

ORDINANCE O-03-2021

AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FORT THOMAS, KENTUCKY TO INCLUDE “SHORT TERM RENTAL” AS A LISTED PERMITTED USE IN RESIDENTIAL ZONES SECTION 10.2 RESIDENTIAL ZONE R-1AA, SUB-SECTION (B) ACCESSORY USES, “#6 SHORT TERM RENTAL” , SECTION 10.3 RESIDENTIAL ZONE R-1A, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.4 RESIDENTIAL ZONE R-1B, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.5 RESIDENTIAL ZONE R-1C, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.6 RESIDENTIAL ZONE R-1D, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.7 RESIDENTIAL ZONE R-2, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL” SECTION 10.8 RESIDENTIAL ZONE R-3, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.9 RESIDENTIAL ZONE R-5, SUB-SECTION (B) ACCESSORY USES, “#5 SHORT TERM RENTAL”, SECTION 10.10 RESIDENTIAL CLUSTER DEVELOPMENT, SUB-SECTION “M” “ACCESSORY USES”, “#1 SHORT TERM RENTAL”, SECTION 10.11 CENTRAL BUSINESS DISTRICT, SUB-SECTION (B) ACCESSORY USES, “#4 SHORT TERM RENTAL”, SECTION 10.12 GENERAL COMMERCIAL ZONE, SUB-SECTION (B) ACCESSORY USES, “#4 SHORT TERM RENTAL” AS WELL AS UNDER ARTICLE XIII OFF-STREET PARKING AND ACCESS CONTROL REGULATIONS, SECTION 13.2 SPECIFIC OFF-STREET PARKING REQUIREMENTS, TYPES OF USES “*SHORT TERM RENTAL PROPERTY*”, REQUIRED NUMBER OF PARKING SPACES “*ONE (1) OFF-STREET PARKING SPACE PER RENTAL CONTRACT*”.

WHEREAS, the Fort Thomas Planning Commission initiated a request to amend the text of the Official Zoning Ordinance of the City of Fort Thomas, Kentucky; and

WHEREAS, said text amendment will add the definition of “*Short Term Rental*”; and

WHEREAS, said text amendment will add “*Short Term Rental (as regulated herein)*” as an accessory use within all Residential zoning districts, Central Business District, and General Commercial District; and

WHEREAS, said text amendment will delete any reference to “Boarding House”, “Tourist Court” and “Tourist Home”; and

WHEREAS, the Fort Thomas Planning Commission held a public hearing on said text amendment which was properly advertised and held on Wednesday, January 20, 2021; and

WHEREAS, the Fort Thomas Planning Commission has received and reviewed all exhibits presented including the proposed text amendment; and

WHEREAS, the Fort Thomas Planning Commission hereby makes the following finding:

The proposed “short term rental (as regulated herein)” fits the guidelines for an accessory use in the Residential Zoning Districts as well as in the Central Business District and General Commercial zoning district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY:

SECTION I

That the City of Fort Thomas Official Zoning Ordinance, known as Ordinance O-4-02, and adopted on May 21, 2007, is hereby amended by adding the following underlined words or phrases:

~~**BOARDING HOUSE:** A residential building other than a hotel, motel, or tourist cabin where lodging and meals for four (4) or more persons are served for compensation, and by prearrangement for definite periods.~~

SHORT-TERM RENTAL: The accessory use of any residential dwelling unit that is advertised for rent for transient occupancy by guests for less than 30-consecutive days. A Short Term Rental shall be clearly incidental and subordinate to the use of a dwelling unit for residential purposes. This definition is specific to this section and other entities, such as “hotels,” “motels,” and “bed and breakfasts,” are defined elsewhere in this code.

SECTION 10.2 RESIDENTIAL-1AA ZONE (R-1AA)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.3 RESIDENTIAL-1A ZONE (R-1A)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.4 RESIDENTIAL-1B ZONE (R-1B)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.5 RESIDENTIAL-1C ZONE (R-1C)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.6 RESIDENTIAL-1D ZONE (R-1D)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.7 RESIDENTIAL-2 ZONE (R-2)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.8 RESIDENTIAL-3 ZONE (R-3)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.9 RESIDENTIAL-5 ZONE (R-5)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 10.10 RESIDENTIAL CLUSTER DEVELOPMENT OVERLAY ZONE (RCD)

M. ACCESSORY USES.

Short-Term Rental Properties are permitted.

SECTION 10.11 CENTRAL BUSINESS DISTRICT (CBD)

B. ACCESSORY USES:

4. Short Term Rental Properties (as regulated herein)

SECTION 10.12 GENERAL COMMERCIAL ZONE (GC)

B. ACCESSORY USES:

4. Short Term Rental Properties

SECTION 13.2 SPECIFIC OFF-STREET PARKING REQUIREMENTS

The amount of required off-street parking space for uses, buildings, or additions thereto shall be determined according to the following requirements, and the space, so required, shall be reserved for such use. Where more than one use is located in the same building, each

individual use shall be in accordance with the off-street parking requirements of this section of the ordinance, except as provided for under Section 13.0.E of this Ordinance.

TYPES OF USES	REQUIRED NUMBER OF OFF-STREET PARKING SPACES
<u>Short-Term Rental Property</u>	<u>One (1) parking space for each room rented. Maximum is four (4) spaces</u>

SECTION II

That the City Clerk be, and she is, hereby authorized and directed to deliver a certified copy of this Ordinance to the Zoning Administrator.

SECTION III

That this Ordinance shall amend, but not repeal, the existing Zoning Ordinance. The provisions of this Ordinance are severable. If any provision, section, paragraph, or part thereof is held invalid, such decision shall not affect or impair the validity of the remainder of this Ordinance.

SECTION IV

That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

APPROVED:

Eric Haas, Mayor

1st Reading: March 15, 2021

ADOPTED: April 19, 2021

Publication: April 29, 2021

ATTEST:

Melissa K. Beckett, City Clerk