

Planning Commission

Staff Report

July 20, 2017



Case No:	16AMEND1011
Project Name:	Access Separation LDC Text Amendment
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	All Council Districts
Case Manager:	Brian Mabry, AICP, Planning Supervisor

REQUEST

Hold a public hearing and recommend action on an amendment to the text of the Land Development Code (LDC) regarding Section 6.1.3 of the LDC to require a minimum distance between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway

CASE SUMMARY

On December 8, 2016, Metro Council passed a Resolution (Attachment 1), sponsored by Councilmember Stuart Benson, requesting the Planning Commission to hold a public hearing regarding potential amendments to Section 6.1.3 of the LDC concerning the additional requirement for a minimum distance between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway. In addition, the Resolution requests the Planning Commission to make a recommendation to the Metro Council regarding whether an amendment should be approved or disapproved, and stating the reasons for its recommendation.

STAFF FINDING

Staff does not recommend amending Section 6.1.3 of the LDC. This recommendation is based on the following:

- Table 4 in Appendix 6A, Part 1 of the LDC contains driveway and intersection spacing standards (Attachment 2).
- Separation distances of access points in recently approved residential developments generally align with, or exceed, the minimum requirements of peer and non-peer communities.
- When Public Works/Transportation Planning reviews a development plan, it relies heavily on engineering practice and on manuals that provide recommended spacing between driveways and intersections based on road width, speed, and other factors.
- The Kentucky Transportation Cabinet is not bound by regulations in Metro's LDC; therefore, spacing on state roads may not comply with any newly adopted provisions.

The Planning Commission must recommend to Metro Council to amend or to not amend Section 6.1.3 of the LDC.

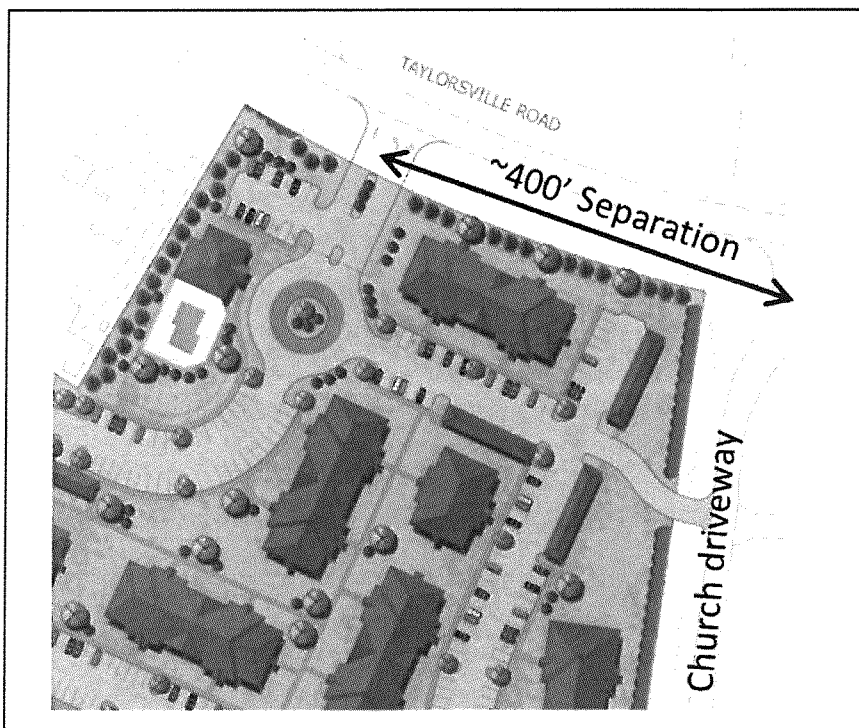
BACKGROUND

Section 6.1.3 Residential Developments of the Land Development Code reads, in part:

Developments with an aggregate of 200 or more dwellings (single family or multi-family) shall have at least two separate access roadways connecting directly to existing roadway(s). Developments created prior to the effective date of this paragraph and not in compliance with it may be modified, including construction of ancillary facilities and improvements to existing structures, provided that the modifications do not increase the number of dwelling units.

The purpose of Section 6.1.3 is to make sure that larger residential developments (single- or multi-family) have more than one entrance and exit onto an adjacent existing road. Structures in nonconforming developments with fewer than required access points may undergo maintenance and improvements; however, more dwelling units cannot be added.

The subject LDC text amendment request was brought about due to a recent zoning case. On December 12, 2016, the Planning Commission held a public hearing on 16ZONE1020, a multifamily project on Taylorsville Road. The proposed development included 347 apartment units on 29.07 acres. The planning Commission voted to recommend approval of the rezoning and approved the Detailed District Development Plan. At the Planning/Zoning, Land Design and Development Committee meeting on the case, Councilmember Stuart Benson, in whose district the project is located, expressed concern that the entrances to the development needed to be farther apart and that there should be a 3rd entrance. As shown below, the main entrance of the development was approved as a median-divided entrance. There is a secondary entrance shared with an adjacent church driveway. There is a 400-foot separation of the entries from centerline to centerline



Driveway separation for 16ZONE1020

RESEARCH

Planning and Design Staff researched how comparable jurisdictions regulate separation of residential access points onto an existing road and found the following separation requirements. In addition to those below, Staff looked at regulations from Cincinnati, Nashville, and New Orleans without obtaining useful results.

- Indianapolis – Separation of 500'
- Austin – Separation of 330'
- Memphis – Separation of 400' (public ROW intersections only, not including driveways)

Staff also researched recently approved residential developments with 200 or more dwelling units or lots in Louisville Metro. The table below shows the case number and name of the project, whether the development is single- or multi-family, the number of units if multifamily or the number of lots if single-family, the number of connections onto an existing road, the name of the road, and the approximate separation measured from centerline to centerline of the access points.

Case	Development	SF or MF	Units/Lots	Connections onto Same Street*	Road (L= Local; S = State)	Classification	Approximate Separation (ft)
14SUBDIV1009	Stapleton Ridge	SF	209	2	Aiken Rd. (L)	Secondary Collector	520
14ZONE1001	1373 Lexington Rd	MF	300	2	Lexington Rd. (L)	Minor Arterial	337
15DEVPLAN1072	The Paddock at Victory Knoll	MF	468	2	Ellingsworth Ln. (L)	Primary Collector	620
15ZONE1012	Cane Run Multi-Use Development	MF	304	2	Cane Run Rd. (S)	Major Arterial	330
15ZONE1030	Echelon at Middletown	MF	210	2	Aiken Rd. (L)	Secondary Collector	460
15ZONE1070	Simcoe Lane Apartments	MF	261	2	Simcoe Ln. (L)	Local	249
15SUBDIV1003	St. Joseph Subdivision	SF	405	2	Factory Ln. (L)	Secondary Collector	1,125
16SUBDIV1011	Sutherland Pointe / Manor at Floyd's Fork	SF	237	2	Aiken Rd. (L)	Secondary Collector	3,500
16ZONE1020	Taylorsville Road Apartments	MF	347	2	Taylorsville Rd. (S)	Major Arterial	400
16DEVPLAN1107	Bristol Bluff Apts	MF	216	2	Gellhaus Ln. (L)	Secondary Collector	645
16DEVPLAN1182	Signature Point	SF/MF	178 SF 288 MF	2	S. English Station Rd. (S)	Secondary Collector	755
16DEVPLAN1208	River Park Place	MF	649	2	River Rd. (L)	Minor Arterial	750

Case	Development	SF or MF	Units/Lots	Connections onto Same Street*	Road (L= Local; S = State)	Classification	Approximate Separation (ft)
					AVERAGE SF		1,475
					AVERAGE MF		503
					OVERALL AVERAGE		806

* Stub streets or additional connections to other streets were not counted in measuring the separation distance

In addition to the peer city and local research above, the American Planning Association (APA) conducted nationwide research at the request of Staff. The research is included in Attachment 3. The APA found it rare for local governments to have minimum separation requirements as part of a Land Development Code. Of the communities listed in Attachment 3, many of which would not be considered peer cities with Louisville Metro, the following had access separation requirements:

- Fort Collins, CO – new development abutting arterial streets must provide full movement local or collector street intersections every 1,320' and limited movement local or collector street intersections every 660'
- Gastonia, NC – subdivisions with 100 or more lots must have 2 external connections, spaced at least 200' apart
- Lake Oswego, OR – new development abutting through streets must provide full local or collector street connections at least every 530'

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments at the time of publication of this Staff Report.

NOTIFICATION

Notification of the Planning Commission public hearing has been conducted in accordance with KRS 100 requirements.

ATTACHMENTS

1. Metro Council Resolution 123-2016
2. LDC Appendix 6A, Part 1, Table 4
3. APA Connectivity Research

1. **Metro Council Resolution 123-2016**

RESOLUTION NO. 123, SERIES 2016

A RESOLUTION REQUESTING THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING A PROPOSED AMENDMENT TO SECTION 6.1.3 OF THE LAND DEVELOPMENT CODE THAT WOULD REQUIRE A STANDARD MINIMUM DISTANCE BETWEEN ACCESS WAYS FOR RESIDENTIAL DEVELOPMENTS WITH AN AGGREGATE OF 200 OR MORE DWELLINGS WHEN TWO OR MORE SEPARATE ACCESS WAYS FROM SAID RESIDENTIAL DEVELOPMENTS CONNECT DIRECTLY TO THE SAME ROADWAY.

Sponsored by: Councilman Stuart Benson

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government ("Metro Council") recognizes that Section 6.1.3 of the Land Development Code ("LDC") requires that residential developments with an aggregate of 200 or more dwellings (single family or multi-family) have at least two separate access roadways connecting directly to existing roadways; and

WHEREAS, the Metro Council further recognizes that at times residential developments with an aggregate of 200 or more dwellings are developed in areas of Louisville Metro that are serviced by heavily congested roadways especially during peak hours for automobile trip generation; and

WHEREAS, the Metro Council further recognizes that additional traffic issues occur when some of these residential developments are designed and developed to comply with LDC Section 6.1.3 by having two or more separate access roadways connect to the same existing roadway and in a location so near one another that it prevents cars from efficiently and safely accessing the existing roadway, especially during peak hour times when stacking of the access roadways becomes heavy; and

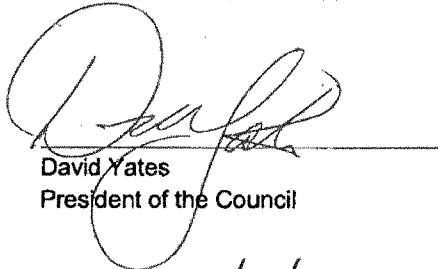
WHEREAS, the Metro Council wishes to revise Section 6.1.3 of the LDC to require a safe and reasonable minimum distance between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway;


NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:

Section I: The Metro Council requests that the Louisville Metro Planning Commission hold a public hearing regarding any proposed amendments to Section 6.1.3 of the Land Development Code concerning the additional requirement for a minimum distance requirement between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway, and to make a recommendation to the Metro Council regarding whether the proposed amendment should be approved or disapproved, and stating the reasons for its recommendation.

Section II: This Resolution shall take effect upon passage and approval.


H. Stephen Ott
Metro Council Clerk

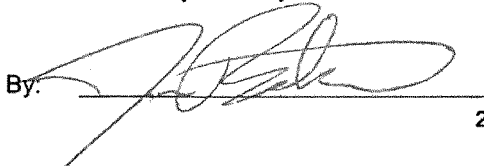

David Yates
President of the Council


Greg Fischer
Mayor

Approved: 12/13/16
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 



2. LDC Appendix 6A, Part 1, Table 4

1.3 Access Classification System and Standards

A. The Director of Works (City or County depending upon location) is responsible for approving the number and location of curb cuts. The Director issues permits in accordance with the design principles presented in this manual, AASHTO standards and good engineering practice.

B. Roadways within Jefferson County are classified for the purposes of access management as shown in Core Graphic 10, "Roadway Classification and Projected Corridors."

C. Separation between access points on all City and County maintained roadways should meet or exceed the following minimum standards for that classification.

Table 4: Jefferson County Access Classification System & Standards: ¹

Functional Classification	Driveway Spacing	Spacing of Median Openings or Major Intersections ²	Signal Spacing
Major Arterial with a Median	600 ft. ³ , 400 ft. ⁴	1200 ft. ³ , 800 ft. ⁴	¼ - ½ mile
Minor Arterial	600 ft.	600 ft.	¼ mile
Collector	300 ft.	300 ft. to 600 ft.	¼ mile
(1) It is recognized that some locations, due to existing development characteristics, may not meet the standards provided in this section. Access to such properties is allowed to continue.			
(2) Applies to full median openings on roadways with medians. Directional median opening spacing shall be ¼ mile on all major arterials.			
(3) Applies to facilities with a speed of 45 mph or greater. Speed refers to posted speed or 85 th percentile speed, whichever is lower.			
(4) Applies to facilities with a speed of less than 45 mph. Speed refers to posted speed or 85 th percentile speed, whichever is lower.			

3. APA Connectivity Research

Brian:

There are three relatively common approaches to increasing connectivity between new subdivisions or multifamily development and existing streets: (1) requiring a fixed number of access points for all new development (or all development over a certain size); (2) using a tiered system where the required number of access points increases as the number of lots or units increases; or (3) tying the number of required access points to length of road frontage. In practice, some communities combine approaches 1 and 3 or 2 and 3.

Beyond these approaches, there are, of course, many development codes that specify maximum block-face or -perimeter lengths for new development; however, in many cases it is not clear whether or not these block lengths include external connections or only apply internally (i.e., does the street segment that provides an external connection count as part of a "block").

With that said, explicit *minimum* distances between external connections are rare. Manatee County's 300' spacing requirement (https://www.municode.com/library/fl/manatee_county/codes/land_development_code?nodeId=CH10TRMA), which you found, is one of very few I've ever seen. But I'll admit that this seems like a strange omission.

Here are some examples of development codes that require multiple external connections or stipulate a maximum distance between external connections:

Locality	State	External Access Requirements	Citation
Anchorage	AK	any development with more than 100 units must have at least 4 external connections to public streets	§21.07.060.D.3.d (https://www.municode.com/library/ak/anchorage/codes/code_of_ordinances?nodeId=TIT21LAUSPLNECOFFJA12014_CH21.07DEDESTNECOFFJA12014_21.07.060TRCO)
Beaufort County	SC	all new development must conform to maximum block-face and -perimeter dimensions, which vary based on zoning district	§2.2.40 (https://www.municode.com/library/sc/beaufort_county/codes/community_development_code?nodeId=ART2MUTSILOCOSCODE_DIV2.2GECODE_2.2.40BLDE)

Locality	State	External Access Requirements	Citation
Cary	NC	any development with more than 100 units must have at least 2 external connections to public streets	§7.10.3(B)(2) (http://library.amlegal.com/nxt/gateway.dll/North%20Carolina/cary_nc/appendixalanddevelopmentordif=templates\$fn=default.htm\$3.0\$vid=amlegal:cary_nc\$anc=JD_7.10.3)
Coweta County	GA	single-family subdivisions with 50 to 249 lots must have 2 external connections; subdivisions with 250 to 499 lots must have 3 external connections; subdivisions with 500 or more lots must have 4 external connections	§246.2.3.2b (https://www.municode.com/library/ga/coweta_county/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZODE_ART24DERE_S246.2SIDE)
		multifamily development with 200 to 350 units must have 2 external connections; 1 additional external connection required for every 150 units above 350 units	§246.2.4.1b (http://www.municode.com/library/ga/coweta_county/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZODE_ART24DERE_S246.2SIDE)
Fayetteville	NC	new residential development with 81 to 160 units must have 2 external connections; new residential development with more than 160 units must have 3 external connections	§30-5.F.6 (http://online.encodeplus.com/regs/fayetteville-nc/acc/doc-view.aspx?tocid=005.030.005.006.00)

Locality	State	External Access Requirements	Citation
Fort Collins	CO	<p>new development abutting arterial streets must provide full-movement local or collector street intersections every 1,320' and limited-movement local or collector street intersections every 660'</p> <p>subdivisions with 100 or more lots must have 2 external connections, spaced at least 200' apart</p>	<p>§§3.6.3(C)&(D) (https://www.municode.com/library/co/fort_collins/codes/land_use?nodeId=ART3GEDES)</p>
Gastonia	NC	<p>subdivisions with less than 100 units must have at least 3 external connections to public streets;</p> <p>subdivisions with 100 to 199 units must have at least 4 external connections to public streets;</p> <p>subdivisions must have 1 additional external connection for every 100 lots exceeding 199.</p>	<p>§13.23 (https://www.municode.com/library/nc/gastonia/codes/unified_development_ordinance?nodeId=</p>
Hutto	TX	<p>subdivisions with less than 100 units must have at least 3 external connections to public streets;</p> <p>subdivisions with 100 to 199 units must have at least 4 external connections to public streets;</p> <p>subdivisions must have 1 additional external connection for every 100 lots exceeding 199.</p>	<p>§10.513.3.8 (http://www.huttotx.gov/DocumentCenter/Home/View/5144#page=23)</p>

Locality	State	External Access Requirements	Citation
Lake Oswego	OR	new development abutting through streets must provide full local or collector street connections at least every 530'	\$50.06.003.4.c.ii (http://www.codepublishing.com/OR/LakeOswego/html/LakeOswego50/LakeOswego500)
Palm Coast	FL	new residential development with more than 50 units or 2,500' of frontage must have 2 external connections	\$5.02.04.B (https://www.municode.com/library/fl/palm_coast/codes/land_development_code?nodeId=P)
Raleigh	NC	all new development must conform to maximum block-perimeter dimensions, which vary by zoning district and average lot size	\$8.3.2.A (https://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance/#242)
San Antonio	TX	new development with more than 125 lots or dwelling units and at least 400' of frontage must have 2 external connections	\$35-506(e)(7) (https://www.municode.com/library/tx/san_antonio/codes/unified_development_code?noc)
Tyler	TX	subdivisions with 61 to 120 lots must have 2 external connections; subdivisions with more than 120 lots must have 3 external connections	\$10-187 (http://www.cityoftyler.org/Portals/0/Documents/Planning%20Department/UDC.pdf#page=160)

Planning Committee

May 25, 2017



Case No:	16AMEND1011
Project Name:	Access Separation LDC Text Amendment
Case Manager:	Brian Mabry, AICP, Planning Supervisor

REQUEST

Amend Section 6.1.3 of the LDC to require a minimum distance between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway

SUMMARY

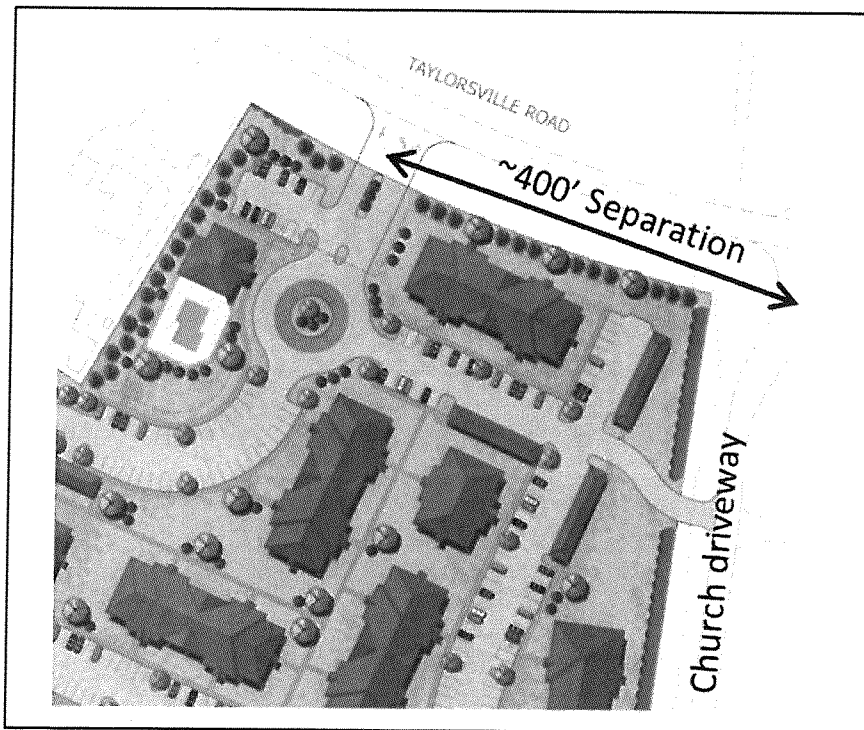
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The purpose of Section 6.1.3 is to make sure that larger residential developments (single- or multi-family) have more than one entry and exist onto an adjacent existing road. Structures in nonconforming developments with fewer than required access points may undergo maintenance and improvements; however, more dwelling units cannot be added.

On December 12, 2016, the Planning Commission held a public hearing on 16ZONE1020, a multifamily project on Taylorsville Road. The proposed development included 347 apartment units on 29.07 acres. The planning Commission voted to recommend approval of the rezoning and approved the Detailed District Development Plan. At the Planning/Zoning, Land Design and Development Committee meeting on the case, Councilmember Stuart Benson, in whose district the project is located, expressed concern that the entrances to the development needed to be farther apart and that there should be a 3rd entrance. As shown at the top of the next page of this Staff Report, the main entrance of the development was approved as a median-divided entrance. There is a secondary entrance shared with an adjacent church driveway. There is a 400-foot separation of the entries from centerline to centerline

On December 8, 2016, Metro Council passed a resolution, Sponsored by Councilmember Stuart Benson, requesting the Planning Commission to hold a public hearing regarding any proposed amendments to Section 6.1.3 of the Land Development Code concerning the additional requirement for a minimum distance between access roadways connecting developments with an aggregate of 200 or more dwellings to the same existing roadway, and to make a recommendation to the Metro Council regarding whether the proposed amendment should be approved or disapproved, and stating the reasons for its recommendation.



Driveway separation for 16ZONE1020

RESEARCH

Planning and Design Staff researched how comparable jurisdictions regulate separation of residential access points onto an existing road and found the following separation requirements. In addition to those below, Staff looked at regulations from Cincinnati, Nashville, and New Orleans without obtaining useful results.

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					AVERAGE SF	1,475
					AVERAGE MF	503
					OVERALL AVERAGE	806

* Stub streets or additional connections to other streets were not counted in measuring the separation distance

STAFF CONCLUSIONS

At this time, Staff does not recommend changing Section 6.1.3 of the Land Development Code. This preliminary recommendation is based on the following:

- Separation distances of access points in recently approved residential developments generally align with, or greatly exceed, the minimum requirements of comparable communities.
- When Public Works/Transportation Planning reviews a development plan, it relies heavily on engineering manuals which provide recommended spacing between driveways and intersections based on road width, speed, and other factors.
- The Kentucky Transportation Cabinet is not bound by regulations in Metro's LDC, spacing on state roads may not necessarily comply with any newly adopted provisions.

The Planning Committee must determine if the request is ready for a public hearing before the Planning Commission. Staff recommends a hearing date of June 29, 2017.

ATTACHMENTS

1. Metro Council Resolution 123-2016

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RESOLUTION NO. 123, SERIES 2016

A RESOLUTION REQUESTING THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING A PROPOSED AMENDMENT TO SECTION 6.1.3 OF THE LAND DEVELOPMENT CODE THAT WOULD REQUIRE A STANDARD MINIMUM DISTANCE BETWEEN ACCESS WAYS FOR RESIDENTIAL DEVELOPMENTS WITH AN AGGREGATE OF 200 OR MORE DWELLINGS WHEN TWO OR MORE SEPARATE ACCESS WAYS FROM SAID RESIDENTIAL DEVELOPMENTS CONNECT DIRECTLY TO THE SAME ROADWAY.

Sponsored by: Councilman Stuart Benson

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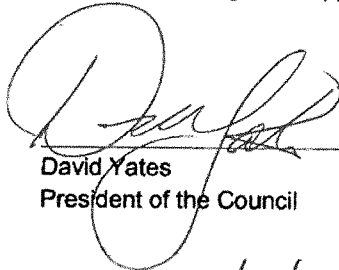
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H. Stephen Ott
Metro Council Clerk


David Yates
President of the Council


Greg Fischer
Mayor

Approved: 12/13/16
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 
2

LOUISVILLE METRO COUNCIL
ADOPTED
December 8, 2016