

Planning Commission

Staff Report

March 21, 2016



Case No:	15area1001 & 15amend1001
Request:	Area-wide Map Change and Text Amendment for the Old Louisville/Limerick TNZD
Project Name:	Old Louisville/Limerick Area-Wide Map Change and Text Amendment
Location:	Multiple properties in the Old Louisville/Limerick TNZD
Owner:	Multiple Owners
Applicant:	Louisville Metro
Representative:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Brian Mabry, AICP, Planning Coordinator

REQUEST

- Area-wide map change for multiple properties within the Old Louisville / Limerick Traditional Neighborhood Zoning District (TNZD)
- Text amendment for Chapter 1, General Provisions, Appendix 2B, TNZD Land Use And Design Standards, and for Chapter 8, Sign Regulations, of the Land Development Code

CASE SUMMARY/BACKGROUND/SITE CONTEXT

In April 2015, Metro Council approved Resolution 040-2015, related to the Old Louisville / Limerick TNZD. The resolution directed Planning and Design Services staff to:

- Evaluate permitted uses in the TNZD as to whether the current land use listing should be expanded to include additional commercial uses
- Resolve any conflicts or confusion in regulations that pertain to signage on properties located within the TNZD
- Examine the current Neighborhood Center boundary on the TNZD Plan Map to determine whether it should be extended
- Hold a public hearing with the Planning Commission to consider proposed changes to the three items above

On the evenings of July 8th and August 11th, 2015, and January 12th, 2016, Staff held neighborhood meetings at the Old Louisville Neighborhood Information Center. The meetings were well attended, with 50 to 75 people present at each one. The purpose of these meetings was: (1) to inform area stakeholders on zoning in general and on the current status of the TNZD regulations; (2) to provide preliminary recommendations related to land uses, signs, and the TNZD Zoning Map; and (3) to provide a forum for stakeholders to educate Staff on Old Louisville's unique characteristics, problems, and assets.

At the August and January meetings, Staff presented further refined recommendations based on additional research and stakeholder comments, with the intent of providing a compromise between two generally distinct sets of stakeholders, those who prefer very modest change, if any at all, and those who prefer significant changes. At the January meeting, Staff presented to the group several alternatives related to permitted uses and the TNZD Zoning Map (**Attachment 1**).

The Old Louisville / Limerick TNZD is generally bounded to the north by Kentucky Street, some places extending as far north as Breckenridge Street; to the west, generally, by S. 7th Street, some places extending

as far west as S. 8th Street; to the south by Cardinal Boulevard; and to the east by Interstate 65. The Old Louisville Neighborhood Plan and the Limerick Action Plan was adopted in 1982. The current list of permitted uses within the TNZD was reviewed by various groups beginning in 1999 and formally amended in the early 2000s. Few, if any amendments to the set of permitted uses in the TNZD have taken place since then.

Section 2.7.4 of the Land Development Code (LDC) states that the purpose of the TNZD, in part, is as follows:

The TNZD is designed to recognize historic or long-established traditional neighborhoods and to protect them as a distinct pattern of development...Traditional neighborhoods ...[have] an identifiable boundary, a predominance of residential uses and open space such as parks and playgrounds, a connected street and alley pattern, buildings that are close to or at the sidewalk, and, in some cases, a well-defined center or transition area that contains a mixture of uses.

The TNZD is designed to promote diversity and integration of uses and structures in an existing traditional neighborhood through flexible design standards that:

- a. Regulate the use of structures on a structure-by-structure basis which stabilizes and protects the urban residential character of the area;
- b. Maintain traditional neighborhoods that are livable, diverse, and sustainable;
- c. Promote uses of land that are appropriate to the distinctive characteristics of existing traditional neighborhoods;
- d. Respect and reinforce existing traditional neighborhoods, integrating new development with existing development to ensure compatibility;
- e. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- f. Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;
- g. Protect and enhance historic and natural resources;
- h. Encourage the provision of adequate parks and open spaces to serve the needs of residents of traditional neighborhoods.
- i. Encourage a variety of compatible architectural styles, building forms, and building relationships within existing traditional neighborhoods.

Staff brought both cases that make up this project to the LD&T Committee on January 28, 2015. See **Attachment 2** for minutes.

In February 2016, Staff completed a demographic analysis of the Old Louisville / Limerick TNZD area. See **Attachment 3**.

As directed by Resolution 040-2015, this project has two overall components: a proposed change in the text of the LDC (related to permitted uses and signs) and a proposed change in neighborhood type for certain properties on the TNZD zoning map. Staff's recommendations are presented in this report.

INTERESTED PARTY COMMENTS

See **Attachment 15**. Interested party comments are general split between those advocating for little change and those who prefer significant change in terms of permitted uses and changes to the TNZD Zoning Map. Interested party comments related to signs were less numerous.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Amendments to the Old Louisville / Limerick Neighborhood Plans

STANDARD OF REVIEW FOR MAP CHANGE

Although the act of changing the designation of a property from one TNZD Neighborhood Type to another is not a true rezoning under the Land Development Code or State statute, Staff believes it is appropriate to take the conservative approach and use the rezoning criteria anyway to guide the decision making process. Criteria for granting rezoning: *KRS Chapter 100.213*

1. The proposed rezoning complies with the applicable guidelines and policies Cornerstone 2020 or the Old Louisville / Limerick Neighborhood Plans: **OR**
2. The existing zoning classification is inappropriate and the proposed classification is appropriate: **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

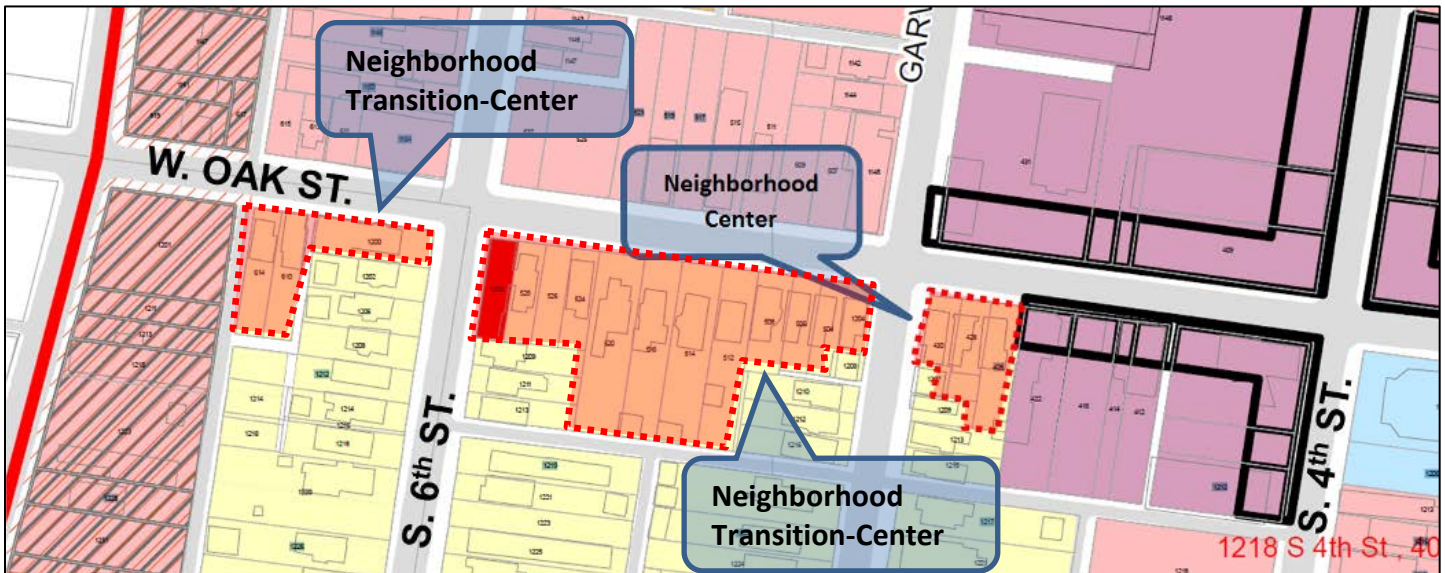
STAFF ANALYSIS FOR TNZD ZONING MAP CHANGE

The Staff recommendation related to the TNZD zoning map has three parts:

1. Expand the Neighborhood Center neighborhood type to three properties just west of the current location of the Neighborhood Center properties. These properties are immediately west of the now defunct Rudyard Kipling. See **Attachment 4** for a list of parcel IDs, addresses, and images of each property.

In addition, change the Neighborhood Type for all fifteen properties with frontage on the eastbound side of W. Oak Street, from the alley east of S. 7th St. to Garvin Place, from the General type to Neighborhood Transition-Center. If approved, the proposed map amendment would have the effect of making a wider variety of commercial uses available to the subject properties. See **Attachment 5** for a list of parcel IDs, addresses, and images of each property.

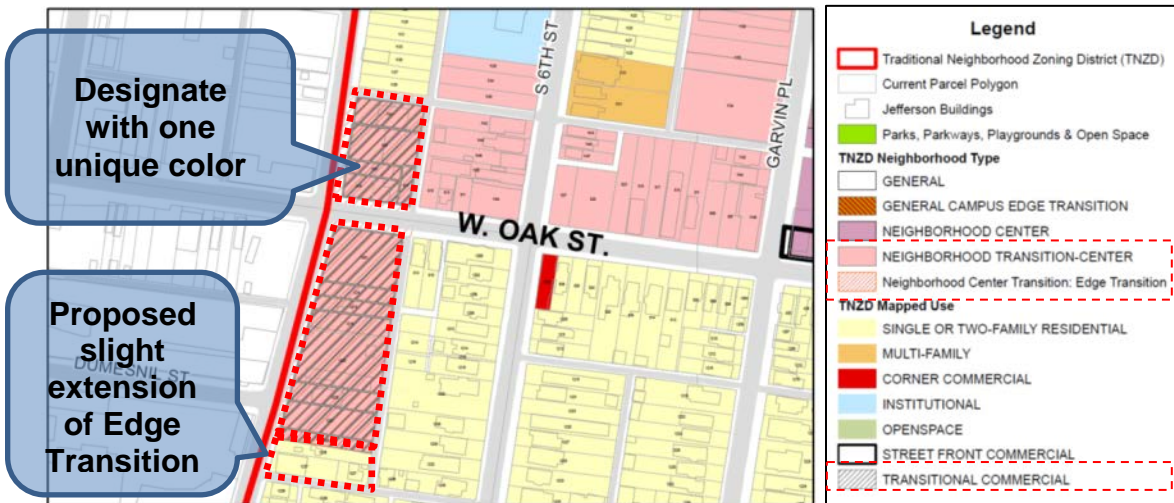
All current applicable standards of the Land Development Code and all Old Louisville / Limerick design review provisions remain in effect.



2. The Neighborhood Center Transition: Edge Transition properties at the northeast and southeast corners of W. Oak Street and S. 7th Street have three layers of designations on the TNZD zoning map: light pink, black hash marks and red hash marks. In order to clear up confusion about the designation of these properties on the map, Staff recommends providing these properties with their own unique color on the map and legend. In addition, property owners for this area believe that the Edge Transition

neighborhood type should be extended two parcels southward so that the south boundary of the neighborhood type is the alley that connects S. 6th Street with S. 7th Street. See **Attachment 6** for a list of parcel IDs, addresses, and images for each property. See **Attachment 7** for a letter requesting the extension. See also the graphic below.

More recommendations related to permitted uses for these properties are in the Staff Analysis for LDC Text Amendment section below.



A number of interior (non-corner) lots exist in the Old Louisville / Limerick TNZD with vacant commercial structures, as illustrated in the graphic below. Until close to the time of publication of this Staff Report, Staff believed that it was not possible for such structures to be used commercially, if they had been abandoned, and if they were not in existence in 1926 (the “base” year for the TNZD). Therefore, Staff had recommended a change in the map and in the text of the LDC to the LD&T Committee to allow the re-use of such structures. However, it has come to light through further analysis and public input that this capability was already in place Section 2.7.4.C.4. The Neighborhood General use table in the draft Ordinance now has a notation stating that interior lots are eligible for the Corner Commercial designation as well.



Staff considered, and presented to the LD&T Committee as an alternative, the idea of expanding the Neighborhood Transition-Center neighborhood type eastward, along both sides of W. Oak St., from S. 1st St. to S. Brook St. or even as far east as S. Floyd St. However, Staff no longer presents this expansion as a recommendation. If the amendments currently under consideration contribute to increased commercial activity along Oak Street in the future, then at a later date the eastern portion of Oak could be considered for a change in neighborhood type.

Generally, stakeholders against expansion of commercial neighborhood types along Oak Street argue that such expansion would dilute an already underutilized area. They say that there are already vacant Neighborhood Center and Neighborhood Transition-Center properties, and they question why even more

properties would be given such designation. Stakeholders in favor of expansion argue that such expansion gives more commercial opportunities for more properties. They argue that this would result in more commercial activity along Oak Street and so it is beneficial to the area.

In summary, 20 properties are considered under this change to the TNZD Zoning Map. Three properties are proposed to be changed from Neighborhood General to Neighborhood Center. Fifteen properties are proposed to be changed from Neighborhood General to Neighborhood Transition-Center. Two properties are proposed to be changed from Neighborhood General to Neighborhood Center Transition: Edge Transition.

Staff makes these TNZD Zoning Map change recommendations described above in light of the following:

WHEREAS, the Planning Commission finds that the changes to the TNZD Zoning Map comply with the applicable guidelines and policies of Cornerstone 2020.

WHEREAS, the Planning Commission further finds that the changes to the TNZD Zoning Map comply with Guideline 2, Centers of Cornerstone 2020. The map change promotes efficient use of land and investment in existing infrastructure, provides an opportunity for neighborhood centers and marketplaces that include a diversity of goods and services, and encourages commercial revitalization in redeveloping areas by making additional properties eligible for commercial development.

WHEREAS, the Planning Commission further finds that the changes to the TNZD Zoning Map comply with Guideline 3, Compatibility of Cornerstone 2020. The map change will allow a mixture of land uses and densities near each other, subject to the existing design review provisions applicable to the Old Louisville / Limerick area, which will preserve the character of the existing neighborhood. In addition, the Neighborhood Transition-Center neighborhood type allows for a reasonable transition between the purely commercial uses of the Neighborhood Center and the mostly residential uses of the Neighborhood General.

WHEREAS, the Planning Commission further finds that the changes to the TNZD Zoning Map comply with Guideline 6, Economic Growth and Sustainability. The map change will allow additional commercial and office developments to take place in and around the Oak Street corridor, and with the expansion of the Neighborhood Center Transition-Center to the west, will allow the subject properties a chance to capture the business brought about by recently established larger employers to the area and at the western border of the TNZD.

WHEREAS, the Planning Commission further finds that the changes to the TNZD Zoning Map comply with applicable guidelines and policies in "Amendments to the Old Louisville / Limerick Neighborhood Plans," which recommends revitalization of the commercial district at 4th and Oak Streets as a true neighborhood serving center, appropriate commercial and retail amenities throughout the neighborhood, and appropriate and inclusive zoning.

WHEREAS, the Planning Commission further finds that the existing TNZD neighborhood type for the subject properties are inappropriate and the proposed neighborhood types are appropriate. The Demographic analysis conducted by Planning and Design Services staff shows that the residential population of the Old Louisville / Limerick area has declined over the years, but is currently holding steady, that the share of older and higher wage workers has increased in the area, and that more people leave the area to work elsewhere than come from outside the area to work in it. These demographic factors suggest that it is appropriate to decrease the residential capacity of the Oak Street corridor in favor of increased commercial capacity.

STAFF ANALYSIS FOR LDC TEXT AMENDMENT

Staff makes the following recommendations related to the LDC text amendment component of this project. See **Attachment 8** for the Draft TNZD Ordinance Amendments.

Permitted Uses

Make TNZD its Own Section, Rather Than An Attachment

Currently the regulations specific to the Old Louisville / Limerick TNZD reside in LDC Appendix 2B, "Traditional Neighborhood Zoning District Land Use And Design Standards." Staff proposes to make these standards their

own LDC Section and to incorporate relevant portions from other parts of the LDC into the new Old Louisville / Limerick TNZD Section. Staff makes this recommendation because, although they are administered as binding standards that must be followed, there is an argument that appendices to a Land Development Code are not bona fide regulations and may be treated as guidelines.

In addition, Staff proposes to reference the Historic Landmarks and Preservation Districts Commission's General Design Guidelines where appropriate.

Neighborhood Center Uses: Carry Over C-2 with Three Exclusions; Additional Permitted Uses

Staff recommends that the permitted uses for the Neighborhood Center neighborhood type, focused at S. 4th Street and W. Oak Street, be the same as the permitted uses for the C-2 zoning district, with the only exclusions being those uses that could be most detrimental to the character the TNZD promotes and maintains: stand-alone automobile parking areas, automobile rental agencies and automobile sales agencies. Barring some higher-end agencies, these uses almost without exception require a great deal of paved area in front of a building for their inventory, which can compromise the TNZD's character. In addition, Staff proposes to add the following uses, some of which are currently allowed in the Neighborhood Center, but not in C-2:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Assisted living residence* • Community or market garden (Permitted with Standards) • Entertainment activity, indoor or outdoor* | <ul style="list-style-type: none"> • Garages and accessory residential units (carriage house)* • Live/Work Unit (Permitted with Standards) <p>* = Use permitted in Neighborhood Center, but not C-2</p> |
|---|---|

See **Attachment 9** for a list of new uses that would become permitted in Neighborhood Center if the C-2 listing is carried over with automobile sale and parking exclusions.

Neighborhood Transition-Center Uses: Carry Over C-2 with Auto- and Boat-Related Exclusions; Additional Permitted Uses

Staff recommends that the permitted uses for the Neighborhood Transition-Center neighborhood type, which for the most part surrounds the Neighborhood Center type, be the same as the permitted uses for the C-2 zoning district, with exclusions related to auto- and boat-oriented uses. In addition, Staff proposes to add the following uses, some of which are currently allowed in the Neighborhood Transition-Center, but not in C-2:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Assisted living residence* • Bed & breakfast (Permitted with Standards) • Community or market garden (Permitted with Standards) • Entertainment activity, indoor only* • Entertainment activity, outdoor (CUP) • Garages and accessory residential units (Carriage House)* • Governmental buildings* | <ul style="list-style-type: none"> • Institutional uses (where mapped)* • Live/work unit (Permitted with Standards) • Package liquor store (CUP) • Tavern, bar, saloon (CUP) • Trade, business or industrial school (where mapped)* <p>* = Use permitted in Neighborhood Transition-Center, but not C-2</p> |
|--|--|

See **Attachment 10** for a list of new uses that would become permitted in Neighborhood Transition-Center if the C-2 listing is carried over with the recommended exclusions.

Allow Live/Work Units as Permitted Subject to Standards in All Neighborhood Types

Live/work units are defined in the LDC as:

A structure or structures held in single ownership and containing one of the following: (1) commercial or office use not to exceed more than 50 percent of the floor area and residential use which shall include the balance of the remaining floor area, or (2) residential use which utilizes up to 100 percent of the floor area. Regardless of the zoning district, Live/Work Units shall be considered a residential use.

Live/work units are structures geared toward craftspeople and artisans who wish to live in close proximity to each other and to where they do their work. Live/work units are currently not allowed in the TNZD. The concept of allowing live/work units in the TNZD was contemplated in the 2000 amendment to the Old Louisville / Limerick Neighborhood Plan, but it was deferred until the question had been settled Metro-wide. The LDC was amended in 2014 to allow live/work units, subject to standards, in the following conventional zoning and form districts: in Traditional Form Districts only, R-4, R-5, R5-A, R5-B; in all Form Districts, R-6, R-7, R- 8A, OR, M-1, M-2, M-3, and EZ-1.

Staff recommends that live/work units be permitted subject to the standards in Section 4.3.19 in all neighborhood types in the TNZD. The standards of that Section include, but are not limited to, the types of commercial uses allowed in a live/work unit, parking, and licensing. These standards, along with any other standards for uses permitted subject to standards, are not eligible for waivers or variances. See **Attachment 11** for a copy of the live/work standards in the LDC.

Expand Corner Commercial Permitted Uses

In keeping with the concept of increasing the opportunity for commercial uses in the Old Louisville / Limerick TNZD, Staff proposes expanding the set of uses permitted on Corner Commercial properties on the TNZD Zoning Map. See **Attachment 12** for a listing of these uses, which are largely the same as those recommended by the Old Louisville Neighborhood Council. These additional uses would be required to be located on the ground floor only in a space no more than 5,000 square feet, as is currently required.

Neighborhood Center-Transition: Edge Transition, Carry Over C-2 with No Exclusions

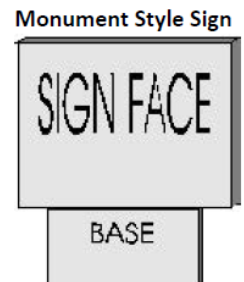
Owners of the properties with the Neighborhood Center-Transition: Edge Transition, located on the far west side of the TNZD at W. Oak Street and S. 7th Street, desire that their properties be allowed to have C-2 uses, with no exclusions. While part of the TNZD, these properties appear to not significantly contribute to the character of the area. Staff supports the request to allow C-2 uses on these properties. See the letter in **Attachment 13** requesting the C-2 uses. See also the related TNZD Zoning Map recommendation #3 above.

Signs

Allow Monument Signs and Expand Where Permitted



Currently freestanding signs are only allowed in association with offices and bed and breakfasts and they are limited to a maximum area of six square feet. Staff recommends that monument signs be allowed in association with any nonresidential and mixed use buildings that are not Corner Commercial. The LDC defines monument signs, including the graphic to the left, as follows:

Monument Style Sign - A freestanding business sign with a base width of at least eighty percent (80%) of the width of the sign cabinet or sign face.



Staff recommends a maximum area of 20 square feet for a monument sign, which would be allowed in place of attached, awning, projecting or canopy signs. Staff also recommends: (1) a maximum overall height for a monument sign of four feet, (2) that a property must have a minimum front yard of 15 feet from right-of-way line to the front of the building, and (3) the sign must have a minimum side setback of 15 feet. The dimensional requirement of 20 square feet and four feet in overall height is comparable to the smallest sign allowed in the Traditional Neighborhood form district. The 15-foot setback requirements are the same as those that apply to the Bardstown Road / Baxter Avenue overlay zoning district. As with any freestanding sign, the sign must be completely on private property and not within the public right-of-way. The setback requirements will preclude many properties from having a monument sign, as shown in the illustration below.





 = Not enough front setback for a monument sign
 = Enough front setback and lot width for monument sign

Require Opaque Background with Channel Letters for Freestanding Signs

Also in line with requirements for the Bardstown Road / Baxter Avenue overlay zoning district, Staff recommends that only the channel letters of a permitted monument sign be illuminated, not the entire face of the sign, as shown in the graphic below.



 = Proposed to be prohibited
 = Proposed to be permitted

Allow Signature Entrance Signs on Larger Properties

The LDC defines a signature entrance as:

Any wall(s), fence(s), guard house, or similar structures exceeding 4 feet in height, constructed at an entrance to a major residential subdivision or to a multi-family complex of ten units or more, or a nonresidential subdivision.

The LDC allows a maximum of two signs, not exceeding 15 square feet in area each, to be attached to a signature entrance. Staff recommends carrying over into the TNZD the signature sign allowances found in Section 4.4.3 of the LDC on properties one-half acre in size or larger. Examples of properties that meet this size threshold include, but are not limited to, Walnut Street Baptist Church, Treyton Oak Towers, Puritan Apartments, and the former Winn-Dixie site.

Incorporate Director's Interpretation Allowing Internally Illuminated Window Signs

Staff recommends integrating into the LDC an existing Director's Interpretation (**Attachment 14**) that says a nonresidential use is allowed one small internally illuminated window sign per entrance to the building (such as the traditional neon "OPEN" signs commonly seen in business windows). Such signs would have a maximum permitted area of five square feet.

Increase Maximum Area for B&Bs and Office Attached Signs

The current maximum area for an attached sign is six square feet for an office or a bed and breakfast. Based on stakeholder feedback, Staff recommends modestly increasing the maximum square footage to 12 square feet.

Allow an Attached Sign on One Side Façade for B&Bs, Office, and Corner/Community Commercial

Bed and breakfasts and offices are limited to one attached sign at the front of the building and Corner Commercial uses are limited to one attached sign per street frontage. In order to allow one more avenue for sign utilization, Staff recommends permitting an additional sign on a side façade of a bed and breakfast, office or Corner Commercial with a maximum sign area of 24 square feet. See example to the right.



Remove Conflict so that Freestanding and Marquee Signs are Clearly Allowed

It is difficult to discern from a literal reading of the TNZD standards and the general sign standards in Chapter 8, whether or not freestanding signs and marquee signs are allowed in the TNZD at all. Staff proposes an amendment making it clear that the two sign types are allowed in the TNZD, subject to applicable standards.

Staff makes these LDC text amendment recommendations related to the TNZD described above in light of the following:

WHEREAS, the Planning Commission finds that the changes to the TNZD provisions of the LDC comply with the applicable guidelines and policies of Cornerstone 2020.

WHEREAS, the Planning Commission further finds that the changes to the TNZD provisions of the LDC comply with Guideline 2, Centers of Cornerstone 2020. The amendments promote a reduction in commuting time and transportation-related air pollution and provide an opportunity for neighborhood centers and marketplaces that include a diversity of goods and services and that are designed to be assets to the community by permitting an increased mix of uses in the district which reduce the need for vehicular travel and promote walking or bicycling to and from nearby commercial destinations.

WHEREAS, the Planning Commission further find that the changes in the TNZD provisions of the LDC comply with Guideline 3, Compatibility, of Cornerstone 2020. The amendments allow a mixture of land uses and densities near each other as long as they are designed to be compatible with each other; they prohibit the location of sensitive land uses in areas where accepted standards for noise, lighting, odors, or similar nuisances are violated or visual quality is significantly diminished; and, in conjunction with existing design guidelines, preserve the character of existing neighborhoods. While expanding opportunities for mixing permitted uses in the Neighborhood Types, the amendments require Conditional Use Permits for potentially sensitive land uses and continue to prohibit other uses out right where such uses are not appropriate.

WHEREAS, the Planning Commission further finds that the changes to the TNZD provisions of the LDC comply with Guideline 6, Economic Growth and Sustainability. The amendments to the TNZD provisions of the LDC will allow additional uses to take place in the district, so that property owners have a wider variety of nonresidential uses available to establish on their properties in response to needs of the market.

WHEREAS, the Planning Commission further finds that the changes to the TNZD Zoning Map comply with applicable guidelines and policies in “Amendments to the Old Louisville / Limerick Neighborhood Plans,” which recommends permitting of live/work uses, creation of a pedestrian-oriented neighborhood commercial district at Fourth and Oak, and permitting high density, mixed use development as a transition from the commercial core to the Neighborhood General. The amendments to the TNZD provisions of the LDC continue these recommendations originally established in the Plan.

STAFF CONCLUSIONS

Staff finds that the proposed TNZD Zoning Map changes and text amendments comply with applicable Guidelines and Policies of Cornerstone 2020 and Amendments to the Old Louisville / Limerick Neighborhood Plans and that the existing neighborhood types are inappropriate and the proposed types are appropriate.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission RECOMMENDS to the legislative council of Louisville Metro government that the change in zoning as described in the staff report and maps presented at the Planning Commission public hearing, be APPROVED, APPROVED WITH MODIFICATIONS or DENIED

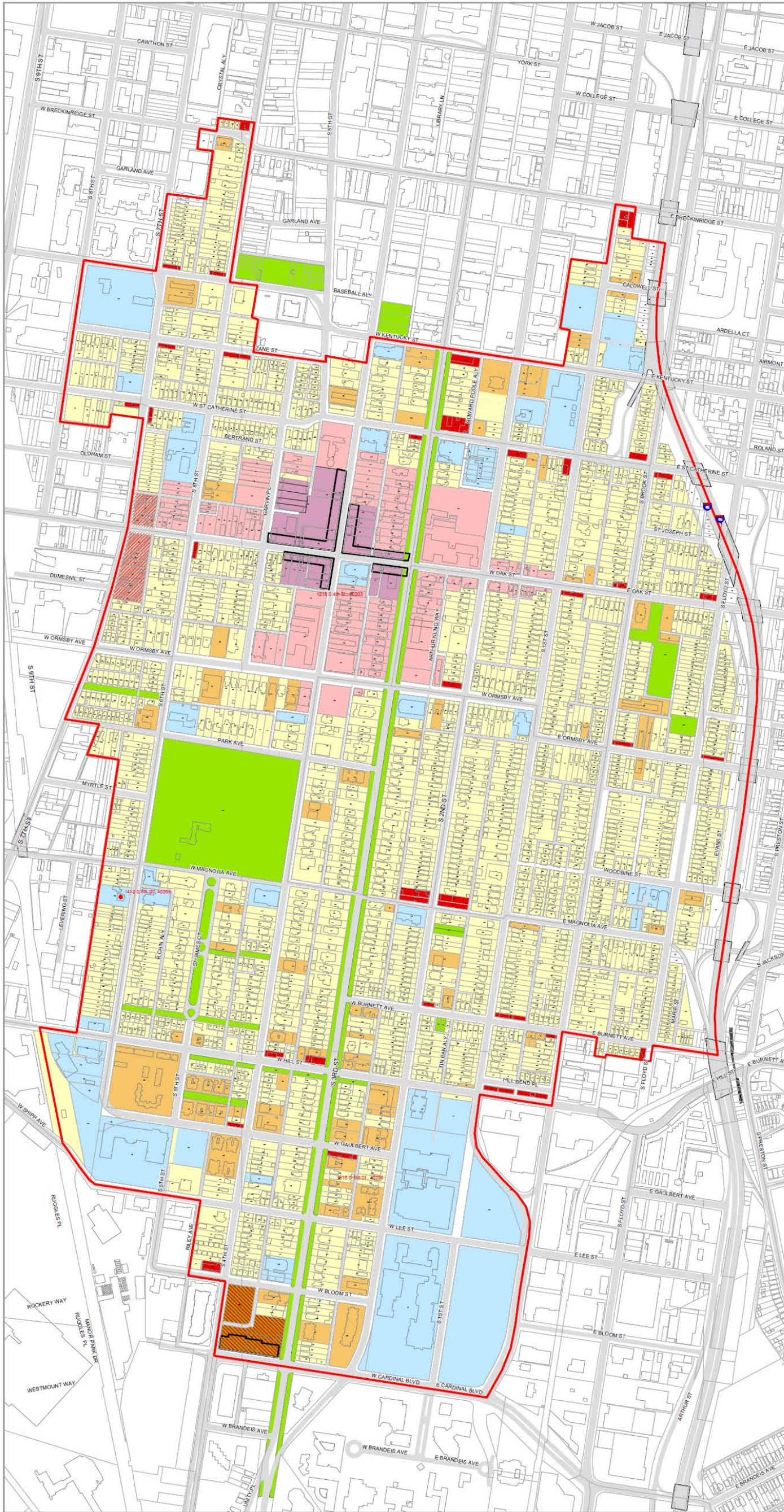
NOTIFICATION

Date	Purpose of Notice	Recipients
6/25/15	1 st and 2 nd Neighborhood Meetings	TNZD Property owners, 1 st Tier Owners, 2 nd Tier Owners
12/18/15	3 rd Neighborhood Meeting, LD&T Meeting, Planning Commission Hearing (rescheduled)	TNZD Property owners, 1st Tier Owners, 2nd Tier Owners
2/12/16	Planning Commission Hearing	TNZD Property owners, 1st Tier Owners, 2nd Tier Owners
3/2/16	Planning Commission Hearing	Legal Advertisement in the <i>Courier-Journal</i>

ATTACHMENTS

1. TNZD Zoning Map
2. Excerpt of LD&T Minutes for January 28, 2015 for 15AMEND1001 and 15AREA1001
3. A Demographic Analysis of the Old Louisville / Limerick Traditional Neighborhood Zoning District
4. List of Properties Proposed to be Changed From General to Neighborhood Center
5. List of Properties Proposed to be Changed From General to Neighborhood Transition-Center
6. List of Properties Proposed to be Changed From General to Neighborhood Center Transition: Edge Transition
7. Letter Requesting Extension of Neighborhood Center Transition: Edge Transition
8. Draft TNZD Ordinance Amendments
9. Neighborhood Center C-2 Uses
10. Neighborhood Transition-Center C-2 Uses
11. Live/Work Standards in Section 4.3.19 of the LDC
12. Proposed Corner Commercial Uses
13. Letter Requesting C-2 Uses in Neighborhood Center Transition: Edge Transition
14. Director's Interpretation – Neon Signs in Old Louisville Preservation District
15. Interested Party Comments

1. **TNZZ Zoning Map**



Old Louisville/ Limerick

Traditional Neighborhood Zoning District (TNZZ)

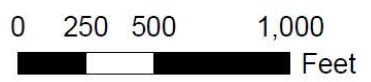
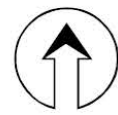
Map Amendment Approved
3/30/2010
Ordinance 62 Series 2010

Legend

- Traditional Neighborhood Zoning District (TNZZ)
- Current Parcel Polygon
- Jefferson Buildings
- Parks, Parkways, Playgrounds & Open Space
- TNZZ Neighborhood Type**
- GENERAL
- GENERAL CAMPUS EDGE TRANSITION
- NEIGHBORHOOD CENTER
- NEIGHBORHOOD TRANSITION-CENTER
- Neighborhood Center Transition: Edge Transition
- TNZZ Mapped Use**
- SINGLE OR TWO-FAMILY RESIDENTIAL
- MULTI-FAMILY
- CORNER COMMERCIAL
- INSTITUTIONAL
- OPENSACE
- STREET FRONT COMMERCIAL
- TRANSITIONAL COMMERCIAL



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2. Excerpt of LD&T Minutes for January 28, 2015 for 15AMEND1001 and 15AREA1001

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

January 28, 2016

New Cases

CASE NO. 15AMEND1001

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TNZD
Owner: Multiple Owners
Applicant: Louisville Metro
Representative: Louisville Metro
Jurisdiction: Louisville Metro
Council District: 6 – David James
Case Manager: Brian Mabry, AICP, Planning Coordinator

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

An audio/visual recording of the Land Development and Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Agency Testimony:

01:19:54 Brian Mabry presented the case and showed a Powerpoint presentation, which also included information for the following case, Case Number **15AREA1001** (see recording and staff report for detailed presentation).

The following spoke in favor of the request:

No one spoke.

The following spoke in opposition to the request:

William Armstrong, 1154 S. 3rd Street, Louisville, KY 40203
Roberto Bajandas, 1412 S. 6th Street, Louisville, KY 40208
C. Timothy Bottorff, 125 W. Burnett Ave., Louisville, KY 40208

Summary of testimony of those in opposition:

**MINUTES OF THE MEETING
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January 28, 2016

New Cases

CASE NO. 15AMEND1001

02:02:26 William Armstrong spoke in opposition to this request (see recording for detailed presentation).

02:09:23 Roberto Bajandas spoke in opposition to this request (see recording for detailed presentation).

02:23:15 Charles Timothy Bottorff spoke in opposition to this request (see recording for detailed presentation).

02:25:40 **Commissioners' deliberation**

02:32:49 **RESOLVED**, the Louisville Metro Land Development and Transportation Committee, by general consensus, **SCHEDULED** this case for the **February 4, 2016** Planning Commission Public Hearing with a **RECOMMENDATION** that the Planning Commission schedule this case for a **NIGHT HEARING** on **March 21, 2016**.

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

January 28, 2016

New Cases

CASE NO. 15AREA1001

Request: Area-wide Change in Zoning for the Old
Louisville/Limerick TNZD
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Owner: Multiple Owners
Applicant: Louisville Metro
Representative: Louisville Metro
Jurisdiction: Louisville Metro
Council District: 6 – David James
Case Manager: Brian Mabry, AICP, Planning Coordinator

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

An audio/visual recording of the Land Development and Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Agency Testimony/Testimony of those in opposition:

NOTE: See Time Stamp #01:19:54 – #02:25:25 on Pages 12 and 13 of these minutes as discussion on this case was combined with Case Number 15AMEND1001.

02:25:40 Commissioners' deliberation

02:32:49 RESOLVED, the Louisville Metro Land Development and Transportation Committee, by general consensus, **SCHEDULED** this case for the **February 4, 2016** Planning Commission Public Hearing with a **RECOMMENDATION** that the Planning Commission schedule this case for a **NIGHT HEARING** on **March 21, 2016**.

3. A Demographic Analysis of the Old Louisville / Limerick Traditional Neighborhood Zoning District

Summary

According to this analysis, key characteristics of the Old Louisville / Limerick area include:

- Population since 1940 has experienced a consistent, steady decline.
- Population over the past 10 years has held steady.
- The 15-24 year old age cohort dominates.
- A larger than average share of elderly residents.
- Moderate gains in overall housing units over the analysis period with those gains being mostly renter-occupied units.
- An overall drop in the number of people that are participating in the labor force.
- An increasing share of older and higher wage workers, with a corresponding relative drop in lower wage workers in the area.
- An increasing share of workers in the Healthcare and Social Assistance as well as the Food Service and Accommodation sectors.
- An overall drop in the number of jobs; however, the share of both higher and lower wage jobs increased over the period, while middle wage jobs decreased.
- More people live in the TNZD, but are employed outside of it, than live outside of it and are employed in it.

Data and Techniques

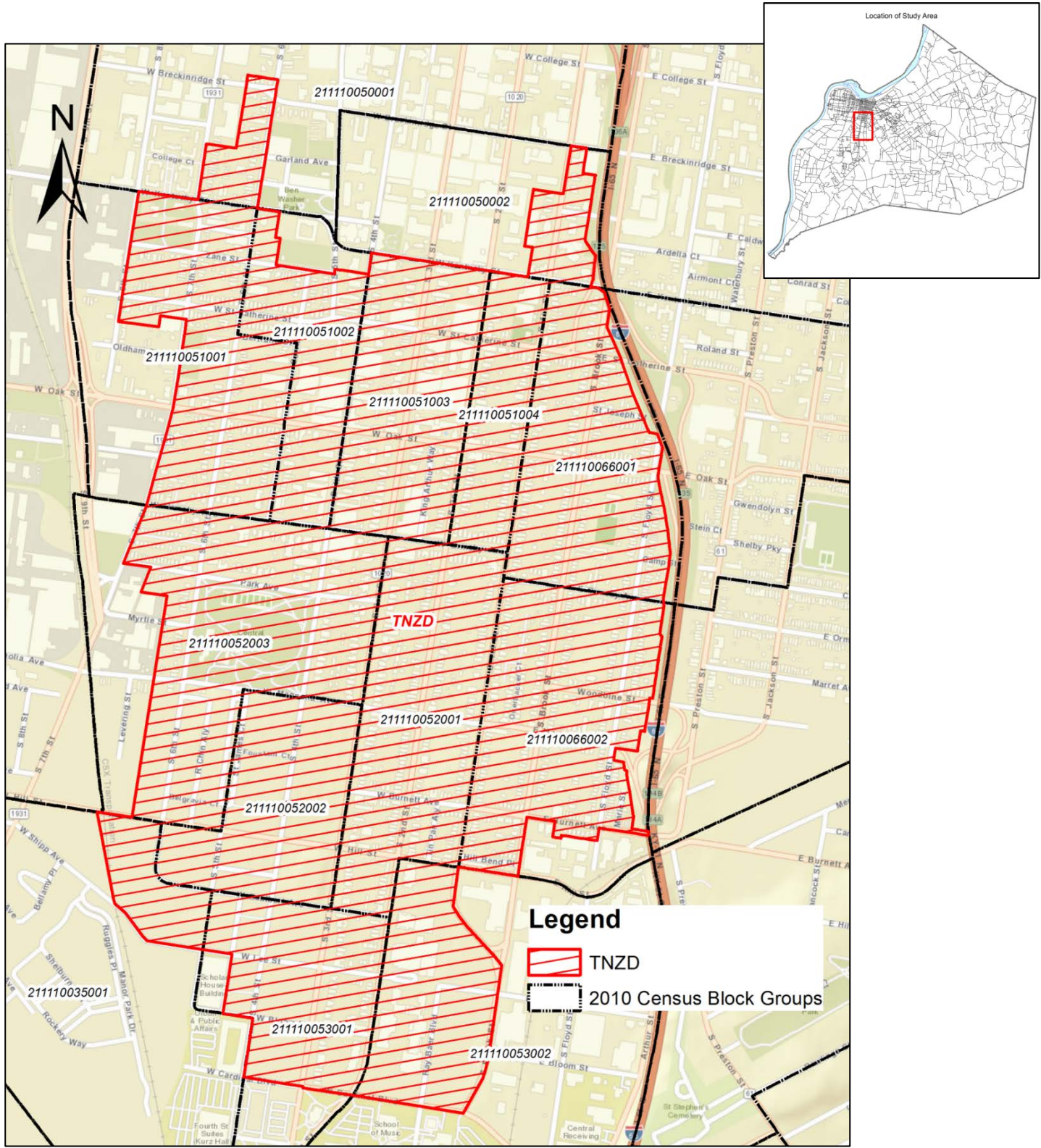
There are two primary sources of statistical data for this analysis, both data products from the United States Census Bureau. The purpose of this analysis is to observe demographic and economic changes over time within the Traditional Neighborhood Zoning District. Ideally, we would like to analyze the full period since the establishment of this special zoning district in 2002 to the present period. This analysis utilizes the best available data that corresponds as closely to the coverage period as possible.

The primary data for population, housing and demographics analysis is from the American Community Survey (ACS). For the purposes of this analysis, the 2005-2009 ACS 5 Year average was compared against the 2010-2014 ACS 5 Year Averages. The ACS 5 year average is the most robust data available at the smallest unit of analysis, in this case Census Block Groups. These are the only two non-overlapping analysis periods available for this comparison. The ACS data at the Block Group level was aggregated into the unique geography of the TNZD through basic Areal Interpolation for comparison.

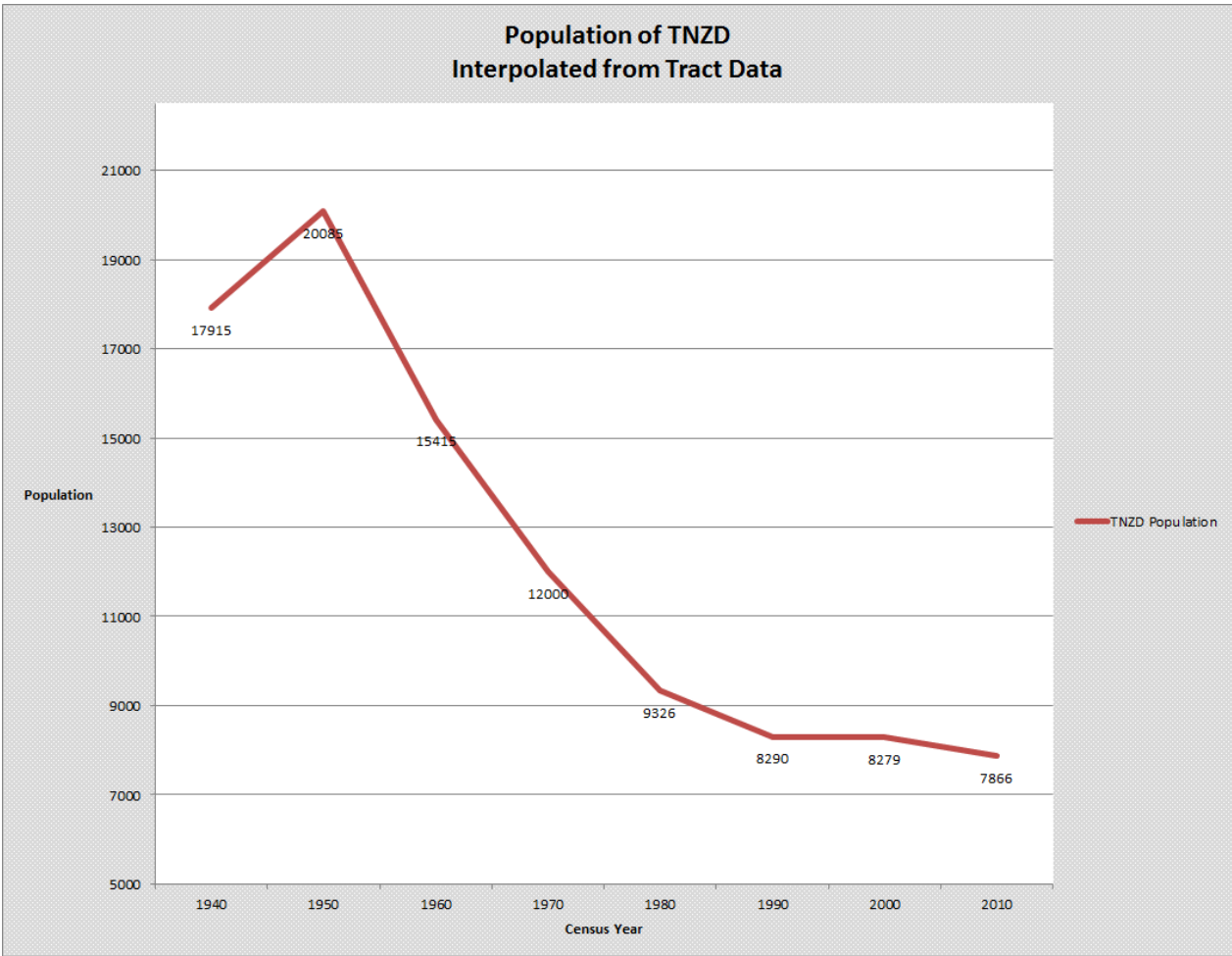
For the analysis of jobs and workers, the Longitudinal Employer-Household Dynamics (LEHD) Origin-Destination Employment Statistics (LODES) was utilized. This data provides the ability to compare year-by-year for unique geographies, and is available for the period of 2002-2013.

GIS analysis was completed using shapefiles from Census TIGER/Line products retrieved from NHGIS.org, ESRI base maps and LOJIC.org data products.

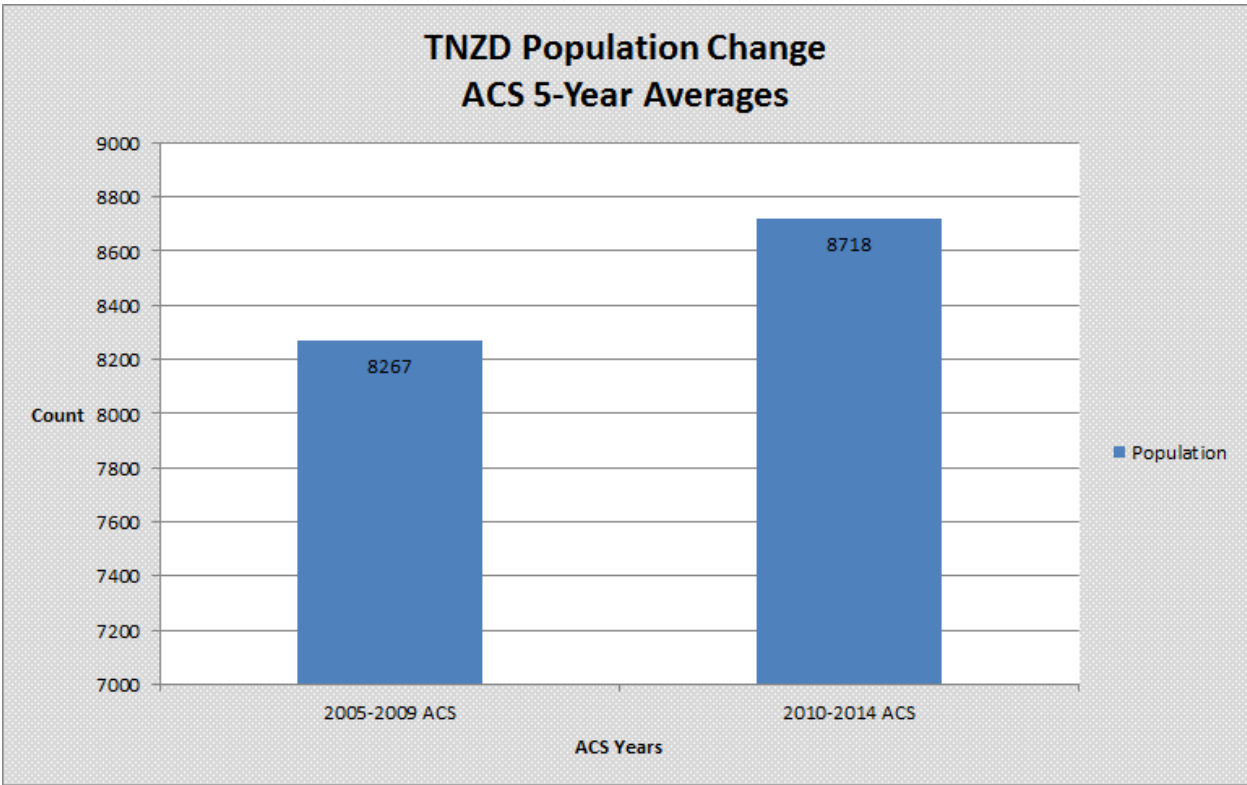
Study Area



General Population

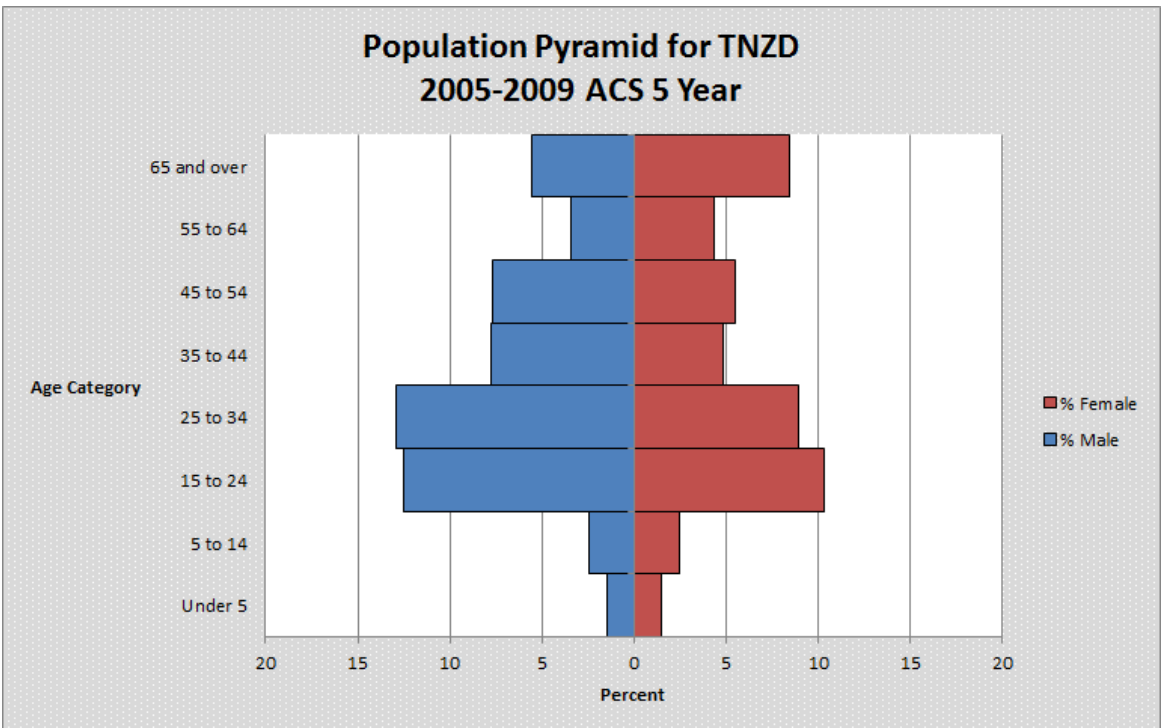


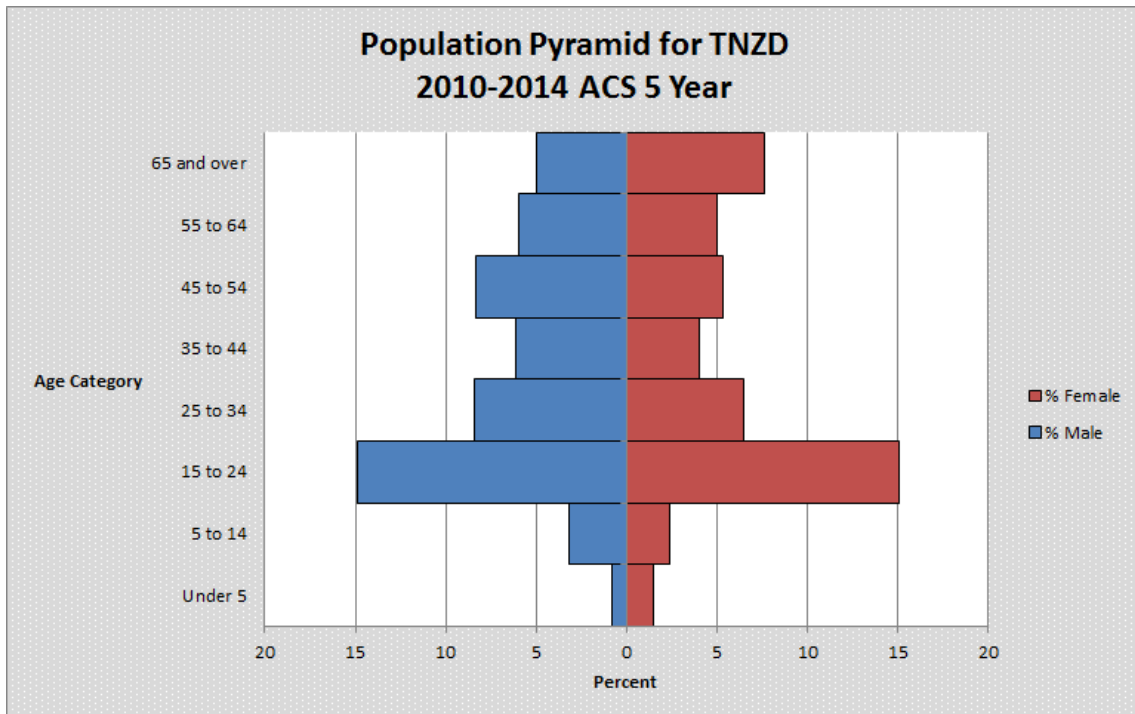
The graph above shows the historic population of Old Louisville / Limerick, dating back to 1940, when Census tracts were first instituted. . The trend is very clear, and consistent with expectations. The peak population of the area was over 20,000 in 1950, steadily declining to around 8,000 today. This is consistent with the known historic population patterns of suburbanization within the county.



The graph above shows the estimated population of the Old Louisville / Limerick area according to two non-overlapping American Community Survey 5-year averages. The table shows a 5% gain in estimated population comparing the 2005-2009 average against the 2010-2014 average. While this method does not produce as accurate of a count as decennial Census data, it does show a stabilizing population growth scenario.

Population Pyramid Comparison



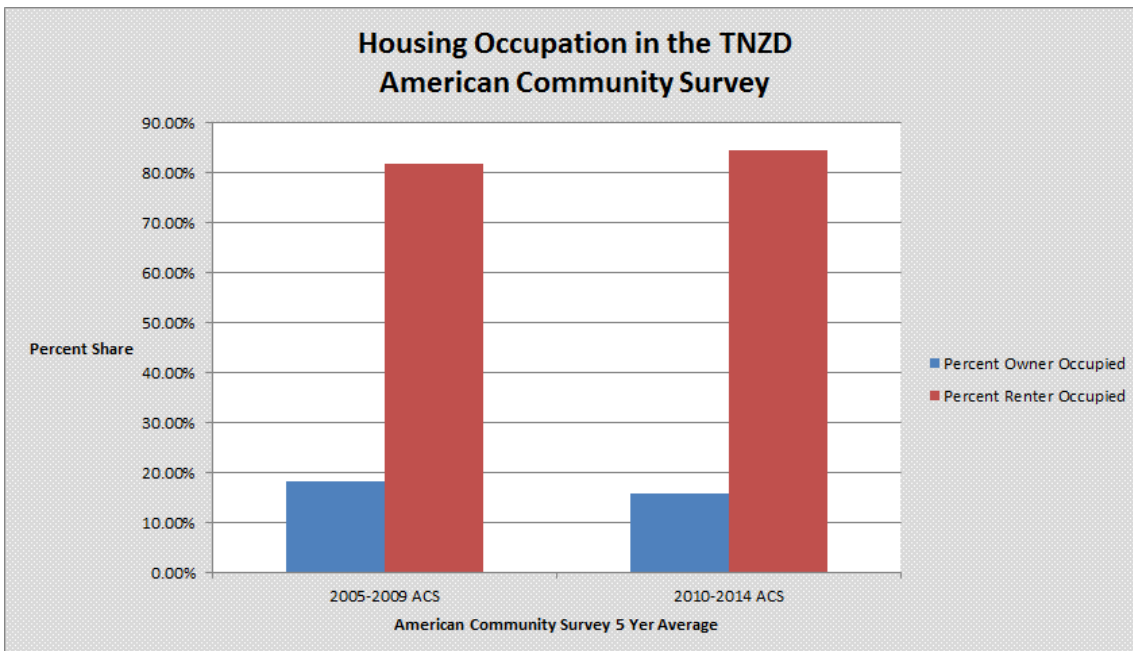
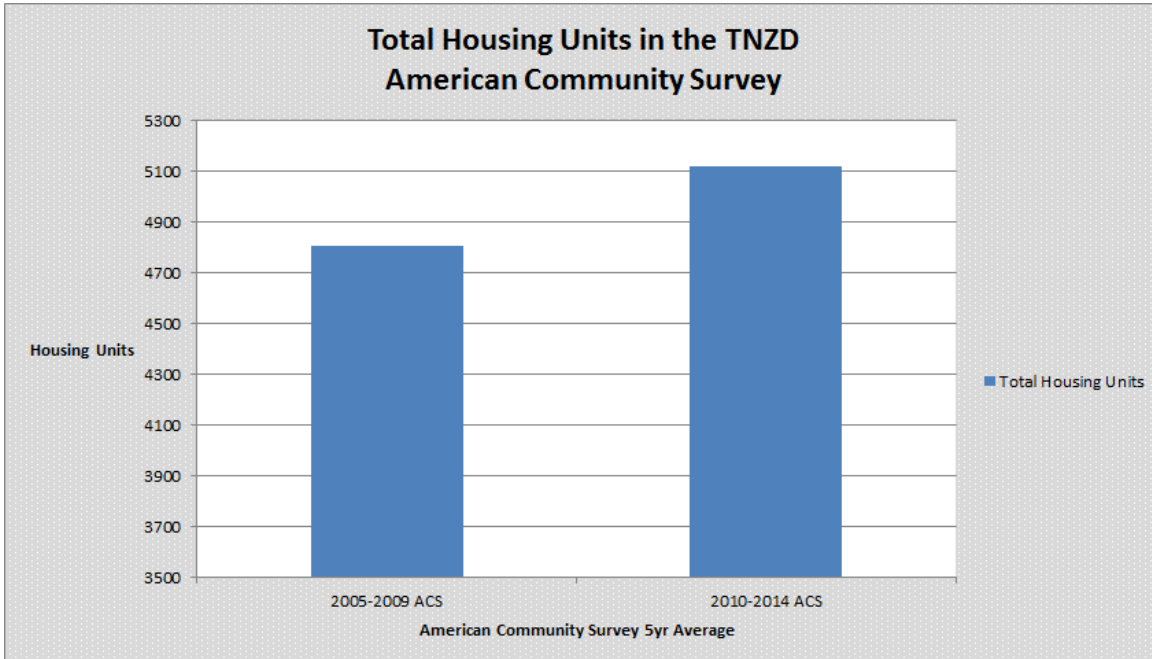


The population pyramid for the area of the TNZD is significantly skewed in multiple ways due to some unique factors within the area. There is a very large glut within the 15-24 year old cohort. This is likely due to the presence of significant student housing due to the presence of two universities on the borders of the TNZD. The University of Louisville is located immediately to the south of the area, while Spalding University is at the northern edge.

There is also a larger than average share of elderly residents in the area, likely due to the presence of large assisted living and nursing facilities in the area such as Treyton Oak Towers and the Puritan Apartments.

Over the analysis period, the glut of college-age residents grew more pronounced, while there was also an influx of more established working-age adults in the 45-54 and 55-64 year age cohorts. An interesting note is that there are a relatively small number of younger workers and very small numbers of young children, indicating that young parents are not moving into or staying in the TNZD at high rates. This can be likely attributed to the unique housing patterns within the TNZD. The area has a predominantly renter-occupied housing pattern, as much of the large Victorian homes in the area have been subdivided for rentals over the years. The houses that are owner-occupied tend to be very large and often relatively expensive, making it difficult for medium-wage workers with young children to live there.

Housing



There were moderate gains in overall housing units in the area over the analysis period. It appears as if those gains were mostly renter-occupied units, as the already dominant renter-occupied housing pattern increased its share of all households when compared to the owner-occupied units¹. This would be in keeping with the growth in the share of the college-age population as discussed earlier.

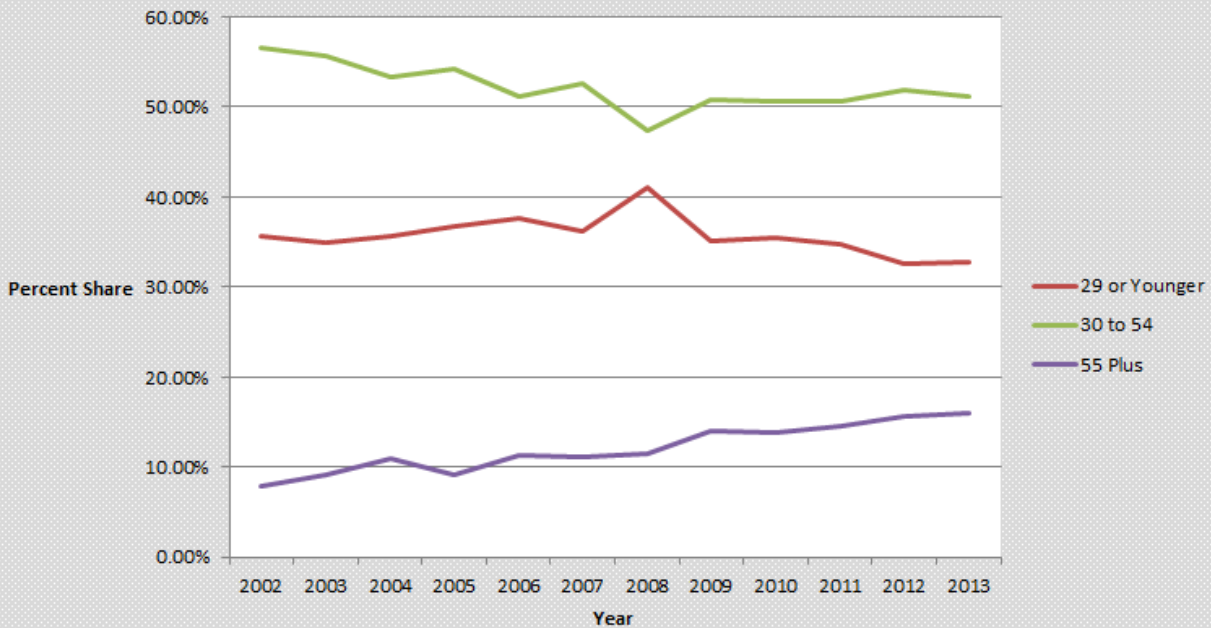
Workers Living in the TNZD

¹ This inference is made from the fact that both population and housing units went up while share of owner occupation simultaneously fell. There may have been some units of single-family created, but they are clearly outweighed by the rise in renter occupied units. One may credit the development of housing associated with U of L for most of it, and that is reflected in the population pyramids as well.

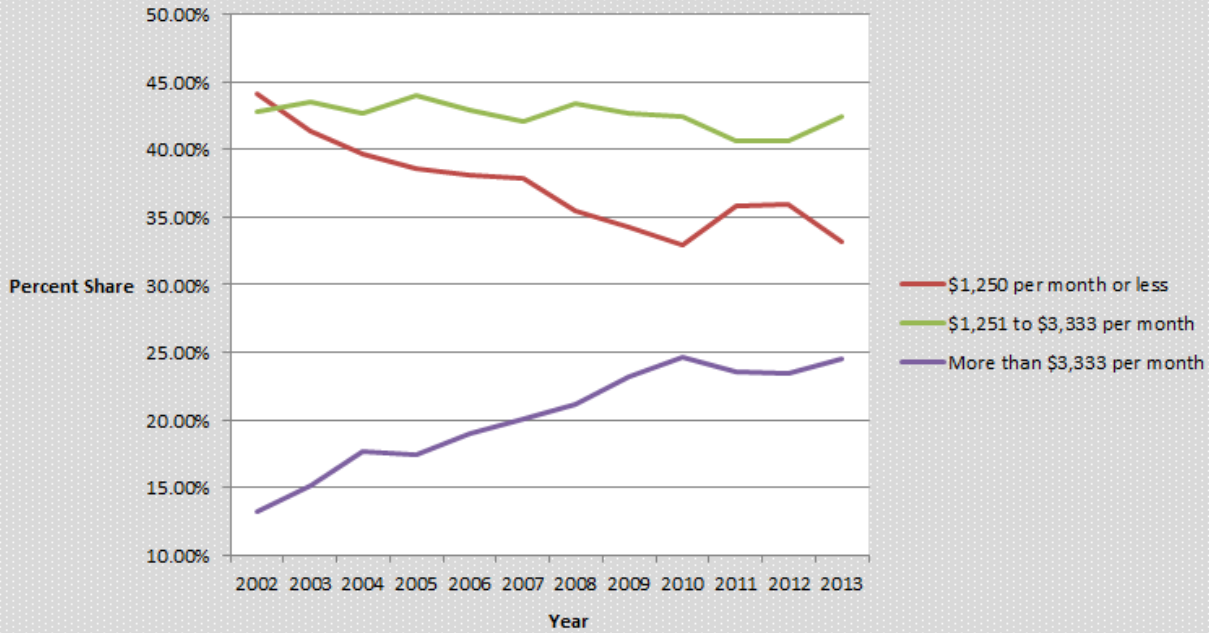
Total Workers Living in the TNZD 2002-2013 Census LODES Data



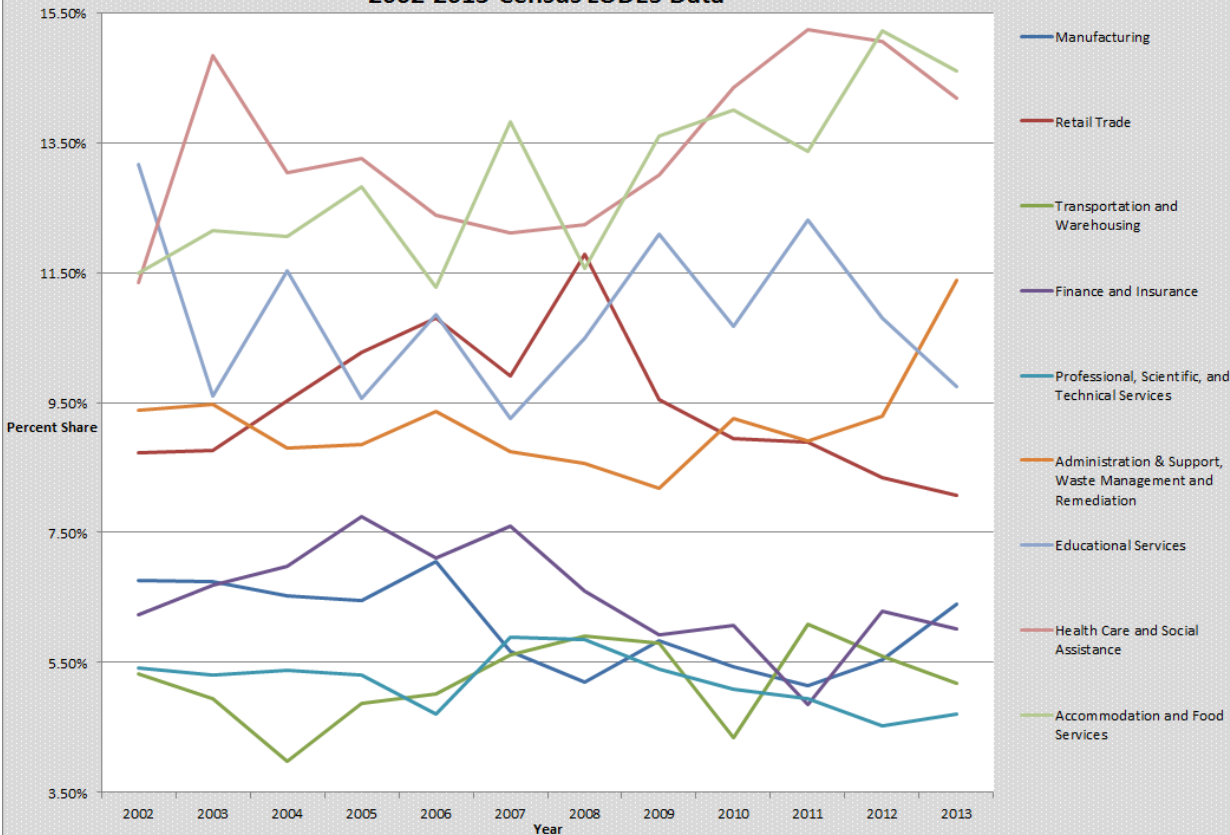
Workers by Age for TNZD Census LODES Data



Workers by Income Level for TNZD Census LODES Data



Workers by Select NAICS Codes in TNZD 2002-2013 Census LODES Data

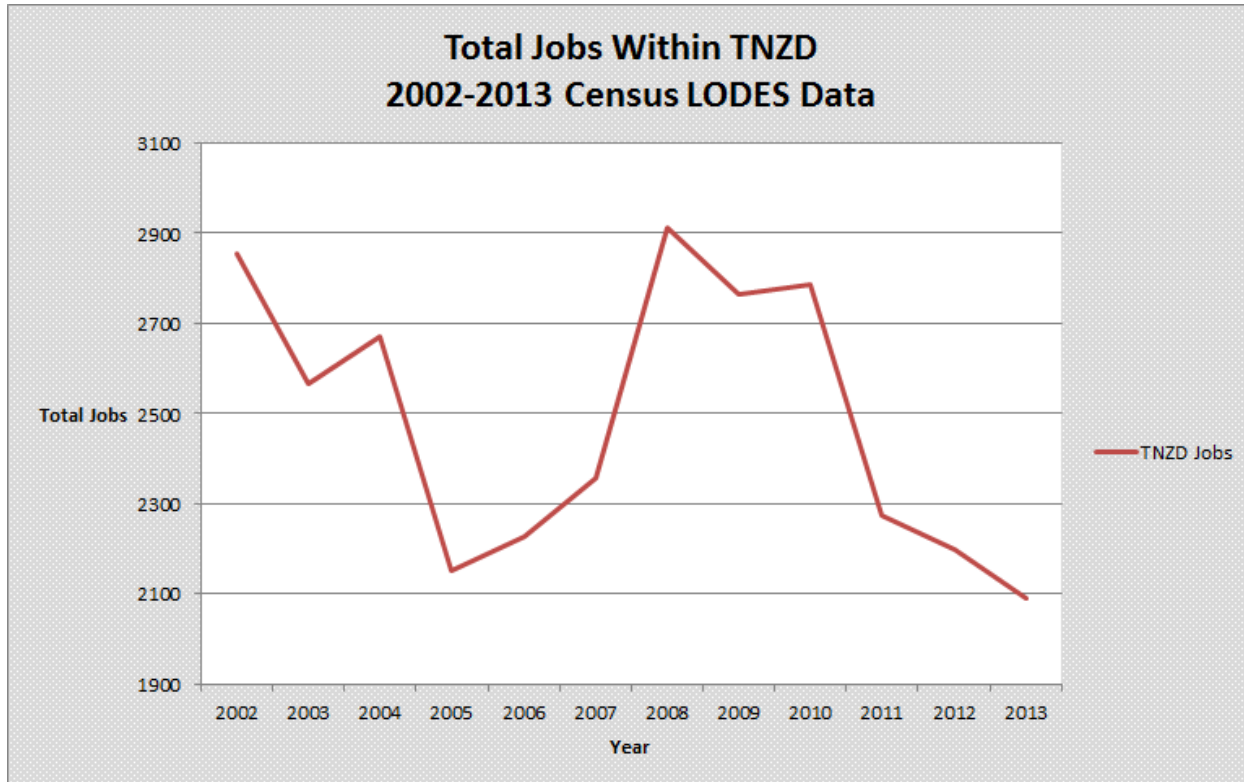


There was an overall drop in the number of people living in the TNZD that are participating in the labor force. This trend would be in keeping with the influx of college-age population, as well as the steady presence of retirement age populations within the area. There is however an increasing share of older and higher wage workers, with a

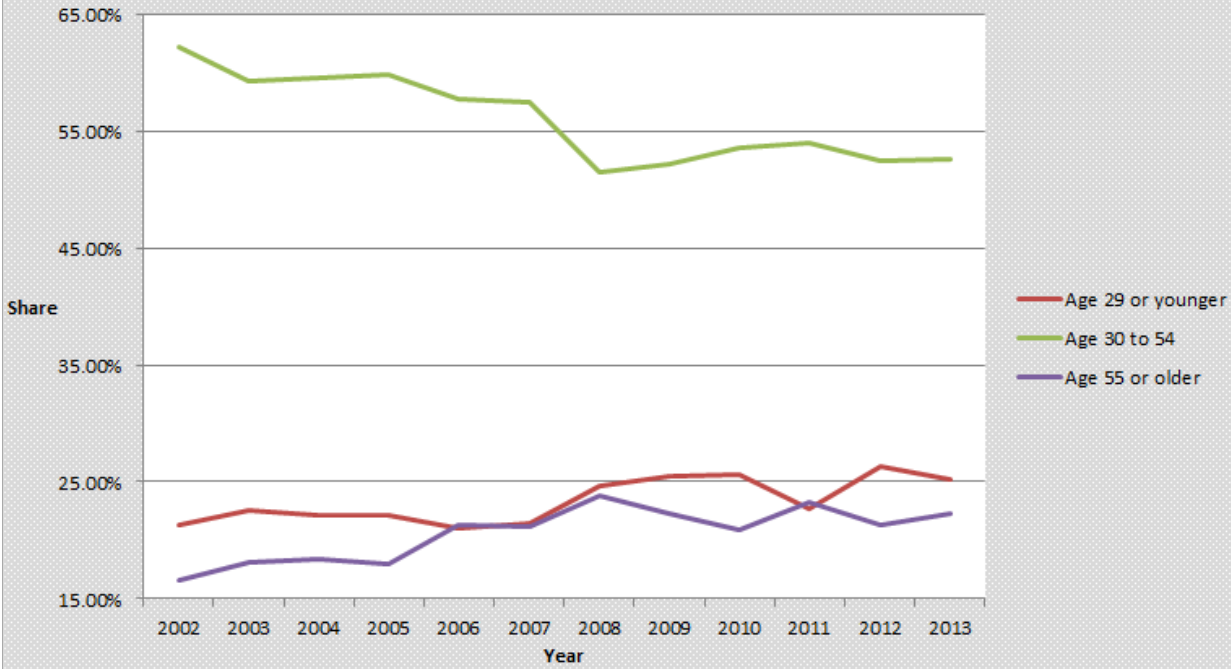
corresponding relative drop in lower wage workers in the area. As more college students move into the area as a relative share of the overall population, they tend to have lower labor force participation rates.

An analysis of the industries in which TNZD residents are employed shows a significant and increasing share of workers in the Healthcare and Social Assistance as well as the Food Service and Accommodation sectors. Healthcare is a strong industry in the Louisville area and it makes sense that a large number of the good paying jobs held by area residents are in that industry. The large share of college-age residents is very consistent with the large share of area workers employed in the food service industry.

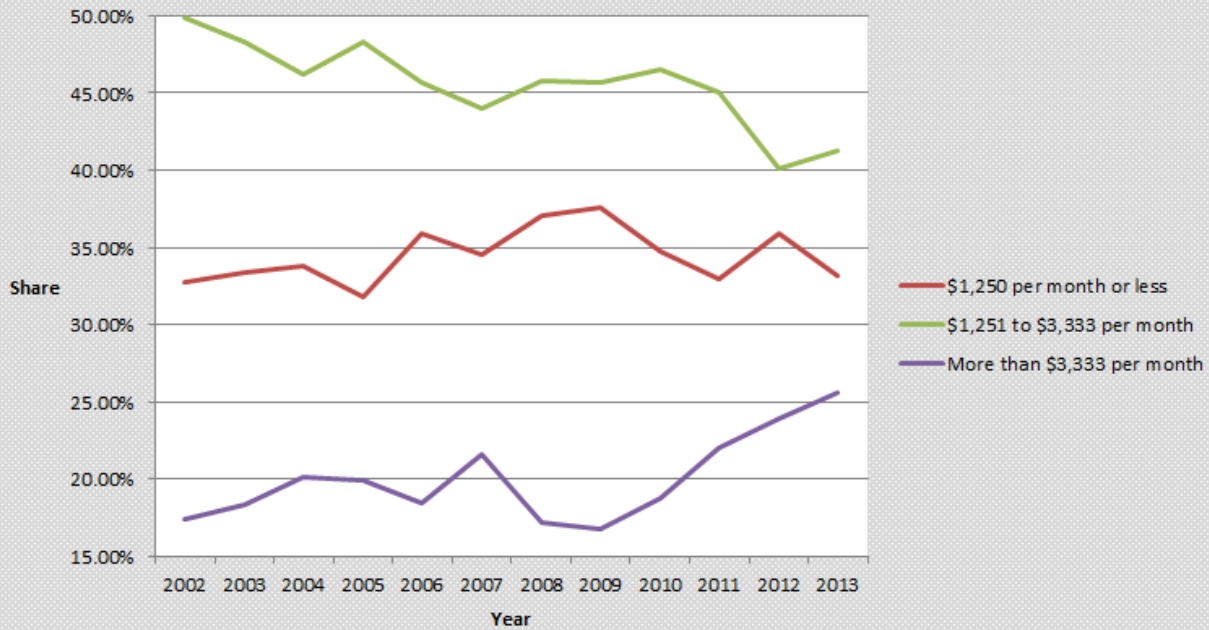
Jobs Located in the TNZD



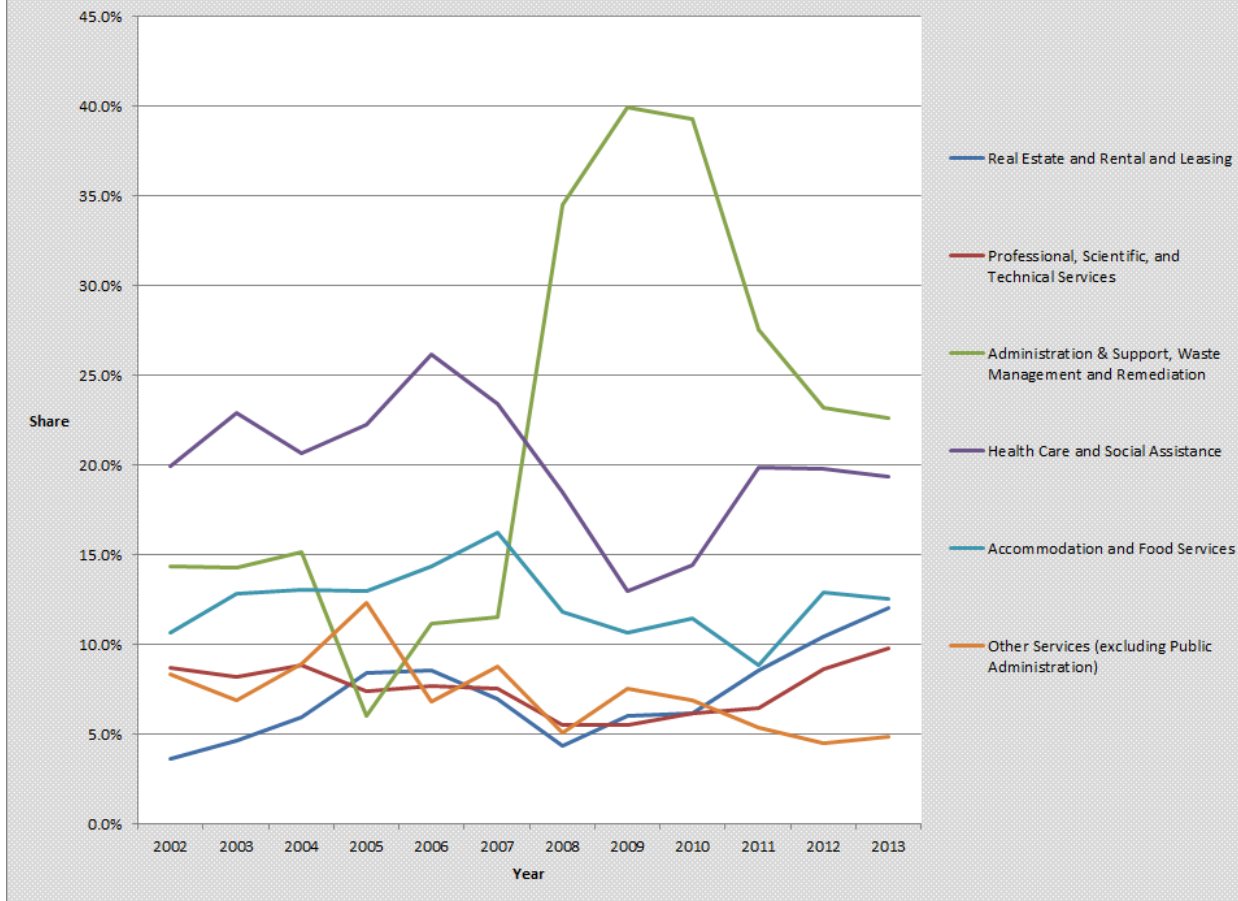
Share of Jobs in TNZD by Worker Age 2002-2013 Census LODES Data



Share of TNZD Jobs by Earnings 2002-2013 Census LODES Data

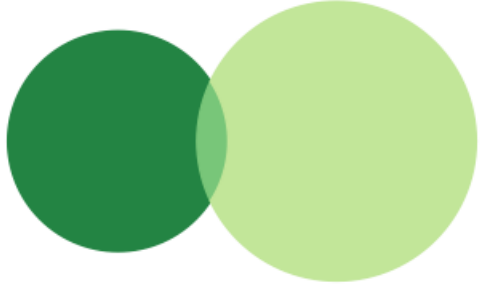
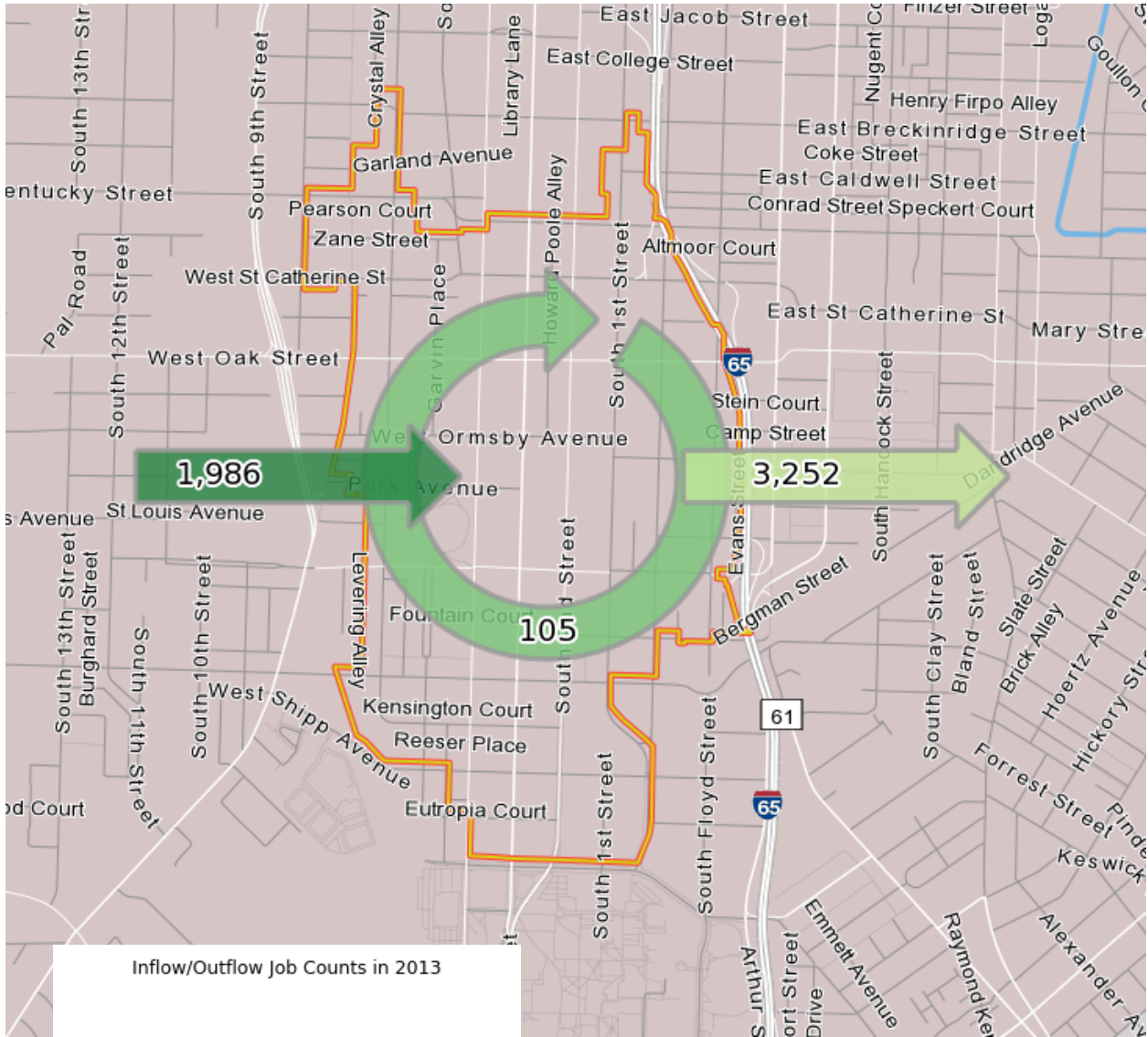


**Jobs in TNZD by Selected NAICS Category
2002-2013 Census LODES Data**



There was an overall drop in the number of jobs located within the TNZD. The share of both higher and lower wage jobs increased over the period, while middle wage jobs decreased. This also corresponds with the changes seen in the ages of workers that hold jobs in the area.

There was a marked increase in share of jobs within the Administration and Support, Waste Management and Remediation sector in the area, while most other sectors saw only moderate changes over the analysis period.






1,986 - Employed in Selection Area, Live Outside
 3,252 - Live in Selection Area, Employed Outside
 105 - Employed and Live in Selection Area





Note: Overlay arrows do not indicate directionality of worker flow between home and employment locations.

- Employed and Live in Selection Area
- Employed in Selection Area, Live Outside
- Live in Selection Area, Employed Outside

4. List of Properties Proposed to be Changed From General to Neighborhood Center




PARCELID	PROPERTY ADDRESS	IMAGE
East-Bound Side of Oak St. Between Garvin Place and Former Rudyard Kipling		
032A01050000	430 W. Oak St.	
032A00590000	428 W. Oak St.	
032A00600000	426 W. Oak St.	

5. List of Properties Proposed to Changed From General to Neighborhood Transition-Center



PARCEL ID	PROPERTY ADDRESS	IMAGE
East-Bound Side of Oak St. Between Alley and Garvin Place		
031D00640000	614 W. Oak St.	
031D00650000	610 W. Oak St.	
031D00730000	604/602 W. Oak St.	
032A00280000	530 W. Oak St.	

PARCEL ID	PROPERTY ADDRESS	IMAGE
East-Bound Side of Oak St. Between Alley and Garvin Place		
032A00290000	528 W. Oak St.	
032A00300000	526 W. Oak St.	
032A00310000	524 W. Oak St.	
032A00320000	520 W. Oak St.	

PARCEL ID	PROPERTY ADDRESS	IMAGE
East-Bound Side of Oak St. Between Alley and Garvin Place		
032A00330000	516 W. Oak St.	
032A00340000	514 W. Oak St.	
032A00350000	512 W. Oak St.	
032A00360000	508 W. Oak St.	

PARCEL ID	PROPERTY ADDRESS		IMAGE
East-Bound Side of Oak St. Between Alley and Garvin Place			
032A00370000	506 W. Oak St.		
032A00380000	504 W. Oak St.		
032A00390000	500 W. Oak St.		

**6. List of Properties Proposed to be Changed From General to Neighborhood Center Transition:
Edge Transition**

PARCELID	PROPERTY ADDRESS	IMAGE
031D00420000	1235 S. 7 th St.	
031D00410000	1237 S. 7 th St.	

7. **Letter Requesting Extension of Neighborhood Center Transition: Edge Transition**



B. C. plumbing company

Licensed Master Plumber

1215 South 7th Street

Louisville, KY 40203

Phone: (502) 634-9725

Fax: (502) 635-7473

www.bcplumbing.net

Email: bcplumbing@bcplumbing.net

January 18, 2016

Brian Mabry

In our meeting on Wednesday the 13th I noticed the boundaries of TNZD Transitional Edge fell short of the alley parallel to Ormsby joining seventh just north of Ormsby. I was surprised as I believed the southern boundaries of TNZD Transitional Edge to be this alley. Please consider re-mapping Edge to make its southern boundaries this alley. This small parcel of land has no residential houses and would be by better served in Edge as opposed to Neighbor General.

Thank you for your consideration

Bruce Cohen



ORDINANCE NO. _____, SERIES 2016

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 1, 2 AND 8 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE OLD LOUISVILLE / LIMERICK TRADITIONAL NEIGHBORHOOD ZONING DISTRICT — APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 15AMEND1001).

SPONSORED BY: Councilmember David James

WHEREAS, the Louisville Metro Council approved Resolution 040, Series 2015, on April 16, 2015, requesting Planning and Design Services staff to evaluate and recommend amendments to the Old Louisville / Limerick Traditional Neighborhood Zoning District permitted uses and sign standards; and

WHEREAS, the Planning Commission held a public hearing on March 21, 2016 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 March 21, 2016; and

WHEREAS, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 15AMEND1001 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. 15AMEND1001, dated February 16, 2016, 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 Tandy
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By:

KEY: Plain Text = Existing Language from LDC; ~~Stricken Text~~ = Existing Language Proposed to be Removed; Underlined Text = New Language Proposed to be Added; Green Text = Existing language moved from a different location

The text below is excerpted from the Louisville Metro Land Development Code (LDC) and contains amendments that include but are not limited to the following recommendations.

1. Make the Old Louisville / Limerick TNZD its own section, rather than an attachment to the LDC (Throughout)
2. Neighborhood Center Uses: Carry over C-2 with intense auto-related exclusions; with additional permitted uses (Table 2.7.4 and 2.7.12)
3. Neighborhood Transition-Center Uses: Carry over C-2 with auto- and boat-related exclusions; with additional permitted uses (Tables 2.7.4 and 2.7.9)
4. Allow live/work units as Permitted Subject to Standards in all neighborhood types (Tables 2.7.4, 2.7.6, 2.7.10, 2.7.13, 2.7.17 and 2.7.20)
5. Allow B&Bs as Permitted Subject to Standards in Neighborhood Transition – Center (Tables 2.7.4 and 2.7.10)
6. Allow Taverns and Package Stores With CUP in Neighborhood Transition – Center (Tables 2.7.4 and 2.7.11)
7. Allow Community and Market Gardens Subject to Standards (Tables 2.7.4, 2.7.6, 2.7.10, 2.7.13, 2.7.17 and 2.7.20)
8. Expand Corner Lot Commercial permitted uses and clarify that interior commercial structures are eligible as well (Table 2.7.7)
9. Neighborhood Center-Transition: Edge Transition, carry over C-2 with no exclusions (Table 2.7.16)
10. Increase maximum area for B&B and office attached signs (2.7.5.E.5)
11. Allow an attached sign on one side façade for B&Bs, office, and Corner Commercial (2.7.5.E.6)
12. Allow monument signs and expand where permitted (2.7.5.E.7)
13. Require opaque background with channel letters for freestanding signs (2.7.5.E.9)
14. Incorporate Director’s Interpretation allowing internally illuminated window signs (2.7.5.E.10)
15. Allow signature entrance signs on larger properties (2.7.5.E.11)
16. Remove conflict so that freestanding and marquee signs are clearly allowed (8.3.3)

1.2.2 Definitions

Note to Reviewers: The definitions below are proposed to be moved from the TNZD Section of the LDC to Chapter 1, Part 2, where the other definitions are located.

Carriage house { - An accessory structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses. }

Historic house museums - Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.

* * * * *

2.7.4 Traditional Neighborhood Zoning District - General Provisions

Note to Reviewers: The “General Provisions” amendment to the title of Section 2.7.4 above is recommended in order to separate this Section, which pertains to all current and future TNZDs throughout Metro, from specific TNZDs, such as the Old Louisville / Limerick one in the following Section.

A. General Standards

...

3. Applicability of Other Ordinances.

Unless otherwise specifically provided in this Section or in ~~the TNZD Plan~~ an area-specific TNZD Section in this

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Land Development Code, all provisions of the Land Development Code and other relevant adopted design guidelines shall be applicable to the TNZD, except to the extent that they conflict with an approved provision of this zone. Where a standard and a guideline conflict, the stricter shall control.

Note to Reviewers: The proposed amendments above reference design guidelines, which all new construction in any TNZD must adhere to. It also clarifies that the stricter standard or guideline controls.

* * * * *

Appendix 2B TNZD Report 2.7.5 Traditional Neighborhood Zoning District – Old Louisville / Limerick

A. TNZD Land Uses ~~Tables~~

Note to Reviewers: Proposed amendments below: (1) Reference to the process for obtaining a CUP; (2) Remove a reference to Chapter 4, Part 3 because some the standards for some uses that are Permitted Subject to Standards also draw from Chapter 4, Part 2 and Chapter 11; (3) Establish that if there is a conflict between what is shown in the table as permitted versus what is listed in the permitted use sections below, then the listings in the permitted use sections control; (4) Clarifies that if a use is shown as permitted with standards in Table 2.1, but the standards in the table point to Conditional Use standards in Chapter 4, Part 2, the use is still permitted subject to standards and does not require a CUP; (5) Conversely, if a use is shown as requiring a CUP in Table 2.1, but the standards in the table point to standards for permitted uses in Chapter 4, Part 3, the use is still required to have CUP; (6) Added a Column for Neighborhood Center Transition: Edge Transition (properties near 7th and Oak) to mimic Neighborhood Center / C2; (7) Fixed some mistakes in the existing Table 2.1, such as showing home occupations a P, when it should be a PS; (8) Minor adjustments to use names for consistency with other parts of the LDC; and (9) The table in green immediately below is a reformatting of existing verbiage in an attempt to make it more user-friendly.

1. Table 2.1, below, lists the uses permitted within the Old Louisville/Limerick TNZD. In the event of a conflict between the general listing of uses in Table 2.7.4 below and the specific listing of uses in Tables 2.7.5 through 2.7.X, the specific listing of uses shall control.
2. The ‘Standards’ column of the table cross-references special standards found in other parts of the Land Development Code that apply to the specific use. A use designated as permitted subject to standards (PS) in Table 2.7.4 is permitted subject to standards, even if the cross-referenced standard is for a use requiring a Conditional Use Permit in the remainder of the Land Development Code. A use designated as a Conditional Use (P/CU) in Table 2.7.4 requires a Conditional Use Permit, even if the cross references standard is for a use that is permitted subject to standards in the remainder of the Land Development Code.
3. The following table sets forth the meaning of the symbols used in Table 2.1 below.

Symbol	Meaning
P	The described use is permitted, subject to design and location standards where noted.
P/M	The described use is permitted where mapped. Mapped uses recognize traditional uses of structures existing on each lot pursuant to KRS 100. 201(3) or, in the case of vacant development sites, appropriate compatible uses.
NP	The use is not permitted.
P/CU	The use is permitted as Conditional Use <u>in accordance with Chapter 11, Part 5A of the LDC.</u>
PS	The use is permitted with special standards <u>in accordance with Chapter 4 or Chapter 11 of the LDC.</u>
N/A	Not applicable, since commercial uses are permitted in the Neighborhood Transition-Center, Neighborhood

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Symbol	Meaning
	Center, Neighborhood Center Transition: Edge Transition, and Neighborhood General Campus Edge Transition.
P/M or P/CU	The use is permitted where mapped but newly established uses are permitted as a Conditional Use.
*	Plus one dwelling unit in the accessory structure area.
**	See Table XXX for the specific permitted uses. Commercial uses, colleges, schools, institutions of learning and office uses are permitted at ground level facing the street only where shown as Street Front Commercial on the TNZD Plan Map. Colleges, schools, institutions of learning and office uses shall not exceed 25% of the total area mapped as Street Front Commercial.

TABLE 2.1 2.7.4 OLD LOUISVILLE/LIMERICK TNZD LAND USES-TABLE - GENERAL

TNZD Land Use Category	Neighborhood General	Neighborhood Transition-Center	Neighborhood Center	<u>Neighborhood Center Transition: Edge Transition</u>	Neighborhood General Campus Edge Transition	<u>Standards</u>
Residential Uses						
Dwellings, single family – one dwelling unit per lot*	P	P	NP	<u>P</u>	NP	
Dwellings, two-family*	P	P	P	<u>P</u>	NP	
Dwellings, multifamily	P/M	P	P	<u>P</u>	P	
Garages and accessory residential units (Carriage Houses)	P	P	P	<u>P</u>	NP	
Home occupations	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	NP	<u>4.4.5</u>
Homeless shelters	P/CU	PS or P/CU	PS or P/CU	<u>P/CU</u>	PS or P/CU	<u>4.3.13</u>
<u>Live / work units</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>4.3.19</u>
Transitional housing	PS or P/CU	PS or P/CU	PS or P/CU	<u>P/CU</u>	PS or P/CU	<u>4.3.14</u>
Office Uses						
Professional or business offices	NP	P	P	<u>P</u>	P**	
Institutional Uses						
Clubs, private, not for profit, or proprietary	P/M	P	NP <u>P</u>	<u>P</u>	NP	
Colleges, schools , and institutions of <u>higher</u> learning	NP	P	NP <u>P</u>	<u>P</u>	P**	
Community service facilities	P/M or P/CU	<u>P-P/CU</u>	<u>P-P/CU</u>	<u>P/CU</u>	<u>P-P/CU</u>	<u>4.2.54</u>
Cultural centers and civic buildings	P/M	P	NP <u>P</u>	<u>P</u>	NP	
Day care centers, nurseries and kindergartens	NP	P	NP <u>P</u>	<u>P</u>	NP	
Family care homes (mini-homes)	NP	P	NP <u>P</u>	<u>P</u>	NP	
Fraternities and sororities	NP	NP	NP <u>P</u>	<u>P</u>	NP	
<u>Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries</u>	P/M	P	NP <u>P</u>	<u>P</u>	NP	
Schools, <u>elementary, middle, and high</u> (public and private)	P/M	P	NP <u>P</u>	<u>P</u>	NP	
Trade, business, or industrial schools	NP	P	NP <u>P</u>	<u>P</u>	NP	
Commercial Uses						
Corner Lot Commercial (includes office and/or residential uses)	P/M, <u>See Table 2.7.7</u>	N/A	N/A	<u>N/A</u>	N/A	
General Commercial, <u>except as listed below:</u>	NP	P ** <u>See Table 2.7.9</u>	P <u>See Table 2.7.12</u>	<u>See Table 2.7.16</u>	<u>See Table 2.7.19</u> P **	
<u>Entertainment, outdoor</u>	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
<u>Package liquor stores (no on-site alcohol consumption allowed)</u>	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
<u>Taverns, bars, saloons</u>	<u>NP</u>	<u>P/CU</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>11.5A.1.B</u>
Transitional Commercial Uses	N/A	P/M **	N/A	N/A	N/A	
Other Uses						
Accessory uses	P	P	P	<u>P</u>	P	
Bed and breakfasts <u>inns</u>	P/CU	<u>P/CU-PS</u>	P/CU	<u>P/CU</u>	NP	<u>4.2.9</u>

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TNZZ Land Use Category	Neighborhood General	Neighborhood Transition-Center	Neighborhood Center	Neighborhood Center <u>Neighborhood Center Transition: Edge Transition</u>	Neighborhood General Campus Edge Transition	<u>Standards</u>
Community centers, parks, and playgrounds – not for profit	P/CU	P	NP	<u>NP</u>	NP	<u>11.5A.1.B</u>
<u>Community gardens</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>4.3.17</u>
Historic house museums	P/CU	P/CU	P/CU	<u>P/CU</u>	NP	<u>11.5A.1.B</u>
<u>Market gardens</u>	<u>NP</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>4.3.18</u>
Original use of structure	P	P	P	<u>P</u>	NP	
Storage sheds	P	P	P	<u>P</u>	NP	
Temporary buildings, uses, or activities	P	P	P	<u>P</u>	NP	

Table 2.42.7.4 Notes

Building uses in effect prior to the adoption of these regulations and operating in a legal fashion according to the prior zoning classification of the property, including legal non-conforming uses, may continue to operate under the Traditional Neighborhood Zoning District. Legal non-conforming uses may not be expanded.

Subsequent sections of this chapter provide more detailed information on uses permitted in the ~~four~~ five TNZZ ~~components~~ neighborhood types. The term “replacement structures” referenced in the following tables means new construction on sites that were occupied by contributing principal structures on the effective date of the TNZZ zoning classification.

~~** See Table 2.3.1 for the specific permitted uses~~

~~*** See Table 2.3.2 for the specific permitted uses~~

~~‡ See Table 2.4.1 for the specific permitted uses. Commercial uses only are permitted at ground level facing the street where shown on the TNZZ Plan Map.~~

~~‡‡~~

Table 2.7.5 Uses Permitted in the Neighborhood General

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single-Family	One dwelling unit <u>is permitted</u> per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure <u>are permitted</u> on a single lot, plus one dwelling unit in the Accessory Structure Area. Existing principal structure was shall have originally <u>been</u> built as a two-family (duplex) dwelling unit. Conversions of single-family dwellings to two-family dwellings shall be limited to existing principal structures in which one of the resulting two dwelling units shall have a minimum of 2,250 square feet. New or replacement structures <u>shall</u> not to exceed the footprint of the previous Contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Garages and Accessory Residential Units (Carriage Houses)	Garages, parking or storage, including existing structures originally built as garages <u>are permitted</u> . One dwelling unit per Accessory Structure with garage below <u>is permitted</u> . A new Accessory Residential Units located in the Accessory Use area shall be permitted on any lot, provided that all design and parking standards are met. Carriage House (an Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses)
Other Uses	
Accessory Uses	A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas.
Original Use of Structure	A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date <u>is permitted</u> .
Storage sheds	Subordinate structures or buildings used primarily for storage purposes, the total square footage of which does not exceed 100 square feet each, <u>are permitted</u> .

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Land Use Category	Description of Permitted Uses
	Existing structures originally built as garages, carriage houses, or storage sheds <u>are permitted</u> . New structures and additions may be located within the Accessory Structure Area or within the Private Yard Area. Storage sheds over 100 square feet shall be treated as Garages and Accessory Residential Structures.
Temporary Buildings, Uses, or Activities	Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year) <u>per permitted</u> . Buildings or uses incidental to active construction <u>are permitted</u> .

Table 2.7.6 Uses Permitted With Special Standards in the Neighborhood General

Land Use Category	Description of Permitted Uses
Residential Uses	
Home Occupations	Home Occupations as permitted by Section 4.4.5 of the Land Development Code
Live / work units	Live / work units as permitted by Section 4.3.19 of the Land Development Code
Other Uses	
Community gardens	Community gardens as permitted by Section 4.3.17 of the Land Development Code

Table 2.7.7 Uses Permitted Where Mapped in the Neighborhood General

Owners of interior lots with nonresidential structures that were originally built as nonresidential structures, but that do not qualify for the Original Use Exception in Section 2.7.4.C.4.b, may apply for a TNZD Zoning Map change to a use listed below in accordance the process established in Section 2.7.4.C.4.a.

Note to Reviewers: The amendment proposed above clarifies that the owner of an interior lot with a structure originally built for commercial purposes in Neighborhood General may seek a TNZD Zoning Map change to a "Permitted Where Mapped" use, whether its Multifamily, Institutional or Corner Lot Commercial.

Land Use Category	Description of Uses Permitted Where Mapped
Residential Uses	
Dwellings, multifamily	Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre for map-designated multifamily or, for replacement structures, the number of units shall not exceed previously existing density <u>are permitted</u> .
	Existing structures originally built as a multifamily residential structures <u>are permitted</u> .
	Conversions may decrease the existing number of dwelling units, and shall not be permitted to exceed the existing number of dwelling units.
	Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be a non-residential or institutional use.
	New multifamily residential structures <u>are</u> permitted only where multifamily and institutional land uses are identified on the District Plan Map.
	Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction, <u>are permitted</u> .
Institutional Uses	
Clubs, private, not for profit, or proprietary, with the exception of fraternities and sororities	Private non-profit clubs, but excluding fraternities and sororities
	Existing structures originally built as lodges or for assembly use <u>are permitted</u> .
	New construction permitted only where institutional uses are identified on the District Plan Map
	Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction

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Land Use Category	Description of Uses Permitted Where Mapped
Community Service Facility	<p>Existing structures originally built for community service facilities or where institutional uses are identified on the District Plan Map.</p> <p>Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.</p>
Cultural centers and civic buildings	<p>Uses include public halls or other facilities used for cultural (including visual and performing arts), social, or educational activities.</p> <p>Existing structures originally built for community centers or assembly use or where institutional uses are identified on the District Plan Map.</p> <p>New construction permitted only where institutional uses are identified on the District Plan Map</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction</p>
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	<p>Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses</p> <p>Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map.</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.</p>
Schools, elementary, middle, and high (public and private)	<p>Elementary, middle, and high schools</p> <p>Existing structures originally built as schools or educational buildings</p> <p>New construction permitted only where institutional uses are identified on the District Plan Map.</p> <p>Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction</p>
Dwellings, multifamily	<p>Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre, as follows:</p> <p>Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be an institutional use.</p> <p>New multifamily residential structures permitted where institutional land uses are identified on the District Plan Map.</p>
Commercial Uses	
Corner Lot Commercial	<p><u>Corner Lot Commercial Uses, as listed below, are permitted where mapped, subject to the following standards.</u></p> <p><u>The following uses are permitted for</u> existing structures, originally built as corner-lot commercial buildings, <u>with designated commercial uses limited to on</u> the first floor <u>only</u>. Any floor may be used for office uses as permitted for Neighborhood Center—Transition and/or <u>for</u> residential uses.</p> <p>New construction <u>is</u> permitted only where Corner Lot Commercial uses are identified on the District Plan Map, provided total gross floor area of commercial/retail use does not exceed 5,000 square feet on the first floor and is accessible from the public sidewalk. Any floor may be used for office and/or residential uses.</p> <p>Replacement structures shall not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.</p> <p><u>Corner Lot Commercial Uses</u></p> <ol style="list-style-type: none"> 1. Antique shops 2. Art galleries 3. Art supply stores and crafts shop <u>4. Athletic facilities (indoor only)</u> 5. Audio/video recording studios, <u>where all activities are in a building,</u> provided the building is sound proof 6. Bakeries retail sales only <u>7. Banks, credit unions, and savings and loans</u> 8. Barber shops 9. Beauty shops

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Land Use Category	Description of Uses Permitted Where Mapped
	<p><u>10. Bicycle sales and service</u></p> <p><u>11. Billiard parlors; game rooms and similar entertainment uses</u></p> <p>12. Book stores</p> <p><u>13. Clothing, dry goods and notions stores</u></p> <p><u>14. Collectibles shops</u></p> <p><u>15. Colleges, schools and institutions of learning</u></p> <p><u>16. Computer sales and services, (hardware and software), and programming services</u></p> <p>17. Confectionery, ice cream, or candy stores, retail only</p> <p>18. Convenience groceries (<u>Indoor malt beverage sales permitted only with proper ABC license</u>)</p> <p><u>19. Dance Instruction (excludes adult entertainment uses as defined within LMCO Chapter 11)</u></p> <p><u>20. Day care centers, day nurseries, nursery schools and kindergartens</u></p> <p>21. Delicatessens, retail only</p> <p><u>22. Department stores</u></p> <p><u>23. Dressmaking or millinery shops</u></p> <p><u>24. Drug stores (Indoor malt beverage, distilled spirits and wine sales permitted only with proper ABC license)</u></p> <p>25. Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments</p> <p><u>26. Electric appliance stores</u></p> <p><u>27. Engraving, watchmaking and jewelry manufacturing, where products sold on premises</u></p> <p><u>28. Entertainment activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor only.</u></p> <p><u>29. Equipment rental, where all activities are within a building</u></p> <p><u>30. Florists shops</u></p> <p><u>31. Furniture stores</u></p> <p><u>32. Grocery stores, including fruit, meat, fish, and/or vegetable. (Indoor malt beverage sales permitted only with proper ABC license)</u></p> <p><u>33. Hardware and paint stores</u></p> <p><u>34. Health spas</u></p> <p><u>35. Indoor malt beverage sales only with proper ABC license and only in association with a convenience store or a grocery store</u></p> <p><u>36. Indoor malt beverage, distilled spirits and wine sales only with proper ABC license and only in association with a drug store</u></p> <p>36. Interior decorating shops</p> <p><u>37. Jewelry stores</u></p> <p><u>38. Laundry and dry cleaning pick-up shops and self-service laundries</u></p> <p>38. Laundries or laundrettes, self-service</p> <p><u>39. Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries</u></p> <p><u>40. Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less) as an accessory use to a restaurant</u></p> <p><u>41. Monument sales, provided that all activities are within a building</u></p> <p>42. Music stores</p> <p><u>43. Music and vocal instructions where all activities are within a building, providing the building is sound proof</u></p> <p><u>44. Nurseries, retail only</u></p> <p><u>45. Pawn Shop</u></p> <p><u>46. Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building</u></p>

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Land Use Category	Description of Uses Permitted Where Mapped
	<p>47. Pet shops</p> <p>Pharmacies</p> <p>48. Photographic shops</p> <p>59. Photography studios</p> <p>50. Picture framing</p> <p>51. Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video rental center</p> <p>52. Restaurants, tea rooms and cafes excluding dancing and entertainment activity (Indoor alcohol sales and consumption only with proper ABC license) (no drive-through service permitted)*</p> <p>53. Shoe repair shops</p> <p>54. Shoe stores</p> <p>55. Stationery stores</p> <p>56. Tailor</p> <p>57. Tanning salons</p> <p>58. Tattoo, body art, and piercing parlors</p> <p>59. Theaters, enclosed within a building</p> <p>60. Toy and hobby stores</p> <p>61. Upholstery and furniture repair shops</p>

Table 2.7.8 Uses Permitted as Conditional Uses in the Neighborhood General

Land Use Category	Description of Uses Permitted as Conditional Uses
Residential Uses	
Homeless Shelter	<p>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</p> <p>Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.</p>
Transitional Housing	<p>Transitional housing as permitted by Section 4.3.14 of the Land Development Code.</p> <p>A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).</p>
Other Uses	
Bed & Breakfasts Inns	<p>Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.</p> <p>The use of a residential structure as a small inn which provides no more than nine (9) guest rooms for hire to short-term guests, in which the only meal served to guests is breakfast, unless the bed and breakfast inn has an additional food service license which allows other meals to be served. The innkeeper resides on the premises or property immediately adjacent to it during periods of occupancy, and the facility has a permit from the Kentucky Cabinet for Health Services to operate as a Bed and Breakfast Inn. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.</p>
Historic House Museums	<p>Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</p> <p>Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.</p>
Community Centers, Parks, and Playgrounds – not for profit	<p>Community centers, parks, and playgrounds – not for profit as permitted by Section 11.5A.1.B of the Land Development Code.</p> <p>Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”</p>
Community Service Facility	<p>Community service facility as permitted by Section 4.2.54 of the Land Development Code.</p> <p>Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They</p>

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Land Use Category	Description of Uses Permitted as Conditional Uses
	provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events.—These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.

Table 2.7.9 Uses Permitted in the Neighborhood Transition-Center

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single Family	One dwelling unit per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 53 dwelling units per acre or, for replacement structures, the number of units shall not exceed the previously existing density.
Garages and Accessory Residential Units (Carriage Houses)	Garages, parking or storage, including existing structures originally built as garages. One dwelling unit per Accessory Structure with garage below. A new Accessory Residential Unit located in the Accessory Use area shall be permitted on any lot provided that all design and parking standards are met. Carriage House (an Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
Office Uses	
Professional or business offices	Professional offices
Institutional Uses	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools, and institutions of <u>higher</u> learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses
Schools, <u>elementary, middle, and high</u> (public and private)	Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map.
	Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
	Nursery, elementary, middle, and high schools.
	Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map
	New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
Commercial Uses	
General Commercial	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Transition-Center, excluding the following uses, which are prohibited:</u> 1. <u>Automobile rental agencies</u> 2. <u>Automobile repair garages</u> 3. <u>Automobile sales agencies</u>

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Land Use Category	Description of Permitted Uses
	<p>4. Automobile service station</p> <p>5. Boat Sales and related storage</p> <p>6. Car washes having prior approval by the agency responsible for transportation planning</p> <p>7. Outdoor entertainment</p> <p>8. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building</p> <p>In addition, the following uses are permitted in the Neighborhood Transition-Center:</p> <p>1. Assisted living residence</p> <p>2. Entertainment activity, indoor only</p> <p>3. Governmental buildings</p>
Miscellaneous Commercial	<p>Storage sheds Subordinate structures or buildings used primarily for storage purposes, the total square footage of which does not exceed 100 square feet each.</p> <p>Existing structures originally built as garages, carriage houses, or storage sheds.</p> <p>New structures and additions may be located within the Accessory Structure Area or within the Private Yard Area.</p> <p>Storage sheds over 100 square feet shall be treated as Garages and Accessory Residential Structures.</p> <p>Accessory Uses. A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas.</p> <p>Temporary Buildings, Uses, or Activities. Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year).</p> <p>Buildings or uses incidental to active construction.</p> <p>Original Use of Structure A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date.</p>
Commercial uses for existing and new buildings shall be limited to the following:	<p>Antique shops</p> <p>Art and craft galleries</p> <p>Assisted Living Residence</p> <p>Athletic facilities (indoor only)</p> <p>Audio/video recording studios, providing the building is sound proof</p> <p>Bakeries and delicatessens, retail (all products produced to be sold on the premises only)</p> <p>Banks, credit unions, savings and loans and similar financial institutions</p> <p>Beauty salons and barber shops</p> <p>Bicycle and Athletic Equipment — sales and service</p> <p>Book shops and stationery stores</p> <p>Bookbinding</p> <p>Building materials, storage and sales provided all operations are totally enclosed in a building</p> <p>Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid</p> <p>Clothing stores</p> <p>Coin laundries</p> <p>Computer sales</p> <p>Restricted Commercial Confectionery or candy stores, retail (all products produced to be sold on the premises only)</p> <p>Dancing instruction</p> <p>Department stores</p> <p>Dressmaking or millinery shops</p> <p>Drug stores / Pharmacies</p> <p>Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments</p> <p>Dry goods and notion stores</p> <p>Electric appliance stores, including radio and television</p> <p>Engraving, watchmaking and jewelry manufacturing, where products are sold on premises</p> <p>Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) — indoor only</p> <p>Equipment rental, where all activities are within a building</p> <p>Extended stay lodging</p> <p>Family day care home</p> <p>Florists and sundry stores</p> <p>Funeral homes</p> <p>Furniture stores</p> <p>Governmental buildings</p> <p>Grocery stores</p>
and new buildings shall be	<p>Hardware and paint stores</p> <p>Health clubs & salons</p> <p>Homes for infirm and aged</p>

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Land Use Category	Description of Permitted Uses
	Hotels and motels
	Interior decorating shops
	Jewelry stores
	Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
	Medical laboratories, not including plasma or blood collecting centers
	Monument sales, provided that all activities are within a building
	Music and art supply stores
	Music and vocal instructions
	Nurseries, retail
	Nursing homes
	Pet shops
	Photocopying, duplicating, paper folding, mail processing and related services
	Photographic studios and shops
	Picture framing
	Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
	Public transportation passenger terminals
	Restricted Commercial Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted)
	Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes
	Rubber stamp manufacturing, where products are sold on the premises
	Shoe repair shops
	Shoe stores
	Sign painting
	Stationary stores
	Tailor
	Telephone exchanges
	Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner
	Tents, air structures and other temporary structures intended for occupancy by commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year
	Theaters
	Toy & Hobby stores
	Upholstery and furniture repair shops
	Variety stores
	Veterinary hospital, provided the operations is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
	Other similar neighborhood serving uses as established by the Planning Commission
	Other uses
Restricted Commercial	Existing structures originally built for commercial use or as corner lot commercial buildings, with designated commercial uses limited to the first floor. Any floor may be used for business or professional office or residential use.
	New structures built for commercial use provided designated commercial use is limited to the first floor and accessible from public sidewalk. Any floor may be used for business or professional office or residential use.
	Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction, provided designated commercial uses are limited to the first floor and no front yard commercial additions shall be permitted for Contributing Structures.

Table 2.7.10 Uses Permitted With Special Standards in the Neighborhood Transition-Center

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Home Occupations</u>	Home Occupations as permitted by Section 4.4.5 of the Land Development Code
<u>Live / work units</u>	Live / work units as permitted by Section 4.3.19 of the Land Development Code
Other Uses	
<u>Bed and breakfasts</u>	Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.
<u>Community</u>	Community gardens as permitted by Section 4.3.17 of the Land Development Code

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Land Use Category	Description of Permitted Uses
gardens	
Market gardens	Market gardens in association with Section 4.3.18 of the Land Development Code

Table 2.3.2 Uses Permitted Where Mapped in the Neighborhood Transition—Center

Note to Reviewers: This was the table that regulated uses for Neighborhood Center Transition: Edge Transition on the far west side of the TNZD.

Land Use Category	Description of Uses Permitted Where Mapped
Transitional Commercial Uses (Edge Transition Only)	
Automobile Rental Agencies	
Automobile Repair Garages	Excludes body work and painting, limited to five (5) service bays, as long as such operations are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes.
Automobile Sales Agencies	Provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building.
Automobile Service Stations	
Plumbing and Heating Shops, storage and sales	Provided all operations are totally enclosed in a building
Restaurants with drive-through windows	Provided prior approval received from the agency responsible for traffic engineering
Tavern	Tavern
Entertainment	Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) — indoor and outdoor

Table 2.7.11 Uses Permitted as Conditional Uses in the Neighborhood-Transition Center

Land Use Category	Description of Uses Permitted as Conditional Uses
Other Uses	
Bed & Breakfast Inns	The use of a residential structure as a small inn which provides no more than nine (9) guest rooms for hire to short-term guests, in which the only meal served to guests is breakfast, unless the bed and breakfast inn has an additional food service license which allows other meals to be served. The innkeeper resides on the premises or property immediately adjacent to it during periods of occupancy, and the facility has a permit from the Kentucky Cabinet for Health Services to operate as a Bed and Breakfast Inn. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.
Community Service Facility	Community service facility as permitted by Section 4.2.54 of the Land Development Code. Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Entertainment Activity - Outdoor	Entertainment activity – outdoor as permitted by Section 11.5A.B of the Land Development Code. This use may have significant impacts on nearby residential uses, therefore a conditional use permit <u>In addition, review should shall</u> include at a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation. for outdoor entertainment activity.
Historic House Museums	<u>Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u> Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.
Homeless Shelter	<u>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</u> Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
<u>Package liquor stores (no on-site alcohol consumption)</u>	<u>Package liquor stores as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u>

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Land Use Category	Description of Uses Permitted as Conditional Uses
Tavern, bar, saloon	Tavern, bar, saloon as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.
Transitional Housing	<u>Transitional housing as permitted by Section 4.3.14 of the Land Development Code.</u> A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).

Table 2.7.12 Uses Permitted in the Neighborhood Center

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
Home Occupations	Home Occupations as permitted by Chapter 4.4.5 of the Land Development Code.
Garages and accessory residential units (Carriage House)	(An Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons, horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
Office Uses	
Professional or business offices	Professional or business offices
Institutional Uses	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools, and institutions of <u>higher</u> learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
Fraternities and sororities	
Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map. Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Schools, elementary, middle, and high (public and private)	Nursery, elementary, middle, and high schools. Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
Commercial Uses	
Community/Cultural Centers, and Civic Buildings Uses include meeting halls or other facilities used for cultural (including visual and performing arts), recreational, social, or educational activities.	
General Commercial	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Center, excluding the following uses, which are prohibited:</u>

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Land Use Category	Description of Permitted Uses
	1. Automobile parking areas, public and private 2. Automobile rental agencies 3. Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel 4. Automobile sales agencies 5. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building In addition, the following uses are permitted in the Neighborhood Center: 1. Assisted living residence 2. Entertainment activity, indoor or outdoor
Commercial uses shall be limited to the following:	Antique and collectibles stores
	Appliance repair stores, including radios and televisions
	Appliance/furniture stores
	Art and craft galleries and supplies
	Assisted Living Residence
	Athletic facilities (indoor only)
	Audio/video recording studios, providing the building is sound proof
	Bakeries and delicatessens, retail (all products to be sold on the premises only)
	Banks, credit unions, savings and loans and similar financial institutions
	Beauty salons and barber shops
	Bicycle and Athletic Equipment – sales and service
	Book shops and stationery stores
	Bookbinding
	Building materials, storage and sales provided all operations are totally enclosed in a building
	Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid
	Clothing stores
	Coin laundries
	Computer sales
	Confectionery or candy stores, retail (all products sold on the premises only)
	Dancing instruction
Department stores	
Dressmaking or millinery shops	
Drug stores / Pharmacies	
Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments	

Table 2.4.1 (continued) Uses Permitted in the Neighborhood Center

Land Use Category	Description of Permitted Uses
Commercial Uses (cont.)	
Commercial uses shall be limited to the following:	Dry goods and notion stores
	Engraving, watchmaking and jewelry manufacturing, products are sold on premises
	Entertainment Activity (as defined by LDC and is not considered adult entertainment as further defined by LDC)—indoor and outdoor
	Equipment rental, where all activities are within a building
	Extended stay lodging
	Family day care home
	Florists and sundry stores
	Funeral homes
	Furniture stores
	Governmental buildings
	Grocery stores
	Hardware and paint stores
	Health clubs & salons
	Homes for infirm and aged
	Hotels and motels
	Interior decorating shops
	Jewelry stores
	Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
	Medical laboratories, not including plasma or blood collecting centers
	Monument sales, provided that all activities are within a building
Music supply stores, Music and vocal instructions	
Nurseries, retail	

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Land Use Category	Description of Permitted Uses
	Nursing homes
	Package liquor stores (where alcohol is not consumed on the premises)
	Pet shops
	Photocopying, duplicating, paper folding, mail processing and related services
	Photographic studios and shops
	Picture framing
	Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
	Public transportation passenger terminals
	Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted)
	Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes
	Rubber stamp manufacturing, where products are sold on the premises
	Shoe repair shops
	Shoe stores
	Sign painting
	Stationary stores
	Tailor
	Tavern
	Telephone exchanges
	Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner
	Tents, air structures and other temporary structures intended for occupancy commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year.
	Theaters
	Toy & Hobby stores
	Upholstery and furniture repair shops
	Variety stores
	Veterinary hospital, provided the operations is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
	Video stores
	Other similar neighborhood serving uses as established by the Planning Commission
Other Uses	
Storage sheds	Subordinate structures or buildings used primarily for storage purposes, the total square footage of which do not exceed 100 square feet each.
Accessory uses	A use which is clearly incidental to, customarily found in association with, and serves a principal use; is subordinate in purpose, area, or extent to the principal use served; and is located on the same building site as the principal use, including parking areas.
Temporary buildings, uses, or activities	Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year). Buildings or uses incidental to active construction.
Original use of structure	A specific purpose for which an applicant seeks to use a structure that was existing on the property on November 22, 1926, and for which said structure was used on or before that date.

Table 2.7.13 Uses Permitted With Special Standards in the Neighborhood Center

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Home Occupations</u>	<u>Home Occupations as permitted by Section 4.4.5 of the Land Development Code</u>
<u>Live / work units</u>	<u>Live / work units as permitted by Section 4.3.19 of the Land Development Code</u>
Other Uses	
<u>Bed and breakfasts</u>	<u>Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.</u>
<u>Community gardens</u>	<u>Community gardens as permitted by Section 4.3.17 of the Land Development Code</u>
<u>Market gardens</u>	<u>Market gardens in association with Section 4.3.18 of the Land Development Code</u>

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Table 2.7.14 Uses Permitted Where Mapped in the Neighborhood Center

Land Use Category	Description of Uses Permitted Where Mapped
Institutional Uses	
Religious buildings, parish halls, convents, and monasteries Churches, synagogues, temples,	Religious institutions, church buildings, synagogues, temples, mosques, and ancillary uses.

Table 2.7.15 Uses Permitted as Conditional Uses in the Neighborhood Center

Land Use Category	Description of Uses Permitted as Conditional Uses
Other Uses	
Bed & Breakfast Inns	Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code. Residential structured used by a resident thereof as a small inn which provides 8 or fewer temporary rooms for hire to short-term guests, and includes a breakfast for the guest or guests at a daily fixed price for the room and breakfast. Meals, meeting facilities, and other services shall be provided only for guests registered at the bed and breakfast inn.
Community Service Facility	Community service facility as permitted by Section 4.2.54 of the Land Development Code. Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Historic House Museums	Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation. Residences having historic and/or architectural significance which members of the public may view with or without charge for admission.
Homeless Shelter	Homeless shelters as permitted by Section 4.3.13 of the Land Development Code. Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
Transitional Housing	Transitional housing as permitted by Section 4.3.14 of the Land Development Code. A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).

Table 2.7.16 Uses Permitted in the Neighborhood Center Transition: Edge Transition

Land Use Category	Description of Permitted Uses
Residential Uses	
Dwellings, Single Family	One dwelling unit per lot, including attached row houses on separate lots and semi-detached dwelling units where each dwelling unit is constructed on its own lot with one zero lot line between dwellings, plus one dwelling unit in the Accessory Structure Area of each lot.
Dwellings, Two-Family	Two dwelling units in the principal structure on a single lot, plus one dwelling unit in the Accessory Structure Area.
Dwellings, Multifamily	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
Garages and	(An Accessory Structure at the rear of a lot that was originally built to accommodate the storage of carriages, wagons,

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Land Use Category	Description of Permitted Uses
accessory residential units (Carriage House)	horse or mule stables, with or without an Accessory Residential Unit; or a new or renovated garage, storage building, or building accommodating another accessory use, with or without an Accessory Residential Unit, that has architectural characteristics similar to those of historic carriage houses).
Office Uses	
<u>Professional or business offices</u>	Professional or business offices
Institutional Uses	
Clubs, private, not for profit, or proprietary, not including fraternities or sororities	
Colleges, schools, and institutions of higher learning	
Community Centers, Parks, and Playgrounds – not for profit	Community center is defined as “a facility that is available for public use as a meeting place or for recreation that does not limit access only to members and does not charge membership dues.”
Cultural centers and civic buildings	Uses include public halls or other facilities used for cultural (including visual and performing arts), social, and educational activities.
Day care centers, day nurseries, nursery schools, and kindergartens	
Family Care Homes (mini-homes)	
<u>Fraternities and sororities</u>	
<u>Religious buildings, Churches, synagogues, parish halls, temples, convents, and monasteries</u>	Churches, synagogues, parish halls, temples, convents, and monasteries and ancillary uses Existing structures originally built for assembly use or where institutional uses are identified on the District Plan Map. Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
<u>Schools, elementary, middle, and high (public and private)</u>	Nursery, elementary, middle, and high schools. Existing structures originally built as schools or educational buildings or where institutional uses are identified on the District Plan Map New or replacement structures, permitted only where institutional uses are identified on the District Plan Map. Replacement structures shall not exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction.
Trade, business, or industrial schools	
Commercial Uses	
Community/ Cultural Centers, and Civic Buildings Uses include meeting halls or other facilities used for cultural (including visual and performing arts), recreational, social, or educational activities.	
<u>General Commercial</u>	<u>The uses listed in Section 2.4.4.A for the C-2 zoning district are permitted in the Neighborhood Center Transition: Edge Transition.</u> <u>In addition, the following uses are permitted in the Neighborhood Center:</u> <u>1. Assisted living residence</u> <u>2. Entertainment activity, indoor or outdoor</u>

Table 2.7.17 Uses Permitted With Special Standards in the Neighborhood Center Transition: Edge Transition

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Home Occupations</u>	<u>Home Occupations as permitted by Section 4.4.5 of the Land Development Code</u>
<u>Live / work units</u>	<u>Live / work units as permitted by Section 4.3.19 of the Land Development Code</u>
Other Uses	
<u>Bed and breakfasts</u>	<u>Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.</u>
<u>Community gardens</u>	<u>Community gardens as permitted by Section 4.3.17 of the Land Development Code</u>
<u>Market gardens</u>	<u>Market gardens in association with Section 4.3.18 of the Land Development Code</u>

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Table 2.7.18 Uses Permitted as Conditional Uses in the Neighborhood Center Transition: Edge Transition

<u>Land Use Category</u>	<u>Description of Uses Permitted as Conditional Uses</u>
Other Uses	
<u>Bed & Breakfast Inns</u>	Bed and breakfasts as permitted by Section 4.2.9 of the Land Development Code.
<u>Community Service Facility</u>	Community service facility as permitted by Section 4.2.54 of the Land Development Code.
<u>Historic House Museums</u>	Historic house museums as permitted by Section 11.5A.1.B of the Land Development Code. <u>In addition, review shall include a minimum: an analysis of nearby residential uses and potential impacts, screening and buffering needed to protect adjacent residential uses, and limited hours of operation.</u>
<u>Homeless Shelter</u>	Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.
<u>Transitional Housing</u>	Transitional housing as permitted by Section 4.3.14 of the Land Development Code.

Table 2.7.19 Uses Permitted in the Neighborhood General Campus Edge Transition

<u>Land Use Category</u>	<u>Description of Permitted Uses</u>
Residential Uses	
<u>Dwellings, Multifamily</u>	Three or more residential units in the principal structure on a lot, not to exceed 90 dwelling units per acre.
Office Uses	
<u>Professional or business offices</u>	Professional or business offices. (Combined with Institutional Uses, not to exceed 25% of area mapped as store front commercial)
Institutional Uses	
<u>Colleges, schools, and institutions of higher learning</u>	Colleges, schools, and institutions of learning. (Combined with Office Uses. not to exceed 25% of area mapped as store front commercial)
Commercial Uses	
Commercial uses shall be limited to the following:	Antique and collectibles stores
	Appliance repair stores, including radios and televisions
	Appliance/furniture stores
	Art and craft galleries and supplies
	Athletic facilities (indoor only)
	Audio/video recording studios, providing the building is sound proof
	Bakeries and delicatessens, retail (all products to be sold on the premises only)
	Banks, credit unions, savings and loans and similar financial institutions
	Beauty salons and barber shops
	Bicycle and Athletic Equipment – sales and service
	Book shops and stationery stores
	Bookbinding
	Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid

Table 2.5.1 (cont.) Uses Permitted in the Neighborhood General Campus Edge Transition

<u>Land Use Category</u>	<u>Description of Permitted Uses</u>
Commercial Uses (cont.)	
Commercial uses shall be limited to the following:	Computer sales
	Confectionery or candy stores, retail (all products sold on the premises only)
	Dancing instruction
	Department stores
	Dressmaking or millinery shops
	Drug stores / Pharmacies
	Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments
	Dry goods and notion stores
	Engraving, watchmaking and jewelry manufacturing, products are sold on premises
	Equipment rental, where all activities are within a building
	Florists and sundry stores
	Furniture stores
	Grocery stores

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Hardware and paint stores
Health clubs & salons
Interior decorating shops
Jewelry stores
Music supply stores, Music and vocal instructions
Neighborhood pubs and live music in restaurants
Nurseries, retail
Pet shops
Photocopying, duplicating, paper folding, mail processing and related services
Photographic studios and shops
Picture framing
Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
Restaurants, including coffee houses, tea rooms, and cafes, where food and drink may be served or consumed outside or inside (no drive-through service permitted)
Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes
Rubber stamp manufacturing, where products are sold on the premises
Shoe repair shops
Shoe stores
Sign painting
Stationary stores
Tailor
Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner
Theaters
Toy & Hobby stores
Upholstery and furniture repair shops
Variety stores
Video stores
Other similar neighborhood serving uses as established by the Planning Commission
Other similar neighborhood or campus serving uses as established by the Planning Commission
Other Uses
Accessory Uses
Garage and yard sales, and tents, air structures, and other temporary structures (must not be displayed more than 10 days in a calendar year).

Table 2.7.20 Uses Permitted With Special Standards in the Neighborhood General Campus Edge Transition

Land Use Category	Description of Permitted Uses
Residential Uses	
<u>Live / work units</u>	<u>Live / work units as permitted by Section 4.3.19 of the Land Development Code</u>
Other Uses	
<u>Community gardens</u>	<u>Community gardens as permitted by Section 4.3.17 of the Land Development Code</u>
<u>Market gardens</u>	<u>Market gardens in association with Section 4.3.18 of the Land Development Code</u>

Table 2.7.21 Uses Permitted as Conditional Uses in the Neighborhood General Campus Edge Transition

Land Use Category	Description of Uses Permitted as Conditional Uses
Other Uses	
Community Service Facility	<u>Community service facility as permitted by Section 4.2.54 of the Land Development Code.</u> Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component.
Homeless Shelter	<u>Homeless shelters as permitted by Section 4.3.13 of the Land Development Code.</u> Any facility the primary purpose of which is to provide temporary shelter for the homeless.—The facility provides

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	overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.
	Transitional housing as permitted by Section 4.3.14 of the Land Development Code.
Transitional Housing	A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).

Table 2.5.2 Permitted Uses with Special Standards within TNZD

Land Use Category	Description of Uses Permitted as Conditional Uses
These uses require compliance with special standards as listed in Chapter 4, Part 3 of the Land Development Code in order to be permitted.	
Transitional Housing	A temporary residential living arrangement for persons participating in a program that provides supportive services (such as counseling, education, training, etc.) to help persons achieve personal independence. Staff is available as needed. Transitional housing is not a rehabilitation home. These facilities are not subject to the Uniform Residential Landlord Tenant Act (KRS 383.500 et seq.).
Homeless Shelter	Any facility the primary purpose of which is to provide temporary shelter for the homeless. The facility provides overnight sleeping accommodations with or without charge; may provide meals and ancillary social, educational or health services. The facility is staffed.

B. 2.6 Site Design Standards

Site design standards of the Traditional Neighborhood Form District shall apply to the Old Louisville/Limerick TNZD except as modified in Table 2.6 below.

Table 2.6 2.7.22 Site Design Standards

	Neighborhood General	Neighborhood Transition Center <u>and Neighborhood Center Transition: Edge Transition</u>	Neighborhood Center	Neighborhood General Campus Edge Transition
Lot size	Maintain historic lot patterns; no minimum lot sizes.	Maintain historic lot patterns; no minimum lot sizes.	No minimum lot sizes.	No minimum lot sizes.
Lot coverage		Buildings shall cover no more than 60% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.	Buildings shall cover no more than 90% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.	Buildings shall cover no more than 90% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings.
Setbacks			All street-facing facades shall be built to the property lines abutting the public right-of-way. REAR YARD SETBACK - minimum of 5 feet to the rear facade of the principal structure. SIDE YARD SETBACK - minimum of zero feet to a common wall. Stoops, balconies and porches may encroach into setbacks. Arcades and awnings may encroach upon the right-of-way up to one foot from the curb line with the approval of the Director of Works.	All street-facing facades shall be built to the design review guidelines as adopted by the Old Louisville Preservation District of the Landmarks Commission. REAR YARD SETBACK - minimum of 5 feet to the rear facade of the principal structure. SIDE YARD SETBACK - minimum of zero feet to a common wall. Stoops, balconies and porches may encroach into setbacks. Arcades and awnings may encroach upon the right-of-way up to one foot from the curb line with the approval of the Director of Works.

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	Neighborhood General	Neighborhood Transition Center <u>and Neighborhood Center Transition: Edge Transition</u>	Neighborhood Center	Neighborhood General Campus Edge Transition
Building façade			The building facade shall extend no less than 80% of the linear lot frontage. A minimum 4 ft. high solid wall that continues the façade plane along the lot line may be substituted for the facade for 50% of the linear frontage.	The building facade shall extend no less than 80% of the linear lot frontage.
Building Height	New buildings in an undeveloped block shall not exceed 3.5 stories and 45 ft.	New buildings shall not exceed 4 stories and 51 ft.	Buildings shall not exceed 4.5 stories and 60 ft. nor be less than 2 stories.	Buildings shall not exceed 4.5 stories and 60 ft. nor be less than 2 stories.

C. 2-7 Building Design Standards

Building design standards of the Traditional Neighborhood Form District within Chapter 5 of the Land Development Code, together with the Design Review Guidelines as adopted for the Old Louisville and Limerick Preservation Districts, shall apply to the Old Louisville/Limerick TNZD to ensure compatibility of building types and to relate new buildings to the building traditions of the neighborhood. To the extent that design standards of the Form District conflict with Preservation District Guidelines, the more restrictive requirement shall prevail.

D. 2-8 Parking and Loading

1. The provisions of the Motor Vehicle and Bicycle Parking and Loading Standards for Traditional Neighborhood Form Districts as established in chapter 9 of the Land Development Code shall apply to the Old Louisville/Limerick TNZD, except as modified below.
2. Parking lots may not be adjacent to a street intersection or a square and may not occupy lots that terminate a street vista. Parking lots otherwise located adjacent to a street or a residential use shall be screened in accordance with the standards of the Land Development Code. The sole access to all off-street surface parking shall be from the alley where an alley abuts the lot. Where existing alley design or configuration limits or significantly impedes access to the proposed parking; or when the addition of the proposed parking will significantly increase traffic on the affected alley, the Planning Commission can grant exceptions to this rule.
3. New Accessory Residential Units (Carriage Houses) on residential lots shall not be considered as additional units for the calculation of minimum parking requirements but shall provide one additional parking space for the accessory residential unit.
4. Parking for commercial uses in the Neighborhood Center and Neighborhood Transition – Center zones, as well as for corner commercial structures in the Neighborhood General, shall not exceed the parking minimum requirements established by Chapter 9 of the Land Development Code. Uses in the Neighborhood Center may provide required parking anywhere in the Neighborhood Center without application for a waiver, provided that all site design standards are met. Shared parking facilities are encouraged in the Neighborhood Center, Neighborhood Transition – Center, Neighborhood Center Transition: Edge Transition, and the Neighborhood General Campus Edge Transition.
5. Table ~~2-8~~ 2.7.23, “Parking Requirements by Zone and Use,” describes minimum parking requirements for the TNZD.

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TABLE 2-8 2.7.23 Parking Requirements by Zone and Use

LAND USE CATAGORY	TNZZ-ZONE NEIGHBORHOOD GENERAL	TNZZ-ZONE NEIGHBORHOOD TRANSITION CENTER AND NEIGHBORHOOD CENTER TRANSITION: EDGE TRANSITION	TNZZ-ZONE NEIGHBORHOOD CENTER	TNZZ-ZONE NEIGHBORHOOD GENERAL CAMPUS EDGE TRANSITION
<i>Single Family/Duplex Residential</i>	No minimum number of spaces required*	No minimum number of spaces required*	No minimum number of spaces required*	N/A
<i>Permitted or Permitted where Mapped Multifamily Residential</i>	.75 spaces per dwelling unit.	.75 spaces per dwelling unit.	.75 spaces per dwelling unit.	.90 spaces per bedroom.
<i>Permitted or Permitted where Mapped Institutional</i>	No new parking spaces required for existing contributing structures. New structures to provide spaces as required in Appendix 3.11.*	No minimum number of spaces required.	No minimum number of spaces required.	N/A
<i>Mapped Corner Lot Commercial</i>	No minimum number of spaces required.	N/A	N/A	N/A
<i>Non-Residential Uses Except as Listed Below</i>	N/A	No minimum number of spaces required.	No minimum number of spaces required	As required by chapter 9 of the LDC for Traditional Neighborhood Form District.**
<i>Bed & Breakfast</i>	.75 spaces per bedroom.*	.75 spaces per bedroom.*	No minimum number of spaces required	N/A
<i>Historic Houses Museums</i>	No minimum number of spaces required.*	No minimum number of spaces required.	No minimum number of spaces required	N/A
<i>Community Centers</i>	No new parking spaces required for existing contributing structures. New structures to provide spaces as required in Appendix 3.11.*	No minimum number of spaces required.	N/A	N/A

Table 2-8 2.7.23 Notes

- * Parking shall be limited to the accessory structures area of the lot, except with the approval of the Louisville Landmarks Commission or the Planning Commission.
- ** Parking reductions applicable in the Traditional Neighborhood Form District shall apply in the Neighborhood General Campus Edge Transition.

E. 2-9 Signs

The sign standards applicable within the Traditional Neighborhood Form District, as set forth in Chapter 8, and as contained in the Design Review Guidelines for the Old Louisville and Limerick Preservation Districts shall apply to the TNZZ, except as modified below.

Note to Reviewers: The Traditional Neighborhood Form District (TNFD) has sign standards for TNZZ. All but two of them are trumped by the standards listed below: Maximum attached sign area based on street type the requirement that a property must have a minimum street frontage of 120 feet in order to have a freestanding sign.

- ~~1.A.~~ Outdoor advertising signs (off-premises signs), as defined in the Land Development Code, are not permitted within the TNZZ.
- ~~2.B.~~ All signs within the TNZZ shall be attached, awning, canopy, marquee, or projecting signs. Freestanding signs are not permitted, except ~~for real-estate-rent/sale signs and Bed and Breakfast Inns~~ as provided for monument-style signs in paragraph 2-8-e. 6 below and small freestanding on-premises signs (e.g. A-frame and sandwich board signs) in accordance with chapter 8 of the LDC.

Note to Reviewers: The amendments proposed in 2. above set the stage for allowing freestanding (monument-style) signs in association with a nonresidential or mixed use structure.

~~3.C.~~ Signs shall conform to the building design standards of the TNZD.

~~4.D.~~ Corner Lot Commercial structures shall have not more than one ~~lighted or non-lighted~~ illuminated or non-illuminated attached, awning, or canopy sign facing each street, which shall not exceed 12 sq. ft. in area and shall not extend more than 12" from the face of the façade. A projecting sign having a maximum area of 6 sq. ft. and projecting not more than 42" from the façade may be used in lieu of an attached, awning, or canopy sign.

Note to Reviewers: The amendments proposed in 4. above set out an exception to come later and simply change "lighted or non-lighted" to more consistently used terms elsewhere in the LDC.

~~5.E.~~ Bed and breakfasts ~~Inns~~ and ~~General/Business or~~ professional or business offices (where these uses are permitted, and excluding Home Occupations) shall have a maximum of one attached sign not to exceed ~~6~~ 12 sq. ft. in area located on the principal façade or porch adjacent to the principal building entrance.

Note to Reviewers: The amendment proposed in 5. above increases a sign for a B&B or office from 6 SF to 12 SF.

~~6.~~ A Corner Lot Commercial structure, a bed and breakfast, or a business or professional office may have a sign, in addition to those permitted in paragraphs 4 and 5 above, on a façade of the building that is not adjacent to the street provided that the sign has a maximum area of 24 square feet.

Note to Reviewers: The amendment proposed in 6. above allows one additional sign on a side façade of a building, not adjacent to a street.

~~7.~~ Exception: ~~Bed and Breakfast Inns~~ A nonresidential or mixed use property may have one freestanding monument-style sign, in lieu of any attached other permitted sign type, excluding signature signs on certain properties as set forth in paragraph 10 below, in accordance with the following standards:

- a. The monument-style sign which shall not exceed ~~6~~ 20 sq. ft. in area and shall be located within 6 feet of the principal façade of the structure.
- b. The maximum overall height of the monument-style sign shall be 4 feet.
- c. There shall be a minimum separation of 15 feet between the front right-of-way line and the principal façade of the structure.
- d. The monument-style sign shall be set back a minimum of 15 feet from any side property line.

Note to Reviewers: The amendments proposed in 7. above allow a nonresidential or mixed use property to have a monument sign under certain parameters.

~~8.F.~~ No sign shall be mounted above the sill of the second floor windows of a structure.

~~9.G.~~ All lighted signs shall ~~either only~~ be externally illuminated, or, if internally illuminated, such signs shall have opaque, non-illuminated face panels. Only the individual letters and / or logos may be back-lit, not the entire surface of the sign.

Note to Reviewers: The amendments proposed in 8. above allow a sign to be internally illuminated if the background of the letters is opaque and only the letters themselves are illuminated, as required in the Bardstown Road/Baxter Ave standards.

~~10.~~ One internally illuminated window sign per entrance may be located on the first floor of a nonresidential or mixed use structure. The internal illumination may be from a neon source. The maximum area of the window sign shall be five square feet.

Note to Reviewers: The amendment proposed in 9. above incorporates an existing Director’s Interpretation regarding neon “OPEN” signs in the TNZD.

11. In addition to a permitted monument-style sign, a nonresidential or mixed use property that is a minimum of one-half acre in area may have signature signs as set permitted in Section 4.4.3.

Note to Reviewers: The amendment proposed in 10. above allows signature signs on properties greater than one-half acre. The standards in Section 4.4.3 say that two signs, not exceeding 15 square feet in area each, may be attached at each entrance to a nonresidential or multifamily development. A signature entrance is defined as “Any wall(s), fence(s), guard house, or similar structures exceeding 4 feet in height, constructed at an entrance to a major residential subdivision or to a multi-family complex of ten units or more, or a nonresidential subdivision.”

2.10 Landscaping

Landscaping and buffering standards of chapter 10 of the LDC are applicable.

* * * * *

Chapter 8 Part 1 On-premise Sign Regulations General Provisions

8.3 Permanent On-Premises Signs

8.3.3 Permanent On-premises Signs for Non-residential Uses

A. Attached, Awning, Canopy and Marquee Signs

1. There shall be no more than a total of three (3) of any of the following types of permanent on-premises signs; attached, or awning, or canopy, or marquee signs on any one façade of a building, subject to the total maximum sign area requirement set forth below, except that multiple use buildings may have one sign for each business. First floor awning, canopy and marquee signs are excluded from the number of awning, attached, canopy or marquee signs permitted on any one façade of a building, subject to the total maximum sign area requirement set forth below in Table 8.3.2; attached signs, canopy signs, marquee signs and awning signs are permitted for all non-residential zoning uses unless otherwise regulated within the form district regulations. ~~Commercial uses permitted within a TNZD district may include attached, awning, canopy or marquee signs as authorized in this section, subject to additional limits established in the applicable TNZD Plan Report.~~

...

B. Freestanding On-premises Signs: In addition to the attached signs allowed above, illuminated or non-illuminated freestanding business signs are allowed subject to the following restrictions:

1. Freestanding on-premises signs are allowed for all non-residential uses unless otherwise restricted within the applicable form district sign restrictions. ~~Commercial uses permitted within a TNZD district may include freestanding business signs in accordance with the restrictions of the Traditional Neighborhood Form District as listed in this section, subject to additional limits established in the applicable TNZD Plan Report.~~

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Underlined Text = New Language Proposed to be Added; Green Text = Existing language moved from a different location

TNZD Preliminary Recommendation Note: The proposed amendments above remove the reference to TNZD in the general sign standards, thereby reducing the chance for a conflict.

9. Neighborhood Center C-2 Uses

Staff recommends carrying over C-2 permitted uses with these exclusions:

- Automobile parking areas, public and private
- Automobile rental agencies
- Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile sales agencies
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

no exclusions and with the following additional uses, some of which would become prohibited if relied only on C-2

- Assisted Living Residence
- Community & market garden (permitted with standards)
- Entertainment Activity, indoor or outdoor
- Garages and Accessory Residential Units (Carriage House)
- Live/work unit (permitted with standards)

With that, the following additional uses that are not already permitted would become permitted in Neighborhood Center:

- Automobile parking areas, public and private
- Automobile rental agencies
- Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile repair garages
- Automobile sales agencies
- Billiard parlors; game rooms and similar entertainment uses
- Bingo halls and parlors
- Boarding and lodging houses
- Boat Sales and related storage
- Bowling alleys, provided the building is sound proof
- Car washes having prior approval by the agency responsible for transportation planning
- Catering kitchen/bakery preparing food and meals for sale or consumption elsewhere
- Clubs, private, non-profit or proprietary
- Colleges, schools and institutions of learning
- Community residences
- Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor's shop in this zoning district)
- Convenience groceries
- Convents and monasteries
- Country clubs
- Dance halls
- Day care centers, day nurseries, nursery schools and kindergartens
- Exposition building or center
- Flea market, Indoor
- Fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business.
- Ice storage houses of not more than five (5) ton capacity
- Indoor paint ball ranges
- Laser Tag

- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less)
- Pawn Shop
- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
- Public utility buildings and facilities
- Refrigerated lockers
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
- Skating rinks (ice or roller)
- Tanning salons
- Tattoo, body art, and piercing parlors
- Those uses which are more similar in appearance and intensity to the above list of uses than to uses listed elsewhere in these regulations.
- Tourist homes
- Training School, provided all training activities are located within a building
- Transitional housing
- Upholstery and furniture repair shops
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building
- Uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building.

10. Neighborhood Transition-Center C-2 Uses

Staff recommends carrying over C-2 permitted uses with these exclusions:

- Automobile rental agencies
- Automobile repair garages
- Automobile sales agencies
- Automobile service station
- Boat Sales and related storage
- Car washes having prior approval by the agency responsible for transportation planning
- Entertainment , outdoor
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

With the addition of these uses, some of which are already permitted in Neighborhood Transition-Center and that would become prohibited if we relied only on C-2:

- Assisted living residence
- Bed & breakfast (Permitted with Standards)
- Community or market garden (permitted with standards)
- Entertainment activity, indoor only
- Entertainment activity, outdoor (CUP)
- Garages and Accessory Residential Units Carriage House
- Governmental buildings
- Institutional uses
- Live/work unit (Permitted with Standards)
- Package liquor store (CUP)
- Tavern, bar, saloon (CUP)
- Trade, business or industrial school

With that, the following additional uses that are not already permitted would become permitted in Neighborhood Transition-Center:

- Billiard parlors; game rooms and similar entertainment uses
- Bingo halls and parlors
- Boarding and lodging houses
- Bowling alleys, provided the building is sound proof
- Catering kitchen/bakery preparing food and meals for sale or consumption elsewhere
- Clubs, private, non-profit or proprietary
- Colleges, schools and institutions of learning
- Community residences
- Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor's shop in this zoning district)
- Convenience groceries
- Convents and monasteries
- Country clubs
- Dance halls
- Day care centers, day nurseries, nursery schools and kindergartens
- Exposition building or center
- Flea market, Indoor
- Fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business.
- Ice storage houses of not more than five (5) ton capacity
- Indoor paint ball ranges
- Laser Tag

- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less)
- Pawn Shop
- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
- Public utility buildings and facilities
- Refrigerated lockers
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
- Skating rinks (ice or roller)
- Tanning salons
- Tattoo, body art, and piercing parlors
- Those uses which are more similar in appearance and intensity to the above list of uses than to uses listed elsewhere in these regulations.
- Tourist homes
- Training School, provided all training activities are located within a building
- Transitional housing
- Upholstery and furniture repair shops
- Uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building.

11. Live/Work Standards in Section 4.3.19 of the LDC

4.3.19 Live/Work Units

This use may be permitted outside a Planned Village Development or other special zoning district in accordance with the standards listed below. Regardless of the zoning district, Live/Work Units shall be considered a residential use.

- A. The Live/Work Unit must be located in one of the following zoning districts: in Traditional Form Districts only, R-4, R-5, R5-A, R5-B; in all Form Districts, R-6, R-7, R-8A, OR, M-1, M-2, M-3, and EZ-1. Regardless of the zoning district, Live/Work Units shall be considered a residential use.
- B. The Live/Work Unit must be owned or leased by an individual or group of individuals who will reside and work in the space.
- C. The following commercial uses are permitted:
 - 1. Arts and crafts studios, including painting, sculpture, printmaking, wood working, welding, open flame work, weaving and other fabric arts and crafts, ceramics, photography, film, video, photography, graphic design, jewelry, textiles, music production, and other forms of arts or crafts activities, including the culinary arts. The sale of products produced in the space, and the creation of public gallery or other retail space is expressly permitted for these arts and crafts activities only.
 - 2. Professional services including accountants, architects, attorneys, consultants, engineers, home-based office workers, insurance, real estate and travel agents
 - 3. One-on-one instructors
 - 4. Computer software and multimedia professionals
- D. Live/Work Units may consist of a single dwelling unit and related work space, including work space provided in an accessory building, or two or more dwelling units and related work spaces within a building or group of buildings on a property, within the density requirements of the underlying zoning district. Live/Work Units consisting of two or more dwelling units may provide individual or shared work spaces, gallery and retail spaces for arts and crafts activities permitted in subsection C above in accessory buildings or in spaces not connected to residential areas.
- E. An active license to conduct business within the jurisdiction shall be associated with the Live/Work Unit at all times, and proof of this license shall be presented as part of any application for live/work space under this section.
- F. One parking space shall be provided for every dwelling unit created within the Live/Work Unit. Adjacent on-street parking spaces, garages, carports or driveways may be used to satisfy this requirement in accordance with Section 9.1.10 of this Code. In the event the Live/Work Unit includes gallery, display or retail space, additional parking shall be provided in accordance with the standards for Libraries, Museums, Art Galleries and similar uses contained in Section 9.1.9 of this Code. Where employees will work at the Live/Work Unit, one parking space per employee during the maximum shift shall be provided. Where clients/customers will come to the Live/Work Unit, parking shall be provided in accordance with the standards for General/Professional Office Use pursuant to Chapter 9 of this Code. Parking calculations for Live/Work Units shall be subject to the off-street parking reductions contained in Chapter 9 of this Code.
- G. In all cases, Live/Work Units must be used in a manner that minimizes impacts to adjacent property owners, including providing all necessary liability protections for the non-residential use, and that complies with all applicable provisions of the Louisville Metro Code of Ordinances and state law, including those pertaining to noise, odor and other nuisances.

12. Proposed Corner Commercial Uses

* = Uses currently permitted for Corner Commercial Uses

- Antique shops*
- Art galleries*
- Art supply stores and crafts shop*
- Athletic facilities (indoor only)
- Audio/video recording studios, provided the building is sound proof*
- Bakeries retail sales only*
- Banks, credit unions, and savings and loans
- Barber shops*
- Beauty shops*
- Bed and breakfast
- Bicycle sales and service
- Billiard parlors; game rooms and similar entertainment uses
- Book stores*
- Clothing, dry goods and notions stores
- Collectibles shops
- Colleges, schools and institutions of learning
- Computer sales and services, (hardware and software), and programming services
- Confectionery, ice cream, or candy stores, retail only*
- Convenience groceries* (Indoor malt beverage sales only with proper ABC license)
- Dance Instruction (excludes adult entertainment uses as defined within LMCO Chapter 11)
- Day care centers, day nurseries, nursery schools and kindergartens
- Delicatessens, retail only*
- Department stores
- Dressmaking or millinery shops
- Drug stores (Indoor malt beverage, distilled spirits and wine sales only with proper ABC license)
- Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments*
- Electric appliance stores
- Engraving, watchmaking and jewelry manufacturing, where products sold on premises
- Entertainment activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor only.
- Equipment rental, where all activities are within a building
- Florists shops
- Furniture stores
- Grocery stores, including fruit, meat, fish, and/or vegetable. (Indoor malt beverage sales only with proper ABC license)
- Hardware and paint stores
- Health spas
- Interior decorating shops*
- Jewelry stores
- Laundry and dry cleaning pick-up shops and self-service laundries
- Laundries or laundrettes, self-service*
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less) as an accessory use to a restaurant
- Monument sales, provided that all activities are within a building
- Music stores*
- Music and vocal instructions where all activities are within a building, providing the building is sound proof
- Nurseries, retail only
- Pawn Shop

- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Pet shops
- Pharmacies*
- Photographic shops*
- Photography studios*
- Picture framing
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video rental center
- Restaurants, tea rooms and cafes excluding dancing and entertainment activity (Indoor alcohol sales and consumption only with proper ABC license) (no drive-through service permitted)*
- Shoe repair shops
- Shoe stores
- Stationery stores*
- Tailor
- Tanning salons
- Tattoo, body art, and piercing parlors
- Theaters, enclosed within a building
- Toy and hobby stores*
- Upholstery and furniture repair shops

13. Letter Requesting C-2 Uses in Neighborhood Center Transition: Edge Transition



B. C. plumbing company

Licensed Master Plumber

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Email: bcplumbing@bcplumbing.net

January 8, 2016

Brian Mabry

Concerning the upcoming and ongoing discussion on zoning in TNZD "Neighborhood center" and "Neighborhood center transition". I live and work in Old Louisville, and support the expansion and redefining of uses to parallel existing C-2 zoning.

However "TNZD Transition Edge on the east side of Seventh Street, North and South of Oak Street no mention?? When the TNZD was exacted this One block section of Seventh Street, all commercial was zoned C-2. By moving the boundaries of TNZD from the alley between Sixth and Seventh Streets to the center of Seventh Street, the zoning was change to TNZD Transitional Edge. TNZD Transition Edge was formed through negotiations to prevent a law suit.

Yet no mention of Transitional Edge in any correspondence, I would like TNZD Transition Edge included in any zoning discussion.

I am on the Old Louisville Neighborhood council, president of the Old Louisville Edge Neighborhood Association. I was present and voted at our meeting concerning the effort to make Louisville more business friendly. I have firsthand knowledge of all that has transpired.

I support the proposal to expand TNZD Neighborhood Center and Neighborhood Center Transition, and redefining uses to parallel C-2 zoning. Also TNZD Transition Edge to return to its Pre TNZD zoning of C-2, or redefine uses to parallel C-2

Thank you for consideration

Bruce Cohen
President of BC Plumbing Co.



14. Director's Interpretation – Neon Signs in Old Louisville Preservation District



DEPARTMENT OF CODES & REGULATIONS
DIVISION OF PLANNING & DESIGN SERVICES

LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

YU "EMILY" LIU, AICP
DIRECTOR

January 24, 2014

The Honorable David James
Metro Council District 6
601 W. Jefferson Street
Louisville, KY 40202

**IN RE: Director's Interp – Neon Signs
Old Louisville Preservation District**

Dear Councilman James:

At our meeting on January 10, 2014, a concern was raised regarding several recent citations issued for neon "Open" signs in the Old Louisville Preservation District (OLPD). I was asked to provide a Director's Interpretation on whether these small neon signs are permitted in the OLPD based on the current Land Development Code and Historic Preservation District Sign Design Guidelines.

The OLPD is zoned as a Traditional Neighborhood Zoning District (TNZD) and each property is "mapped" for certain uses. A number of commercial uses have installed small neon signs in their windows that state "Open." The TNZD is quite specific and clear that internally illuminated signs are not permitted in the TNZD. Chapter 2.9 G (Attachment A) states that:

All lighted signs shall only be externally illuminated.

As a result of this clear requirement in the code, several citations were issued, which led to objections and a request for the "Open" signs to be exempted from this provision of the Land Development Code. In the Land Development Code Chapter 8 (Attachment B) there is a definition for an "incidental sign." The definition is:

Incidental sign: Any on-premises sign that has a purpose secondary to other on-premises signs on a lot. Incidental signs shall only be located adjacent to building entrances, vehicular and/or pedestrian/bicycle access points or public gathering spaces on a lot. Incidental signs may be freestanding or attached to a building. Incidental signs may be illuminated and shall not exceed five square feet in area for non-residential uses and two square feet in area for residential uses. Attached incidental signs shall not exceed a mounting height of 20 feet on a building facade. Freestanding incidental signs shall not exceed a height of three feet.

It seems to me that an "Open" sign (five square feet or less) would be considered an incidental sign under this definition.

Old Louisville is in a Historic Preservation District, and the general guidelines for signage in preservation districts permits neon signs (Attachment C), with the following "guideline" to be used for review:

SG13: When using neon, use it sparingly and judiciously.

In my opinion, a small incidental "Open" sign would be a sparing and judicious use of neon in a historic preservation district.

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.6230 FAX 502.574.8129

Councilman David James
January 24, 2014
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Based on the review of the above relevant sections of the Land Development Code and Historic Preservation District Sign Design Guidelines, it is my interpretation that these small neon "Open" signs shall be permitted in the OLPD as long as the following three standards are met:

1. No more than one such sign per entrance may be permitted;
2. The size of the signs shall not exceed five (5) square feet in area;
3. Signs shall not be flashing, scrolling or moving.

Please feel free to contact me if you have any questions about the above information, and if anyone disagrees with this interpretation, he or she can appeal to Louisville Metro Board of Zoning Adjustment.

Sincerely,



Yu "Emily" Liu, Director
Planning & Design Services

Attachments

cc: Dave Marchal
April Robbins
Bob Keesaer

15. Interested Party Comments

See the following attached pages.

Land Development and Transportation Committee

Staff Report

January 28, 2016



Case No:	15area1001 & 15amend1001
Request:	Area-wide Change in Zoning and Text Amendment for the Old Louisville/Limerick TNZD
Project Name:	Old Louisville/Limerick Area-Wide Re-Zoning and Text Amendment
Location:	Multiple properties in the Old Louisville/Limerick TNZD
Owner:	Multiple Owners
Applicant:	Louisville Metro
Representative:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Brian Mabry, AICP, Planning Coordinator

REQUEST

- Area-wide change in zoning for multiple properties within the Old Louisville / Limerick Traditional Neighborhood Zoning District
- Text amendment for Appendix 2B, Traditional Neighborhood Zoning District Land Use And Design Standards, and for Chapter 8, Sign Regulations, of the Land Development Code

CASE SUMMARY/BACKGROUND/SITE CONTEXT

In April 2015, Metro Council approved Resolution 040-2015, related to the Old Louisville / Limerick Traditional Neighborhood Zoning District (TNZD). The resolution directed Planning and Design Services staff to:

- Evaluate permitted uses in the TNZD as to whether the current land use listing should be expanded to include additional commercial uses
- Resolve any conflicts or confusion in regulations that pertain to signage on properties located within the TNZD
- Examine the current Neighborhood Center boundary on the TNZD Plan Map to determine whether it should be extended
- Hold a public hearing with the Planning Commission to consider proposed changes to the three items above

On the evenings of July 8th and August 11th, 2015, and January 12th, 2016, Staff held neighborhood meetings at the Old Louisville Neighborhood Information Center. The meetings were well attended, with 50 to 75 people present at each one. The purpose of these meetings was: to inform area stakeholders on zoning in general and on the current status of the TNZD regulations; to provide preliminary recommendations related to land uses, signs, and the TNZD map; and to provide a forum for stakeholders to educate Staff on Old Louisville's unique characteristics, problems, and assets.

At the August and January meetings, Staff presented further refined recommendations based on additional research and stakeholder comments, with the intent of providing a compromise between two generally distinct sets of stakeholders, those who prefer very modest change and those who prefer significant changes.

At the January meeting, Staff presented to the group several alternatives related to permitted uses and the TNZD zoning map. Staff's recommended alternatives are presented in this Staff report.

The Old Louisville / Limerick TNZD is generally bounded to the north by Kentucky Street, some places extending as far north as Breckenridge Street; to the west, generally, by S. 7th Street, some places extending as far west as S. 8th Street; to the south by Cardinal Boulevard; and to the east by Interstate 65. The Old Louisville Neighborhood Plan and the Limerick Action Plan was adopted in 1982. The current list of permitted uses within the TNZD was reviewed by various groups beginning in 1999 and formally amended in 2002. Few, if any amendments to the set of permitted uses in the TNZD have taken place since then.

Section 2.7.4 of the Land Development Code (LDC) states that the purpose of the TNZD, in part, is as follows:

The TNZD is designed to recognize historic or long-established traditional neighborhoods and to protect them as a distinct pattern of development... Traditional neighborhoods ...[have] an identifiable boundary, a predominance of residential uses and open space such as parks and playgrounds, a connected street and alley pattern, buildings that are close to or at the sidewalk, and, in some cases, a well-defined center or transition area that contains a mixture of uses.

The TNZD is designed to promote diversity and integration of uses and structures in an existing traditional neighborhood through flexible design standards that:

- a. Regulate the use of structures on a structure-by-structure basis which stabilizes and protects the urban residential character of the area;
- b. Maintain traditional neighborhoods that are livable, diverse, and sustainable;
- c. Promote uses of land that are appropriate to the distinctive characteristics of existing traditional neighborhoods;
- d. Respect and reinforce existing traditional neighborhoods, integrating new development with existing development to ensure compatibility;
- e. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- f. Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;
- g. Protect and enhance historic and natural resources;
- h. Encourage the provision of adequate parks and open spaces to serve the needs of residents of traditional neighborhoods.
- i. Encourage a variety of compatible architectural styles, building forms, and building relationships within existing traditional neighborhoods.

As directed by Resolution 040-2015, this project has two overall components: a proposed change in the text of the LDC (related to permitted uses and signs) and a proposed change to the TNZD zoning map. Staff made the decision to bring both components to the LD&T Committee, prior to Planning Commission hearing, rather than split them up, with proposed text amendments separately going to the Planning Committee. Staff will provide the Planning Commission with a draft ordinance to amend the LDC prior to its hearing on February 18th.

INTERESTED PARTY COMMENTS

See Attachment 4. Interested party comments are general split fairly evenly between those advocating for little change and those who prefer significant change in terms of permitted uses and changes to the zoning map. Interested party comments related to signs were relatively minor.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Old Louisville/Limerick Neighborhood Plans (last amended 12/22/2000)

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed rezoning: *KRS Chapter 100.213*

1. The proposed rezoning complies with the applicable guidelines and policies Cornerstone 2020; **OR**
2. The existing zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

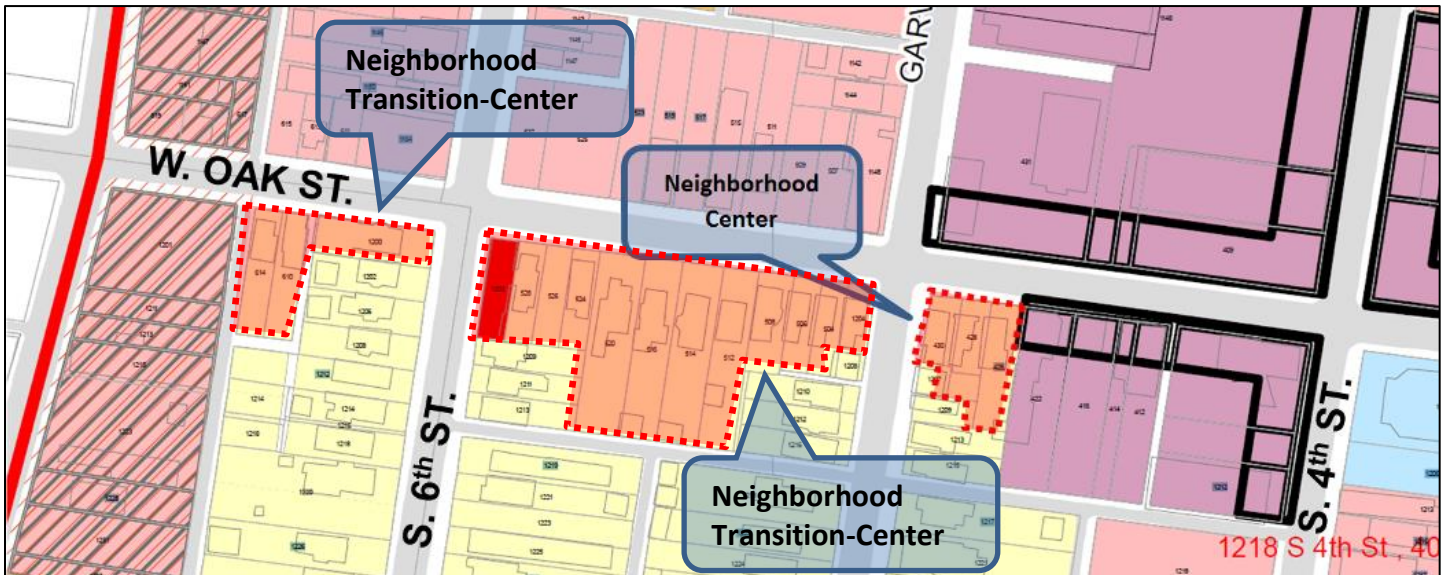
STAFF ANALYSIS FOR REZONING

The Staff recommendation related to the TNZD zoning map has four parts:

1. Expand the Neighborhood Center neighborhood type to a small set of properties just west of the current location of the Neighborhood Center properties. These properties are immediately west of the now defunct Rudyard Kipling.

In addition, rezone all properties with frontage on the eastbound side of W. Oak Street from Garvin Street to the alley east of S. 7th Street from the General neighborhood type to Neighborhood Transition-Center. If approved, the proposed map amendment would have the effect of making a wider variety of commercial uses available to the subject properties.

All current applicable standards of the Land Development Code and all Old Louisville / Limerick design review provisions remain in effect.



2. Rezone all properties with frontage on E. Oak Street from S. 1st Street to S. Floyd Street, excluding Toonerville Trolley Park, from the General neighborhood type to Neighborhood Transition-Center. If approved, the proposed map amendment would have the effect of making a wider variety of commercial uses available to the subject properties.

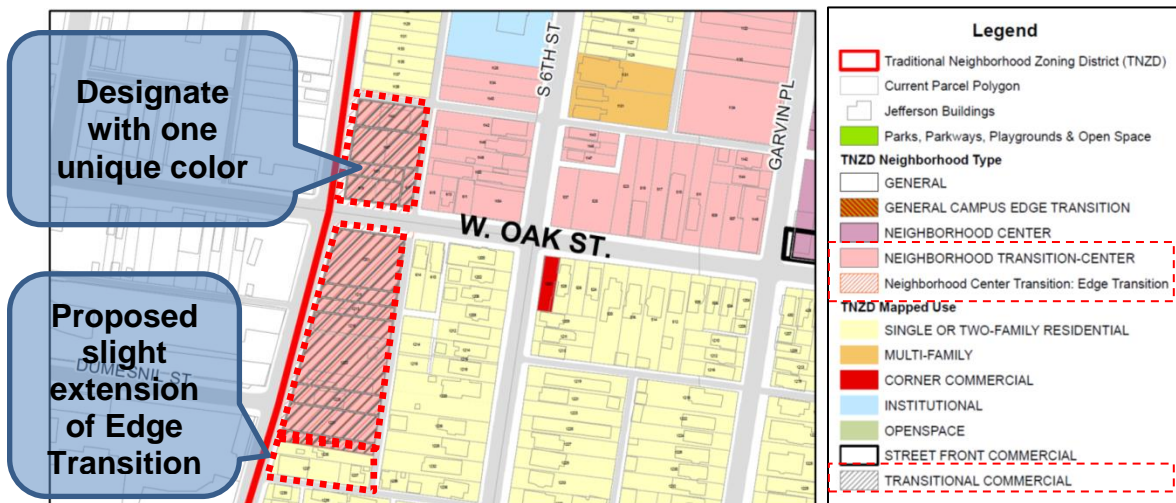
Some advocates for expansion eastward believe that the expansion should stop at S. Brook Street, while others believe that the expansion should continue to S. Floyd Street.

All current applicable standards of the Land Development Code and all Old Louisville / Limerick design review provisions remain in effect.



3. The Neighborhood Center Transition: Edge Transition properties at the northeast and southeast corners of W. Oak Street and S. 7th Street have three layers of designations on the TNZD zoning map: light pink, black hash marks and red hash marks. In order to clear up confusion about the designation of these properties on the map, Staff recommends providing these properties with their own unique color on the map and legend. In addition, the three property owners for these area believe that the Edge Transition neighborhood type should be extended two parcels southward so that the boundary of the neighborhood type is the alley that connects S. 6th Street with S. 7th Street. See Attachment X on page X of X for a letter requesting the extension. See also the graphic below.

More recommendations related to permitted uses for these properties are in the Staff Analysis for LDC Text Amendment section below.



4. A number of interior (non-corner) lots exist in the Old Louisville / Limerick TNZD with vacant commercial structures that are not eligible for Corner Commercial status on the map, as illustrated in the graphic at the top of the next page. In order to better enable the use of commercial structures on interior lots, Staff recommends changing the mapped use designation from “Corner Commercial” (dark red) to “Community Commercial.” This change in terminology would make it possible for individual property owners to request Community Commercial status for these interior lots and thus be given the

ability to use the structures for a commercial purpose. More recommendations related to permitted uses for Corner/Community Commercial are in the Staff Analysis for LDC Text Amendment section below.



Staff makes these TNZD Zoning Map change recommendations in light of the following:

The proposed rezoning complies with the applicable guidelines and policies in “Amendments to the Old Louisville/Limerick Neighborhood Plans”. The Plan has the following recommendations:

- Revitalization of the commercial district at 4th and Oak Streets as a true neighborhood serving center;
- Appropriate commercial and retail amenities throughout the neighborhood; and
- Appropriate, inclusive zoning and rigorous code enforcement

The existing zoning classification is inappropriate and the proposed classification is appropriate for the following reasons:

- Oak Street is a Minor Arterial according to Cornerstone 2020 and minor arterials can generally support zoning districts of a greater intensity than currently exist along Oak; and
- As a result of the ongoing public review process, the recommended changes attempt to split the difference between those who favor very modest change and those who prefer significant changes.

Generally, those against expansion of commercial neighborhood types along Oak Street argue that such expansion would dilute an already underutilized area. There are already vacant Neighborhood Center and Neighborhood Transition-Center properties, and they question why even more properties would be given such designation. Those in favor of expansion argue that such expansion gives more commercial opportunities for more properties. This would result in more commercial activity along Oak Street and so it is beneficial to the area.

STAFF ANALYSIS FOR LDC TEXT AMENDMENT

Staff makes the following recommendations related to the LDC text amendment component of this project.

Permitted Uses

Make TNZD its Own Section, Rather Than An Attachment

Currently the regulations specific to the Old Louisville / Limerick TNZD reside in LDC Appendix 2B, “Traditional Neighborhood Zoning District Land Use And Design Standards.” Staff proposes to make these standards their own LDC Section and to incorporate relevant portions from other parts of the LDC into the new Old Louisville / Limerick TNZD Section. Staff makes this recommendation because, although they are administered as binding standards that must be followed, there is an argument that appendices to a Land Development Code are not bona fide regulations and may be treated as guidelines.

In addition, Staff proposes to reference the Historic Landmarks and Preservation Districts Commission’s General Design Guidelines where appropriate.

Neighborhood Center Uses: Carry Over C-2 with No Exclusions; Additional Permitted Uses

Staff recommends that the permitted uses for the Neighborhood Center neighborhood type, focused at S. 4th Street and W. Oak Street, be the same as the permitted uses for the C-2 zoning district, with no exclusions. In addition, Staff proposes to add the following uses, some of which are currently allowed in the Neighborhood Center, but not in C-2:

- | | |
|---|--|
| <ul style="list-style-type: none">• Assisted living residence*• Community or market garden (Permitted with Standards)• Entertainment activity, indoor or outdoor* | <ul style="list-style-type: none">• Garages and accessory residential units (carriage house)*• Live/Work Unit (Permitted with Standards) <p>* = Use permitted in Neighborhood Center, but not C-2</p> |
|---|--|

See Attachment XX, Page X of X, for a list of new uses that would become permitted in Neighborhood Center if the C-2 listing is carried over with no exclusions.

Neighborhood Transition-Center Uses: Carry Over C-2 with Auto- and Boat-Related Exclusions; Additional Permitted Uses

Staff recommends that the permitted uses for the Neighborhood Transition-Center neighborhood type, which for the most part surrounds the Neighborhood Center type, be the same as the permitted uses for the C-2 zoning district, with exclusions related to auto- and boat-oriented uses. In addition, Staff proposes to add the following uses, some of which are currently allowed in the Neighborhood Transition-Center, but not in C-2:

- | | |
|--|--|
| <ul style="list-style-type: none">• Assisted living residence*• Bed & breakfast (Permitted with Standards)• Community or market garden (Permitted with Standards)• Entertainment activity, indoor only*• Garages and accessory residential units (Carriage House)*• Governmental buildings* | <ul style="list-style-type: none">• Institutional uses (where mapped)*• Live/work unit (Permitted with Standards)• Package liquor store (CUP)• Tavern, bar, saloon (CUP)• Trade, business or industrial school (where mapped)* <p>* = Use permitted in Neighborhood Transition-Center, but not C-2</p> |
|--|--|

See Attachment XX, Page X of X, for a list of new uses that would become permitted in Neighborhood Transition-Center if the C-2 listing is carried over with the recommended exclusions.

Broaden Institutional Definition in TNZD

There is a definition for Institutional Uses (places of worship, schools, etc.) that is unique to the TNZD and a definition that applies to the remainder of the Land Development Code. Staff recommends combining the two definitions so that there will be one consistent definition for the whole Code, and in order to capture the greatest number of specific uses within the definition of Institutional Uses.

Allow Live/Work Units as Permitted Subject to Standards in All Neighborhood Types

Live/work units are defined in the LDC as:

A structure or structures held in single ownership and containing one of the following: (1) commercial or office use not to exceed more than 50 percent of the floor area and residential use which shall include the balance of the remaining floor area, or (2) residential use which utilizes up to 100 percent of the floor area. Regardless of the zoning district, Live/Work Units shall be considered a residential use.

Live/work units are structures geared toward craftspeople and artisans who wish to live in close proximity to each other and to where they do their work. Live/work units are currently not allowed in the TNZD. They are

permitted in the following conventional zoning and form districts: in Traditional Form Districts only, R-4, R-5, R5-A, R5-B; in all Form Districts, R-6, R-7, R- 8A, OR, M-1, M-2, M-3, and EZ-1.

Staff recommends that live/work units be permitted subject to the standards in Section 4.3.19 in all neighborhood types in the TNZD. The standards of that Section include, but are not limited to, the types of commercial uses allowed in a live/work unit, parking, and licensing. These standards, along with any other standards for uses permitted subject to standards, are not eligible for waivers or variances.

Allow Offices as Conditional Use in Neighborhood General

Offices (professional, business, and medical) are currently not allowed in the Neighborhood General neighborhood type of the TNZD. Staff recommends that they be allowed by Conditional Use Permit (CUP) in this neighborhood type, based on the CUP standards in Section 4.2.20 for doctor, dentist, and chiropractor offices which apply to the R-4, R-5, R-5A, R-5B, R-6, and R-7 zoning districts. Staff recommends that the maximum floor area be 1,000 square feet. Staff recommends relying on other existing standards in Section 4.2.20 pertaining to parking location, screening, and signs. Some stake holders are strongly against this recommendation, while others are in favor and want the maximum floor area to be increased to the square footage of the first floor of the residential structure.

Expand Corner/Community Commercial Permitted Uses

In keeping with the concept of increasing the opportunity for commercial uses in the Old Louisville / Limerick TNZD, Staff proposes expanding the set of uses permitted on Corner/Community Commercial properties on the TNZD map. See Attachment X on page X of X for a listing of these uses, as recommended by the Old Louisville Neighborhood Council.

Neighborhood Center-Transition: Edge Transition, Carry Over C-2 with No Exclusions

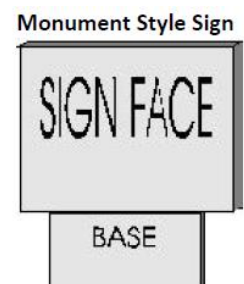
The three persons who own the properties with the Neighborhood Center-Transition: Edge Transition desire that their properties be allowed C-2 uses, with no exclusions. While part of the TNZD, these properties appear to not significantly contribute to the historic character of the area. Staff supports the request to allow C-2 uses on these properties. See the letter in Attachment X on page X of X requesting the C-2 uses. See also the related TNZD Map recommendation #3 above.

Signs

Allow Monument Signs and Expand Where Permitted

Currently freestanding signs are only allowed in association with offices and bed and breakfasts and they are limited to a maximum area of six square feet. Staff recommends that monument signs be allowed in association with any nonresidential and mixed use buildings that are not Corner/Community Commercial. The LDC defines monument signs, including the graphic to the left, as follows:



Monument Style Sign - A freestanding business sign with a base width of at least eighty percent (80%) of the width of the sign cabinet or sign face.



Staff recommends a maximum area of 24 square feet for a monument sign, which would be allowed in place of attached, awning, projecting or canopy signs. Staff also recommends: (1) a maximum overall height for a monument sign of four feet, (2) that a property must have a minimum front yard of 15' from right-of-way line to the front of the building, and (3) the sign must have a minimum side setback of 15 feet. The dimensional requirement of 24 square feet and four feet in overall height is comparable to the smallest sign allowed in the Traditional Neighborhood form district. The 15-foot setback requirements are the same as those that apply to the Bardstown Road / Baxter Avenue overlay zoning district. As with any freestanding sign, the sign must be completely on private property and not

within the public right-of-way. The setback requirements will preclude many properties from having a monument sign, as shown in the illustration below.





 = Not enough front setback for a monument sign
 = Enough front setback and lot width for monument sign

Require Opaque Background with Channel Letters for Freestanding Signs

Also in line with requirements for the Bardstown Road / Baxter Avenue overlay zoning district, Staff recommends that only the channel letters of a permitted monument sign be illuminated, not the entire face of the sign, as shown in the graphic below.



 = Proposed to be prohibited
 = Proposed to be permitted

Allow Signature Entrance Signs on Larger Properties

The LDC defines a signature entrance as:

Any wall(s), fence(s), guard house, or similar structures exceeding 4 feet in height, constructed at an entrance to a major residential subdivision or to a multi-family complex of ten units or more, or a nonresidential subdivision.

The LDC allows a maximum of two signs, not exceeding 15 square feet in area each, to be attached to a signature entrance. Staff recommends carrying over into the TNZD the signature sign allowances found in Section 4.4.3 of the LDC on properties one-half acre in size or larger. Examples of properties that meet this size threshold include, but are not limited to, Walnut Street Baptist Church, Treyton Oak Towers, Puritan Apartments, and the former Winn-Dixie site.

Incorporate Director’s Interpretation Allowing Internally Illuminated Window Signs

Staff recommends integrating into the LDC an existing Director’s Interpretation (Attachment X on Page X of X) that says a nonresidential use is allowed one small internally illuminated window sign per entrance to the

building (such as the traditional neon “OPEN” signs commonly seen in business windows). Such signs would have a maximum permitted area of five square feet.

Increase Maximum Area for B&Bs and Office Attached Signs

The current maximum area for an attached sign is six square feet for an office or a bed and breakfast. Based on stakeholder feedback, Staff recommends modestly increasing the maximum square footage to 12 square feet.

Allow an Attached Sign on One Side Façade for B&Bs, Office, and Corner/Community Commercial

Bed and breakfasts and offices are limited to one attached sign at the front of the building and corner commercial uses are limited to one attached sign per street frontage. In order to allow one more avenue for sign utilization, Staff recommends permitting an additional sign on a side façade of a bed and breakfast, office or corner commercial with a maximum sign area of 24 square feet. See example to the right.



Remove Conflict so that Freestanding and Marquee Signs are Clearly Allowed

It is difficult to discern from a literal reading of the TNZD standards and the general sign standards in Chapter 8, whether or not freestanding signs and marquee signs are allowed in the TNZD at all. Staff proposes an amendment making it clear that the two sign types are allowed in the TNZD, subject to applicable standards.

STAFF CONCLUSIONS

The proposal is set to go before the Planning Commission on February 18, 2016, at 6 PM.

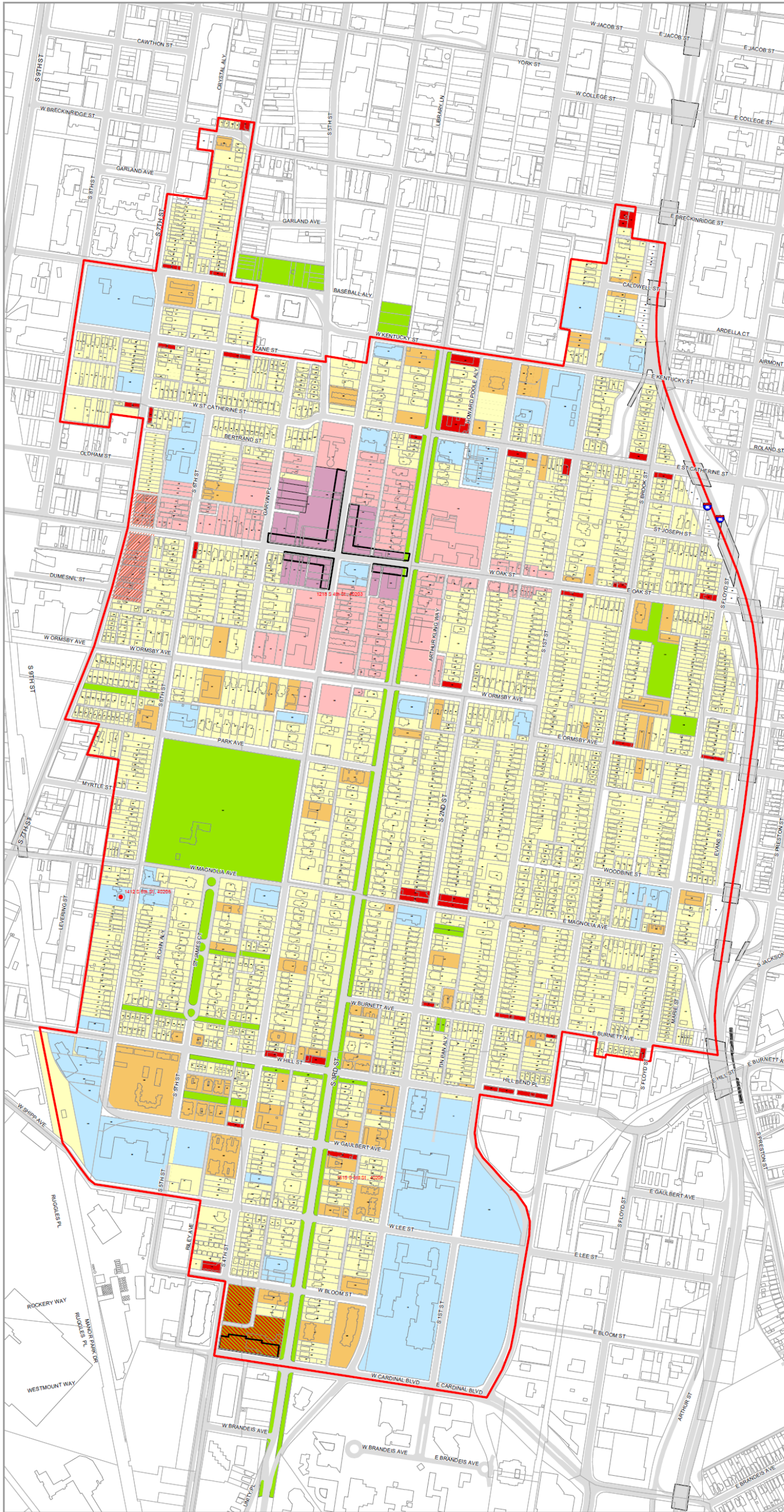
NOTIFICATION

Date	Purpose of Notice	Recipients
6/25/15	1 st and 2 nd Neighborhood Meetings	TNZD Property owners, 1 st Tier Owners, 2 nd Tier Owners
12/18/15	3 rd Neighborhood Meeting, LD&T Meeting, Planning Commission Hearing	TNZD Property owners, 1st Tier Owners, 2nd Tier Owners

ATTACHMENTS

1. TNZD Zoning Map
2. List of Properties Proposed to be Rezoned From General to Neighborhood Center
3. List of Properties Proposed to be Rezoned From General to Neighborhood Transition-Center
4. List of Properties Proposed to be Rezoned From General to Neighborhood Center Transition: Edge Transition
5. Letter Requesting Extension of Neighborhood Center Transition: Edge Transition
6. Neighborhood Center C-2 Uses
7. Neighborhood Center-Transition C-2 Uses
8. Proposed Corner/Community Commercial Uses
9. Letter Requesting C-2 Uses in Neighborhood Center Transition: Edge Transition
10. Director’s Interpretation – Neon Signs in Old Louisville Preservation District
11. Interested Party Comments

1. **TNZZ Zoning Map**



Old Louisville/ Limerick

Traditional Neighborhood Zoning District (TNZD)

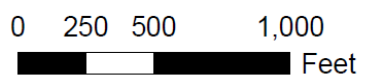
Map Amendment Approved
3/30/2010
Ordinance 62 Series 2010

Legend




- Traditional Neighborhood Zoning District (TNZD)
- Current Parcel Polygon
- Jefferson Buildings
- Parks, Parkways, Playgrounds & Open Space
- TNZZ Neighborhood Type**
- GENERAL
- GENERAL CAMPUS EDGE TRANSITION
- NEIGHBORHOOD CENTER
- NEIGHBORHOOD TRANSITION-CENTER
- Neighborhood Center Transition: Edge Transition
- TNZZ Mapped Use**
- SINGLE OR TWO-FAMILY RESIDENTIAL
- MULTI-FAMILY
- CORNER COMMERCIAL
- INSTITUTIONAL
- OPENSACE
- STREET FRONT COMMERCIAL
- TRANSITIONAL COMMERCIAL



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2. List of Properties Proposed to be Rezoned From General to Neighborhood Center

PARCELID	PROPERTY ADDRESS	IMAGE
032A01050000	430 W. Oak St.	
032A00590000	428 W. Oak St.	
032A00600000	426 W. Oak St.	


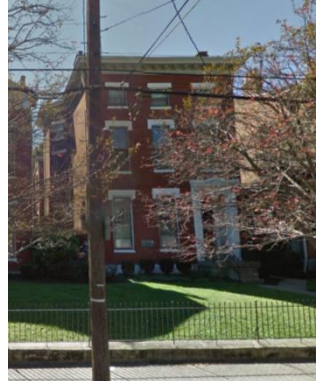
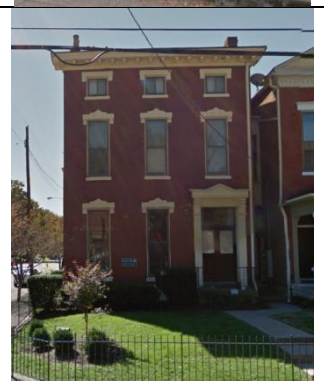
3. List of Properties Proposed to be Rezoned From General to Neighborhood Transition-Center




PARCELID	PROPERTY ADDRESS	IMAGE
West of Garvin Street		
032A00390000	500 W. Oak St.	
032A00380000	504 W. Oak St.	
032A00370000	506 W. Oak St.	
032A00360000	508 W. Oak St.	





PARCELID	PROPERTY ADDRESS	IMAGE
032A00350000	512 W. Oak St.	
032A00340000	514 W. Oak St.	
032A00330000	516 W. Oak St.	
032A00320000	520 W. Oak St.	

PARCELID	PROPERTY ADDRESS	IMAGE
032A00310000	524 W. Oak St.	
032A00300000	526 W. Oak St.	
032A00290000	528 W. Oak St.	
032A00280000	530 W. Oak St.	

PARCELID	PROPERTY ADDRESS	IMAGE
East of S. 1st Street, West of S. Brook St.		
032B01040000	102 E. Oak St.	
032N00K10000	112 E. Oak St.	
032N00K60000	118 E. Oak St.	
032B01350000	120 E. Oak St.	

PARCELID	PROPERTY ADDRESS		IMAGE
032N00K20000	122 E. Oak St.		
032N00K40000	124 E. Oak St.		
032N00K50000	128 E. Oak St.		
032N00K30000	130 E. Oak St.		


PARCELID	PROPERTY ADDRESS	IMAGE
030J01080000	1164 S. Brook St.	
030J01370000	125 E. Oak St.	
032N00K70000	123 E. Oak St.	
030J01060000	121A E. Oak St.	


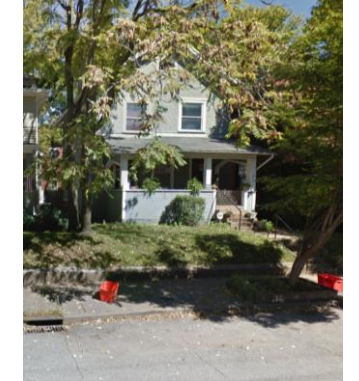

PARCELID	PROPERTY ADDRESS	IMAGE
030J01060000	121B E. Oak St.	
030J01050000	113 E. Oak St.	
030J00850000	101 E. Oak St.	
East of S. Brook Street, West of S. Floyd St.		
032C02130000	1201 S. Brook St.	

PARCELID	PROPERTY ADDRESS	IMAGE
032C02140000	216 E. Oak St.	
032C00550000	222 E. Oak St.	
032C00560000	224 E. Oak St.	
032C00570000	226 E. Oak St.	

PARCELID	PROPERTY ADDRESS	IMAGE
032C00580000	228 E. Oak St.	
032C00590000	230 E. Oak St.	
032C00600000	234 E. Oak St.	
032C00610000	236 E. Oak St.	
032C00620000	238 E. Oak St.	

PARCELID	PROPERTY ADDRESS	IMAGE
030K00340000	1154 S. Floyd St.	
030K00330000	231 E. Oak St.	
030K00100000	227 E. Oak St.	
030K00090000	225 E. Oak St.	

PARCELID	PROPERTY ADDRESS		IMAGE
030K00080000	223 E. Oak St.		
030K00070000	219 E. Oak St.		
030K00060000	217 E. Oak St.		
030K00040000	211 E. Oak St.		

PARCELID	PROPERTY ADDRESS	IMAGE
030K00030000	207 E. Oak St.	
030K00020000	205 E. Oak St.	
030K00010000	201 E. Oak St.	

**4. List of Properties Proposed to be Rezoned From General to Neighborhood Center Transition:
Edge Transition**

PARCELID	PROPERTY ADDRESS	IMAGE
031D00420000	1235 S. 7 th St.	
031D00410000	1237 S. 7 th St.	

5. Letter Requesting Extension of Neighborhood Center Transition: Edge Transition



B. C. plumbing company

Licensed Master Plumber

1215 South 7th Street

Louisville, KY 40203

Phone: (502) 634-9725

Fax: (502) 635-7473

www.bcplumbing.net

Email: bcplumbing@bcplumbing.net

January 18, 2016

Brian Mabry

In our meeting on Wednesday the 13th I noticed the boundaries of TNZD Transitional Edge fell short of the alley parallel to Ormsby joining seventh just north of Ormsby. I was surprised as I believed the southern boundaries of TNZD Transitional Edge to be this alley. Please consider re-mapping Edge to make its southern boundaries this alley. This small parcel of land has no residential houses and would be better served in Edge as opposed to Neighbor General.

Thank you for your consideration

Bruce Cohen



6. Neighborhood Center C-2 Uses

Staff recommends carrying over C-2 permitted uses with no exclusions and with the following additional uses, some of which would become prohibited if relied only on C-2

- Assisted Living Residence
- Community & market garden (permitted with standards)
- Entertainment Activity, indoor or outdoor
- Garages and Accessory Residential Units (Carriage House)
- Live/work unit (permitted with standards)

With that, the following additional uses that are not already permitted would become permitted in Neighborhood Center:

- Automobile parking areas, public and private
- Automobile rental agencies
- Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile repair garages
- Automobile sales agencies
- Billiard parlors; game rooms and similar entertainment uses
- Bingo halls and parlors
- Boarding and lodging houses
- Boat Sales and related storage
- Bowling alleys, provided the building is sound proof
- Car washes having prior approval by the agency responsible for transportation planning
- Catering kitchen/bakery preparing food and meals for sale or consumption elsewhere
- Clubs, private, non-profit or proprietary
- Colleges, schools and institutions of learning
- Community residences
- Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor's shop in this zoning district)
- Convenience groceries
- Convents and monasteries
- Country clubs
- Dance halls
- Day care centers, day nurseries, nursery schools and kindergartens
- Exposition building or center
- Flea market, Indoor
- Fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business.
- Ice storage houses of not more than five (5) ton capacity
- Indoor paint ball ranges
- Laser Tag
- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less)
- Pawn Shop
- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
- Public utility buildings and facilities
- Refrigerated lockers

- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
- Skating rinks (ice or roller)
- Tanning salons
- Tattoo, body art, and piercing parlors
- Those uses which are more similar in appearance and intensity to the above list of uses than to uses listed elsewhere in these regulations.
- Tourist homes
- Training School, provided all training activities are located within a building
- Transitional housing
- Upholstery and furniture repair shops
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building
- Uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building.

7. Neighborhood Transition-Center C-2 Uses

Staff recommends carrying over C-2 permitted uses with these exclusions:

- Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile repair garages
- Automobile sales agencies
- Boat Sales and related storage
- Car washes having prior approval by the agency responsible for transportation planning
- Outdoor entertainment
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

With the addition of these uses, some of which are already permitted in Neighborhood Center-Transition and that would become prohibited if we relied only on C-2:

- Assisted living residence
- Bed & breakfast (Permitted with Standards)
- Community or market garden (permitted with standards)
- Entertainment activity, indoor only
- Garages and Accessory Residential Units Carriage House
- Governmental buildings
- Institutional uses (where mapped)
- Live/work unit (Permitted with Standards)
- Package liquor store (CUP)
- Tavern, bar, saloon (CUP)
- Trade, business or industrial school (where mapped)

With that, the following additional uses that are not already permitted would become permitted in Neighborhood Transition-Center:

- Billiard parlors; game rooms and similar entertainment uses
- Bingo halls and parlors
- Boarding and lodging houses
- Bowling alleys, provided the building is sound proof
- Catering kitchen/bakery preparing food and meals for sale or consumption elsewhere
- Clubs, private, non-profit or proprietary
- Colleges, schools and institutions of learning
- Community residences
- Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor's shop in this zoning district)
- Convenience groceries
- Convents and monasteries
- Country clubs
- Dance halls
- Day care centers, day nurseries, nursery schools and kindergartens
- Exposition building or center
- Flea market, Indoor
- Fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business.
- Ice storage houses of not more than five (5) ton capacity
- Indoor paint ball ranges
- Laser Tag

- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less)
- Pawn Shop
- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
- Public utility buildings and facilities
- Refrigerated lockers
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
- Skating rinks (ice or roller)
- Tanning salons
- Tattoo, body art, and piercing parlors
- Those uses which are more similar in appearance and intensity to the above list of uses than to uses listed elsewhere in these regulations.
- Tourist homes
- Training School, provided all training activities are located within a building
- Transitional housing
- Upholstery and furniture repair shops
- Uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building.

8. **Proposed Corner/Community Commercial Uses**

* = Uses currently permitted for Corner Commercial Uses

- Antique shops*
- Art galleries*
- Art supply stores and crafts shop*
- Athletic facilities (indoor only)
- Audio/video recording studios, provided the building is sound proof*
- Bakeries retail sales only*
- Banks, credit unions, and savings and loans
- Barber shops*
- Beauty shops*
- Bed and breakfast
- Bicycle sales and service
- Billiard parlors; game rooms and similar entertainment uses
- Book stores*
- Clothing, dry goods and notions stores
- Collectibles shops
- Colleges, schools and institutions of learning
- Computer sales and services, (hardware and software), and programming services
- Confectionery, ice cream, or candy stores, retail only*
- Convenience groceries* (Indoor malt beverage sales only with proper ABC license)
- Dance Instruction (excludes adult entertainment uses as defined within LMCO Chapter 11)
- Day care centers, day nurseries, nursery schools and kindergartens
- Delicatessens, retail only*
- Department stores
- Dressmaking or millinery shops
- Drug stores (Indoor malt beverage, distilled spirits and wine sales only with proper ABC license)
- Dry cleaning, dyeing, pressing, and laundry; distributing stations or retail business where no cleaning, dyeing, pressing or laundry is done for other distributing stations or cleaning establishments*
- Electric appliance stores
- Engraving, watchmaking and jewelry manufacturing, where products sold on premises
- Entertainment activity (as defined by LDC and is not considered adult entertainment as further defined by LDC) – indoor only.
- Equipment rental, where all activities are within a building
- Florists shops
- Furniture stores
- Grocery stores, including fruit, meat, fish, and/or vegetable. (Indoor malt beverage sales only with proper ABC license)
- Hardware and paint stores
- Health spas
- Interior decorating shops*
- Jewelry stores
- Laundry and dry cleaning pick-up shops and self-service laundries
- Laundries or laundrettes, self-service*
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Micro-breweries and micro-distilleries (where production activities occur indoors in a space 5,000 square feet or less)
- Monument sales, provided that all activities are within a building
- Music stores*
- Music and vocal instructions where all activities are within a building, providing the building is sound proof

- Nurseries, retail only
- Pawn Shop
- Pet grooming, obedience training and related pet activities, provided the operation is conducted within a soundproofed building, no animals are boarded, and there are no runs or pens outside of the building
- Pet shops
- Pharmacies*
- Photographic shops*
- Photography studios*
- Picture framing
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video rental center
- Restaurants, tea rooms and cafes excluding dancing and entertainment activity (Indoor alcohol sales and consumption only with proper ABC license) (no drive-through service permitted)*
- Shoe repair shops
- Shoe stores
- Stationery stores*
- Tailor
- Tanning salons
- Tattoo, body art, and piercing parlors
- Theaters, enclosed within a building
- Toy and hobby stores*
- Upholstery and furniture repair shops

7. Interested Party Comments

See the following attached pages.