

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMITTEE MEETING
MAY 28, 2019**

A meeting of the Louisville Metro Planning Committee was held on May 28, 2019 at 1:00 p.m. at the Metro Development Center, 444 S. Fifth Street, Louisville, KY 40202.

Committee Members present:

Lula Howard
Juva Barber
Ruth Daniels
Barbara Kelly
David Tomes
Vince Jarboe (sub)

Committee Members absent:

Emma Smith
Jeff Brown

Staff Members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Joe Haberman, Planning & Design Manager
Julia Williams, Planning & Design Supervisor
Chris French, Planning & Design Supervisor
Paul Whitty, Legal Counsel

Others present:

David Kaelin
Harrell Hurst
Bert Stocker
Donnie Blake
Ashley Bartley
David Mindell
Kelli Jones
Cindy Sullivan
Erin Thompson
Sarah Beth Sammons
John Talbott

The following matters were considered:

**PLANNING COMMITTEE MINUTES
MAY 28, 2019**

CASE NUMBER 19AMEND1003

Request: Tree Canopy Regulations Amendments
Case Manager: Julia Williams, AICP, ASLA, Planning & Design Supervisor

Julia Williams provided an overview of the latest draft of the tree canopy regulations. The proposal is to increase the amount of credit given to each tree that is being planted on a development site. Type A will get credit for 1,200 sf, Type B at 720 sf, and Type C at 177 sf. The proposed percentage for single family developments in the Neighborhood Form District is 40 percent, while other uses in the NFD would need to achieve 35 percent. Also, street trees would be required along all ROWs except alleys and would need to be planted at 1 3/4 inch caliper. The requirements in the Downtown and Traditional form districts would be different. Streets trees are all that would be required in the Downtown Form District, and only street trees and trees associated with ILAs and buffers in the Traditional form districts. Staff presented planting requirements for each type of tree and different uses.

Barbara Kelly asked if there could be a requirement to mix up species planted. Julia Williams said there is a diversification requirement in the regulations at this time. Vince Jarboe asked if preservation of existing trees is awarded. Juva Barber asked for clarification on if/when the ordinance language would be prepared. Emily Liu said that will be finalized this week so it can be sent to the Planning Commission on June 20.

Bert Stocker addressed the committee and stated he did not feel the proposal will meet the goals that have been set for the community. He said the understory trees are not being given proper consideration. In his opinion the tree canopy percentage will not increase and there will be no heat island relief under this proposal. He also believes there needs to be more emphasis on tree preservation outside of the Snyder, in conservation subdivisions, and the proposed Conservation Form District.

Harrell Hurst is also concerned about trees outside the Snyder, and in the Floyds Fork corridor. He asked for clarification about the percentages. Julia Williams provided an overview.

The group discussed where the "tree in lieu" funds will go and how they will be disbursed. The committee agreed the funds must be earmarked for tree projects.

David Mindel stated he thinks the commercial, industrial, etc. should be moved back to 30 percent instead of 35 percent.

Bert Stocker presented information to the committee. His presentation included a formula he developed that he believes will help existing tree canopy to remain on development sites.

The committee and those in attendance debated a number of things regarding tree canopy percentages and opinions on preservation. There is still a lot of debate on several items, but staff will attempt to put together a codified version of the regulations and that will be distributed for review prior to the Planning Commission review.

On a motion by Committee Member Tomes, seconded by Committee Member Daniels, the following resolution was adopted:

**PLANNING COMMITTEE MINUTES
MAY 28, 2019**

CASE NUMBER 19AMEND1003

RESOLVED, the Louisville Metro Planning Committee does hereby **RECOMMEND** staff proceed to codify the changes to the tree canopy regulations within the Land Development Code as discussed at the Planning Committee meetings and present them to the Planning Commission at a public hearing on June 20, 2019.

The vote was as follows:

YES: Daniels, Jarboe, Kelly, Tomes and Howard

NO: Barber

NOT PRESENT: Smith and Brown

**PLANNING COMMITTEE MINUTES
MAY 28, 2019**

The meeting was adjourned at approximately 2:34 p.m.

Chairman

Division Director

**MINUTES OF THE MEETING
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LOUISVILLE METRO PLANNING COMMITTEE MEETING
APRIL 8, 2019**

A meeting of the Louisville Metro Planning Committee was held on April 8, 2019 at 11:00 a.m. at the Metro Development Center, 444 S. Fifth Street, Louisville, KY 40202.

Committee Members present:

Lula Howard
Juva Barber
Barbara Kelly
Jeff Brown
Ruth Daniels
David Tomes
Vince Jarboe (sub)

Committee Members absent:

Emma Smith

Staff Members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Julia Williams, Planning & Design Supervisor
Chris French, Planning & Design Supervisor
Zach Schwager, Planner I
Paul Whitty, Legal Counsel
Jeff O'Brien, Director, Develop Louisville

Others present:

Sarah Beth Sammons
Jon Henney
Kent Gootee
Bert Stocker
Harrell Hurst
Erin Thompson
Bob Merritt
Jim Mims
David Mindel
David Kaelin
Cindy Sullivan

The following matters were considered:

**PLANNING COMMITTEE MINUTES
APRIL 8, 2019**

CASE NO. 19AMEND1003

Request: Tree Canopy Regulations Amendments
Case Manager: Julia Williams, AICP, ASLA, Planning & Design Supervisor

Julia Williams began the meeting by discussing information related to tree canopy preservation and changes that have been made since the last meeting. There has been a lot of discussion about the tree canopy table (10.1.1). Right now the existing percentage range for single family residential development in suburban forms is 15-30%, and the proposal is for 35%. Emily Liu provided detailed information about development over the last few years. David Tomes asked if these projected percentages included trees on private lots and made some comments about how this might be a challenge for developers/builders. There was discussion about private trees. The development community said they would need private trees to make these calculations work. Julia Williams said private trees are not required and thinks the calculations could be attained using street trees, preservation and plantings on open space.

Cindy Sullivan asked why the number had drifted down to 35% from the previous discussions where it looked like they were targeting 40-50%. Emily Liu explained that the percentage planted is actually greater once a tree reaches maturity.

One new item is development sites that are 50-100% treed will be required to preserve 20% of the trees on site. This range changed from 70-100% at the last meeting. There was also discussion about the large tree credit. David Mindel did not like the idea of having to do a tree survey to get credit for large trees.

David Tomes presented some information he had compiled about tree canopy information for Norton Commons. He estimates the land had about 9% tree canopy before they started developing. He detailed the breakdown of the amount of trees in street trees, parks and open space.

David Mindel presented numerous exhibits to show landscape plans for subdivisions. His exhibits showed the difficulties of planting trees to meet some of the canopy requirements that are being discussed.

Bert Stocker presented some information he created to illustrate canopy loss.

Staff will continue to work on the proposed amendments and bring it back to the committee in approximately two weeks.

**PLANNING COMMITTEE MINUTES
APRIL 8, 2019**

The meeting was adjourned at approximately 1:00 p.m.

Chairman

Division Director

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMITTEE MEETING
MARCH 11, 2019**

A meeting of the Louisville Metro Planning Committee was held on March 11, 2019 at 11:00 a.m. at the Metro Development Center, 444 S. Fifth Street, Louisville, KY 40202.

Committee Members present:

Lula Howard
Juva Barber
Barbara Kelly
Jeff Brown
Ruth Daniels
David Tomes

Committee Members absent:

Emma Smith

Staff Members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Joe Haberman, Planning & Design Manager
Julia Williams, Planning & Design Supervisor
Zach Schwager, Planner I
Jeff O'Brien, Director, Develop Louisville

Others present:

???

The following matters were considered:

**PLANNING COMMITTEE MINUTES
MARCH 11, 2019**

CASE NO. 19AMEND1003

Request: Tree Canopy Regulations Amendments
Case Manager: Julia Williams, AICP, ASLA, Planning & Design Supervisor

Julia Williams provided an overview of the tree canopy regulations and the discussion that occurred at the last meeting. There was some discussion about the single family tree canopy percentage that is being considered. It is currently 30%, with the proposal being 40-50%. The discussion revolved around whether 40-50% is even achievable, and a clarification about what a 30% tree canopy at planting will achieve when it reaches maturity. Emily Liu said staff would research this some more and present it at a future meeting.

Citizens from the public expressed concerns tree canopy, and that the committee needs to consider required open space as a way to get adequate space for trees and not just being concerned about how they will be placed around houses, development, etc.

Juva Barber and David Tomes stated if the regulations are too demanding then it will kill development. David Tomes said he thinks the regulation needs to be built around street trees because it will be too difficult to require trees on private lots and enforce the preservation of them.

Barbara Kelly asked if there were thoughts of widening the verge to give trees adequate room to grow. Erin Thompson said the verge has to be 8 feet for a Type A tree right now. Jeff Browns said six feet is the common standard for an R-4 neighborhood.

Several people mentioned the potential of planting trees in stormwater basins. These areas take up large areas and MSD currently will not allow any planting in them. It may be possible to plant trees that will help take up stormwater and not interfere with the designed capacity of these basins.

David Tomes said he researched Nashville's regulations to see how they go about tree preservation/planting. He said developments are required to get so many "units" per acre, and different sized trees are worth a different number of units.

Tree Preservation was another major topic of discussion. The proposal is to have sites with between 70-100% existing coverage to preserve at least 20% of that existing canopy. Some expressed concerns about being able to meet this because many times the areas that are most developable have trees on them. Others stated this required proposal is too low.

At the conclusion of the discussion, it was determined this was not ready to go to Planning Commission on March 21. There will be another Planning Committee meeting, probably on April 8.

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMITTEE MEETING
FEBRUARY 25, 2019**

A meeting of the Louisville Metro Planning Committee was held on February 25, 2019 at 11:00 a.m. at the Metro Development Center, 444 S. Fifth Street, Louisville, KY 40202.

Committee Members present:

David Tomes
Juva Barber
Barbara Kelly
Jeff Brown

Committee Members absent:

Emma Smith
Lula Howard
Ruth Daniels

Staff Members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Julia Williams, Planning & Design Supervisor
Chris French, Planning & Design Supervisor
Zach Schwager, Planner I
Jeff O'Brien, Director, Develop Louisville

Others present:

???

The following matters were considered:

**PLANNING COMMITTEE MINUTES
FEBRUARY 25, 2019**

CASE NO. 19AMEND1003

Request: Tree Canopy Regulations Amendments
Case Manager: Julia Williams, AICP, ASLA, Planning & Design Supervisor

Julia Williams presented information about the resolution from Metro Council that asked Planning & Design Services staff to evaluate the tree canopy regulations. There have been a series of meetings since November to gather input from the public. Ms. Williams presented a powerpoint highlighting some of the topics of discussion.

The current draft proposes to increase the tree canopy percentage by 5 percent in the Downtown Form District, between 5 and 20 percent in the traditional form districts, and a percentage to be determined for single family residential development in the suburban form districts. There has also been some discussion of increasing the tree canopy value of trees, for example, changing a Type A tree from 720 square feet to 960 square feet. Another recommendation is to require street trees for all development on all streets (except alleys). The proposed changes would also increase the importance of the tree fee in lieu option, work to find an appropriate fee for that, and make it easier to use this option. Remove Table 10.1.4.B that provide tree canopy reductions for more intense developments in the Downtown Form District.

Another proposed addition is to require a tree removal permit to remove any tree on a development site where tree plantings were required. This would be similar to the permit that is required to remove trees in the right of way. There would not be a fee associated with this permit.

There is a proposal to require development sites with 70-100 percent existing canopy would be required to maintain at least 20 percent canopy on the site. Also, large trees greater than 24 inches that are preserved would get a 25 percent tree canopy value bonus. Another change is to change the parking regulations so that tree plantings/preservations could receive parking reductions on development sites. And finally, the two year tree clearing requirement would be applied to all sites.

David Tomes said he has a hard time understanding the 40-50 percent tree canopy requirement in the suburban form districts. Julia Williams stated that the current regulations do not count on lot trees, and that under this proposal those trees would be counted to meet the proposed tree canopy percentage. Juva Barber said she is worried about setting a standard that is unachievable and may also effect affordability of development.

Julia Williams provided additional details about the proposed changes to Table 10.1.1.

The committee discussed various scenarios and items for clarification.

David Tomes presented a powerpoint to the committee and those in attendance. The presentation provided an overview of historic street tree and tree planting in Louisville. He feels street trees are the best alternative for providing tree canopy in the community. He feels trees on owned lots will be very difficult to regulate.

Bert Stocker spoke to the committee and discussed how he believes the community is currently heading away from the 40 percent canopy goal with the way recently approved subdivisions are being developed. He has suggested a formula to preserve trees within developments that emphasis preserving existing tree canopy.

**PLANNING COMMITTEE MINUTES
FEBRUARY 25, 2019**

Emily Liu said staff will put the recommendations from the study into code form and bring that back to the committee in a couple weeks. This meeting will need to take place in time to still get the recommendations to the Planning Commission on March 21.

Kelli Jones stated her support for increasing the canopy value assigned to trees as well as the tree fee in lieu program and hopes these are considered by the committee. She also stated she is concerned about the removal of the density reductions in traditional areas.

Kent Gootee thinks the two year rule could be hard. He said there have been a minimum number of cases where this would have been an issue, so it may be more of a burden than is needed. Also feels there should be a minimum lot area that applies to the tree canopy coverage regulations.

This discussion will continue on March 11.

**PLANNING COMMITTEE MINUTES
FEBRUARY 25, 2019**

Request: Access
Case Manager: Chris French, AICP, Planning & Design Supervisor

Chris French presented an overview of the request to evaluate access management for residential developments. The current regulation says developments with more than 200 dwellings shall have more than one access point on streets. He also provided an overview of methods that are used in a number of communities from across the nations.

Barbara Kelly asked if staff has determined that this is a problem. Angela Benson stated Councilman Stuart Benson believes this is a problem, especially for larger developments where you may have as many as 1,000 homes with only two or three points of ingress/egress. Jeff Brown feels it is dependent on the traffic study that may accompany a development and will vary tremendously from site to site. At the conclusion of the discussion, the committee asked staff to look at Chapter 7 and Public Works requirements to see if there are some things that can address the issue at hand.

The committee continued this to March 11.