

ORDINANCE NO. 023, SERIES 2016

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2 AND CHAPTER 4 OF THE LAND DEVELOPMENT CODE PERTAINING TO PERMITTED/CONDITIONAL USES—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**, the Planning Commission held a public hearing on August 11, 2014 to consider a large number of amendments to various sections of the Land Development Code ("LDC") for the purposes of updating and improving the LDC, resolving potential conflicts in the application of various LDC provisions and clarifying language that was determined to be potentially confusing on its face or in its application; and


**WHEREAS**, the Planning Commission has recommended approval of the amendments itemized in each of the six reports as stated in the Planning Commission's minutes of August 11, 2014 and contained in the attachments for this Ordinance and as summarized in the Round Two LDC Text Amendments Index also contained in the attachments; and

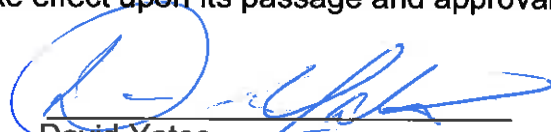
**WHEREAS**, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 14AMEND1003 as reflected in the Planning Commission's minutes and records, and as more specifically set forth in Exhibit A attached hereto;

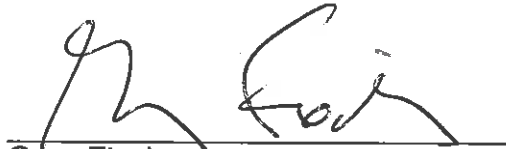
**Now THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**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 Yates  
President of the Council

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

2/29/16  
\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

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

LOUISVILLE METRO COUNCIL  
READ AND PASSED  
*February 25, 2016*

EXHIBIT A

**PERMITTED / CONDITIONAL USES LDC SUB-COMMITTEE  
DRAFT ORDINANCE ATTACHMENT**

**PCUP ITEM #9**

- 2.2.1 R-R Rural Residential District
- 2.2.2 R-E Residential Estate District
- 2.2.3 R-1 Residential Single Family District
- 2.2.4 R-2 Residential Single Family District
- 2.2.5 R-3 Residential Single Family District
- 2.2.6 R-4 Residential Single Family District
- 2.2.7 R-5 Residential Single Family District

AND

- 2.2.8 U-N Urban Neighborhood District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- 1. ~~Temporary Activities~~
- 2. ~~Transitional Housing~~

- 2.2.9 R-5A Residential Multi-Family District
- 2.2.10 R-5B Residential Two-Family District
- 2.2.11 R-6 Residential Multi-Family District
- 2.2.12 R-7 Residential Multi-Family District
- 2.2.13 R-8A Residential Multi-Family District
- 2.3.1 OR Office/Residential District
- 2.3.2 OR-1 Office/Residential District
- 2.3.3 OR-2 Office/Residential District

- 2.3.4 OR-3 Office/Residential District
- 2.3.5 OTF Office/Tourist Facility District
- 2.4.2 C-R Commercial Residential District

AND

- 2.4.5 C-3 Commercial District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Temporary Activities~~
- ~~2. Transitional Housing~~
- ~~3. Homeless Shelter~~

- 2.4.1 C-N Neighborhood Commercial District

AND

- 2.4.6 C-M Commercial Manufacturing District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Temporary Activities~~
- ~~2. Off premises signs (i.e. outdoor advertising signs)~~
- ~~3. Transitional Housing~~
- ~~4. Homeless Shelter~~

- 2.4.3 C-1 Commercial District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Drive-in Restaurants~~
- ~~2. Temporary Activities~~
- ~~3. Off premises signs (i.e. outdoor advertising signs) as permitted by Chapter 4, Part 3 of the LDG.~~
- ~~4. Transitional Housing~~
- ~~5. Homeless Shelter~~

2.4.4 C-2 Commercial District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Temporary Activities~~
- ~~2. Off-premises signs (i.e. outdoor advertising signs) as permitted by Chapter 4, Part 3 of the LDC.~~
- ~~3. Transitional Housing~~
- ~~4. Homeless Shelter~~

2.5.1 M-1 Industrial District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Day Care Centers~~
- ~~2. Outdoor Paintball Ranges~~
- ~~3. Off-premises signs (i.e. outdoor advertising signs)~~
- ~~4. Commercial uses (limited to banks, credit unions, savings and loans and similar financial institutions; convenience groceries; restaurants, taverns, bars and saloons, as permitted in the C-2 Commercial District; and vehicle service stations or repair)~~

2.5.2 M-2 Industrial District

AND

2.5.3 M-3 Industrial District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Outdoor Paintball Ranges~~
- ~~2. Off-premises signs (i.e. outdoor advertising signs)~~
- ~~3. Commercial uses (limited to banks, credit unions, savings and loans and similar financial institutions; convenience groceries; restaurants, taverns, bars and saloons, as permitted in the C-2 Commercial District; and vehicle service stations or repair)~~

2.6.1 EZ-1 Enterprise Zone

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Dwellings, Single family~~
- ~~2. Dwellings, Multiple family, as a reuse of an existing structure~~
- ~~3. Dwellings, Multiple family, new construction~~
- ~~4. Community Service Facility~~
- ~~5. Transitional Housing~~
- ~~6. Homeless Shelter~~

2.6.2 PRO Planned Research/Office District

2.6.3 PEC Planned Employment Center District

2.6.4 W- 1 Waterfront District

2.6.5 W-2 Waterfront District

AND

2.6.6 W-3 Waterfront District

C. Permitted Uses With Special Standards\*

**Certain** ~~The following~~ uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

- ~~1. Community Service Facility~~
- ~~2. Transitional Housing~~
- ~~3. Homeless Shelter~~

**PCUP ITEM #12**

2.1.3 The Use Of Land And Buildings:

**F. Two-Family & Multi-Family Dwellings, Density & Floor Area Ratio Compliance**

**In zoning districts that allow Two-Family Dwellings as a permitted use, the applicable density and floor area ratio requirements must be complied with in order for two dwelling units to be permissible on a given parcel. In zoning districts**

that allow Multi-Family Dwellings as a permitted use, the applicable density and floor area ratio requirements must be complied with in order for three or more dwelling units to be permissible on a given parcel.

**PCUP ITEM #35**

**4.2.62 Duplex Dwelling Units**

Two dwelling units in an existing building, each of which have (i) a separate entrance from the exterior, or (ii) a separate entrance from a common foyer having access from the exterior, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements provided that (a) a qualified design professional has verified that the building was constructed as a duplex, and (b) use of the building as a duplex was permitted in the zoning district at the time of construction. Upon receiving a conditional use permit, the building may be owned by a non-resident of the building.

**A. Sites having duplex dwelling units shall provide off-street parking as follows:**

- 1. Neighborhood Form District – at least three off-street spaces provided on the lot, nor more than two spaces outdoors.**
- 2. Traditional Neighborhood District – at least one off-street space provided on the lot.**
- 3. Other form districts – at least two off-street spaces provided on the lot; the Board may require additional parking spaces as appropriate.**