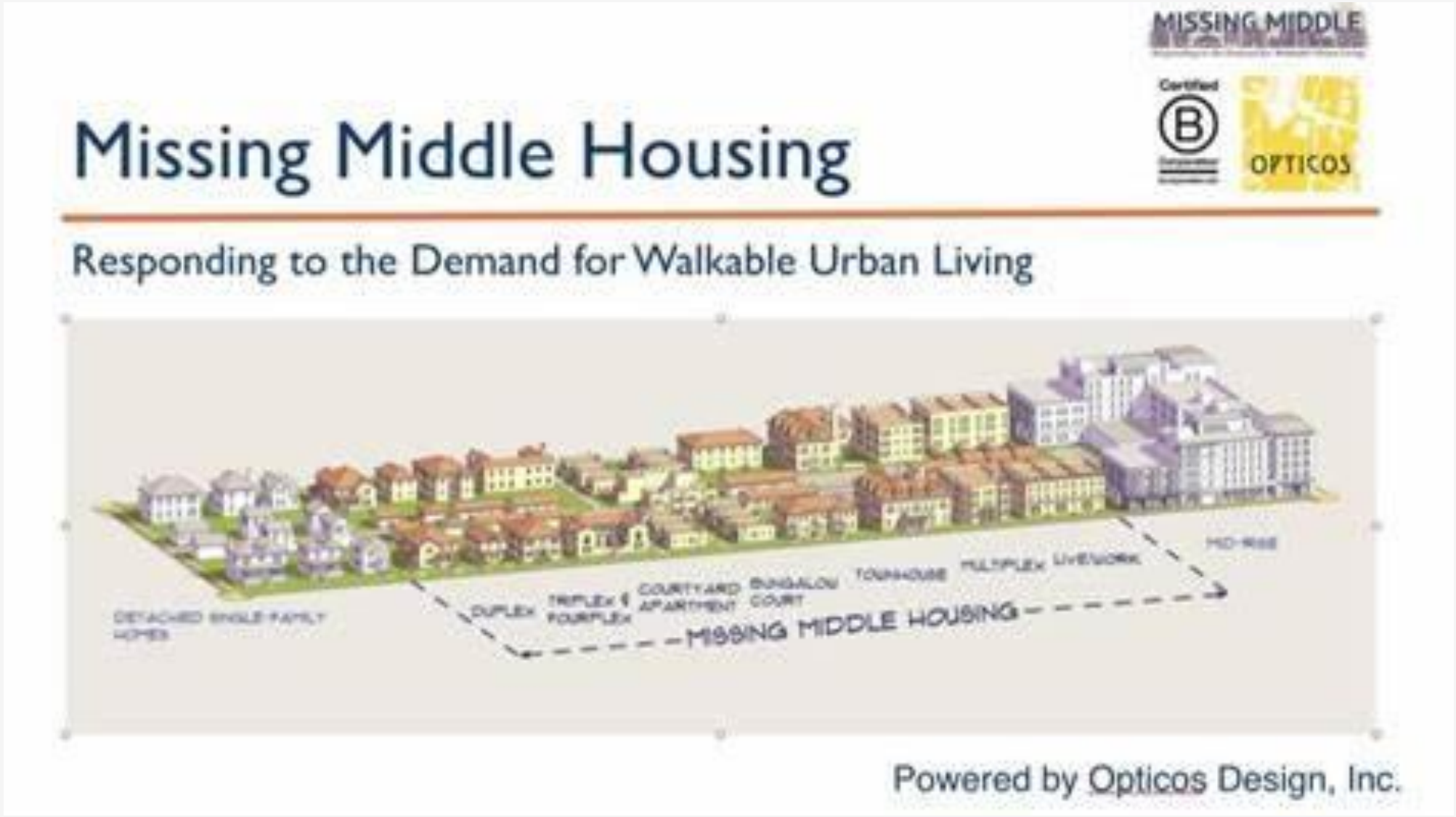
Land Development Code Diagnosis
with Housing Focus

For:
Louisville-Jefferson County Metro Government

By: Opticos Design

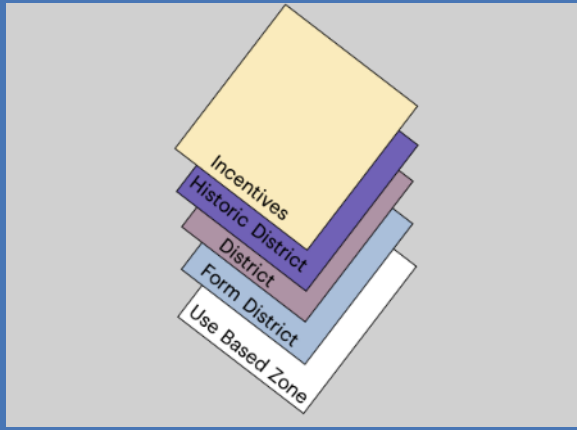
July 2020

Opticos Design

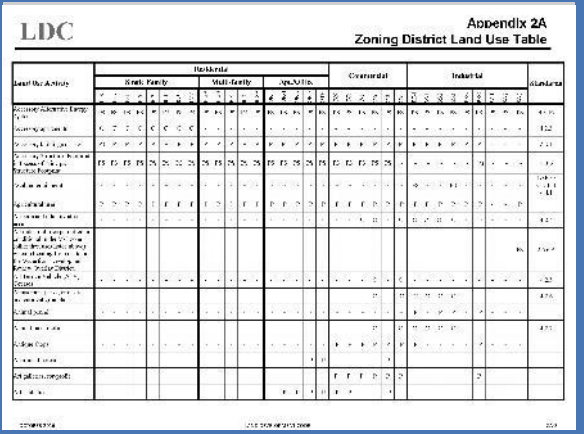


Summary of Top Issues

1. Code is Overly Complex: Has Too Many Layers of Regulation—Including 2-Tier Zoning



2. Land Use Tables are Long and Complex, Not Current Best Practice

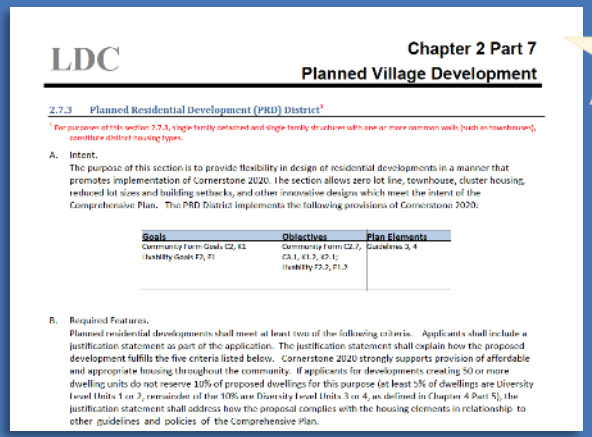


3. Standards Limit Delivery of Housing Choices

4. Intended/ Desired Form is Not Clear

Summary of Top Issues (Cont'd.)

5. Code Makes it Too Easy to Opt Out of the Standards



LDC

Chapter 2 Part 7
Planned Village Development

2.7.3 Planned Residential Development (PRD) District[1]

[1] For purposes of this section 2.7.3, single-family detached and single-family structures with one or more common walls (such as townhouses), constitute distinct housing types.

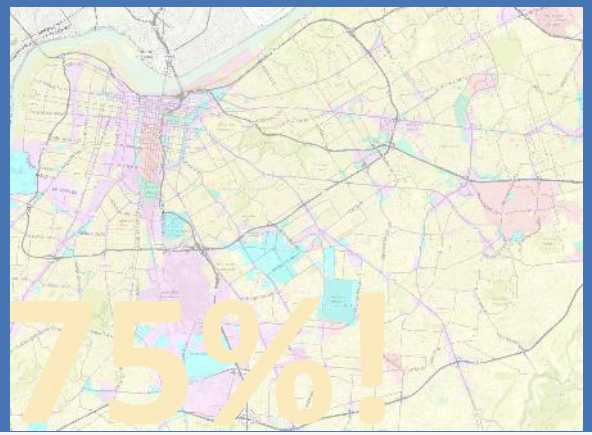
A. Intent.
The purpose of this section is to provide flexibility in design of residential developments in a manner that promotes implementation of Cornerstone 2020. The section allows zero lot line, townhouse, cluster housing, reduced lot sizes and building setbacks, and other innovative designs which meet the intent of the Comprehensive Plan. The PRD District implements the following provisions of Cornerstone 2020:

Goals	Objectives	Plan Elements
Community Form Goals C2, C1 Livability Goals F2, F1	Community Form C2.7, C3.1, C1.2, C2.1; Livability F2.3, F1.3	Guidelines 3, 4

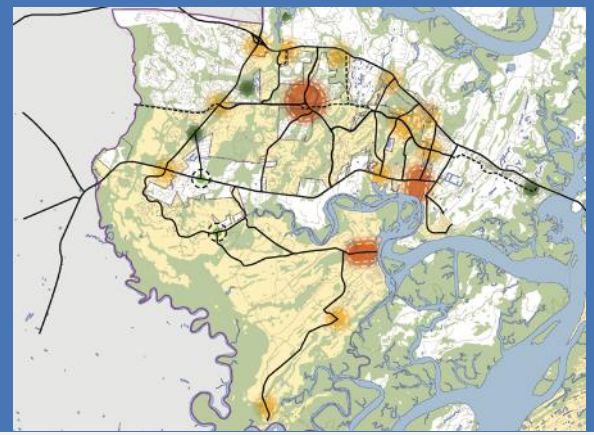
B. Required Features.
Planned residential developments shall meet at least two of the following criteria. Applicants shall include a justification statement as part of the application. The justification statement shall explain how the proposed development fulfills the five criteria listed below. Cornerstone 2020 strongly supports provision of affordable and appropriate housing throughout the community. If applicants for developments creating 50 or more dwelling units do not reserve 10% of proposed dwellings for this purpose (at least 5% of dwellings are Diversity Level Units 1 or 2, remainder of the 10% are Diversity Level Units 3 or 4, as defined in Chapter 4 Part 5), the justification statement shall address how the proposal complies with the housing elements in relationship to other guidelines and policies of the Comprehensive Plan.

6. Parking is a Barrier to Development in Traditional Areas

7. Too Much Land Zoned Single-Family in County



8. Comp. Plan Doesn't Identify Where Diverse Housing Should be Prioritized

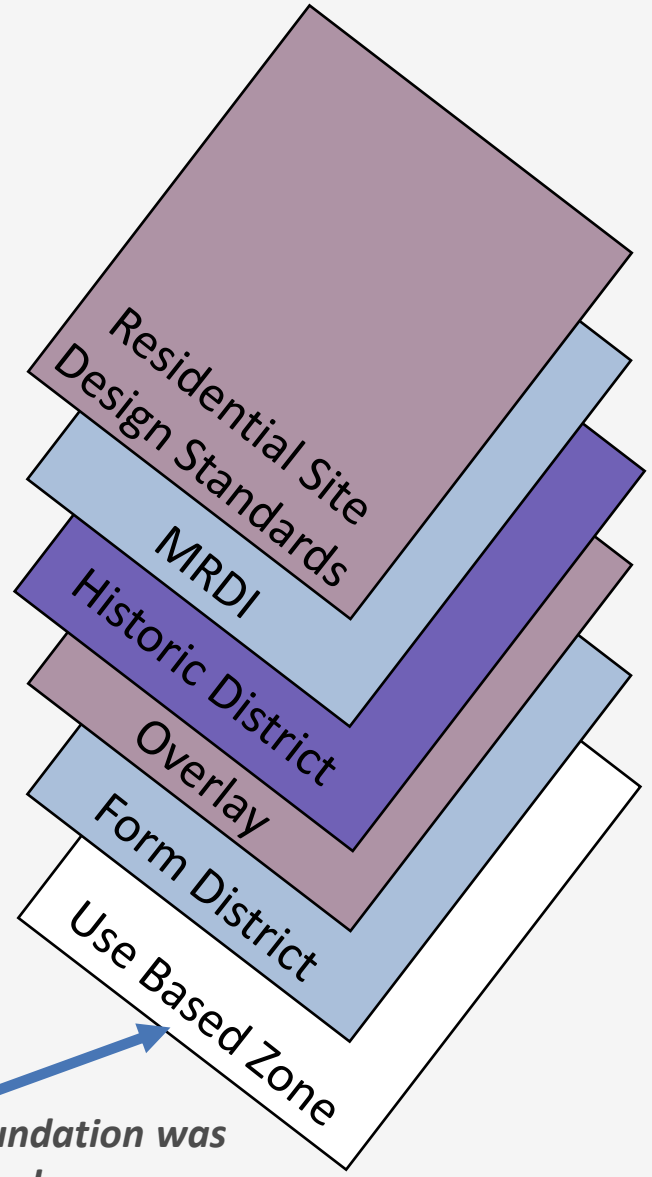


1

Complex Layers of Regulation

1. Use-Based Zoning Districts
2. Form Districts
3. TNZD Components
4. Overlay Districts
5. Historic Districts
6. MRDI: Mixed Residential Development Incentives
7. ADI: Alternative Development Incentives
8. Planned Residential Development District
9. Building Design Standards
10. Residential Site Design Standards

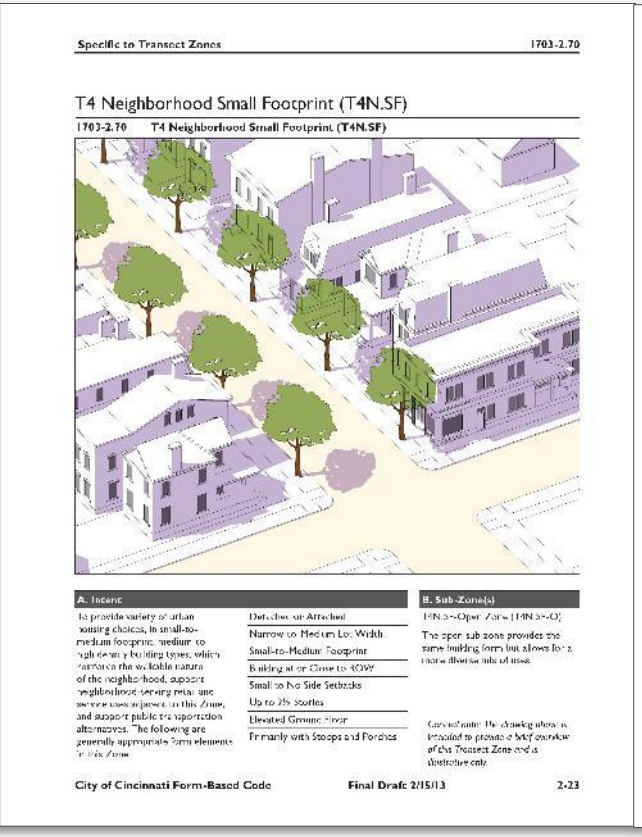
We found anywhere from **4 to 5 layers** applying to **one property**.



Recommendation:

$ / High Priority

Consolidate Standards Into Single Tier Zoning



Specific to Transect Zones 1703-2.70

T4 Neighborhood Small Footprint (T4N.SF)

1703-2.70 T4 Neighborhood Small Footprint (T4N.SF)

A. Intent

To provide a variety of urban housing choices, in small-to-medium footprint, medium- to high-density building types, which reinforce the walkable nature of the neighborhood, support neighborhood-serving retail and service uses adjacent in this Zone, and support public transportation alternatives. The following are generally appropriate form elements in this Zone.

Detached or Attached	
Narrow to Medium Lot Width	
Small-to-Medium Footprint	
Building at or Close to ROW	
Small to No Side Setbacks	
Up to 2½ stories	
Elevated Ground Floor	
Primarily with Stoops and Porches	

B. Sub-Zone(s)

T4N.SF-Open Zone (T4N.SF-O)

The open sub zone provides the same building form but allows for a more diverse mix of uses.

General note: The drawing above is provided to provide a brief overview of the Transect Zone and is illustrative only.

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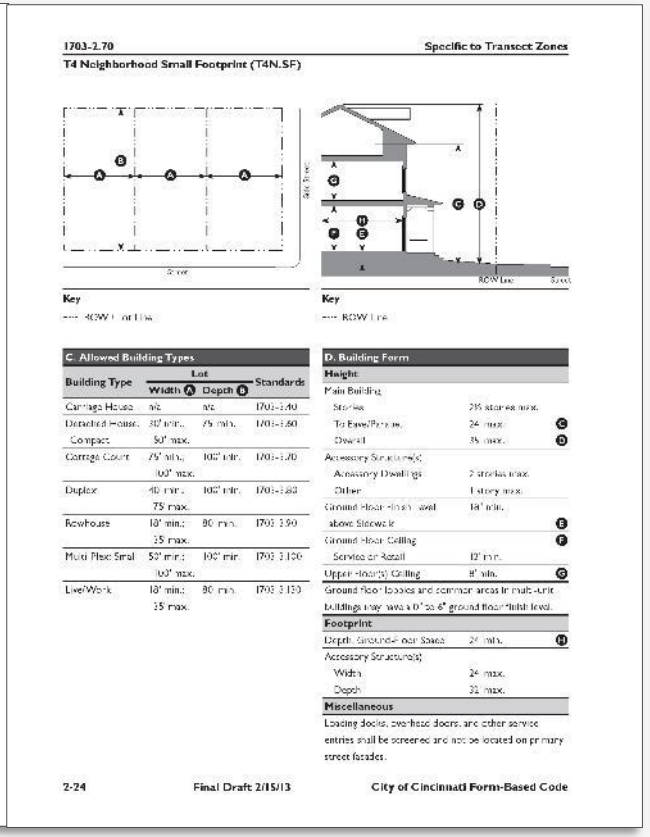

1703-2.70 Specific to Transect Zones

T4 Neighborhood Small Footprint (T4N.SF)

Key

---- ROW / Lot Line

Key

---- ROW / Lot Line

C. Allowed Building Types

Building Type	Lot Width (A)	Lot Depth (B)	Standards
Carriage House	n/a	n/a	1703-3.40
Detached House	30' min.,	75' min.	1703-3.60
Compact	50' max.		
Cottage Court	75' min.,	100' min.	1703-3.70
	100' max.		
Duplex	40' min.,	100' min.	1703-3.80
	75' max.		
Rowhouse	16' min.,	80' min.	1703-3.90
	35' max.		
Multi Plex Small	50' min.,	100' min.	1703-3.100
	100' max.		
Live/Work	16' min.,	80' min.	1703-3.110
	35' max.		

D. Building Form

Height	
Main Building	
Stories	2½ stories max.
To Eave/Parapet	24' max. C
Overall	35' max. D
Accessory Structure(s)	
Accessory Dwellings	2 stories max.
Other	1 story max.
Ground Floor Finish Level above Sidewalk	18" min. B
Ground Floor Ceiling	F
Service or Retail	12' min.
Upper Floor(s) Ceiling	8' min. G
Ground floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.	
Footprint	
Depth: Ground-floor Space	24' min. H
Accessory Structure(s)	
Width	24' max.
Depth	32' max.
Miscellaneous	

Loading docks, overhead doors, and other service entries shall be screened and not be located on primary street facades.

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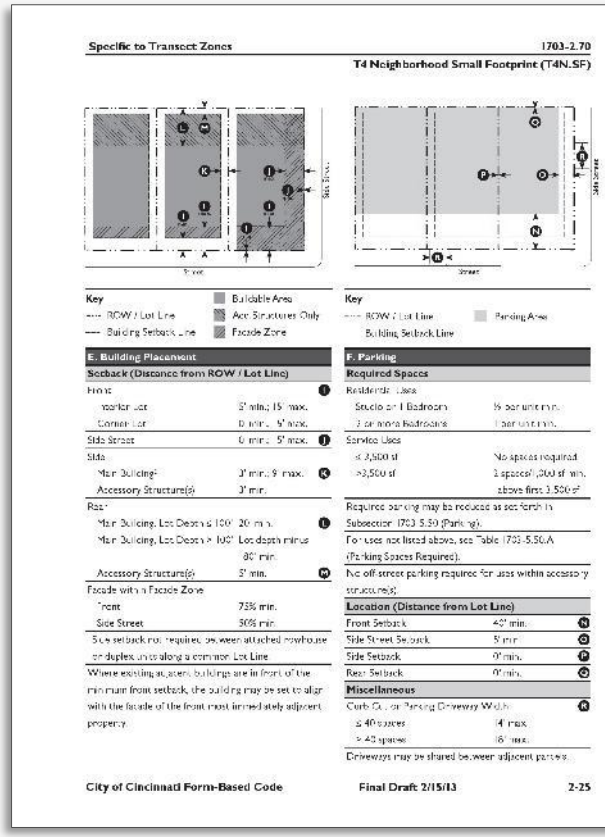

Specific to Transect Zones 1703-2.70

T4 Neighborhood Small Footprint (T4N.SF)

Key

---- ROW / Lot Line

— Building Setback Line

Buildable Area

Acc. Structures Only

Façade Zone

Key

---- ROW / Lot Line

— Building Setback Line

Parking Area

E. Building Placement

Setback (Distance from ROW / Lot Line)	
Front	I
Interior Lot	5' min.; 15' max.
Corner Lot	0' min.; 5' max.
Side Street	0' min.; 5' max. J
Side	
Main Building	3' min.; 9' max. K
Accessory Structure(s)	3' min.
Rear	
Main Building, Lot Depth ≤ 100'	20' min. L
Main Building, Lot Depth > 100'	Lot depth minus 80' min.
Accessory Structure(s)	3' min. M
Façade within Façade Zone	
Front	75% min.
Side Street	50% min.

Side setback not required between attached rowhouse or duplex units along a common Lot Line.

Where existing adjacent buildings are in front of the min./max. from setback, the building may be set to align with the façade of the front most immediately adjacent property.

F. Parking

Required Spaces	
Residential Uses	
Studio or 1 Bedroom	½ per unit min.
2 or more Bedrooms	1 per unit min.
Service Uses	
≤ 3,500 sf	No spaces required
>3,500 sf	1 space/1,000 sf min. above first 3,500 sf

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A (Parking Spaces Required).

No off-street parking required for uses within accessory structure(s).

Location (Distance from Lot Line)		
Front Setback	40' min.	N
Side Street Setback	5' min.	O
Side Setback	0' min.	P
Rear Setback	0' min.	Q
Miscellaneous		
Curb Cut or Parking Driveway Width		R
≤ 40 spaces	4' max.	
> 40 spaces	16' max.	

Driveways may be shared between adjacent parcels.

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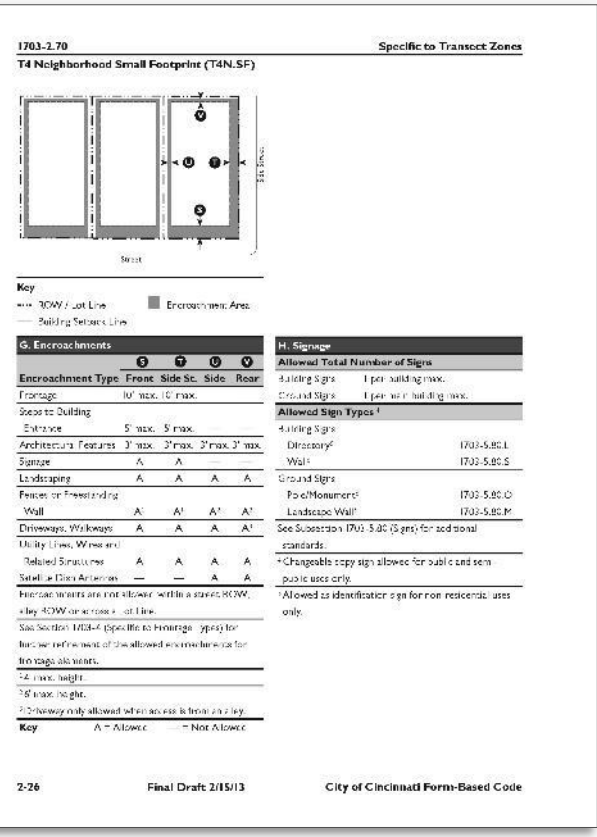

1703-2.70 Specific to Transect Zones

T4 Neighborhood Small Footprint (T4N.SF)

Key

---- ROW / Lot Line

— Building Setback Line

Encroachment Area

G. Encroachments

Encroachment Type	Front (S)	Side St. (T)	Side (U)	Rear (V)
Frontage	10' max.	10' max.		
Steps to Building				
Entrance	5' max.	5' max.		
Architectural Features	3' max.	3' max.	3' max.	3' max.
Signage	A	A	—	—
Landscaping	A	A	A	A
Fences or Freestanding Wall	A[1]	A[1]	A[1]	A[1]
Driveways, Walkways	A	A	A	A[1]
Utility Lines, Wires and Related Structures	A	A	A	A
Satellite Dish Antennas	—	—	A	A

Encroachments are not allowed within a street ROW, alley ROW or across a lot line.

See Section 1703-4 (Specific to Frontage Types) for limited encroachments of the allowed encroachments for frontage elements.

[1] 4' max. height.

[2] 36" max. height.

[3] Driveway only allowed when access is from an alley.

Key A = Allowed — = Not Allowed

H. Signage

Allowed Total Number of Signs	
Building Signs	1 per building max.
Ground Signs	1 per lot or building max.
Allowed Sign Types [1]	
Building Signs	
Directory[2]	1703-5.80.L
Wall[3]	1703-5.80.S
Ground Signs	
Pole/Monument[3]	1703-5.80.O
Landscape Wall[3]	1703-5.80.M

See Subsection 1703-5.80 (Signs) for additional standards.

[2] Changeable copy sign allowed for public and semi-public uses only.

[3] Allowed as identification sign for non-residential uses only.

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This should be done as part of compressing zoning and form standards into single-tier set of new zoning districts.

3

Standards Limit Delivery of Housing Choices

Current code does not permit full range of types

Densities too low

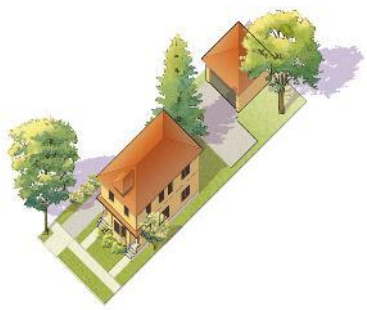
Lot sizes too high

Parking minimums too high

Recommendation:
$$ / High Priority

Embed full range of types into new single-tier zones.

Full Range of Missing Middle Housing Types and Necessary Densities



Duplex: Stacked

8-17 du/ac Front-Loaded
8-19 du/ac Rear-Loaded

Duplex: Side-by-Side

8-16 du/ac Front-Loaded
8-22 du/ac Rear-Loaded

Cottage Court

N/A du/ac Front-Loaded
19-35 du/ac Rear-Loaded

Multiplex Small

23-58 du/ac Front-Loaded
26-70 du/ac Rear-Loaded

Multiplex Large

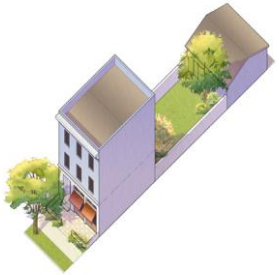
44-55 du/ac Front-Loaded
52-70 du/ac Rear-Loaded

Courtyard Building

54-60 du/ac Front-Loaded
58-70 du/ac Rear-Loaded

Townhouse

N/A du/ac Front-Loaded
20-28 du/ac Rear-Loaded



Live/Work

N/A du/ac Front-Loaded
20-28 du/ac Rear-Loaded

Shift from Density Focus to Form and Scale

6

Continue to Consider Parking Reductions: Do It by Context

Parking is often biggest barrier for housing.

Recommendations:

$ / High Priority

Remove all parking requirements for areas within traditional contexts

Max 1 per unit for suburban contexts

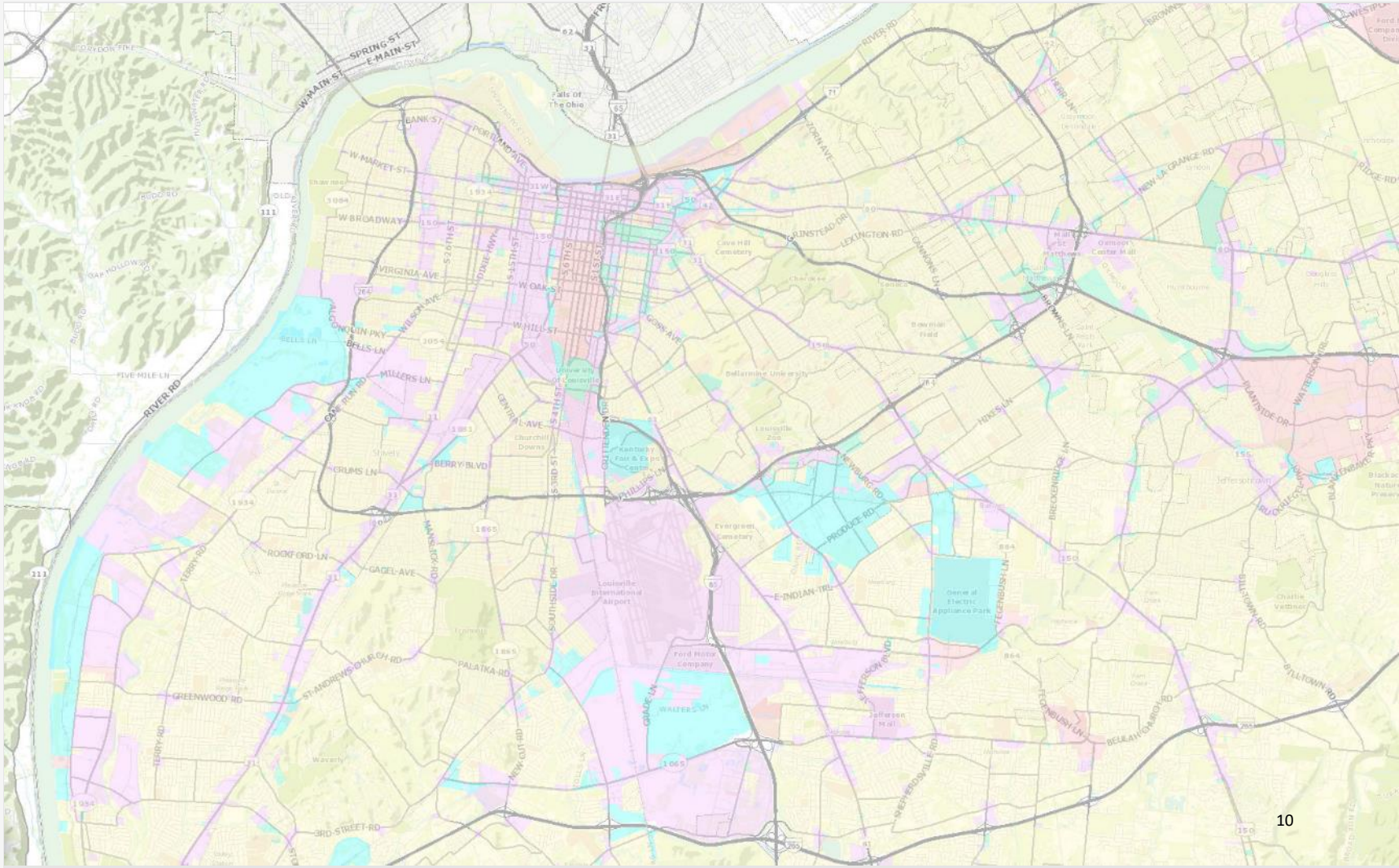
This new Missing Middle Neighborhood in Omaha, NE provides 1 off-street space per unit. The on-street parking is important and provides an additional 1 space per unit. Residents prefer to park on the street in front of their unit so they can see their car from their unit and walk through the front door.

7

Too Much Land Zoned for Single-Family Only

75% of Jefferson County restricted to single-family residential.

Due to shifting demand and rising costs, this will not meet market needs for attainability or desired choices.



10

Summary of Residential Zone Standards

R-5A through R-8A allow multifamily, but these zones apply to **only about 6%** of Jefferson County.

Densities in zones that allow MF are generally too low, except for R-8A which only applies to 0.02% of land.

Red indicates potential barriers to production of Missing Middle Housing and affordability.

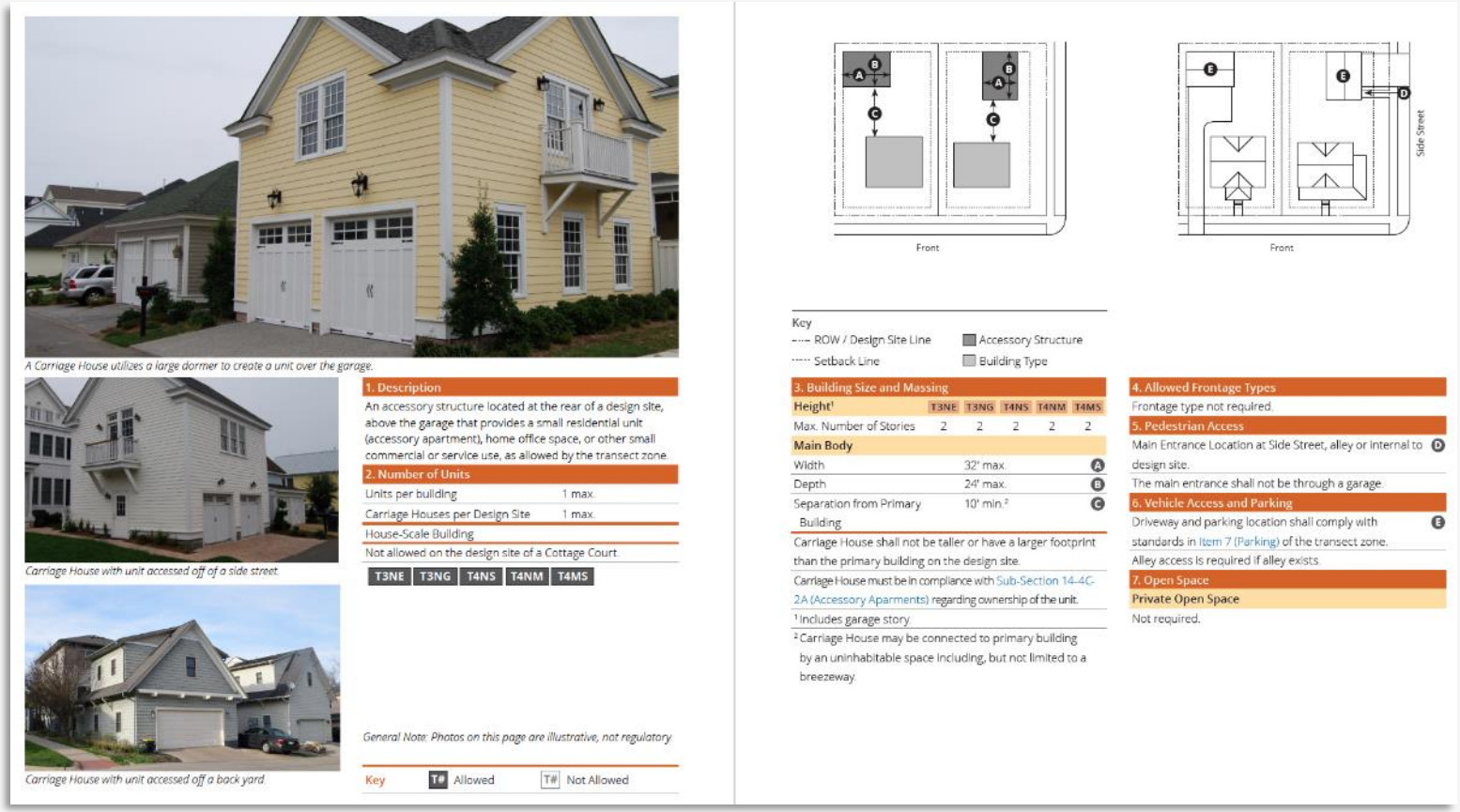
Zone	Use	Max FAR	Max Density	% of County Mapped
R-4	SF	0.5 (1.5 ADI; additional for CS)	4.84 (6.05 MRDI)	53.50
R-5	SF	0.5 (1.5 ADI; additional for CS)	7.26 (9.07 MRDI)	10.51
UN	SF	0.75 (3.0 with PD option)	1 per lot (58.08 with PD option)	0.08
R-5A	MF	.5	12.01	1.32
R-5B	Duplex	.5	2 per lot	0.08
R-6	MF	.75	17.42	3.12
R-7	MF	1	34.8	1.53
R-8A	MF	3	58.08	0.02

Specific Recommendations for Zone Standards: ADUs

Recommendation:

$$ / High Priority

Allow Accessory Dwelling Units (ADU) in all residential zones. Implement form-based standards that allow ADUs by-right.



A Carriage House utilizes a large dormer to create a unit over the garage.

Carriage House with unit accessed off of a side street.

Carriage House with unit accessed off a back yard.

1. Description

An accessory structure located at the rear of a design site, above the garage that provides a small residential unit (accessory apartment), home office space, or other small commercial or service use, as allowed by the transect zone.

2. Number of Units

Units per building	1 max.
Carriage Houses per Design Site	1 max.

House-Scale Building

Not allowed on the design site of a Cottage Court.

T3NE | T3NG | T4NS | T4NM | T4MS

General Note: Photos on this page are illustrative, not regulatory.

Key: T# Allowed; T# Not Allowed

Front

Front

Side Street

Key

---- ROW / Design Site Line

----- Setback Line

Accessory Structure

Building Type

3. Building Size and Massing

Height[1]	T3NE	T3NG	T4NS	T4NM	T4MS
Max. Number of Stories	2	2	2	2	2
Main Body					
Width	32' max.				A
Depth	24' max.				B
Separation from Primary Building	10' min.[2]				C

Carriage House shall not be taller or have a larger footprint than the primary building on the design site.

Carriage House must be in compliance with Sub-Section 14-4C-2A (Accessory Aparments) regarding ownership of the unit.

[1] Includes garage story.

[2] Carriage House may be connected to primary building by an uninhabitable space including, but not limited to a breezeway.

4. Allowed Frontage Types

Frontage type not required.

5. Pedestrian Access

Main Entrance Location at Side Street, alley or internal to design site. D

The main entrance shall not be through a garage.

6. Vehicle Access and Parking

Driveway and parking location shall comply with standards in Item 7 (Parking) of the transect zone. E

Alley access is required if alley exists.

7. Open Space

Private Open Space

Not required.

An example of form-based standards for Accessory Dwelling Units that enable a by-right process.

Pocket Neighborhoods Should be Allowed by Right

No buffers needed for 1-2 story house-scale buildings, even if density is higher than adjacent development!

Would Not Meet Lot Size, Parking, or Buffer Requirements

Option A: Homes on the Green	
Number of Units	7
Lot Size	1.9 acres
Number of Unit Types	1
Overall Density	3.7 du/acre

Option B: Cottage Court	
Number of Units	15
Lot Size	1.9 acres
Number of Unit Types	3
Overall Density	7.9 du/acre

Option C: Proposed Cottage Court	
Number of Units	18
Lot Size	1.9 acres
Number of Unit Types	3
Overall Density	9.5 du/acre

Thank You!

Any questions?