

ORDINANCE NO. _____, SERIES 2023

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON
CONDITIONAL USE PERMIT APPLICATIONS FOR SHORT TERM
RENTALS AND NEW REGISTRATIONS FOR SHORT TERM RENTALS
IN LOUISVILLE METRO CERTAIN IMPACTED NEIGHBORHOODS
PENDING A REVIEW AND RECOMMENDED CHANGES BY THE
PLANNING COMMISSION. (AS AMENDED)

SPONSORED BY: COUNCIL MEMBERS ARTHUR AND BAKER

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") passed Resolution No. 143, Series 2022 requesting that the Louisville Metro Planning Commission (the "Planning Commission") review the Louisville Metro Land Development Code ("LDC") and Section 115 of the Louisville/Jefferson County Metro Government Code of Ordinances ("LMCO") relating to Short Term Rentals; and

WHEREAS, ~~certain neighborhoods~~ Louisville/Jefferson County Metro ("Metro") ~~has~~ been more negatively significantly impacted by Short Term Rentals due to a variety of factors across the city ~~the current policies as to where Short Term Rentals are permitted by right with special standards and the~~, specifically, ~~the Phoenix Hill, Butchertown, and Clifton Heights, Clifton, Original Highlands, and Tyler Park neighborhoods;~~ and

~~WHEREAS, certain other neighborhoods were also negatively impacted by the proliferation of short term rentals approved in those neighborhoods prior to the enactment of the 600 foot rule and the current permitting of Short Term Rentals by right with special standards if the property is the primary residence of the host, specifically, the Cherokee Triangle, Deer Park, Belknap, Hayfield Dundee, Highlands Douglass, Hawthorne, Bonnycastle and Tyler Park neighborhoods and Strathmoor Village (collectively with the~~

~~Phoenix Hill, Butchertown, Clifton Heights, Clifton, Original Highlands and Tyler Park neighborhoods, (the “Impacted Neighborhoods”); and~~

WHEREAS, the Council wants to create a period of time wherein no new Short Term Rentals are created, either through conditional use permits or new registrations under LMCO 115 (renewals would still be permitted) in ~~Metrothe Impacted Neighborhoods~~ while the Planning Commission reviews potential changes to Short Term Rentals; and

WHEREAS, it is anticipated that the review pursuant to Resolution No. 143, Series 2022 will take approximately six months to complete; and

WHEREAS, during the pendency of such review, the Council desires to preserve the status quo in ~~Metrothe Impacted Neighborhoods~~ by preventing changes that might render the Planning Commission’s review meaningless.

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

SECTION I: There is hereby imposed a moratorium on the acceptance and further processing by Louisville Metro Planning & Design Services and Louisville/Jefferson County Board of Zoning Adjustment (“BOZA”) of any applications for conditional use permits for short term rentals pursuant to Section 4.2.63 of the LDC for properties in ~~Metrothe Impacted Neighborhoods~~ which have not been scheduled and noticed, as of the effective date of this Ordinance, for a public hearing by BOZA. Applications that have a scheduled and noticed public hearing by BOZA as of the effective date of this Ordinance (“Scheduled Public Hearing”) may continue to be processed and decided upon by BOZA.

SECTION II: There is hereby imposed a moratorium on the acceptance and further processing by Louisville Metro Planning & Design Services and Develop Louisville of any new short term rental annual registration applications pursuant to LMCO 115.516 (renewals may still be processed), for properties in ~~Metro the Impacted Neighborhoods~~, other than new applications resulting from a conditional use permit approved by BOZA at a Scheduled Public Hearing and new applications on owner occupied, residentially zoned properties. For purposes of determining owner occupation pursuant to this section, if the name of the applicant matches that of the owner of the property according to Lojic and the property is determined to be the same individual's primary residence pursuant to existing procedures, then the new short term rental annual registration application may be accepted and processed.

SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law and shall remain in effect until the earlier of 1. Council taking final action on the anticipated amendments or 2. for a period of one hundred eighty (180) calendar days after its effective date unless repealed ~~or extended~~.

Sonya Harward
Metro Council Clerk

Markus Winkler
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-072-23 Temporary Moratorium Short Term Rentals in Metro (Tier 3 Amend).docx (TF 6-1-23)