

**CITY OF LYNDON  
ORDINANCE NO. 2-27-23A**

**AN ORDINANCE AMENDING AND ADDING SHORT TERM RENTALS  
TO THE LYNDON LAND DEVELOPMENT CODE**

**WHEREAS**, The City of Lyndon adopted the February 2016 version of the Land Development Code for Jefferson County,

**WHEREAS**, the City of Lyndon has added certain text amendments to its Land Development Code over the years as those text amendments were drafted, heard, and recommended to the legislative body members by the Louisville Metro Planning Commission in accordance with Kentucky Revised Statutes Chapter 100,

**WHEREAS**, The City of Lyndon did not adopt the text amendment relating to short term rentals recommended for approval by the Louisville Metro Planning Commission in 2016, Case 16AMEND-1002,

**WHEREAS**, Kentucky Revised Statutes Chapter 100.211 allows legislative bodies to adopt the text amendment recommendations of the Louisville Metro Planning Commission in whole, or as the text amendment may be amended by the Legislative Body, as KRS 100.205 does not require identical zoning regulations among cities and counties comprising the joint planning unit,

**WHEREAS**, the Lyndon's Land Development Code has no specific language on short term rentals and the City Council wishes to now clarify its Land Development Code by adopting the 2016 Louisville Metro Planning Commission text amendment, revised to allow short term rentals in the same zoning districts that the City's current Development Code allows other transient room uses such as hotels, motels, boarding houses and apartment hotels,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYNDON, KENTUCKY THAT A CERTAIN TEXT AMENDMENT RELATING TO SHORT TERM RENTALS (16AMEND-1002), AS AMENDED BELOW, IS HEREBY ADOPTED AND SHALL READ AS FOLLOWS:**

**SECTION 1:**

The City of Lyndon does hereby add to Chapter 1 Part 2, Definitions, of its Land Development Code, definitions relating to short term rentals, as follows:

**CHAPTER 1 PART 2- DEFINITIONS**

**HOSTING PLATFORM.** A person or entity that provides a means through which a Host may offer a dwelling unit, or portion thereof, for short term rental use. Most platforms are internet based and allow a Host to advertise a dwelling unit as a short term rental through a website or mobile app.

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. A short term rental is not a bed and breakfast inn, extended stay lodging facility, hotel, motel, or, any other transient use more specifically defined in this Development Code.

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.

SHORT TERM RENTAL ADVERTISEMENT. Any method of soliciting use of a dwelling unit or portion thereof as a short term rental.

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.

## **SECTION 2:**

The City of Lyndon does hereby amend Land Development Code Sections:

1. 2.2.11, R-6 Residential Multi-Family District,
2. 2.2.12 R-7 Residential Multi-Family District,
3. 2.2.13 R-8A Residential Multi-Family District
4. 2.3.1 OR Office/Residential District
5. 2.3.2 OR-1 Office/Residential District
6. 2.3.3 OR-2 Office/Residential District
7. 2.3.4 OR-3 Office/Residential District
8. 2.4.1 C-N Neighborhood Commercial District
9. 2.4.2 C-R Commercial Residential District
10. 2.4.3 C-1 Commercial District
11. 2.4.4 C-2 Commercial District

By adding as follows:

A. Permitted Uses:

Short term rentals, (allowed with additional regulations in Section 4.3.10).

## **SECTION 3:**

1. The City of Lyndon does hereby amend Chapter 4 Part 3, Permitted Uses with Special Standards to add Section 4.3.23 to Chapter 4 Part 3 as follows:

4.3.23- Short Term Rentals

In the R-6, R-7, R-8A, OR, OR-1, OR-2, OR-3, C-N, C-R, C-1, and C-2 zoning districts, Short Term rentals may be permitted in accordance with the following special standards:

- A. Prior to commencement of any short-term rental on the subject property, the host shall register the short-term rental pursuant to the Louisville Metro Code of Ordinances. The registration shall be maintained and be active and in the name of the current host while using the property for this purpose. A copy of the current registration shall be submitted to the City of Lyndon Enforcement Officer.
- B. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 or more consecutive days is not considered a short term rental.
- C. The dwelling unit shall be limited to a single short term rental contract at a time.
- D. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the licensed property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals.
- E. The property in which the short term rental is situated shall not be closer than 600 feet (measured in a straight line from nearest property line to nearest property line) to any property on which another short term rental facility is operating. This provision shall not be waived or adjusted.
- F. The building in which the dwelling unit is located shall be a single family residence or multi-family dwelling. This provision shall not be waived or adjusted.
- G. Food or alcoholic beverages shall not be served by the host to any guest.
- H. Outdoor signage which identifies the short-term rental is prohibited in all residential and office/residential zoning districts.
- I. There shall be a sufficient amount of parking available for the hosts and guests. The amount and location of parking shall be based on the land uses and density of the immediate vicinity and the number of persons allowed to occupy the short term rental under this ordinance. In the event that a complaint is filed concerning the lack of adequate parking, the City of Lyndon may require that the host submit a parking study to the City of Lyndon. If the parking study concludes that there is inadequate parking available to the hosts and guests, the host shall either a) increase the amount of parking to be sufficient or b) discontinue the short term rental use.
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the City of Lyndon may determine that the short term rental use be discontinued. When the City of Lyndon makes a determination that the short term rental use shall be discontinued, under this section, the owner and host shall be notified of the action and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the action of the city shall become final on the thirty-first (31) day after the initial action by the City. Civil complaints include, but are not limited to, reported violations of the building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing and mechanical codes. Criminal complaints include, but are not limited to, reported drug activity, theft and criminal mischief.

**SECTION 4:**

1. Criminal or Civil Penalty. Pursuant to the City's prosecutorial discretion, the City may enforce violations of the provisions of this Chapter as criminal, civil or abatement actions.

- (a) Misdemeanor. Any person who is violating any of the provisions of this Chapter shall be guilty of a misdemeanor and subject to a fine of no less than \$100 and no more than \$500. Each day during which any such offence is committed, continued, or allowed shall be a separate offense.
- (b) Civil Fine. Fine in an amount no less than \$100.00 per day and no more than \$500.00 per day. Each day of non-compliance shall constitute the imposition of per day fine for each day's violation, up to the following maximums. On the first violation, the maximum total fine is \$1,000.00. On a second violation that occurs within 12 months of the first violation, the maximum total fine for each person cited is \$3,000.00. On a third violation that occurs within 12 months of the first violation, the maximum total fine shall be \$5,000.00.

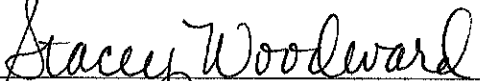
**SECTION 5:**

This ordinance shall take effect upon enactment and publication according to law.

First Reading: February 27, 2023  
Second Reading: March 27, 2023  
Passed and Approved: March 27, 2023

  
\_\_\_\_\_  
Mayor, Brent Hagan

ATTEST:

  
\_\_\_\_\_  
Stacey Woodward, City Clerk

In Favor: 5

Opposed: 1