Louisville Metro Government

Legislation Details (With Text)

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File created:	2/13/2023	**In control:**	Metro Council
On agenda:	3/16/2023	**Final action:**	3/16/2023
Title:	A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LOUISVILLE METRO LAND DEVELOPMENT CODE ("LDC") RELATING TO NOTICES. (AS AMENDED)		
Sponsors:	Anthony Piagentini (R-19)		
Indexes:			
Code sections:			
Attachments:	1. R-015-23 V.2 CAM 030723 Review LDC RE Notices.pdf, 2. R-015-23 V.1 021623 Review LDC RE Notices.pdf, 3. R-015-23 PROPOSED CAM 030723 Review LDC RE Notices.pdf, 4. RES 016 2023.pdf		

Date	Ver.	Action By	Action	Result
3/16/2023	2	Metro Council	adopted	Pass
3/7/2023	1	Planning and Zoning Committee	amended	
3/7/2023	1	Planning and Zoning Committee	recommended for approval	
3/7/2023	1	Planning and Zoning Committee	recommended for approval	
2/21/2023	1	Planning and Zoning Committee	held	
2/16/2023	1	Metro Council	assigned	

RESOLUTION NO. _____, SERIES 2023

A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LOUISVILLE METRO LAND DEVELOPMENT CODE ("LDC") RELATING TO NOTICES. (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER ANTHONY PIAGENTINI

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") believes the provision of adequate notice to be a critical part of the planning and zoning process in Louisville Metro; and

WHEREAS, the Council has identified what it believes to be some shortcomings in the existing notice requirements and procedures contained in the Land Development Code (the "LDC"); and

WHEREAS, the Council believes that the suburban cities throughout Louisville Metro should receive notice when a property within their jurisdiction is entitled to notice of a planning and zoning

matter; and

WHEREAS, the Council believes the current system, in which Planning and Design Services ("PDS") prepares notice cards for planning and zoning matters but has the applicant actually mail the notice cards, creates unnecessary variables and inconsistencies compared to a system wherein PDS sends out the notice cards themselves; and

WHEREAS, the Council acknowledges that shifting this responsibility to PDS will not only require a change to current fee structures to pass along the cost of postage to applicants but also may necessitate additional funding or personnel depending on the work load generated by these changes; and

WHEREAS, the Council believes it important to correct these shortcomings in order to provide as robust a notice system as possible; and

WHEREAS, such changes will require study, a public hearing, and recommendation by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The Planning Commission is hereby directed to undertake a review of the current Louisville Metro Land Development Code with regard to notice provisions therein. The review should include, at minimum, the following topics:

1. Providing notice to suburban cities when a property within their jurisdiction is entitled to notice of a planning and zoning matter.

2. ~~Having PDS mail send out notices for planning and zoning matters, rather than the applicant(s) in each matter.~~ <u>Procedures for sending mailed notices to better ensure notices are provided to the United States Postal Service for timely delivery. The Planning Commission should specifically review the responsible party for mailing the notices.</u>

3. Providing an appropriate fee schedule for the cost of postage which is currently paid by

the applicant(s) in each matter.

SECTION II: This Resolution shall take effect upon its passage and approval or otherwise becoming law.

_____   _____
Sonya Harward   Markus Winkler
Metro Council Clerk   President of the Council

_____   _____
Craig Greenberg   Approval Date
Mayor

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-015-23 Amend LDC Regarding Notices (As Amended).docx (TF 03-02-23)