

RESOLUTION NO. _____, SERIES 2020

A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO DRAINAGE EASEMENTS AND DETENTION/RETENTION BASINS IN REAR YARD AREAS.

SPONSORED BY: COUNCIL MEMBER JAMES PEDEN

WHEREAS, Chapter 7 of the Land Development Code (the “LDC”) regulated the subdivision of land; and

WHEREAS, Section 7.3.30.E of the LDC provides that no more than 15% of a required rear yard area may be occupied by a drainage easement or detention/retention basin; and

WHEREAS, Developers regularly request waivers of the 15% maximum requirement; and

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) is concerned that factors such as lot width/depth, elevation changes, and building placement and orientation might result in properties where most or all of a required rear yard area may be devoted to drainage easements and/or detention/retention basins; and

WHEREAS, This concern is amplified in cases where density transfers are utilized to allow for the creation of lots which are smaller than would otherwise be allowed in a given zone; and

WHEREAS, The Council believes both the 15% base line and the creation of a maximum percentage should be considered by the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The Planning Commission should undertake a review of the current Land Development Code and adopt amendments thereto to protect rear yard areas from undue encroachment of drainage easements and detention/retention basins.

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

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

R-081-20 Review LDC RE Rear Yard Drainage Easements (TF)