

*Note to Reviewers: These “Notes to Reviewers” will be removed from the approved Ordinance.*

## Chapter 1 Part 2 Definitions

### 1.2.2 Definitions

*Note to Reviewers: Active Recreation Area definition below proposed to be deleted because the draft combines Active and Passive Recreation Areas into one term.*

~~**Active Recreation Area (Conservation Subdivisions)**—Areas dedicated as prescribed places, sites, or fields where leisure time activities take place, often requiring equipment and characterized by repeated and concentrated use of land. Examples of active recreation area facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. For purpose of these regulations, areas for active recreation facilities do not include bike riding, hiking, walking and picnic areas. Active Recreation Areas shall only be located in Secondary Conservation Areas and contribute to only 50% of the required Conservation Area.~~

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*Note to Reviewers: Conservation Area definition below proposed to be modified because the draft combines Primary and Secondary Conservation Areas into one term.*

~~**Conservation Area** – Land to remain **undisturbed undeveloped** as part of the development of a Conservation Subdivision. Conservation Areas are made up of Primary and Secondary Conservation Areas. All lands identified as Primary Conservation Areas shall be Conservation Areas. If the Primary Conservation Area makes up less than the required percentage of the tract, the balance of the required Conservation Areas shall be made up of Secondary Conservation Areas.~~

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*Note to Reviewers: Conservation Tree definition below is added so that a developer may receive density credit for preserving large trees. The definition references a Champion Tree list maintained by the state Division of Forestry. The list measures trees by trunk circumference, height, average crown spread and total points.*

~~**Conservation Tree** - A tree of a species shown on the State Champions Tree List maintained by the Kentucky Department of Natural Resources, Division of Forestry, which also has a circumference, height, average crown spread or total points at a minimum of 50 percent of the Species Champion.~~

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*Note to Reviewers: Conventional subdivision definition is added below to distinguish it from a conservation subdivision.*

~~**Conventional Subdivision** – A subdivision that complies with the applicable provisions of this LDC, but that is not a conservation subdivision.~~

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**Note to Reviewers:** *Maximum Density (Conservation Subdivisions) definition below proposed to be deleted because the draft no longer uses this calculation.*

~~**Maximum Density (Conservation Subdivisions)** – The net density of residential units per acre allowed in a Conservation Subdivision after subtracting the total constrained land from the gross acreage of the development parcel.~~

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**Note to Reviewers:** *Passive Recreation Area definition below is proposed to be modified because the draft combines Active and Passive Recreation Areas into one term.*

~~**Passive Recreation Area (Conservation Subdivisions)** – Areas dedicated to passive and active recreation activities that require limited physical exertion on behalf of the participant has minimal impact upon the natural environment and wildlife. Examples of active recreation area facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. Examples of passive recreation activities include bird watching, walking, hiking, picnicking, horseback riding, or photography.~~

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**Note to Reviewers:** *Primary Conservation Area definition below proposed to be deleted because the draft combines Primary and Secondary Conservation Areas into one term.*

~~**Primary Conservation Areas (PCA)** – Areas of permanently protected open space within Conservation Subdivisions that comprise only the most severely constrained lands, where development is typically limited such as wetlands, floodplains, identified karst feature (i.e. sinkhole, etc.), steep slopes 30% or over, unstable soils, cemeteries, and habitats of endangered or threatened species.~~

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**Note to Reviewers:** *Primary Conservation Area definition below proposed to be deleted because the draft combines Primary and Secondary Conservation Areas into one term.*

~~**Secondary Conservation Areas (SCA)** – Areas of permanently protected open space within Conservation Subdivisions that are locally noteworthy or significant features of the natural or culture landscape such as mature woodlands, hedgerow and freestanding trees or tree groups, wildlife habitats and travel corridors, prime farmland, greenways and trails, historic sites and buildings, and scenic viewsheds.~~

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**Note to Reviewers:** *The following definition is included because the preserved open space of a conservation subdivision is required to be unimproved. The intent is to allow for trails and some minor improvements. The definition is a modification of the exiting LDC definition for “Development.”*

~~**Undeveloped (Conservation Subdivisions)** – A characteristic of a site whereby the site does not contain or exhibit any of the following improvements, activities or characteristics, except as customarily associated with cemeteries, farmlands, recreational activities, floodplain compensation, creation of water features, provision of~~

underground utilities, provision of detention basins, or historic, cultural or archeological sites: ~~buildings; mining, dredging, filling, excavating, drilling or grading activities; paving; or storage of materials and equipment; and any construction of improvements or clearing or the alteration of land from a natural state to facilitate a residential, commercial, business, or industrial use.~~

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### Chapter 7 Part 11 Conservation Subdivisions

#### 7.11.1 Relationship to the Comprehensive Plan

**Note to Reviewers:** Most of the stricken text below was moved to 7.11.3, Purpose.

~~The purpose of these regulations is to achieve a balance between well designed residential development, meaningful open space conservation, and natural resource protection in Louisville Metro by permitting Conservation Subdivisions as an alternative to conventional subdivisions as a form of residential development that fulfills multiple goals and objectives outlined in Cornerstone 2020.~~

In conformance with the state enabling legislation, this Part’s relationship to the Comprehensive Plan is as follows:

Goals	Objectives	Plan Elements
<i>Community Form:</i> A3, C2, C3,	<i>Community Form:</i> A3.1, A3.5, C2.3, C2.4, C2.5,	<i>Guidelines:</i> 1, 3, 4, 5, 7, 8,
<i>Mobility:</i> C1, D1, H2	C2.6, C2.7, C3.6, C4.1 <i>Mobility:</i>	9, 10, 11, 12, 13
<i>Livability:</i> B1, B2, B4, E2, E3,E4, F1,	C1.4, C1.5, D1.1, H2.4 <i>Livability:</i>	
F2, F3, F4, G2, G3, G4, H2, H3, H4, I1, I2, J4	B1.4, B1.8, B2.5, B4.2, E2.1, E2.2, E2.4, E3.1, E4.1, E4.2, F1.2, F2.2, F3.1, F3.2, F4.1, G2.1, G3.2, G4.1, G4.2, H2.1, H2.2, H3.1, H3.2, H3.4, H4.1, H4.2, I1.1, I1.1, I2.1	

#### 7.11.2 Definitions

Certain terms are defined for the purposes of this regulation. All other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise or is regulated in Chapter 1, Part 2 definitions.

**Note to Reviewers:** The edits below are the result of some proposed changes in the regulations that follow. For example, Staff proposes to merge primary and secondary conservation areas into one.

Definitions for the following list of terms used in this Part can be found in Chapter 1 Part 2

<del>Active Recreation Area</del>	Average Lot Size
Conservation Area	Existing Resources and Site Analysis Plan
Lane	Minimum Required Conservation Area
Conservation Subdivision	Neighborhood Green
Maximum Density	Preliminary Conservation Area Ownership and Management Plan
<del>Passive Recreation Area</del>	<del>Primary Conservation Areas (PCA)</del>
<del>Secondary Conservation Areas (SCA)</del>	Vegetative Cover
Terminal Vista	<u>Conservation tree</u>

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### 7.11.3 Purpose

**Note to Reviewers:** The addition below provides a purpose statement for the Conservation Subdivision regulations. In turn, the criteria in Section 7.11.5 require consideration of these criteria as part of the review process.

The purpose of this Part is to:

- A. Achieve a balance between well-designed residential development, meaningful open space conservation, and natural resource protection in Louisville Metro by permitting conservation subdivisions, a form of residential development that allows for reduced lot sizes in exchange for the preservation of natural, historic and cultural features on-site, as a form of residential development that is an alternative to conventional subdivisions and that fulfills multiple goals and objectives outlined in Cornerstone 2020;
- C. Provide for the preservation of open space;
- D. Permit flexibility of design in order to promote environmentally sensitive and efficient use of land;
- E. Permit grouping of houses and structures on less environmentally sensitive areas that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
- F. Promote interconnected greenways and wildlife and other natural corridors through the community; and
- G. Preserve in perpetuity:
  - 1. Unique or sensitive natural resources such as groundwater, floodplains and floodways, wetlands, streams, steep slopes, woodlands and wildlife corridors and habitat.
  - 2. Scenic views; and
  - 3. Historic and archaeological sites.

### 7.11.3 Applicability

- A. ~~Permitted Districts. Zoning Code Requirements:~~ Conservation Subdivisions are permitted in the RE, RR, R-1, R-2, R-3, R-4, and R-5 zoning districts.
- ~~B. A.~~ **Minimum Area.** The minimum area of the subdivision shall be no less than five acres and shall contain a minimum of five units.
- ~~C. B.~~ **Exceptions to the Minimum Area.** The Planning Director or designee may consider a smaller area than required in subsection ~~A B.~~ above if the applicant can demonstrate one of the following:
  - 1. The proposed Conservation Areas provide a connection between unconnected, existing areas of Conservation Area or other protected areas and shall not result in providing only narrow or isolated fragments of Conservation Area.
  - 2. The Conservation Subdivision will ensure the protection of a unique natural, cultural or historical area.
- D. **Tree Removal Prior to Application.** A site shall be ineligible for development as a conservation subdivision if any tree removal has taken place on the site at any time within twelve months prior to pre-application submittal without consultation and approval of the Urban Forester. In addition, no such tree removal shall take place in the time between pre-application submittal and final approval of the conservation subdivision. This requirement shall not prohibit tree removal for safety reasons, routine maintenance, or required geotechnical work.
- E. **Single-Family Semi-Detached and Attached Permitted.** Single-family semi-detached and attached dwelling

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units are permitted in the R-2, R-3, R-4, and R-5 zoning districts as part of a conservation subdivision. Such housing types are not permitted in the RE, RR, and R-1 zoning districts.

#### 7.11.4 Procedures

All preliminary and final subdivisions subject to this Part shall be subject to the following procedures:

- A. Pre-application.** Prior to formal application, an applicant shall file a pre-application and accompanying materials required by Planning and Design Services. The filing shall include an Existing Resources and Site Analysis Plan. The plan shall be drawn on paper or other media approved by division staff at a legible scale, depending on the size of the subdivision, and shall follow the guidelines as outlined requirements in Section 7.5. The Existing Resources and Site Analysis Plan shall be prepared in accordance with the requirements contained below:

**Note to Reviewers:** In regard to edit above, Section 7.5 has "shall" statements and so they are not guidelines.

1. **Existing Resources and Site Analysis Plan.** The Existing Resources and Site Analysis Plan shall show the following:
  - a. Topography, the contour lines of which shall be at two-foot intervals. The determination of appropriate alternative contour intervals shall be made by the Planning Director or designee, which may result in a requirement of greater or lesser intervals on exceptionally steep or flat sites. Slopes between 15-20 percent, 20-30 percent, and greater than 30 percent shall be clearly labeled.
  - b. Ponds, streams, ditches, drains, and natural drainage swales, as well as the 100-year floodplains and wetlands, as defined in Section 4.8 of the LDC.
  - c. Vegetative Cover conditions on the property according to general cover type including, but not limited to, cultivated land, permanent grass land, meadow, pasture, old field, hedgerow, woodland, individual and isolated, mature trees which have a caliper (measured at chest height) of at least 12-15 inches for Type A species, 8-12 inches for Type B species, and 6-8 inches for Type C species, and the actual canopy line of existing trees and woodlands. Vegetative Cover types shall be described by plant community, relative age, and condition.
  - d. Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for Jefferson County, and accompanying data published for each soil relating to its suitability for construction (and, in unsewered areas, for septic suitability).
  - e. Ridge lines and watershed boundaries.
  - f. A view shed analysis showing the location and extent of views into the property from public roads, public parks, public forests, and other public lands.
  - g. Geologic formations, including, but not limited to, rock outcroppings, cliffs, sinkholes, and fault lines, based on available published information or more detailed data obtained by the applicant.
  - h. All existing man-made features including, but not limited to, streets, driveways, farm lanes, woodland roads, buildings, foundations, walls, wells, drainage fields, dumps, utilities, fire hydrants, and storm and sanitary sewers.
  - i. Locations of all historically significant sites or structures on the tract, including but not limited to cellar holes, stone walls, earthen works, and graves.

- j. Locations of trails that have been in public use (pedestrian, equestrian, bicycle, all-terrain vehicle and other similar trails), or private trails that will be integrated into the final plan.
- k. All easements of property which are or have been filed of record with the Jefferson County Clerk's Office.
- l. At least 100 feet into adjacent properties shall be depicted on the plan with the use of the property identified as well as any significant natural features shown as listed within items a-k above.

**Note to Reviewers:** *The requirement of a tree removal affidavit below certifies that the applicant has adhered to the requirement in 7.11.3.C that no trees may be removed from the site 12 months prior to submittal nor during the review process.*

- 2. ~~Tree Removal Affidavit.~~** ~~The applicant shall submit an affidavit affirming that no tree removal, other than removal for safety reasons, routine maintenance or required geotechnical work and after consultation with and approval of the Urban Forester, has taken place on the site at any time within twelve months prior to pre-application submittal and that no such tree removal will take place on the site during the review process- compliance with Section 7.11.3.D.~~

**Note to Reviewers:** *Members of the task force believed that the added requirement below should be part of the regulations, not a matter of policy. The council member or his or her representative is not required to attend, but must be invited.*

- 3. ~~2.~~ Site Visit.** Prior to the formal application of the Preliminary Plan, and in advance of the neighborhood meeting required in Section 7.11.4.A.34 below, PDS staff, the applicant, along with interested public agencies and utility companies shall visit the site to gain a thorough understanding of the characteristics of the site. **In addition, the Metro Council member, or his or her designee, shall be invited to the site visit.** It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the site inspection.

- 4. ~~3.~~ Neighborhood Meeting.** The applicant shall provide notice to all first tier property owners, neighborhood groups that have registered with Planning and Design Services, the Metro Council office representing the district in which the parcel lies, and to PDS staff stating that a subdivision is being proposed and announcing a neighborhood meeting held by the developer/owner to discuss the proposed project. The meeting shall be held no more than 90 days prior to filing the application. At the time of filing a Conservation Subdivision Preliminary Plan, the applicant shall provide a summary of the public meeting between the applicant and the adjacent property owners. The summary shall include a list of those invited, those in attendance and a summary of the issues discussed.

- B. Preliminary Plan Application.** The applicant shall file an application for preliminary plan approval on a form supplied by Planning and Design Services and shall submit therewith a preliminary plan prepared in conformance with the requirements of Part 5 hereof. No application shall be complete unless it is accompanied by the appropriate review fee. Applications shall be accompanied by the following supporting documentation and any additional documentation as deemed necessary by the Planning Director or designee. Additional materials shall be required based on site conditions or potential impact of the development, or as needed to determine compliance with these regulations. In addition, technical studies required by other applicable sections of this Land Development Code, including traffic, air quality, wetland analysis, geo-technical studies, and hydro-geologic analyses may be required. Failure to submit all required material may result in delay of the application review. Staff of the Division may require submission



of information, material and documents beyond that required in this section as necessary to determine compliance with these regulations. In addition to the requirements outlined in Section 7.2.20, the preliminary plan shall include the following:

1. All information required on the Existing Resources and Site Analysis Plan, as set forth in Section 7.11.4.A.1.
2. Existing and approximate proposed lot lines, lot areas, existing easements and rights-of-way, and approximate boundaries of Conservation Area lands.
3. Approximate location, alignment, width and temporary names, location, alignment, and width of all proposed streets and street rights-of-way, including all street extensions or spurs that are reasonably necessary to provide adequate street connections and facilities to adjoining development or undeveloped areas; preliminarily-engineered profiles for proposed streets.
4. Location of all percolation tests, including all failed and approved test sites or pits and including an approved alternate site for each lot requiring an alternative sewage disposal system. All approved alternative sewage disposal systems shall be clearly distinguished from unapproved sites.
5. Limits-of-disturbance lines shown in relation to natural and cultural features to be saved.
6. Approximate location and dimensions of proposed playgrounds, public buildings, public areas and parcels of land to be dedicated or reserved for public use.
7. If the land to be subdivided lies partly in or abuts another jurisdiction, the applicant shall submit information concerning the location and conceptual design of streets, layout and size of lots and provisions of public improvements on such land in the proposed site as lies within the adjacent municipality. The design of public improvements shall provide for a smooth, practical transition where specifications vary between municipalities. Evidence of submittal of this information to appropriate officials of the adjoining municipalities also shall be submitted.
8. Utilities and Easements.
  - a. Approximate locations of existing utility easements and approximate locations of proposed utility easements.
  - b. Approximate layout of all proposed sanitary and storm sewers and location of all inlets and culverts, and any proposed connections with existing facilities. (These data may be on a separate plan.)
  - c. The tentative location of proposed on-site sewage and water facilities.
  - d. The tentative location of all Green Management Practices.
9. Letter of Explanation. The applicant must submit a detailed letter explaining the various key elements of the proposed conservation subdivision. The letter may include, but is not limited to, the following items:
  - a. Describe how the existing natural features of the site are being preserved and incorporated into the layout.
  - b. Explain how clustering of dwelling units will:
    - i. Minimize disturbance to woodlands, wetlands, grasslands, mature trees and steep slopes;
    - ii. Prevent downstream impacts due to runoff through storm water techniques including

minimizing impermeable areas, using bio swales, rain gardens, permeable pavements, small-scale, infiltration and green roofs;

- iii. Protect views of open land from existing adjacent roadways through practices such as orienting structures to align with topographic character of land, tucking structures behind tree lines or knolls, using vegetation as a backdrop to reduce prominence of the structures, varying setbacks, setting aside required conservation land as a visual amenity into and within the development site, or any combination of these practices;
  - iv. Protect archaeological site and existing historic buildings or incorporate them through adaptive reuse;
  - v. Avoid encroaching on sensitive areas such as rare plant communities, high quality habitats, or endangered species habitats identified by the Kentucky Department for Natural Resources.
- c. Explain how the design and location of buildable lots will ensure compatibility with existing adjacent development.
  - d. Justification must be provided for any cases where proposed open space areas within the development will not abut existing open space areas on adjoining parcels.

**Note to Reviewers:** The edits below make submittal of a conventional layout mandatory when the conservation subdivisions plans are submitted. "Traditional" is replaced with "conventional" to avoid confusion with a layout suitable for a new urbanist or neo-traditional development. The submittal is now required rather than optional because that is what the underlying desnity of the project is based on in Sec. 7.11.9.

10. ~~The Planning Director may also require~~ The applicant shall ~~to~~ submit a ~~traditional-conventional~~ subdivision layout (~~adhering to~~ non-conservation subdivision regulations) for the site for staff to compare to the conservation subdivision layout submitted. ~~The conventional layout shall not reflect any variances or waivers that may otherwise have been requested as part of the submittal.~~

**C. Staff Review.** PDS Staff's review of the plan shall proceed in accordance with the procedures set forth in Section 7.2.20.B. In addition, specific ~~guidelines~~ standards of this Part shall apply.

**D. Final Action.** Final action on the conservation subdivision shall be in accordance with the Louisville Metro Planning Commission Policies.

### 7.11.5 Development Design Standards

In addition to the Technical Standards for Conservation Subdivisions as set forth in Section 7.11.9, the following criteria shall be followed ~~by applicants and considered by review bodies~~ to ensure that the project is appropriate for the site's natural, historic and cultural features and meets the objectives of this ~~regulation Part~~:

- A.** Lots and buildings must be clustered to minimize negative impacts on the natural, scenic, and cultural resources of the site and conflicts between incompatible uses.
- B.** Open space shall abut with existing or potential open space lands on adjoining parcels and local or regional recreational trails. Written justification is required for open space that does not abut adjacent open space.

~~C. The design of the subdivision is in accord with the Purpose of this Part, as established in Section 7.11.3.~~

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## 7.11.6 Conservation Areas

**Note to Reviewers:** Edit below is due to consolidating primary and secondary conservation areas.

Conservation Areas are land to remain ~~undisturbed undeveloped~~ as part of the development of a Conservation Subdivision. Conservation Areas shall consist of at least thirty percent (30%) of the total proposed subdivision acreage for property located in the R-5 and R-4 zoning districts and at least sixty percent (60%) of the total proposed subdivision acreage for property located in the R-R through R-3 zoning districts. ~~Conservation Areas are made up of Primary and Secondary Conservation Areas. If the Primary Conservation Area makes up less than the required percentage of the tract, the balance of the required Conservation Areas shall be made up of Secondary Conservation Areas.~~

### A. ~~Primary Conservation Areas (PCA).~~ **Half Credit Conservation Areas**

~~PCA's form the core of the Conservation Area to be protected. Active recreation areas are prohibited in PCA's unless approved by the Director. PCA's, as defined by this regulation, include the following:~~

1. ~~The following features are established as Conservation Areas but are already protected by other provisions in this LDC or other local, state or federal regulations. As such, they shall receive 50 percent credit when calculating the minimum required Conservation Area for a conservation subdivision.~~

**Note to Reviewers:** The features listed below are protected by other regulations and so, under the current rules, they would be preserved anyway, whether or not a conservation subdivision is being utilized or not. So, they are proposed to only be eligible for 50% conservation area credit.

- ~~a. 1.~~ Cemeteries;

**Note to Reviewers:** Habitats are proposed to be moved to Full Credit Conservation Areas.

- ~~2.~~ Habitats for endangered or threatened species as defined by the Kentucky Department for Natural Resources;

- ~~b. 3.~~ Alluvial soils identified by the Federal Emergency Management Agency (FEMA) and 100-Year floodplain;

- ~~c. 4.~~ Unstable soils as determined by the Natural Resources Conservation Services and depicted in Core Graphic 5;

- ~~d. 5.~~ Protected Waterways and their Buffer Areas (100 feet) including:

- ~~i. a.~~ Any perennial stream or river (or portion thereof) that is portrayed as solid on the United States Geological Survey 7.5 minute quadrangle maps, of the most recent edition;

- ~~ii. b.~~ Wetlands subject to the jurisdiction of the U.S. Environmental Protection Agency or the Army Corps of Engineers and additional standards established in Section 4.8.5;

- ~~iii. c.~~ Lakes of greater than three acres in size, and with a permanent pool elevation that constitute "waters of the Commonwealth" as defined in KRS Chapter 224.

- ~~iv. d.~~ Other bodies of water designated as Protected Water Bodies through official nomination and appropriate legislative approval.

- ~~e. 6.~~ Karst features subject to development restrictions as defined in Chapter 4.9; **and**

- ~~f. 7.~~ Existing slopes greater than 30% on average with a site area greater than 5,000 square feet

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identified as part of a site analysis conducted by a registered engineer, land surveyor or landscape architect and calculated using topographic maps from Louisville-Jefferson Geographic Information Consortium (LOJIC) or from a topographic survey prepared by a licensed land surveyor.

### **B. Full Credit Conservation Areas**

**Note to Reviewers:** *Habitats for endangered or threatened species are proposed to be moved to Full Credit Conservation Areas.*

1. ~~Secondary Conservation Areas (SCA). SCAs consist of undeveloped, unconstrained, buildable land, and protected, constrained but buildable lands. Because active recreation areas are cleared and graded and therefore reduce natural resources and wildlife habitats, only 50% of active recreation areas and facilities may be counted as Conservation Area. SCAs, as defined by this ordinance, include the following: The following features are established as Conservation Areas and shall receive 100 percent credit when calculating the minimum required Conservation Area for a conservation subdivision.~~
  - a. Farmlands (fields, pastures, meadows, prime agriculture soils);
  - b. Habitats for endangered or threatened species as defined by the Kentucky Department for Natural Resources;
  - c. Woodlands, excluding riparian buffers;
  - d. Historic and/or archaeological sites as identified by the Kentucky Heritage Council or Louisville Landmarks Commission, excluding cemeteries;
  - e. ~~Passive~~ Recreation areas, public and private, passive and active, to include pedestrian, bicycle and equestrian trails, picnic areas, community commons or greens, orchards, vineyards or community gardens, parks as identified by the Metro Parks and Recreation Master Plan, playing fields, and playgrounds and similar areas; and
  - e. ~~Active recreation areas and facilities, public and private, including parks as identified by the Metro Parks and Recreation Master Plan, playing fields, and playgrounds.~~
  - f. Any intermittent stream or river (or portion thereof), with a minimum 50-foot Buffer Area, that is portrayed as a broken line on the United States Geological Survey 7.5 minute quadrangle maps, of the most recent edition.
2. The features listed above shall receive a 125 percent credit when calculating the minimum required Conservation Area for a conservation subdivision if they are situated so that they do not abut a rear property line of a residential lot.

**Note to Reviewers:** *The intent of paragraph 2 above is to encourage conservation space that does not serve as a back yard area for residential lots. This means that the conservation areas would be on the opposite side of a street from a residence and that the street would be single-loaded, something that developers are wary of because it reduces lot count. Graphic below is for review purposes only.*



**C. Conservation Area Design Review Standards.** The configuration of Conservation Area land shall comply with the following standards:

1. Where the proposed development adjoins public park land or conservation easement, a conservation area of at least thirty (30) feet shall be provided within the development along its common boundary with the park land or conservation easement, within which no new structures shall be constructed and no clearing of trees or understory growth shall be permitted (except as necessary for street or trail construction). Where this buffer is unwooded, the Planning Director or designee may require that vegetative screening be planted or that the buffer be managed to encourage natural forest succession through “no-mow” policies and the periodic removal of invasive species. **EXCEPTION:** Housing facing park land or park boundary road is not required to have above listed conservation area.
2. Conservation Area land shall be interconnected to existing and potential Conservation Areas on adjacent properties as well as to other internal Conservation Areas on the development site to provide a continuous network of such lands within and adjoining the development site.

**Note to Reviewers:** Staff and design professionals have debated paragraph 3 below. The proposed edits allow some conservation area credit for storm water treatment areas but no credit for sewage treatment or water supply facilities.

3. Except for civic and recreational spaces, such as squares and playing fields, Conservation Areas shall be free of all structures, excluding, however, historic buildings, stone walls, and structures related to Conservation Area land uses. Structures and improvements made for storm drainage, sewage treatment, and water supply may be located in the Conservation Area land. Acreage set aside for ~~such uses sewage treatment and water supply~~ shall not be credited towards the minimum required Conservation Area. Thirty percent of the acreage set aside for storm drainage that does not qualify as a Green Management Practice shall be eligible for credit as Conservation Area. One hundred percent of the acreage set aside for (a) storm drainage that does qualify as a Green Management Practice or (b) underground utilities shall be eligible for credit as Conservation Area if ~~unless~~ the land remains appropriate for ~~passive~~ recreational use.
- ~~4. Except in those cases where a portion of the Conservation Area is located on private house lots, this Conservation Area land shall provide for pedestrian pathways for use by the residents of the subdivision. Consideration shall be given to providing for public access on such trails if they are linked to other publicly accessible pathway systems within Louisville Metro or an adjoining jurisdiction. Provisions shall be made for access to the Conservation Area land, as required for land management and emergency purposes.~~
- ~~4. 5.~~ Conservation Area land shall be suitably landscaped either by retaining existing natural cover and

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wooded areas or according to a landscaping plan to protect and enhance greenway resources. In any case, preservation and retention of natural cover is preferable and may be supplemented by additional landscaping where necessary.

- 5. 6.** The Conservation Area shall be contiguous. Contiguous shall be defined as being connected based on the following:

**Note to Reviewers:** The edits below increase the width and area of a conservation area to 60 feet and 9,000 square feet, respectively, in order to create more functioning conservation space. The maximum length is proposed to be 1,200 feet so that the result is not long, skinny, unusable conservation area “fingers” in a subdivision. The edits also require a buffer to be a minimum of 100 feet in width and be designated as a Woodland Protection Area (WPA) if it is to count as a Conservation Area. WPAs are defined in the Code as “Vegetated portions of a development site designated at the time of the approval process to be permanently protected (through the use of deed restrictions) either in a natural state or following selective removal of under story, brush and/or trees as specified at time of plan approval.” Recommendations for path or trail materials are proposed to be removed.

**Note to Reviewers:** Where vegetated buffers are proposed to be incorporated into the perimeter buffer as a Green Management Practice (eligible for a Lot Yield Bonus as allowed in 7.11.9.B below), the relationship between the vegetated buffer and the perimeter buffer will be addressed on a case by case basis in the conditions of approval for the conservation subdivision.

- a. The minimum width of any Conservation Area ~~that is not a property perimeter buffer~~ is ~~30~~ 60 feet, ~~the maximum length is 1,200 feet,~~ and ~~minimum contiguous area is shall contain at least 6,000~~ 9,000 square feet ~~of contiguous area~~ unless the Conservation Area is at the terminus of a cul-de-sac, where the minimum width of ~~15~~ 30 feet shall be permitted.
- b. Property perimeter buffers may only be considered as Full Credit Conservation Areas if they include existing trees and vegetation that are designated as ~~Tree Canopy Protection Areas (TCPA)~~ Woodland Protection Areas (WPA) and are a minimum of 100 feet in width in their entirety.
- c. All Conservation Area networks shall provide connectivity to any common areas within the development and to any adjacent public places or rights-of-way. ~~These connections could be provided through a pathway that may be paved, mulched, natural or grassy or other similar way to connect the areas.~~
- d. Where path networks cross internal subdivision streets or public streets, access points shall be directly across from each other or as approved by Public Works.
- e. Crossings and access points shall be clearly identified to pedestrians and motorists and may include traffic control devices, bridges and tunnels as approved by Public Works.
- f. Provisions shall be made for access to the Conservation Area, as required for land management and emergency purposes.

- 6. 7.** Conservation Areas will still be considered connected if separated by a roadway. The Planning Commission or their designated committee ~~Planning & Design Services staff~~ may waive the requirement of connectivity for all or part of the required Conservation Area where it is determined that allowing non-contiguous Conservation Area will promote the ~~goals of this section~~ Purpose of this

Part or protect identified ~~PCAs and SCAs~~ Conservation Areas.

- 7. 8.** Common and non-common areas in Conservation Area land shall be preserved for its designated uses and shall be made subject to such agreement with Louisville Metro Government and such conservation easements, duly recorded with the office of Jefferson County Clerk as may be required by Louisville Metro Government.
- 8. a.** The percentage of the Conservation Area that is wetlands shall not typically exceed the percentage of the tract which is wetlands; provided, however, the applicant may include a greater percentage of wetlands in such Conservation Area upon a demonstration that such inclusion promotes the purposes of this regulation.
- 9.** Paths or walkways may be permitted within Wetland and Protected Waterway Buffer Areas if constructed of pervious materials and demonstrate compliance with standards established in Chapter 4.8 of the LDC.

#### 7.11.7 Legal Restrictions

- A. Permanent Conservation.** Dedicated Conservation Areas shall be prohibited from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the Planning Commission's Legal Counsel and duly recorded in the office of Jefferson County Clerk.
- B. Conservation Area Management Plan.** Using the Preliminary Plan as a base map, the boundaries, acreage and proposed ownership of all Conservation Area land shall be shown. The applicant shall submit a Conservation Area Management Plan detailing the entities responsible for maintaining various elements of the property, and describing management objectives and techniques for each part of the property. A detailed ownership and management plan for the Conservation Areas shall be filed with the plat for any proposed Conservation Subdivision. The plan shall:
1. Identify the owner, entity responsible for maintenance, and long-term funding strategies such as homeowners' fees or assessments.
  2. Specify guidelines for how the maintenance of the Conservation Areas and any facilities eligible for location in the Conservation Areas will occur.
  3. Identify a board and procedures for oversight of an enforcement of the Management Plan.
- C. Ownership and Management.** Any management organization shall be bona fide and in perpetual existence and the conveyance instrument shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its function (Management Entity). Options for ownership and management of preserved area include:
1. Fee Simple dedication to Louisville Metro Government or other public entity subject to acceptance by and at the sole discretion of Louisville Metro Government or other public entity.
  2. Creation of or dedication to a Homeowners Association capable of carrying out the ownership and management plan. The Planning Commission Legal Counsel shall determine that, based on documents submitted with the development plan, the Association's bylaws or code of regulations specify the following requirements:
    - a. Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.
    - b. The Association shall be responsible for maintenance, control, and insurance of common areas, including the dedicated conservation areas.

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3. Establishment of an endowment where the principal generates sufficient annual interest to cover the yearly costs of ownership and maintenance of the preserved area.
  4. Dedication to a private or not-for-profit entity such as a land trust or similar conservation-oriented organization with the legal authority and financial capacity to accept such dedications.
  5. Dedication of a conservation easement on the Conservation Areas to any of the above entities with a right of enforcement in favor of Louisville Metro Government stated in the easement.
- D. Right of Enforcement.** In the event the party responsible for maintenance of the Conservation Areas fails to maintain all or any portion in reasonable order and condition according to the Management Plan, Louisville Metro Government may assume responsibility for its maintenance and may enter the premises and take corrective action, including provision of extended maintenance. The cost of maintenance may be charged to the Management Entity, or the individual property owners according to the pro-rata share based on the Management Plan. Costs may include administrative costs in taking such actions as well as penalties as provided under these regulations. Such costs shall become a lien on all subdivision properties.
- E. Review.** The legal restrictions and ownership and Management Plan shall be subject to review and approval by the Planning Director or the Planning Commission Legal Counsel.

#### 7.11.8 Dedication of Conservation Areas for Public Use.

Applicants shall comply with relevant standards in Chapter 10.5.4 of the LDC pertaining to dedicating a portion of the development site for public recreational use.

#### 7.11.9 Technical Standards for Conservation Subdivisions

**Note to Reviewers:** *The proposed amendments below rework how we currently calculate permitted lot yield. The current calculations, proposed to be stricken, are based on total project area, minus primary conservation area, minus infrastructure area, divided by minimum lot size. The proposed language sets the number of permitted lots based on the submitted conventional subdivision design. Bonus lot yield may be awarded based on setting aside conservation area, Tree Canopy or Woodland Protection Area, green infrastructure design techniques, and preserving conservation trees. The lot yield bonus is capped at 135% of the lot yield shown on the conventional layout.*

- A. Lot Yield Density Calculation.** The total number of lots permitted for a conservation subdivision shall be the number of lots shown on the conventional layout required to be submitted in Sec. 7.11.4.B. The Lot Yield Bonus provisions in subsection B below may be utilized to increase the total number of lots permitted for the conservation subdivision.

~~The maximum total number of lots permitted for Conservation Subdivisions shall be based on the amount of dwelling units per acre permitted in the underlying zoning district, classes RR through R-5, minus the Primary Conservation Areas (PCA) and land typically allocated for infrastructure. For purpose of this calculation, a 10% bonus of maximum lots permitted (MLP) may be added to those sites pursuing conservation areas 50% or greater of the development site in R4 and R5 zoned districts. The resulting density shall serve as a guide and shall not exceed the underlying zoning district, unless the applicant chooses to pursue a zoning change. The base density allowed on the site shall be calculated by:~~

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$$MLP = \frac{TA - PCA - IA}{Zoning\ District\ Min.\ Lot\ Area}$$

MLP = Maximum Lots Permitted  
 TA = Total Land Area  
 PCA = Primary Conservation Area  
 IA = Infrastructure Area (10% of TA)

**EXAMPLE: Total Land Area (TA): 50 acres – Primary Conservation Areas (PCA): 12 acres  
 Maximum Lot Calculation**

R4	R5
<del>MLP=(50-12.5 (acres))/9000 sf</del>	<del>MLP=(50-12.5 (acres))/ 6000 sf</del>
<del>MLP = 33 acres / 9,000 sf.</del>	<del>MLP = 33 acres / 6,000 sf.</del>
<del>MLP = 1,437,480 sf./9,000sf.</del>	<del>MLP = 1,437,480 sf./6,000sf</del>
<del>MLP=160 lots</del>	<del>MLP = 239 lots</del>
<del>With bonus 10%:</del>	<del>With bonus 10%:</del>
<del>MLP = 176 lots or 3.52 du/acre</del>	<del>MLP = 263 or 5.26 du/acre</del>

**B. Lot Yield Bonus Features.** The following lot yield bonus features are permitted for a conservation subdivision and shall apply to the number of lots permitted for the subdivision based on the submitted conventional subdivision layout. Under no circumstances shall the accumulated lot yield bonuses result in a lot count that exceeds the lesser of 135 percent of the number of lots shown on the conventional layout or the maximum number of lots permitted by the zoning density.

1. Conservation Area

An applicant may receive the following lot yield bonuses based on the amount of conservation area preserved in the conservation subdivision.

**Note to Reviewers:** The tables below does not go below 30% because a conservation subdivision must at least provide 30% conservation area. The Planning Commission should discuss and make a recommendation on either Scenario 1 or Scenario 2. Scenario 1 gives extra reward for doing more than the minimum preservation required. Scenario 2 distributes the bonuses evenly.

**Scenario 1**

Amount of Preserved Conservation Area	Lot Yield Bonus
30-34.99%	5%
35-39.99%	20%
40-44.99%	25%
45-49.99%	30%
50% or more	35%

**Scenario 2**

Amount of Preserved Conservation Area	Lot Yield Bonus
30 - 34.99%	10%
35 - 39.99%	15%
40 - 44.99%	20%
45 - 49.99%	25%
50% or more	30%

2. Tree Canopy or Woodland Protection Area

An applicant may receive the following lot yield bonuses based on the amount of percentage of tree canopy or woodland protection area in the conservation subdivision. Tree canopy or woodland protection areas must be established in accordance with the standards in Chapter 10 in order to result in a lot yield bonus.

**Note to Reviewers:** This Section awards lot yield bonuses to tree canopy or woodland protection areas. The table does not have a lot yield bonus if the minimum trees canopy preservation area is provided based on the standards of Chapter 10 of the LDC. The bonus applies once that amount is exceeded. The bonus significantly increases when 45% or more is achieved due to 45% being the Metro goal for tree canopy coverage.

Amount of Tree Canopy or Woodland Protection Area	Lot Yield Bonus
Minimum required in Chapter 10 - 24.99%	0%
25 - 34.99%	10%
35 - 44.99%	15%
45 - 49.99%	25%
50% or more	35%

### 3. Green Infrastructure Design Techniques

**Note to Reviewers:** The Section allows lot yield bonuses if certain Green Management Practices approved by MSD are included in the conservation subdivision.

a. An applicant may receive the following lot yield bonuses for including in the conservation subdivision the Green Management Practices (GMP) set forth below: a two percent lot yield bonus for each of the following green infrastructure design techniques incorporated into the conservation subdivision:

GMP Type	Performance Required	Lot Yield Bonus
<u>Rain Gardens, Bioswales or Vegetated Buffers</u>	<u>Treat a minimum of 1 inch of runoff</u>	<u>2%</u>
<u>Green Wet and Dry Basins</u>	<u>Post development two-year flow is equal to or less than half of the pre-development two-year flow</u>	<u>4%</u>
<u>Combination of the Two Types Above</u>	<u>Treat a minimum of 1 inch of runoff and post development two-year flow is equal to or less than half of the pre-development two-year flow</u>	<u>8%</u>

**Note to Reviewers:** Where vegetated buffers are proposed to be incorporated into the perimeter buffer as a Green Management Practice (eligible for a Lot Yield Bonus as allowed in this Section), the relationship between the vegetated buffer and the perimeter buffer will be addressed on a case by case basis in the conditions of approval for the conservation subdivision.

- i. Green Streets;
- ii. Green Intersection;
- iii. Stormwater Curb Extensions;

- iv. ~~Green Alleys;~~
  - v. ~~Green Parking; and~~
  - vi. ~~No Mow Buffer Zones.~~
- b. ~~The green infrastructure design techniques must comply with the standards in the Metropolitan Sewer District Green Infrastructure Design Manual in order to result in a lot yield bonus. Other techniques added to the Green Infrastructure Design Manual may result in a lot yield bonus with the approval of the Planning Director.~~

#### 4. Conservation Tree Preservation

**Note to Reviewers:** The Section allows lot yield bonuses for preservation of certain individual trees that are at least 50% of the height, circumference, spread or total points of the Species Champion for Kentucky. For example, the biggest known American Sycamore in Kentucky has the following stats:

Circumference (in)	Height (ft)	Spread (ft)	Total Points
314	116	89.4	452.35

In a conservation subdivision with 50 lots, a preserved sycamore that has a 157" circumference, is 58 feet tall, has a spread of 45 feet or combined points of 226 would generate a 5% lot yield bonus.

The average lot count of recent conservation subdivisions is 64, so the cut-off point between a smaller and larger subdivision in the table below is 60 lots.

An applicant may receive the following lot yield bonuses based on preservation of conservation trees in the conservation subdivision. The lot yield bonus per tree is based on the State Champions Tree List and associated measurement methodology of the Kentucky Department of Natural Resources, Division of Forestry. A conservation tree shall not be located within a Tree Canopy or Woodland Protection Area.

Percent of Kentucky Species Champion Circumference, Height, Spread, or Total Points	Lot Yield Bonus per Tree (Subdivision with less than 60 lots)	Lot Yield Bonus per Tree (Subdivision with 60 lots or more)
0-49	None	None
50-74	5%	3%
75-100	10%	5%

**C. B. Dimensional Standards.** Conservation Subdivision design encourages creative, flexible design; therefore no minimum or maximum lot size shall be imposed. Instead, an average lot size for the entire net development area is permissible. Each lot shall be designed according to the following table. **Table 1:**

**Table 1 Conservation Subdivision Dimensional and Diversity Standards**

**Note to Reviewers:** Edits below reflect the additional 40% interval of conservation area for R-5 and R-4.

**Note to Reviewers:** Average lot size for single-family attached in R-3 and R-2 is proposed as 2,000 and 3,000 SF, respectively. The rationale is that in the R-4 and R-5, single-family attached lot area is 1/3<sup>rd</sup> of lot area for single-family detached. So 2,000 and 3,000 are 1/3<sup>rd</sup> (more or less) of 6,000 and 10,000. Minimum lot

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*width for single-family attached in R-3 and R-2 are proposed to be 20' and 30', respectively. R-3 and R-2 are intended for a less dense attached product than a standard townhome/condominium as would be found in the R-4 and R-5 districts.*

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Zoning District	Min. Conservation Area (%) Requirement	Max. Attached/Semi-Detached Units (%)	Max. Contiguous Attached/Semi-Detached Units	Average Lot Size for Single-Family Detached (SF)	Average Lot Size for Single-Family Attached/Semi-Detached (SF)	Min. Side Yard (Ft)	Min. Front & Street-Side Yard (Ft)	Max. Front Yard (Ft)	Min. Lot Width (Ft)	Min. Rear Yard (Ft)	Max. Building Height (Ft)	FAR				
R-5	<del>Min-30%</del> 40	<del>30%</del> 40	Attached = 8 Semi-Detached = 2	4,500	1,500	3	15	25	25	20	35 (NFD) 45 (TNFD)	4,999 or less <del>&lt;6,000</del> SF = <del>1-5</del> 3				
	<del>Min-50%</del>	50%		3,000		5 if adjacent to alley							40 if corner lot	5 if adjacent to alley		
R-4	<del>Min-30%</del> 40	<del>20%</del> 30	Attached = 8 Semi-Detached = 2	5,500		0 if attached or semi-detached	20	NA	35	18 if attached units			(R-4 is currently 25')	35	5,000 - 5,999 SF = <del>1-2</del>	
	<del>Min-50%</del>	40%		4,500		5										20 if attached or semi-detached
R-3	Min: 60%	20%	Attached = 4 Semi-Detached = 2	6,000	2,000	5	25	NA	50	25	35	35	>40,000 SF = .3			
R-2				10,000	3,000	0 if attached or semi-detached								30 if attached or semi-detached	5 if adjacent to alley	<40,000 SF = .5
R-1 RE				20,000	NA	10								30	60	
RR		NA	NA	40,000	NA	15	40		75							

### D. Building and Lot Design Standards

- Conservation subdivisions may include off-street guest parking areas within **Secondary** Conservation Areas ~~only, particularly~~ in blocks that contain lot widths less than 30 feet. Existing woodland areas may not be removed for the purposes of constructing off-street guest parking areas. The parking area shall be constructed using approved pervious paving methods and shall not occupy more than 15% of the total Conservation Area lot. The addition of parking spaces shall not be deemed a reduction in the size of the Conservation Area with regard to the minimum Conservation Area requirement.

**Note to Reviewers:** *Instead of outright prohibiting rear facades from facing streets, the edits below allow it to happen if a landscaping or architectural concept plan is submitted for review. These plans would mitigate the potential negative visual impact of the rear facades facing a street.*

- Rear facades shall ~~not only~~ be **permitted to be** oriented to existing or proposed streets **if the developer submits a concept landscape or architectural plan for lots with rear facades oriented to existing or proposed streets**. Rear facades may face interstate highways, alleys or rear lanes.
- Lot Frontage on a Conservation Area. Conservation subdivisions may be designed with lots fronting

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onto Conservation Areas with all vehicular access from alleys or lanes approved by Public Works and all other approving agencies. All alleys and rear lanes in Conservation Subdivisions are additionally subject to the requirements of Section 7.11.9.~~DE~~.2.

### ~~E. D.~~ Streetscape Standards

For additional information regarding conservation subdivision streets refer to Appendix 7A.

1. Streets. The street network shall form a generally connected pattern, with a minimum of cul-de-sacs, and shall be varied with boulevards, diagonal streets, curving crescents, eyebrows, ovals and courts to provide visual interest. Local street design shall adhere to the following standards:
  - a. Street patterns shall be designed to respect and follow the existing natural topography and to limit the amount of grading and tree removal. Street grades shall conform to standards established in Section 6.2.3 of the LDC.
  - b. All streets, with the exception of loop streets, cul-de-sacs, and loop lanes, shall terminate at other streets within the subdivision, and at least two streets shall provide connections to existing or proposed through-streets or collectors outside the subdivision.
  - c. To the greatest extent practicable, streets shall be designed to have maximum lengths of 600 feet between intersections and maximum lengths of 1,200 feet before terminating at three-way "T" intersections or angling off in a diagonal direction. ~~Blocks greater than 600 feet long shall provide a Conservation Area.~~

**Note to Reviewers:** *The removal of the 600-foot requirement above would allow remove the requirement to break up blocks with a conservation area. This requirement has not produced useful conservation space in the past.*

- d. Loop lanes or cul-de-sacs shall be designed to not exceed 1000 feet in length. Loop lanes shall be designed as a single one-way lane, not less than 18 feet in pavement width, with a central median running the entire length. The median shall be at least 30 feet wide, and shall be planted with shade trees along both sides at intervals not less than 1 Large (Type A) tree per 50 lineal feet of right-of-way, or 1 medium (Type B) tree per 40 lineal feet, or 1 Small (Type C) tree per 30 lineal feet. Small trees are permitted only where utility lines or other site constraints will not allow planting of Large or Medium trees.
2. Street trees.

**Note to Reviewers:** *Edits below allow street trees to be planted at regular intervals, as requested by some stakeholders, if all 3 tree types are included in the plantings.*

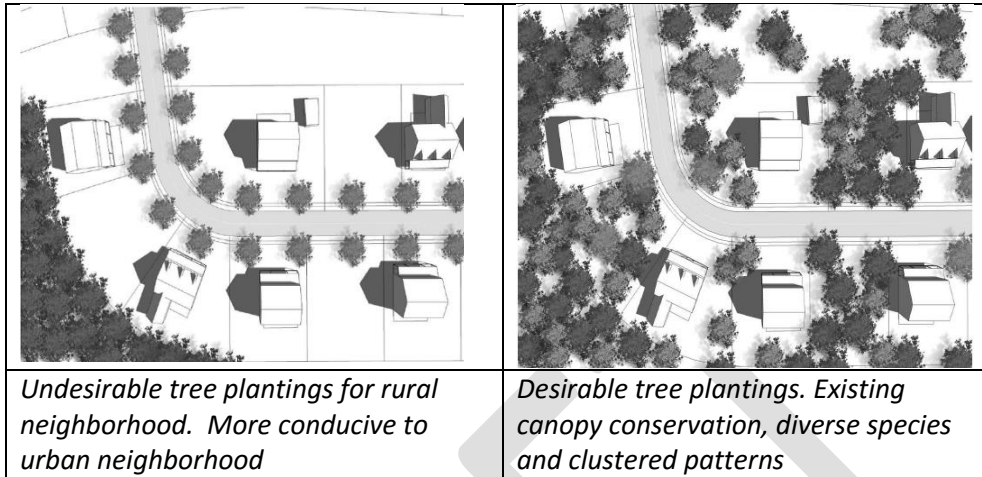
Street trees shall:

- a. Be planted along each side of all streets in or adjacent to the development site, public or private, existing or proposed, including arterials (only the side adjacent to the development site), but excluding alleys and rear access lanes. Existing healthy and mature street trees may be counted toward the street tree planting requirement;
- b. ~~New street trees shall~~ Be in accordance with recommended street tree types as listed in Appendix 10A of the LDC and, except as provided in paragraph d. below, be installed in groupings that appear natural rather than equally spaced rows;
- c. Except as provided in paragraph d. below, be installed at intervals no greater than 40 ft, planted in a clustered pattern with spacing approved by PDS staff; and

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- d. If planted at regular intervals, rather than a clustered pattern as set forth in paragraphs b. and c. above, include Type A, Type B, and Type C trees planted at regular intervals of not less than 50, 40, and 30 lineal feet, respectively.



### 3. Sidewalks

For additional information regarding conservation subdivision sidewalks refer to Appendix 7A. Public sidewalks (including informal walkways and footpaths) shall:

- a. Create a linked network of walkways connecting all uses with parks and other greenway land areas.
- b. Link loop streets and the ends of cul-de-sacs with the street network, trails, or greenway land behind the lots served by those loop streets or cul-de-sacs.
- c. Be separated from street curbs by a verge not less than five feet in width, planted with shade trees in accordance with Section 7.11.9.D.2.
- d. Be provided along the front lot lines of all residential lots to ensure pedestrian access to each lot. Sidewalks shall be provided along the front lot lines of residential lots fronting directly onto common greens or parks.
- e. Be permitted along one side of the street rights-of-way only when a proposed walkway system provides pedestrian access equal to or better than the provision of sidewalks along both sides of the street. Walkways located in **Primary-Conservation Areas (PCAs)** shall be constructed of pervious material such as pervious concrete, gravel, wood chips or other similar materials.

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**Appendix 7A Conservation Subdivision Street & Sidewalk Guidelines**

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In order to facilitate the intent of the Conservation Subdivision Regulations in the Land Development Code (Chapter 7, Part 11), which encourages reductions in impervious surfaces to reduce surface runoff and limit land disturbances, Public Works has set forth a series of guidelines to aid in the overall design process. This guideline is not meant to be all encompassing or rigidly applied to all sites equally, however it does establish various treatments to be considered within a proposed conservation subdivision.

**A. Definitions****Road Classifications:**

For the purpose of this guideline, all roads within the Conservation Subdivision shall be classified based on interconnectivity, number of lots served, and the possibility of future extensions.

**Main Road** = provides direct access to the existing arterial or collector roadway and serves as the main entrance to the subdivision. Serves as the primary access to multiple secondary roadways and cul-de-sacs, but with few driveways directly abutting the roadway.

**Secondary Road** = connects directly to the main road and provides direct access to residential lots, cul-de-sacs, loop roads or connects two Main Roads.

**Loop Road** = provides direct access to residential lots and does not provide further access to cul-de-sacs or other stub roads. Should not provide access to more than 15 lots and can be designed as a one-way street.

**Cul-De-Sac** = connects directly to a Main or Secondary road and provides direct driveway access to residential lots. Cannot exceed 1,200 feet in length and should be limited to 50 single family lots or a mix of single and multi-family lots not exceeding 75 units. Designed to terminate with a bulb or half-bulb design, depending on number of lots served, that can accommodate emergency service trucks.

**Stub Road** = a roadway designed for future extension to an abutting property. Should be designed to Main Road standards. Temporary hammer-head turn-around shall be required if the Stub road exceeds 300 feet in length or serves more than 20 single and multi-family units.

**B. Typical Roadway Cross-Sections**

Roads may be designed as curb and gutter with concrete flume drainage or grass shoulders in order to reduce the overall impact of infrastructure construction. Other drainage treatments, such as inverted crown or pervious pavement, will be considered on a case by case basis, however the responsibility for maintenance shall be with the Conservation Subdivision's Owners Association and an agreement of continued maintenance shall be recorded prior to construction approval.

**C. Sidewalks**

Sidewalks are an integral part of any residential subdivision and provide a means of access to neighborhood serving uses and a source recreation by all residents of the subdivision. Sidewalks should be provided along both sides of any roads that provide direct or indirect access to more than 75 lots. This will include most Main Roads and should include any Stub Roads that may be further developed. Sidewalks should also be provided along both sides of any roads with pavement widths less than 20 feet with the exception of Loop Roads that only have lots abutting one side of the road. Sidewalks should be provided along at least one side of the road in Cul-De-Sacs with 25 or more lots or Secondary Roads with 60 or more lots.

As a general rule, sidewalks should be provided along any roads without adequate pavement width or grass shoulder to provide safe use by pedestrians or along any densely developed road frontage that may contain a mix of single and multi-family development. Sidewalks should also be provided along roadways that are used to connect two higher classified roads, thus providing pedestrian connectivity between main roads.

Sidewalks should also be located so as to provide pedestrian access to trail heads or other amenities located within the conservation areas.

D. Parking

On-street parking shall be restricted along any roads with pavement width less than 20 feet. No parking will be permitted on either side of the road and community parking areas will need to be provided. The total number of spaces necessary to accommodate the parking restriction shall be based on the total number of lots and be located so as to provide reasonable guest parking for all abutting lots.

On-street parking shall be restricted along one side of any roads with pavement widths less than 22 feet. No parking will be permitted on one side of the road and community parking areas will need to be provided. The total number of spaces necessary to accommodate the parking restriction shall be based on the total number of lots and be located so as to provide reasonable guest parking for all abutting lots.

E. Right-of-Way

The total width of the public Right-of-Way shall depend on the number of lots, pavement width, sidewalks and roadside drainage. Roads without sidewalks or shoulders will require less Right-of-Way than wider, shouldered roads serving more lots. Roadways may be constructed asymmetrically within the Right-of-Way in order to maximize the amount of infrastructure within a minimum Right-of-Way. This smaller footprint will allow greater flexibility in road design without impacting the surrounding area.

R/W	Pavement Width	Sidewalk	Roadside	Verge	Sidewalk Width	Total Width (Pavement + Verge + Sidewalk)
36'	14'	None	Shoulder	6'	0'	26'
36	14	None	Curb & Gutte	4	0	22
36	14	One	Shoulder	6	4	30
36	14	One	C & G	4	4	26
36	14	Both	Shoulder	6	4	34
36	14	Both	C & G	4	4	30
40	16	None	Shoulder	6	0	28
40	16	None	C & G	4	0	24
40	16	One	Shoulder	6	4	32
40	16	One	C & G	4	4	28
40	16	Both	Shoulder	6	4	36
40	16	Both	C & G	4	4	32
40	18	None	Shoulder	6	0	30
40	18	None	C & G	4	0	26
40	18	One	Shoulder	6	4	34
40	18	One	C & G	4	4	30
40	18	Both	Shoulder	6	4	38
40	18	Both	C & G	4	4	34
45	20	None	Shoulder	6	0	32
45	20	None	C & G	4	0	28
45	20	One	Shoulder	6	4	36
45	20	One	C & G	4	4	32
45	20	Both	Shoulder	6	4	40
45	20	Both	C & G	4	4	36
50	22	None	Shoulder	6	0	34
50	22	None	C & G	4	0	30
50	22	One	Shoulder	6	4	38
50	22	One	C & G	4	4	34
50	22	Both	Shoulder	6	4	42
50	22	Both	C & G	4	4	38
50	24	None	Shoulder	6	0	36
50	24	None	C & G	4	0	32
50	24	One	Shoulder	6	4	40
50	24	One	C & G	4	4	36
50	24	Both	Shoulder	6	4	44
50	24	Both	C & G	4	4	40
55	26	None	Shoulder	6	0	38
55	26	None	C & G	4	0	34
55	26	One	Shoulder	6	4	42
55	26	One	C & G	4	4	38
55	26	Both	Shoulder	6	4	46
55	26	Both	C & G	4	4	42

*End of Chapter 7*