

ORDINANCE NO. 022, SERIES 2016

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 1 AND 4 OF THE LAND DEVELOPMENT CODE PERTAINING TO ATHLETIC FIELDS—APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 15AMEND1004).

**SPONSORED BY: Councilwoman Vicki Aubrey Welch**

**WHEREAS**, the Planning Commission held a public hearing on October 29, 2015 to consider an amendment to the Land Development Code ("LDC"); and

**WHEREAS**, the Planning Commission recommended approval of the amendments provided in the staff report as stated in the Planning Commission's minutes of October 29, 2015; and


**WHEREAS**, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 15AMEND1004 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:** 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. 15AMEND1004, dated October 29, 2015, 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

### 1.2.2 Definitions

**Athletic Facility, Indoor and Outdoor** - A place designed and equipped primarily for observation of sports, including but not limited to a sports field, basketball or tennis court, stadium, or arena. Accessory facilities include, but are not limited to, equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking. The term does not include paint ball ranges or animal race tracks.

### 4.2.8 Athletic Facilities

~~Indoor and outdoor athletic facilities as a principal use, including sports fields, basketball and tennis courts, and related facilities such as equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking except for paint ball ranges are permitted in the M-1, M-2, and M-3 districts, and in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, and R-8A, M-1, M-2, and M-3 districts on tracts of 20 acres or more, and in compliance with the following requirements:~~

- A. The athletic facilities are located in a suburban form district; and
- B. Pedestrian and vehicular circulation patterns, including location of parking lots and driveways, must be designed to safely accommodate recreational users and avoid conflict with truck traffic, as determined by the Director of Works; and
- C. ~~If recreational uses are located within 500 feet of residential use or zone,~~ The applicant shall submit a lighting plan documenting compliance with Section 4.1.3 (Lighting ordinance); and
- D. No structure, parking area or outdoor recreation facility shall be located within 30 feet of a property line, unless further restricted in accordance with paragraph F below.
- E. Signs – Shall be in accordance with the on-premises sign standards of Chapter 8 of the LDC for non-residential uses.
- F. Athletic facilities in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8A districts shall meet the following compatibility requirements:
  1. No outdoor athletic facility or parking area may be located closer than 100 feet to an adjacent property zoned for residential use.
  2. No indoor athletic facility may be located closer than 50 feet to an adjacent property zoned for residential use.
  3. The minimum tract size for an athletic facility shall be 10 contiguous acres.

- G. Athletic facilities in the M-1, M-2 and M-3 districts subject to a Conditional Use Permit may serve three purposes:**
- 1. To allow a transitional use of industrially zoned land, while preserving the community's supply of industrially zoned property until such time as market demand justifies use of such property in a manner that will significantly meet the community's economic development needs; or**
  - 2. To allow use of parcels for permanent open space or recreational purposes serving employees of an industrial development; or**
  - 3. To accommodate greenways or similar open space use of environmentally constrained land, with or without trail systems or other recreational facilities.**
- H. 4. Thus, athletic facilities are permitted only when the applicant indicates which of the three purposes the proposed use will meet, and can demonstrate the following to the satisfaction of the Board of Zoning Adjustment or the Board's designee:**
- 1. a. If Transitional Use: The proposed athletic facilities do not entail construction of permanent facilities that are inconsistent with industrial use of the site.**
  - 2. b. If Permanent Open Space/Recreation Use: The site is an integral component of a multi-lot business or industrial park, and the recreation facilities primarily benefit persons working at the industrial park.**
  - 3. c. If Greenway or Environmentally Constrained: The site is subject to environmental constraints regulated in Chapter 4 Parts 6, 7, or 8, and is precluded from development by conservation easement or restriction on the development plan.**