

# Louisville Short Term Rental Information

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## **Summary of changes made to the short term rental regulations (effective May 8, 2019):**

In December 2015, Metro Council passed an ordinance to regulate the use of short term rentals (affecting listings offered on Airbnb, VRBO, and other platforms). City leaders have been monitoring implementation of this ordinance and the evolution of the new shared economy. Louisville Metro Department of Develop Louisville, Metro Council District 8 and Louisville Tourism have partnered to propose 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) in response to the growing popularity of this tourist experience and how to best integrate it into our neighborhood fabric. Following a public comment period and public hearings by the Planning Commission on December 6, 2018 and January 24, 2019, Metro Council passed an ordinance amending the regulations on April 25, 2019. The ordinance took effect on May 8, 2019 upon its approval by the Mayor.

The changes include:

- Limiting the number of guests eligible to reside in a short term rental to two (2) times the number of bedrooms plus two (2)
- Defining primary residence
- Providing a minimum distance of 600 feet between short term rentals approved by Conditional Use Permits (this change would not impact host-occupied rentals and rentals with non-residential zoning)
- Requiring a host to register within 30 days of issuance of a Conditional Use Permit
- Requiring a host and property owner to maintain an active registration to keep Conditional Use Permit

- Allowing the Director of Planning & Design services to require a host with questionable residency status to go to the Board of Zoning Adjustment for approval
- Providing authority to prohibit a host who has had a registration revoked from re-applying for another registration for 1 year
- Improving emergency contact requirements
- Requiring carbon monoxide detector and operable emergency openings
- Allowing short term rentals in properties zoned EZ-1.
- Increasing the registration fee from \$25 to \$100
- Providing requirements related to removing listings from platforms and platform reporting
- Prohibiting the advertising of a short term rental if it is not registered with Louisville Metro. Enforcement for advertising a short term rental without registering it results in a notice of violation for a first offense and a \$125 fine for every additional day that the short term rental remains advertised.
- Introducing a new enforcement fine structure: a first offense results in a \$125 fine, a second offense results in a \$250 fine, a third offense results in a \$500 fine, and any additional offense results in a \$1,000 fine.

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A few things to know:

- All short term rental hosts must annually register with Louisville Metro Planning & Design Services; register with the Louisville Metro Revenue Commission (for tax purposes); and, if necessary, obtain a Conditional Use Permit from the Louisville Metro Board of Zoning Adjustment (if the property is residentially zoned and not the primary residence of the host)
- All short term rental hosts are prohibited from serving food and alcohol.
- A short term rental is a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than 30 consecutive days. The short term rental regulations do apply to hotel or motel rooms, extended stay lodging facilities, bed and breakfast inns or boarding rooms
- The dwelling unit shall be a single-family residence or duplex unless the dwelling unit is located on property zoned EZ-1, C-R, C-N, C-1, C-2 or C-3.
- 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 property is in excess of two acres in

which case the occupancy limits shall be two times the number of bedrooms plus six individuals For example if a short term rental has 3 bedrooms, then 8 people may reside in that short term rental.

- Short term rentals regulations do not supersede lease agreements, homeowner's association bylaws, covenants, deed restrictions, or any other agreement, law or regulation that prohibits subletting or use of your dwelling as a short term rental.
- At this time, the following cities that retain independent zoning authority have not adopted a zoning ordinance specifically allowing short term rentals therefore short term rentals are not permitted within their jurisdiction: Anchorage, Douglass Hills, Graymoor-Devondale, Hurstbourne, Indian Hills, Jeffersontown, Lyndon, Prospect, Shively, St. Matthews, and St. Regis Park.
- Failure to register a short term rental is equivalent to operating without a permit and will result in enforcement action.

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Residential zoning: R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7, R-8A

Mixed use (Commercial, Office Residential, & Special Purpose) zoning: 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 PRD

TNZD zoning: Properties located in Old Louisville and Limerick.

*If the short term rental is YOUR PRIMARY RESIDENCE and your property is zoned RESIDENTIAL...*

You are allowed to operate a short term rental with only an annual registration approved administratively by the Office of Planning & Design Services

*If the short term rental is YOUR PRIMARY RESIDENCE and your property is zoned MIXED USE...*

It is likely you are allowed to operate a short term rental with only an annual registration approved administratively by the Office of Planning & Design Services, but please check with staff and review the FAQ

*If the short term rental is YOUR PRIMARY RESIDENCE and your property is zoned TNZD...*

You are allowed to operate a short term rental with an approved Conditional Use Permit and an annual registration approved administratively by the Office of Planning & Design Services.

*If the short term rental is NOT YOUR PRIMARY RESIDENCE and your property is zoned RESIDENTIAL...*

You are allowed to operate a short term rental with an approved Conditional Use Permit and an annual registration approved administratively by the Office of Planning & Design Services.

*If the short term rental is NOT YOUR PRIMARY RESIDENCE and your property is zoned MIXED USE...*

It is likely you are allowed to operate a short term rental with only an annual registration approved administratively by the Office of Planning & Design Services, but please check with staff and review the FAQ.

*If the short term rental is NOT YOUR PRIMARY RESIDENCE and your property is zoned TNZD...*

You are allowed to operate a short term rental with an approved Conditional Use Permit and an annual registration approved administratively by the Office of Planning & Design Services

#### Applications

[Short Term Rental Annual Registration Application Form](#) (In Person or Mail Submittal Option)

[Short Term Rental CUP Pre-Application](#)

[Short Term Rental CUP Formal Application](#)

#### Helpful Links

[Frequently Asked Questions](#)

[Metro Council Short Term Rental Ordinance](#)

[Smoke Detector Requirements](#) (Title IX, Chapter 94.02)

[Map of Metro Council Zoning Authority Area](#)

[Process for Conditional Use Permit approval](#)

[Louisville Metro Revenue Commission](#)

[Louisville Metro Revenue Commission transient taxes FAQs](#)

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For questions about planning and zoning requirements, such as the registration and conditional use permit processes, contact Louisville Metro's Office of Planning & Design Services at (502) 574-6230.

For questions about tax requirements, contact Louisville Metro's Revenue Commission at (502) 574-4860.

For questions about building permit requirements, such as those pertaining to building and life safety codes, contact Louisville Metro's Office of Construction Review at [\(502\) 574-3321](tel:5025743321).