

ORDINANCE NO. _____, SERIES 2017

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR PRIVATE INSTITUTIONAL USES IN SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS THROUGHOUT METRO LOUISVILLE PENDING THE STUDY, REVIEW AND RECOMMENDATION BY THE PLANNING COMMISSION OF LAND USE REGULATIONS TO ADDRESS SUCH FACILITIES.

SPONSORED BY: COUNCIL MEMBER BRANDON COAN

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (“Council”) hereby acknowledges that educational diversity is of value and various institutions such as libraries, museums, etc. are valuable community assets but want to ensure that the public has some input into their location;

WHEREAS, the Council finds that institutional facilities in single-family residential zoning districts, if not properly sited and buffered, have the potential to significantly and negatively affect nearby properties and neighborhoods in terms of visual, noise, traffic, environmental, and other impacts;

WHEREAS, the Louisville Metro Land Development Code classifies institutional facilities as a permitted use in single-family residential zoning districts; however, there are no regulations in the Land Development Code pertaining specifically to the appropriateness of such facilities in residential neighborhoods;

WHEREAS, it is an integral principle in Cornerstone 2020 to protect neighborhoods;

WHEREAS, the Council finds that a comprehensive study of the zoning regulations is necessary to determine whether it should adopt regulations providing for discretionary review and public input regarding such facilities to ensure that any negative visual, noise, traffic, environmental and other impacts related to the operation

of facilities are properly mitigated, and that the potential locations of said facilities within Metro Louisville are appropriate and compatible with surrounding land uses;

WHEREAS, public institutional facilities require a community facilities review process pursuant to KRS 100.324(4) although similar private institutional uses do not require any such review and are not subject to any government control or oversight;

WHEREAS, for the purposes of this ordinance, “private institutional uses” include colleges, schools and institutions of learning; convents and monasteries; country clubs; libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries; parks, playgrounds, and community centers; and religious buildings;

WHEREAS, it is anticipated that such a study will take approximately six months to initiate and complete; and

WHEREAS, during the pendency of such study, the Council desires to preserve the status quo by preventing the construction or establishment of private institutional facilities in single-family residential zones.

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

SECTION I: There is hereby imposed a moratorium on the acceptance by Louisville Metro Planning & Design Services, Louisville Metro Codes & Regulations, Louisville Metro Planning Commission, and Louisville Metro Board of Zoning Adjustment of any new application involving private institutional uses in single-family residential zones.

SECTION II: The moratorium set forth in this Ordinance shall also preclude the issuance by Louisville Metro Codes and Regulations of permits for the construction or establishment of private institutional facilities.

SECTION III: The Metro Council hereby requests that the Planning Commission, through its staff in the Department of Louisville Metro Planning and Design Services, review the current sufficiency of zoning regulations related to private institutional uses in the Land Development Code as well as existing land use regulations from other jurisdictions that address private institutional facilities and how those jurisdictions address the unique characteristics of such facilities to provide public input and ensure that any negative visual, noise, traffic, environmental and other impacts related to the operation of such facilities are properly mitigated; draft, if necessary, and propose to the Planning Commission amendments to the Land Development Code requiring appropriate and compatible locations and development standards of private institutional facilities as they relate to single-family residential uses within Metro Louisville through the conditional use process; and that the Planning Commission hold a public hearing and, within one hundred fifty (150) days from the effective date of this Ordinance, forward its recommendations to the Council regarding potential revisions to the Land Development Code.

SECTION IV: This Ordinance shall take effect upon passage and approval and shall remain in effect for a period of one hundred eighty (180) calendar days after its effective date unless repealed or extended.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____