



Louisville Metro Government

Legislation Details (With Text)

File #: O-069-15 **Version:** 2 **Name:**

Type: Ordinance **Status:** Passed

File created: 3/23/2015 **In control:** Metro Council

On agenda: 4/16/2015 **Final action:** 4/16/2015

Title: AN ORDINANCE AMENDING SECTION 4.2.11 OF THE LAND DEVELOPMENT CODE RELATING TO BOARDING AND LODGING HOUSES. (AS AMENDED)

Sponsors: Cheri Bryant Hamilton (D-5)

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/16/2015	2	Metro Council	passed	Pass
4/13/2015	1	Ad Hoc Committee on Land Development Code	recommended for approval	Pass
4/13/2015	1	Ad Hoc Committee on Land Development Code	amended	Pass
4/13/2015	1	Ad Hoc Committee on Land Development Code	amended	Pass
4/13/2015	1	Ad Hoc Committee on Land Development Code	amended	Pass

ORDINANCE NO. _____, SERIES 2015
AN ORDINANCE AMENDING SECTION 4.2.11 OF THE LAND DEVELOPMENT CODE RELATING TO BOARDING AND LODGING HOUSES. (AS AMENDED)
SPONSORED BY: COUNCIL MEMBER CHERI BRYANT HAMILTON

WHEREAS, boarding and lodging houses, if not properly regulated, can become a nuisance in neighborhoods, having a negative effect on surrounding property values; and

WHEREAS, without appropriate standards of operation boarding and lodging houses can become unsafe, unsanitary and a threat to public health and safety; and

WHEREAS, boarding and lodging houses, if properly regulated, are a viable and valuable form of residential housing.

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

Section I: Section 4.2.11 of the Land Development Code is amended as follows:

Boarding and Lodging Houses may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and R-6, R-7, and R-8A districts upon the granting of a Conditional Use Permit and compliance with the following requirements.

- A. Boarding and lodging houses located in R-E, R-R, R-1, R-2, R-3, R-4 and R-5 single family districts shall have a maximum of 3 boarders in addition to resident family members of the boarding and lodging house keeper. Those Boarding Homes and Lodging Houses located in other districts shall have a maximum of 8 boarders.
- B. All boarding homes and lodging houses shall comply with the administrative and maintenance requirements established in 902 KAR 20:350-, only applicable when meals are served at the facility.
- C. Boarding Homes and lodging houses shall not have any signage which identifies the use.
- D. Boarding and lodging houses shall be located on or near a collector or arterial street with reasonable access to public transportation.
- E. Sufficient on-site parking shall be provided as required by the Land Development Code.
- F. All boarding and lodging houses shall comply with applicable building code and health department regulations.
- G. The Board of Zoning Adjustment shall take into account the location of other boarding and lodging houses, transitional housing, homeless shelter or rehabilitation homes in its analysis of conditional use permit applications for boarding and lodging houses.
- H. The following information shall be provided for all boarding and lodging houses conditional use applications:
 - 1) Resident/client profile (population to be served);
 - 2) Site plan and floor plans;
 - 3) Rules of conduct and business management plan;
 - 4) Support services to be provided and projected staffing level, if any.
 - 5) Proposed maximum stay for each resident.
- 6) Any other information the Board of Zoning Adjustment deems necessary to evaluate the application.
- 7) Any Changes to the foregoing information submitted in connection with the conditional use application permit shall require the conditional use permit holder to apply for a modified conditional use permit from the Board of Zoning Adjustment.
- I. The operators of a boarding and lodging house shall maintain records relating to boarder identity, term of stay, and client profiles and shall have said information available for inspection by a Code Enforcement Officer.

- J. The Board of Zoning Adjustment shall find that the establishment of the facility will not result in harm to the health, safety or general welfare of the surrounding neighborhood, and that substantial adverse impacts on adjoining properties or land uses will not result from the facilities' operations.
- K. The Board of Zoning Adjustment shall find that the facility is compatible with the character of the surrounding neighborhood.
- L. No boarding and lodging house shall operate until it has received a license pursuant to Louisville Metro Code of Ordinances Section 115 and, if required, a license from the Commonwealth of Kentucky pursuant to KRS 21B.
- M. Operation of a shelter without the required license may constitute grounds for denial of a related conditional use permit by the Board of Zoning Adjustment.

Section II: Any reference to boarding homes in the Land Development Code shall be replaced with boarding and lodging houses.

Section III: Table 9.1.2A of the Land Development Code regarding parking requirements shall be amended as follows:

PARKING REQUIREMENTS

Minimum: one space for manager plus 0.5 space per boarder;

Maximum: one space for manager plus 1.0 space per boarder.

Section IV: After a hearing before the Louisville Metro Planning Commission and receipt of a recommendation therefrom, this Ordinance shall take effect upon its passage and approval.

H. Stephen Ott Metro Council Clerk

David W. Tandy President of the Council

Approved: _____ A

Greg Fischer Mayor Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

Amend Land Dev.Code Sect.4.2.11 Ord.re-Boarding & Lodging Houses ROC pw,jss,bkn 032015 Draft 1
Amend Land Dev.Code Sect.4.2.11 Ord.re-Boarding & Lodging Houses ROC pw,jss,bkn 032315 Draft 2
Amend Land Dev.Code Sect.4.2.11 Ord.re-Boarding & Lodging Houses ROC pw,jss,bkn 032315 Draft 3

032015
032315
032315