed presentation).

01:14:58 Cliff Ashburner spoke in favor of this request (see recording for detailed presentation).

01:19:56 Stephen Fonte spoke in favor of this request (see recording for detailed presentation).

01:22:08 Scott Howe spoke in favor of this request (see recording for detailed presentation).

01:24:49 William Morrow spoke in favor of this request (see recording for detailed presentation).

01:30:48 PUBLIC HEARING WAS RECESSED

01:31:13 PUBLIC HEARING WAS RECONVENED

The following spoke in opposition to this request:

Steve Porter, 2406 Tucker Station Road, Louisville, KY 40299

Douglas Weaver, 2208 Tucker Station Road, Louisville, KY 40299

Edith Bingham, 4310 Glenview Avenue, Louisville, KY 40025

Holly Liter, 1151 S. 2nd Street, Louisville, KY 40203

John Pape, 1207 Cherokee Road, Louisville, KY 40204

Robert Wessels, 1353 S. 4th Street, Louisville, KY 40208

Karen Fink, 1317 S. 2nd Street, Louisville, KY 40208

Helga Ulrich, 112 Ormsby Avenue, Louisville, KY 40203

Cathy Hinko, P.O. Box 4533, Louisville, KY 40204

Roberto Bajandas, 1412 S. 6th Street, Louisville, KY 40208

Greg Handy, 1346 S. Brook Street, Louisville, KY 40208

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Summary of testimony of those in opposition:

01:32:01 Steve Porter spoke in opposition to this request (see recording for detailed presentation).

01:55:20 Douglas Weaver spoke in opposition to this request (see recording for detailed presentation).

01:56:29 Edith Bingham was called, but declined to speak.

01:57:15 Holly Liter spoke in opposition to this request (see recording for detailed presentation).

02:01:56 John Pape spoke in opposition to this request (see recording for detailed presentation).

02:09:26 Robert Wessels spoke in opposition to this request (see recording for detailed presentation).

02:15:00 Karen Fink spoke in opposition to this request (see recording for detailed presentation).

02:22:17 Helga Ulrich spoke in opposition to this request (see recording for detailed presentation).

02:34:39 Cathy Hinko spoke in opposition to this request (see recording for detailed presentation).

02:43:27 Roberto Bajandas spoke in opposition to this request (see recording for detailed presentation).

02:45:46 Greg Handy spoke in opposition to this request (see recording for detailed presentation).

02:49:10 Joe Haberman responded to questions from the Commissioners.

03:20:18 PUBLIC HEARING WAS RECESSED

03:20:41 PUBLIC HEARING WAS RECONVENED

03:20:43 COMMISSIONERS' DELIBERATION

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04:26:52 On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution was adopted:

WHEREAS, the Planning Commission finds that the subject short term rental amendments to the LDC comply with the applicable guidelines and policies of Cornerstone 2020, and

WHEREAS, the Planning Commission finds that the subject short term rental amendments to the LDC comply with Guideline 3, Compatibility, of Cornerstone 2020. The amendments allow a property owner to lease his or her residence on a short term basis provided that, in some cases, a Conditional Use Permit is approved after public notice and a public hearing. In addition, the amendments require that the impacts of the rental on surrounding properties be minimized and residential character be preserved, and

WHEREAS, the Planning Commission finds that the subject short term rental amendments to the LDC comply with Goal D1, Business Climate, which recommends creating and sustaining a climate which stimulates business and economic growth in Jefferson County. This Goal has an objective to expand the Louisville area's hospitality and tourism industry. Short term rentals offer another lodging alternative to the vacationing public and provide extra income to hosts, and

WHEREAS, the Planning Commission further finds that the subject short term rental amendments to the LDC comply with Goal D2, Quality of Life, which recommends enhancing and maintaining the quality of life in Jefferson County. This Goal has objectives to affirm and protect the economic value of neighborhoods and natural resources and to develop a regional strategy for cultural, leisure, and recreational activities to ensure a high quality of life for residents, businesses, and visitors. The regulation of short term rentals preserves quality of life of residences while contributing to tourism by providing more authentic local experiences and/or affordable alternatives to hotels; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission in Case Number 16AMEND1002 does hereby **RECOMMEND APPROVAL** to the Louisville Metro Council to **AMEND** the Land Development Code to add Short Term Rentals as described in the staff report with the following changes; under 2.7.1 C-4, the Short Term Rental should be within the **Residential Use** Table and not under **Lodging Use**; and in 2.7.2 E-2-a in the PTD Table it should be under the **Residential Use** and not the

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~~**Lodging Use**; also make a change in 4.2.6-3 to **ADD** TNZD to the list of Zoning Districts that require a Conditional Use Permit; and under 4.3.20 **STRIKE** TNZD District from the list of Zones; and in 4.3.20 **STRIKE** the off-street from the description of the parking available for guests; also **RECOMMEND** that Metro Council consider adding an **EXEMPTION** for special local events that occur on a regular basis, based on the staff report and testimony heard today. **NOTE:** NOT introduced is a Short Term Rental Existing Definition into this LDC Amendment.~~

NOTE: The **RESOLVED** statement was revised by staff as follows, based on testimony during the Commissioners' Deliberation:

RESOLVED, that the Louisville Metro Planning Commission in Case Number 16AMEND1002 does hereby **RECOMMEND APPROVAL** to the Louisville Metro Council and other legislative bodies having zoning authorities in Jefferson County to **AMEND** the Land Development Code to add Short Term Rentals as described in the staff report with the following changes; Re-list Short Term Rentals under the **Residential Use** category and not under the **Lodging Use** category within the tables; and in 4.2.6-3 **ADD** TNZD to the list of Zoning Districts that require a Conditional Use Permit for a Short Term Rental; and in 4.3.20 **STRIKE** "TNZD District" from the list of Zoning Districts that permit a Short Term Rental with special standards; and **STRIKE** the words "off-street" from the description of the parking requirement for Short Term Rentals; also **RECOMMEND** that Metro Council consider adding an **EXEMPTION** for special sporting events that occur on a regular basis, based on the staff report and testimony heard today. **NOTE:** NOT introduced is a "Short Term Rental Existing" or Bedroom Definition into this LDC Amendment.

The vote was as follows:

YES: Commissioners Tomes, Lewis, Brown, Kirchdorfer, Howard and Chair Person Blake

NO: No one

NOT PRESENT: Commissioners White, Turner, Peterson and Vice Chair Jarboe

ABSTAINING: No one

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04:31:10 On a motion by Commissioner Brown, seconded by Commissioner Lewis, the following resolution was adopted:

RESOLVED, that in Case Number 16AMEND1002 the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council consider **AMENDING** the Ordinance 217 Series 2015 just to protect the health and welfare of the community by requiring insurance as part of the licensing requirements.

The vote was as follows:

YES: Commissioners Tomes, Lewis, Brown, Kirchdorfer, Howard and Chair Person Blake

NO: No one

NOT PRESENT: Commissioners White, Turner, Peterson and Vice Chair Jarboe

ABSTAINING: No one

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STANDING COMMITTEE REPORTS

Land Development and Transportation Committee

No report given.

Site Inspection Committee

No report given.

Planning Committee

No report given.

Development Review Committee

No report given.

Policy and Procedures Committee

No report given.

CHAIRPERSON/DIRECTOR'S REPORT

No report given.

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ADJOURNMENT

The meeting adjourned at approximately 11:35 p.m.

Chair

Planning Director