

**ORDINANCE NO. \_\_\_\_\_, SERIES 2015**

**AN ORDINANCE AMENDING SECTIONS 2.2.9, 5.2.2 AND 5.3.1 OF THE LAND DEVELOPMENT CODE PERTAINING TO FAIR AND AFFORDABLE HOUSING—APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A—WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).**

**SPONSORED BY: Councilman James Peden**

**WHEREAS**, Cornerstone 2020, Louisville Metro’s comprehensive plan, encourages the provision of appropriate and inclusive housing ownership options at variable price points throughout all of Jefferson County; and

**WHEREAS**, Cornerstone 2020 also encourages the incorporation of incentives for the development of appropriate housing in the Land Development Code (“LDC”), including to density bonuses for development projects that include low/moderate income housing and encouraging mixed-use projects that contain appropriate housing components; and

**WHEREAS**, as provided in *Making Louisville Home For Us All: A 20-Year Action Plan For Fair Housing*, the Metro Council believes this ordinance furthers the action step to “Amend the Land Development Code to include incentives for affordable housing;” and

**WHEREAS**, the Planning Commission held a public hearing on August 11, 2014 in accordance with KRS Chapter 100 to discuss and consider a number of text amendments to Chapters 2 and 5 of the LDC pertaining to fair and affordable housing, and has recommended approval to the Metro Council that the language contained in

Exhibit A attached hereto be adopted, as reflected in the records of the Planning Commission in Case No. 14AMEND1003; and

**WHEREAS**, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 14AMEND1003 as reflected in the Planning Commission's minutes and records, and as more specifically set forth in Exhibit A attached hereto;

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

**Section I:** With amendments, the Metro Council hereby adopts the amendments to the Land Development Code as contained in the minutes and records of the Planning Commission in Case No. 14AMEND1003, dated August 11, 2014, and as more specifically set forth in Exhibit A attached hereto.

**Section II:** This Ordinance shall take effect upon its passage and approval.

\_\_\_\_\_  
H. Stephen Ott  
Metro Council Clerk

\_\_\_\_\_  
David Tandy  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By:\_\_\_\_\_

**EXHIBIT A  
(FAIR AND AFFORDABLE HOUSING LDC SUB-COMMITTEE ITEMS 5)**

**FAH ITEM #5**

**2.2.9 R-5A Residential Multi-Family District**

...

A. Permitted Uses:

All uses permitted in the R-1 Residential Single Family District, as well as the following use(s):

...

Dwellings, Multiple family

**Dwellings, Single-family attached and detached**

Dwellings, Two-family

D. Property Development Regulations

Refer to the applicable Form District regulation in Chapter 5 for lot size, setback, building height and other restrictions. **Specifically refer to Sections 5.2.2.D and 5.3.1.D for regulations pertaining to alternative housing styles.**

**5.2.2 Traditional Neighborhood Form District**

D. Alternative Housing Styles

Alternative Housing Styles, including zero lot line, duplexes, and townhouses, are encouraged in the Cornerstone 2020 Plan to provide housing choices for people of varying ages and incomes.

Where permitted by the **R-5A Residential Multi-Family District (Section 2.2.9)**, the Planned Residential Development District (Section 2.7.3) or the Alternative Development Incentives regulation (Chapter 4 Part 5), the alternative housing styles shall meet the requirements set forth in Table 5.2.2, unless otherwise specified below. Standards apply to both **R5-A**, ADI and PRD developments, unless otherwise indicated.

Detached, semi-detached and townhouse units (including zero lot line)

1. Minimum Lot Area

a. Detached (ADI) - 4500sq. ft. in R-4 District; 3000 sq. ft. in R-5 District, subject to the following conditions:

i. No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4 or less than 4000 sq. ft. in R-5; and

ii. At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.

b. Detached (PRD **and R-5A**) – 2500 sq. ft.

- c. **Attached**, semi-detached and townhouse – 1500 sq. ft., subject to the following conditions in **R-5A and** ADI developments only:
  - i. No more than 25% of detached units may have a lot area less than 6000 sq. ft. in R-4 or less than 4000 sq. ft. in R-5; and
  - ii. At least 20% of the lots in the development are 9000 sq. ft. in area or greater in R-4, and at 6000 sq. ft. in area or greater in R-5.

### 5.3.1 Neighborhood Form District

#### D. Alternative Housing Styles

Alternative housing styles, including zero lot line, duplexes, and townhouses are encouraged in the Cornerstone 2020 Plan to provide housing choices for people of varying ages and incomes.

1. Where permitted by the **R-5A Residential Multi-Family District (Section 2.2.9) or the** Planned Residential Development District (Section 2.7.3), the alternative housing styles shall meet the requirements set forth in Table 5.3.1, unless otherwise specified below:
  - a. Detached and semi-detached units (including Zero Lot Line):
    - i. Minimum Lot Area – 3000 sq. ft.
    - ii. Minimum Lot Width – 30 ft.
    - iii. Minimum Front Yard Setback – 15 ft.
    - iv. Minimum Side Yard Setback – 0 ft. between the unit and the property line; 6 feet between adjacent units on separate lots.
    - v. Minimum Rear Yard Setback – 25 ft.; if alley: 5 ft.
    - vi. Maximum contiguous units – 2.
  - b. Attached Units-Townhouse (single family units with common side walls)
    - i. Minimum Lot: Area: - end units: 3,000 sq. ft.; interior units: 2,000sq. ft.
    - ii. Minimum Front Yard Setback – 15 ft.
    - iii. Minimum Lot Width – 18 ft.
    - iv. Minimum Side Yard Setback – 0 ft. between attached units. Between end units, the requirements in Table 5.3.1 shall apply.
    - v. Minimum Rear Yard Setback – 25 ft.; if alley: 5 ft.
    - vi. Maximum contiguous units in single family zoning districts – 4.
  - c. Attached Unit -Patio Home (single family units with common side and rear walls)
    - i. Minimum Lot Area – 3000 sq. ft.
    - ii. Minimum Lot Width – 35 ft.
    - iii. Minimum Front Yard Setback – 15 ft.
    - iv. Minimum Side and Rear Setback– 0 ft. between attached units; minimum distance between adjacent structures, 10 ft.

- v. Minimum Rear Yard Setback – 25 ft.; if alley: 5 ft.
- vi. Maximum Contiguous Units – 4.