

RESOLUTION 2023-_____

**PITTSBORO TOWN COUNCIL
HENDRICKS COUNTY, INDIANA**

A Resolution of the Town of Pittsboro Town Council Approving the Amendment of the Text of the Unified Development Ordinance:

WHEREAS, the Pittsboro Advisory Plan Commission having certified and recommended to the Town Council for approval an Amendment of the Unified Development Ordinance ("UDO") to incorporate Short-Term Rental Provisions, dated _____, 2023, which is attached hereto and incorporated by reference ("Exhibit A") and the Town Council has considered and reviewed the same in accordance with its statutory duty and finds it consistent with IND. CODE §36-7-4-500 through 599.

BE IT RESOLVED by the Town Council of the Town of Pittsboro, Hendricks County, Indiana that the Town hereby approves an amendment of the Unified Development Ordinance to include the Short-Term Rental Zoning Provisions.

Adopted this ____ day of _____, 2023, by a vote of _____ ayes and _____ nays.

**TOWN COUNCIL OF THE TOWN OF
PITTSBORO, INDIANA**

President: Jarod Baker

Member: Bill Majeske

Member: Randy Price

Member: Terry Northern

Member: Jay Thompson

Attest:

Clerk-Treasurer: Shari Ping

Exhibit "A"

Text Amendment-1: Amend A.1 Schedule of Use

Residential Uses:

Insert Short-Term Rentals after Senior Housing or Congregate Care but before Institutional Uses:

Use Category	OS	A	R1	R2	R3	R4	R5	OTBD	GB	HB	I1	I2	I3	PUD	MHP	FH	INST	PPW	MU
Group Home					S	P	P												P
Mobile Home Park															P				
Nursing Home						S	P	P	P	P				P					P
Senior Housing or Congregate Care						P	P	S	P					P					P
INSTITUTIONAL USES																			
Charitable Institutions									S	P	P			P			P		P
Church, place of worship		S	S	S	S	S	S	S	P	P	P			P			P		P

Text Amendment-2: Allowance of Short-Term Rentals in Residential and Commercial Districts:

Use Category	OS	A	R-1	R-2	R-3	R-4	R-5	OTBD	GB	HB	I-1	I-2	I-3	PUD	MHP	FH
Short-Term Rental			S	S	S	S	S	S	S	S						S

The Schedule of Uses Table would be amended to allow Short-Term Rentals by Special-Exception approval granted by the Pittsboro Board of Zoning Appeals ("BZA") in the following zoning districts:

- R-1 Residential District
- R-2 Residential District
- R-3 Residential District
- R-4 Residential District
- R-5 Residential District
- OTBD -Old Town Business District
- GB -General Business District
- HB-Highway Business District
- FH-Flood Hazard Business District

Text Amendment -3: Amend Chapter 7 of the UDO to include Provisions related to Specific Uses:

Add: Section 7.18 -Short-Term Rentals and include Short-Term Rental to Definitions Chapter of the Unified Development Ordinance.

Section A. Definition: A short-term rental is defined as:

- (1) Single-Family Home;
- (2) A Dwelling Unit in a Single-Family Home;
- (3) A Dwelling Unit in a Two-Family or Multi-Family Dwelling Unit;
- (4) A Dwelling Unit in a Condominium, Cooperative, or Time Share.

Section B. Duration: The duration deemed "short-term" is allocated for terms of less than thirty (30) days at a time through the short-term rental platforms held on internet application platforms or by professional rental services, property management companies and the like.

Section C: Approval Process:

Any new Short-Term Rental as defined by this section requires a Special Exception to be approved by the Town of Pittsboro Board of Zoning Appeals. The regulation of Short-Term Rentals is limited to restricting placement and enforcement, unless denial of a special exception is warranted based on the ability to adhere to the enacted Ordinance and Police Power standards set-forth for the Town of Pittsboro:

Limitation and Denial of Short-Term Rentals:

The Town of Pittsboro may enact or enforce a law or plan that regulates, prohibits, or limits short term rentals. only for the following primary purposes:

Protection of the public's health and safety related to:

- (A) fire and building safety;
- (B) sanitation;
- (C) transportation;
- (D) traffic control; and
- (E) pollution control;

Further regulations on future Short-Term Rental use may be regulated by the Town of Pittsboro for the following areas with pre-established enacted standards set-forth for:

- (A) noise;
 - (B) protection of welfare;
 - (C) property maintenance; and
 - (D) nuisance issues;
- (4) To limit or prohibit short term rentals located within the boundaries of a conservancy district established under IC 14-33.
 - (5) To provide the unit with an emergency contact for a short-term rental.

Permitting of Short-Term Rentals:

Upon Special Exception approval, the Town of Pittsboro shall require an owner to obtain a permit for each short-term rental unit. The Town of Pittsboro requires only one (1) permit not to exceed one-hundred fifty dollars (\$150.00) for each single-family home, two-family or multifamily dwelling, condominium, cooperative, or time share that an owner rents in whole or in part under this chapter.

A Short-Term permit is required by all:

- (1) Single Family dwelling units; and
- (2) Detached accessory structures located on the permitted property that the owner offers to the public as a short term rental;

Permit Application:

An owner must submit a permit application for each property for which a permit is sought. The permit application may require the owner to provide only the following information for each property:

An owner must submit a permit application for each property for which a permit is sought. The permit application may require the owner to provide only the following information for each property:

- (1) The owner's name, street address, mailing address, electronic mail address (if applicable), and telephone number. If the owner is a corporation or partnership, the application must require the owner's:
 - (2) state of incorporation or organization; and
 - (3) names, residence addresses, and telephone numbers of the owner's principal officers or partners.
- (4) If a property manager is used, the property manager's name, street address, mailing address, electronic mail address (if applicable), and telephone number.
- (5) A short description of how each of the owner's short-term rentals on the property are marketed or advertised, including the following:
 - (6) The advertised occupancy limits of each short-term rental.
 - (7) Whether the short-term rental is:

- (a) a single family home;
 - (b) a dwelling unit in a single family home;
 - (c) a dwelling unit in a two-family or multifamily dwelling; or
 - (d) a dwelling unit in a condominium, cooperative, or time share.
- (8) A permit application must be made by an owner.