AMENDMENT NO. ___

TO

ORDINANCE NO. BL2024-478

Madam President,

I move to amend Ordinance No. BL2024-478 as follows:

I. By adding the following Section 2 and renumbering the subsequent sections.

Section 2. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Paragraph 6.28.030.A.2.c in its entirety and replacing it with the following:

c. To qualify for an STRP—Owner-occupied permit, the owner of the property occupy the subject property of the STRP as their primary residence as proven by the documents required in Section 6.28.030.A.b.iv. For conforming uses in single-family and one and two-family zoning districts, the owner may occupy as their primary residence in a residential unit on the same lot. The owner of the property: (1) must be a natural person or persons; (2) may not be a limited liability entity, including without limitation a corporation or limited liability company; and (3) may not be an unincorporated entity, including without limitation a partnership, joint venture, or trust.

II. By amending the newly renumbered Section 3 as follows:

Section ~~2~~ 3. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Subsection A.3.b.iv. in its entirety and replacing it with the following:

iv. For owners applying for an owner-occupied permit, five documents giving proof of owner-occupation shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for short term rental. Two documents are required from Group A and three documents are required from Group B:

(1) Group A acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) Internal Revenue Service tax reporting ~~W-2~~ form, such as a W-2 or 1099; (e) Current Motor Vehicle Registration or Title.

(2) Group B items include (a) current automobile, life, or homeowners' insurance policy. (Wallet Cards not accepted); (b) paycheck/check stub, (c) a bank statement (d) current employer verification of residential address or a letter from the employer on company letterhead with original signature, excluding applicants that are self employed (If the employer does not have letterhead, the signature of the employer must be notarized.).

III. By amending the newly renumbered Section 4 as follows:

Section ~~3~~ 4. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following as Subsection A.3.c:

c. The zoning administrator has the discretion to deny applications for an owner-occupied short term rental application on the following grounds:

   i. Any documentation, including written statements by the owner, that ~~the owner does not permanently reside on~~ the property is not the primary residence of the owner or would cease to ~~permanently reside on the property~~ be the primary residence of the owner during the period for which the permit is valid.

   ii. Affidavits from neighbors regarding the primary residency of the applicant.

SPONSORED BY:

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Burkley Allen
Member of Council