



Building Industry Association Greater Louisville

South Floyds Fork Plan Comments

For

Louisville Metro Planning Commission

September 19, 2019

On behalf of the Building Industry Association of Greater Louisville, thank you to all the parties that have been involved in this planning process.

As of this time, the Building Industry Association of Greater Louisville supports a plan for the South Floyds Fork Area, but we have significant reservations with the current wording found within this document.

We have stated repeatedly that the Vision Statement for this broad region lacks balance. The Vision Statement in its current form does not address the need to provide the balance between the growth and development that is occurring in the area with environmental protection.

The South Floyds Fork Area will grow. The addition of the Parklands of Floyds Fork, a nearly 4,000 acre public park has transformed the area. Millions of visitors, many of whom wish to become residents in the area, travel to the Parklands to take advantage of the park. The attraction, coupled with other proposed transportation improvements like an I-64 interchange at Gilliland Road, will attract more and more residents and visitors over time.

We have also stated other concerns throughout this process including the need for an appropriate boundary for the new Conservation Form District. The Conservation Form District boundary needs to be placed along the horizontal tributary south of Bradbe Road because:

1. The Advisory Committee, at the public workshop, identified the northern boundary area along Taylorsville Lake Road to Spencer County as a high growth residential area in the future as referenced on Metro's "heat map";
2. The area in the northern part of the study area contains low habitat areas, whereas the highest quality habitat areas are further south and southeast as per the Core Habitat Areas map in the Plan;
3. MSD prepared a Lojic map for the study that indicates that environmentally constrained land is further south and southwest in the Study Area, not in the area north of Bradbe Road.

Not only is the boundary not defined for the Conservation Form District, but the regulations for this newly proposed Conservation Form district have not been written. The development community is concerned that this new form district and the associated regulations will limit development options and the flexibility needed to meet the needs of the growing population.

Additionally, we stated our concerns with the newly created low impact subdivision. The low impact subdivision, as presented in the plan, requires a developer to “set aside at least 50% of buildable land for permanently protected open space.” BIA feels strongly that the proposed language for this the low impact subdivision will not work from a technical and engineering standpoint. Nevertheless, the low impact subdivision must remain optional but not be mandated as the only development option in the conservation form district.

These issues, along with several others pause our support of this plan at this time, but doesn't limit our future support should these issues be addressed.

We have included copies of all the documents submitted by BIA throughout this process to ensure members of the Planning Commission and the Metro Council have access to them. We respectfully ask that these documents be included in the formal record that is provided to Metro Council.

Thank you Planning Commission members and Metro staff for your dedication and continued work on this lengthy document. BIA agrees that development and preservation for this large area requires a plan to address the anticipated growth. However, this current document requires additional work to address the issues listed above and the others listed in the comments provided to you today.

BIA looks forward to working diligently with the appropriate entities to address these remaining issues so the goal of preserving the Floyds Fork as a healthy living creek can be met while still meeting the housing needs of our Jefferson County residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Juva Barber', with a long horizontal stroke extending to the right.

Juva Barber
Executive Vice President



Mr. Mike King
Office of Advanced Planning
Department of Development and Design
444 South Fifth Street
Louisville, KY 40204

July 17, 2019

Dear Mike,

On behalf of the BIA of Greater Louisville's 2,100 member firms, thank your dedication and hard work throughout this lengthy process of developing the draft South Floyds Fork Vision Plan.

The Floyds Fork area is a vibrant and important portion of Jefferson County. The area is easily accessible from major thoroughfares such as the Gene Snyder Freeway and a new I-64 interchange. Investments like the Parklands have not only preserved significant swaths of environmentally sensitive areas, but have also made the area more appealing for new residents and businesses. These investments and transportation assets "have and will continue to spur development in the area" as the plan states.

Knowing that the area will grow, we are concerned that the over-all tone of the plan unnecessarily constrains the growth and development opportunities in the area. For example, one of the most important statements in the document, the Vision Statement, refers to low-impact and mixed-use developments. One could easily interpret this statement to mean that these types of developments are the only types that will be considered for this entire 38,000 acre region. We have stated repeatedly throughout this process that the Vision Statement should be revised to reflect a more balanced approach that allows for growth and development while appropriately preserving environmentally sensitive areas.

There are other issues that we have communicated, including but not limited to the use of the Vision Map (p 34) as a guide for "future decision-making and planning."; the requirement that new developments construct new connector-roads within the development (p 95); and the mention of augmenting the system development charge (p 97).

Our many issues with this document have been conveyed in written comments as well as during the multiple Floyds Fork Advisory Meetings.

The BIA of Greater Louisville is interested in achieving a balance in this plan. While some revisions were made during this lengthy process, there are still significant issues remaining with this document. This document, as currently written, will impede the much needed growth in Jefferson County, causing an increase in the cost of new housing.

At this time, the BIA remains opposed to the South Floyds Fork Vision Plan in its current form. It fails to achieve the much-needed balance of protecting the natural features of this area while allowing growth to occur in Jefferson County. Despite the assertion that this is a plan for growth, we believe that this plan denies the fundamental property rights of landowners in this Study Area and stands in the way of economic growth and development in Louisville. We know that growth will happen. The question remains whether Metro Government wants to capture that economic growth, and the tax revenue that will follow it.

Sincerely,

A handwritten signature in black ink, appearing to read "Juva".

Juva Barber
Executive Vice President

CC: Jeff O'Brien
Develop Louisville



Mr. Jeff O'Brien
Develop Louisville
444 South Fifth Street
Louisville, KY 40204

April 10, 2019

Dear Jeff,

The BIA continues to have many substantial concerns with the South Floyds Fork Vision Plan, and **we do not support it as it is currently drafted.** There are many provisions in the Plan that we oppose which we have raised repeatedly, but they continue to go unaddressed. As we have communicated previously, we believe that this Plan infringes on the private property rights of hundreds of landowners in the South Floyds Fork Area, lacks clear and concise statements leading to many different interpretations of what the Plan intends, and neglects to achieve a balance between allowing for growth where we know it will occur and preserving environmentally constrained land. It is our belief that this Plan will impede much-needed growth in Jefferson County and increase the cost of new housing. Below, please additional explanations of our remaining concerns.

Targeted Zoning Changes

As we have continually stated, the BIA is fundamentally opposed to government-initiated rezonings, regardless of whether they are up-zonings or down-zonings. It is not the job of government to determine winners and losers, nor to try to predict future demand. Furthermore, this practice is an infringement on the private property rights of hundreds of landowners in the Study Area. Metro has repeatedly stated that R-4 will be the underlying zoning. This should be explicitly stated in the Plan, and currently, it is not.

Floyds Fork Development Review Overlay (DRO)

As we have stated from the beginning and throughout this planning process, we believe the current DRO regulation needs to be eliminated and replaced with the proposed conservation form district regulation once it is finalized. Having a combination of both the current DRO guidelines and the proposed conservation form district regulation will make it extremely confusing because the DRO guidelines are not clear.

We propose the following language be added to the Plan: "The DRO will be rewritten pursuant to a committee composed not unlike the conservation subdivision regulation committee that was constituted to establish specific standards, not the loose language that currently exists."

Vision Map

We continue to have serious concerns that this singular small map on page 34 "will be used to guide planning decisions" in the future, making the boundaries set by this map very important. This map

should not be used to guide future planning decisions, and this language should be stricken from the Plan.

Proposed Form District Map

Again, we oppose the Conservation Form District Map boundaries on page 37 as they are currently proposed. The BIA believes the Conservation Form District boundary needs to be moved further south, near the horizontal tributary near Bradbe Road, or further south, because of the following technical reasons:

1. The Advisory Committee, at the public workshop, identified the northern boundary area along Taylorsville Lake Road to Spencer County as a high growth residential area in the future, as referenced on Metro's "heat map";
2. The area in the northern part of the study area contains low habitat, and the highest quality habitat areas are further south and southeast per the Core Habitat Areas map in the Plan;
3. The map that MSD prepared for the study indicates that environmentally constrained land is further south and southwest in the Study Area, not in the northern part of the Conservation Form District as currently proposed.

Since there is no consensus in the Advisory Committee on the maps, Alternative Map A, Alternative Map B, and Metro's Proposed Form District Map (Map C) should all be included in the final Plan with a notation that consensus was not reached.

Conservation Form District Regulation

We do not know what final recommendations will be included in the conservation form district regulation. Will there be additional provisions added to the draft regulation that was recently shared with the Advisory Committee? Until we fully know and understand what the regulation will consist of, we cannot support the conservation form district draft regulation or conservation form district boundary.

Additionally, as we have stated previously, when it comes to finalizing a new conservation form district regulation, the BIA firmly believes that we need to ensure that options are not limited, flexibility is maintained, and "all the tools in the toolbox" remain available to use.

Road Improvements

We continue to have questions surrounding who is going to pay for these road improvements. Recommendation #11 states the desire to "augment Metro's Road System Development Charge to adequately fund improvements to substandard public roads." We strongly oppose only considering raising the Road System Development Charge to fund road improvements. Simply raising the fees paid by the development community, and ultimately by homeowners, will not by itself solve the road needs in the Study Area. More thought is needed by Metro to determine how to fund the current road needs as well as future needs beside the Road System Development Charge and the wording in Recommendation #11 needs to state this.

Tree Canopy

During previous Advisory Committee meetings, we have been told that the tree canopy requirement in the Study Area outside of the Conservation Form District will be governed by Metro's countywide tree canopy requirements in Chapter 10 of the Land Development Code. We believe a clear, concise statement in the Plan is needed to state this. The current wording provides unclear language on what the tree canopy standards will be going forward.

Ridgelines and Ridgetops

Ridgetops offer more level terrain and are capable of supporting new roadways and housing in a more environmentally-sensitive and economic manner. Responsible development of ridgetops offers the following benefits: better protection of sensitive stream valleys, better grade management and control of rock removal, more consistent profile grade of the roadway, better preservation of tree canopy, protection of steep slopes, and better management and treatment of stormwater runoff.

Until we know what specifically will be included in the ridgeline guidelines or pattern book referenced in Recommendation #4 C, we continue to have serious reservations about this policy.

Connectivity Standards

Connectivity standards and length of cul-de-sacs are context sensitive, and there should be flexibility in their application within the design process taking into consideration access by emergency vehicles, topography, avoidance of stream crossings, and other site-sensitive features. In Recommendation #8iii, “topography” should be replaced with “environmental conditions” because it is not only the topography that provides development challenges.

Community Facilities

Recommendation #13 A inappropriately puts the burden on a developer to ensure that support services, shopping and parks exist to support new development. In a newly developing area, support services and shops follow the new population growth and should not be required to be there before a new development is approved. Instead, this recommendation should say, “Work to improve access to facilities for support services, shopping, and parks near new development.”

Additionally, Louisville Metro land use planning must continue to remain separate and apart from JSPS school planning. Therefore, there should be no mention of schools in this Plan. Recommendation #16 C needs to be eliminated from the Plan.

Low Impact Subdivision Regulation

We support the development of a low impact subdivision regulation, as long as it is not mandatory. However, we remain concerned that having a 50% open space requirement of buildable land that excludes any constrained land from the calculation will cause the new regulation to not be utilized. We believe Metro needs to reconsider the 50% open space requirement of buildable land as this regulation is fine-tuned.

Agricultural Screening Requirements

As we have previously stated, we oppose mandatory agricultural buffers. However, we would support Recommendation #5 if it stated, “Where appropriate establish screening requirements for new developments that abut permanently protected land.” The screening should be on the permanently protected land.

Complete Streets

The continued focus on creating an urban multi-modal transportation system in the Study Area is in conflict with the desire to “preserve and protect agricultural lands and rural lifestyles” in the CHASE principles (Page 13). The language in the Plan makes it sound as though Complete Streets will be used throughout the Study Area.

The Plan needs to explicitly state that “Complete streets will be used where appropriate,” as Metro stated on Page 6 of their Advisory Group Comments Excel document, and “where appropriate” should be added on Recommendation #7 C after “Complete Street elements...”.

Housing Diversity

We continue to have questions related to this section of the Plan and Recommendation #27. What is the definition of “housing diversity” and how will this Plan achieve it? What is the purpose of this recommendation? Developers and builders do Demand Analysis Studies before they spend millions of dollars on a development. Market demand determines what is built, and consumers buy the type of housing product that they need and want. In Section D, it is unclear how Metro intends to utilize the Fair Housing Act as a resource to increase equitable housing in the area. Section E is too prescriptive.

Again, the BIA remains opposed to this Plan in its current form. It fails to achieve the much-needed balance of protecting the natural features of this area while allowing growth to occur in Jefferson County. Despite the assertion that this is a Plan for growth, we believe that this Plan denies the fundamental property rights of landowners in this Study Area and stands in the way of economic growth and development in Louisville. We know that growth will happen. The question remains whether Metro Government wants to capture that economic growth, and the tax revenue that will follow it.

Sincerely,



Juva Barber
Executive Vice President

CC: Mary Ellen Wiederwohl, Louisville Forward
Gretchen Milliken, Develop Louisville
Emily Liu, Develop Louisville
Michael King, Develop Louisville
Councilman Stuart Benson



Mr. Jeff O'Brien
Develop Louisville
444 South Fifth Street
Louisville, KY 40204

February 19, 2019

Dear Jeff,

Following up on the request made at the South Floyds Fork Advisory Committee meeting on February 12, here are the BIA's initial comments and feedback on the South Floyds Fork Vision Internal Review Draft dated February 2019.

At this point, we have many concerns with the Plan and cannot support it as it is currently drafted. There are several provisions that we oppose which we have raised repeatedly, but they continue to go unaddressed. We continue to believe that this Plan infringes on the private property rights of hundreds of landowners in the South Floyds Fork Area, lacks clear and concise statements leading to many different interpretations of what the Plan intends, and fails to achieve a balance between the affordability of new single family residential housing and the preservation of environmentally constrained land. Below, please find an explanation of these and other concerns.

Page 8 – Vision Statement – The Vision Statement as it is currently drafted does not fit the goals of the Plan and should be changed. It needs to mention The Parklands, the increasing new housing demand coming, and the balance needed between this growth and development and the preservation of natural and environmental components in the Study Area.

Page 28-31 – Scenarios – While Metro has indicated that these scenarios are just a tool to look at potential growth patterns and are not intended to limit growth, this is not adequately explained in the Plan. We propose to include the following statement, "These Scenarios are not intended to be used now or in the future as limiting factors on future development."

The consultants have used outdated data regarding developments that have been approved, will be proposed, or are in progress. For example, in the Scenario C (Near Term), it states that around 4,000 housing units are predicted when the current number is around 7,000 housing units. This is just one example of why we believe the scenarios, along with their specific numbers, should not be included in this Plan.

Page 30 – The colors are too similar for acreage homes and conventional subdivisions on the maps and need to be changed.

Page 33 – The BIA disagrees with the statement that “The Floyds Fork area could host a portion of the County’s expected growth, but much of it will locate in existing urbanized areas within the Gene Snyder Freeway.” There is limited land available to develop inside the Snyder.

Page 34 – Vision Map – We have serious concerns that this singular small map “will be used to guide planning decisions” in the future.

Page 37 – Proposed Form District Map – We oppose the Conservation Form District Map boundaries as they are currently proposed. The Conservation Form District boundary needs to be moved further south, along the horizontal tributary near Bradbe Road because:

1. The Advisory Committee, at the public workshop, identified the northern boundary area along Taylorsville Lake Road to Spencer County as a high growth residential area in the future;
2. High habitat areas are further south;
3. The MSD map indicates that environmentally constrained land is further south and southwest in the Study Area, not in the northern part of the Conservation Form District as currently proposed.

We still have not seen the Conservation Form District regulations, which are crucial to this Plan. We need to ensure that options are not limited, flexibility is maintained, and “all the tools in the toolbox” remain available to use.

Additionally, how does Metro intend to make form district changes given that this Plan will be a part of the Comprehensive Plan? As you know, making changes to form districts is a long and controversial process.

As we have repeatedly stated, the current DRO regulation needs to be eliminated and replaced with the proposed Conservation Form District regulations. Keeping the current DRO Guidelines in place and overlaying them with the newly created Conservation Form District regulation will cause confusion beyond belief going forward.

Page 41-55 – Metro’s continued focus on creating an urban multi-modal transportation system in the Study Area seems to be in conflict with the desire to “preserve and protect agricultural lands and rural lifestyles” in the CHASE principles (Page 13). The language makes it sound as though Complete Streets will be used throughout the Study Area. Instead, the Plan should say that Complete Streets will be “considered when possible” because they are not feasible everywhere. Implementing a Complete Streets policy would mean that more vegetation and natural features would be lost for curbs, sidewalks, bike lanes, and transit, which does not seem to be Metro’s intention in this Plan. Urban standards should not be forced in the Study Area.

The transportation/road plan needs more clarity and detail. At the February 12 Advisory Committee meeting, there seemed to be many concerns about this plan by the diverse group in attendance. Additionally, how will the road plan be paid for?

Page 49 – Who is going to pay for these road improvements (widening existing roads, context-sensitive design elements)?

Page 51 – Connectivity Standards – The corresponding recommendation for this provision should say “Encourage minimizing dead ends and cul de sacs” in #8 recommendation (Page 83). Block length standards are challenging because of the topography of the area, and cul de sacs are often the only option to avoid stream crossings. There needs to be discretion on this provision, and developers should not need to get a waiver if they cannot meet the standard.

Page 53 – We oppose the language related to protecting ridgeline views and believe it needs to be removed. This is very challenging given the topography in the Study Area, and in many cases, the ridgeline is the least intrusive location for new residential development.

Page 57 – Parks and Open Space – This is a weak description of The Parklands.

Page 67 – There needs to be a statement indicating the “need for balancing growth with protecting natural resources” in this section.

Page 68-70 – Tree Canopy – While Metro continues to state that there will not be separate tree canopy standards for this area, the language in the Plan does not explicitly say this. Furthermore, it is not clear enough that the recommendations coming out of the work currently being undertaken on Chapter 10 will be applied countywide, including the Study Area. Clarifying language should be added that states that the tree canopy requirement in the Study Area will not be in excess of the Chapter 10 Land Development Code countywide tree canopy requirements.

We oppose the statement on Page 70 that states “Private developments and public projects should be required to preserve trees whenever possible and to mitigate unavoidable losses, with priority for on-site mitigation.” This statement should be removed from the Plan.

Page 72 – We remain concerned with how Metro specifically intends to raise local revenue for conservation activities.

Plan Recommendations

#1 and #2 Targeted Zone Changes – We are fundamentally opposed to government-initiated rezonings, regardless of whether they are up-zonings or down-zonings. It is not the role of government to determine winners and losers, and this practice is an infringement on the private property rights of hundreds of landowners in the Study Area. How does Metro propose to accomplish these targeted zone changes? Will Metro get landowner buy-in before such a process begins? Metro has repeatedly stated that R-4 will be the underlying zoning, and this should be affirmed in the language of the Plan.

#3 – As we stated previously, the current DRO regulation needs to be replaced with the new Conservation Form District regulation. Do not keep the current DRO Guidelines in place and

overlay them with the newly created Conservation Form District regulation as this will cause confusion going forward.

#4 Encouraging viewshed protection will be an issue with developing in this topographically challenged area. Furthermore, Section B is an assault on private property rights of landowners in the Study Area.

#5 What is Metro referring to as “permanently protected agricultural area”? What will the buffer requirements be and who will be responsible for these buffers?

#7 Promote Complete Streets and corridor preservation – As we explained previously, it is unclear how this will be accomplished as these two are mutually exclusive goals.

#8 This needs to say “Encourage continuous and more direct routes.” Topography will be a challenge, and a one-size-fits-all approach does not work.

#10 Section B is an example of how the multi-modal urban transportation plan will be in conflict with natural preservation. With corridors proposed to be expanded as much as Section B states, much of the natural area adjacent to the roads will be removed. Furthermore, who will pay for road construction projects in Section B?

#11 What will be proposed to augment Metro’s Road System Development Charge to adequately fund improvements to substandard public roads?

#12 Section C is very broad and could be expensive. It should say “offer” instead of “ensure.”

#13 Section A - Is this done now within the new development review process? Section A is too restrictive and needs more flexibility. Could Section C be used to deny approval of a development?

#16 Section C – We need a more detailed explanation of what Metro is considering in Section C.

#18 Manage Storm Water Sustainably - This is currently done now by MSD in conjunction with KDOW and US EPA.

#19 Is MSD in agreement with the sub sections of this recommendation?

#21 Update tree replacement standards - This language appears to be outlining a separate tree canopy standard in the Study Area. Section D is too restrictive and should say “encourage” instead of “require.”

#22 Create a targeted reforestation program for stream buffer replanting – There needs to be clarification that this is only for Floyds Fork itself and not its tributaries. Who will be responsible for the reforestation?

#23 and #24 – Who will be undertaking these efforts and how will they be accomplished?

#27 This should say “Promote and encourage housing diversity” instead of “expand.” What is the purpose of this recommendation? Developers and builders do Demand Analysis Studies before they spend millions of dollars on a development. Market demand determines what is built. In Section D, it is unclear how Metro intends to utilize the Fair Housing Act as a resource to increase equitable housing in the area. Section E is too prescriptive.

#28 Low Impact Subdivision Standard – As we have repeatedly stated, the open space requirement of 50% of buildable land in the Plan, excluding constrained land from the calculation, is unacceptable and technically will not work. Environmentally constrained land, such as steep slopes and floodplains, should be allowed to be counted as part of the 50% open space requirement in this new regulation. This change needs to be made in the Low Impact Subdivision Standard.

Furthermore, we have previously asked Metro staff to provide us with a list of other comparable cities using a 50% open space requirement and have yet to receive any information. We would like to see examples of development plan layouts that Metro has run to determine that this 50% open space requirement is feasible.

Additionally, we still have not seen the new Low Impact Subdivision regulation language. Will this regulation prohibit the current Conservation Subdivision regulation from being used in the future? Who will pay for Section C?

Again, we remain opposed to this Plan in its current form. We still believe that Metro can achieve a plan that will balance protecting the natural features of this area with the growth that is expected to happen, while not denying the fundamental property rights of landowners, but this Plan misses the mark. We are willing to continue to work closely with you on this important Plan for growth in the South Floyds Fork Area.

Sincerely,



Juva Barber
Executive Vice President

CC: Mary Ellen Wiederwohl, Louisville Forward
Gretchen Milliken, Develop Louisville
Emily Liu, Develop Louisville
Michael King, Develop Louisville
Councilman Stuart Benson



BUILDING INDUSTRY ASSOCIATION of GREATER LOUISVILLE

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Mr. Jeff O'Brien
Develop Louisville
444 South Fifth Street
Louisville, KY 40204

December 4, 2018

Dear Mr. O'Brien,

On behalf of the Building Industry Association of Greater Louisville (BIA), I wanted to take the opportunity to share with you some of the initial comments and feedback from the BIA on the South Floyds Fork Vision Advisory Group Draft dated November 13, 2018. The BIA knows how much hard work has gone into the South Floyds Fork Area Study, and we very much appreciate the opportunity to participate in this important process planning for the future economic growth of Louisville Metro.

Knowing that there was not adequate time for an in-depth discussion at the recent South Floyds Fork Advisory Group meeting last week, I wanted to share the BIA's preliminary comments on our key concerns based upon our initial review of this Plan as it is currently drafted. However, please know that we expect to have additional comments upon further review and will share our formal comments once the Plan is released for public comment.

Stream Setback

150' from the centerline or from top of bank of an intermittent stream is not an industry or national standard. MSD currently requires a 25' setback from top of bank on intermittent streams and has stated that they have no intention to increase this requirement. The BIA worked with MSD to develop this new setback requirement as part of a stakeholder group that updated the floodplain ordinance that was passed by Metro Council. The BIA supports the 25' setback from top of bank on intermittent streams. We do not want to price ourselves out of the market with our peer cities with an arbitrary increase in stream setback requirements.

Preservation Percentage in Low Impact Subdivisions

The requirement for 50% of developable land to be permanently protected open space and to exclude constrained land, such as steep slopes and floodplains, from the open space calculation will be very difficult to achieve, if not impossible, given the topography of the South Floyds Fork Area. Constrained land should be given a credit because it can be usable open space and provides buffers. This excessive preservation percentage requirement devalues property, limits the available buyers (developer or farmer) that can purchase the property, restricts options, and unreasonably reduces the amount of developable property in the region.

Conservation Form District

The BIA remains concerned about the ability to continue to use the current R4 subdivision and conservation subdivision regulations in the South Floyds Fork Study Area. We do not know what the new conservation form district regulations will allow, but we need to ensure that options are not limited, flexibility is maintained, and our members will continue to have "all the tools in the toolbox" available to use. The BIA believes this needs to be clearly defined in the final version of the Plan. Additionally, we cannot accept the boundaries and concept of the conservation form district until we know what the regulations will be, and the DRO regulation needs to be eliminated.

Tree Canopy Requirements

A discussion on tree canopy requirements is currently ongoing with a group of stakeholders, including the BIA. This stakeholder group has been charged with looking at the Land Development Code to review the requirements with the goal of reducing tree canopy loss and increasing our canopy. The group's intention is to complete this work by March, running parallel with the expected completion of the South Floyds Fork Area Plan. The BIA believes there should be no prescriptive language, nor separate tree canopy requirements or regulations, for the South Floyds Fork Area.

Vision Statement

The Vision Statement as it is currently drafted does not fit the goals of the Plan in our view. Furthermore, it misses the mark in stating the need to balance growth and development with preservation in this Area. Here is our suggested language for the Vision Statement:

The Floyds Fork study area is a diverse ecosystem covering around 40,000 acres. In 2040, the Floyds Fork watershed area will maintain its environmental and cultural integrity while simultaneously containing transportation improvements and residential and commercial developments that provide economic development opportunities and meet the needs of the area's diverse and growing population.

Scenarios

We do not believe that the scenarios, along with their specific numbers, should be included in this Plan. Incorporating prescriptive numbers, like those in the scenarios, imply limits on the number of households and people that may choose to live in the area. There should only be a general range of what could happen in the Plan. Specific numbers limit options, so we believe this language should be stricken.

Recommendations

While much work has gone into this report, there are no listed recommendations included in this seventy page document. We will be happy to provide additional comments once the recommendations are provided.

Our comments here are by no means a complete and comprehensive list of our organization's interest and concerns, but I wanted to share our initial feedback with you at this time. I look forward to continuing to work with you on this important Plan for growth in the South Floyds Fork Area.

Sincerely,



Juva Barber
Executive Vice President

CC: Gretchen Milliken, Develop Louisville
Emily Liu, Develop Louisville
Michael King, Develop Louisville
Councilman Stuart Benson



Rachael Armstrong

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September 18, 2019

Michael King
Planning & Design
444 S. 5th St.
Louisville, KY 40202

Members of the Louisville Planning Commission:

Greater Louisville Inc., The Metro Chamber of Commerce, (GLI) writes to comment on the South Floyds Fork Area Plan (“Plan”) draft.

GLI is an economic development organization and chamber of commerce, representing more than 1,700 businesses in 15 counties in Kentucky and Indiana. We are the largest business organization in the region. GLI’s mission is to accelerate economic growth in Greater Louisville by attracting businesses, developing our workforce, and promoting a strong business environment. GLI works closely with our investors in the commercial and residential development industry on issues of concern at the state and local levels.

The South Floyds Fork Area is one of the last remaining large areas of Louisville Metro available for major housing and economic development projects. Because of this, it is important that the Plan serve to foster growth and not limit it. Many of our members have emphasized the importance of ensuring that Louisville does not miss out on a truly unique opportunity for economic growth. A one-size-fits-all approach would be detrimental to all parties interested in the future of the area. A strategic combination of flexibility and incentives, on the other hand, would help balance preservation with economic development.

GLI would also like to comment on the Parklands of Floyds Fork, as it relates to the Plan.

We are currently working on a talent attraction initiative aimed at bringing the best and brightest to our region. The LiveInLou campaign is already underway, and one of the major selling points for our area is the parks system, including the new Parklands. Connectivity to the Parklands will be critical to the success of the LiveInLou campaign since this park system is one of the crown jewels of our community. Sense of place and connectivity to major open spaces is what the young and talented want in choosing where to live, work, and create a business. To that end, housing options in the area should fully embrace the Parklands and allow for easy access to the park similar to the current Cherokee and Seneca parks. With our community growing, there is a need for more housing that connects residents to open spaces.

We appreciate this opportunity to comment on the draft Plan and look forward to continuing to engage with stakeholders on this important issue.

Sincerely,



Kent Oyler
GLI President & CEO

Monday, September 16th, 2019

Metro Planning Commission Members,

The South Floyds Fork Vision (SFFV) area plan is urgently needed to guide the future of the most rapidly developing portion of Jefferson County. In fact, the Planning Commission has approved over 1,300 units/lots since work on this study began two years ago.

I support the current proposal; however, 4 modifications are still needed to help fulfill the Plan's Vision Statement. Please consider adjusting the following Recommendations, as noted by strikethrough and italics:

4.B. ~~Wherever possible~~ Roadways should be buffered from tree clearing. Rather than prohibit logging practices entirely in the area, this recommendation would maintain a buffer of trees and vegetation between public roadways and logging operations. This would reduce the visual impact of tree clearing on roadways and other scenic areas.

5. A. ~~Consider Establishing "common sense" buffer standards between when a 50-foot natural/vegetative buffer in new development is proposed adjacent to permanently protected land. active agricultural uses. Property owners should work together to develop adequate buffers in these cases.~~

21.A. ~~Maintaining and protecting a minimum of 50% tree canopy within the planning area. protects the numerous benefits that trees provide.~~

27.A. ~~Encourage~~ *Require* dark-sky-compliant lighting on all new public and private development throughout the area.

The South Floyds Fork Vision Plan will have a significant impact on the study area. It is essential that the plan allows sustainable growth that protects Floyds Fork and the surrounding area for future generations.

As stated in the SFFV Background, the study area is "one of the more significant natural and rural parts of the county remaining." To help protect these features, I respectfully request that you include the recommended revisions in the proposed plan, which is also supported by a majority of the SFFV Advisory Group.

Sincerely,
Steve & Christi Leonard
3901 Yellow Brick Road
Fisherville, KY 40023
502-744-6884

September 17, 2019

Metro Planning Commission Members,

We would like to express our appreciation to Councilman Benson and Metro Government for supporting the development of the South Floyds Fork Vision (SFFV) area plan. This plan is urgently needed to guide the future of the most rapidly developing portion of Jefferson County, as Metro Planning Commission has approved development of more than 1,300 new lots in the South Floyds Fork area since this study began two years ago.

The plan's Vision Statement says that the Floyds Fork watershed is a natural treasure and its preservation is paramount. The creek is the centerpiece of the entire study area and the renowned Parklands. We support the current proposal, which provides a good foundation for guiding future development; however, a few modifications still are needed to help fulfill the Vision. We ask that you seriously consider adjusting the following Recommendations, as noted by strikethrough and italics:

- 4.B.** ~~Wherever possible~~ Roadways should be buffered from tree clearing. Rather than prohibit logging practices entirely in the area, this recommendation would maintain a buffer of trees and vegetation between public roadways and logging operations. This would reduce the visual impact of tree clearing on roadways and other scenic areas.
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- 27.A.** ~~Encourage~~ *Require* dark-sky-compliant lighting on all new public and private development throughout the area.

The South Floyds Fork Vision Plan will have a significant impact on the study area. This plan will serve as the guiding document for the area's growth, development and investment over the next 20 years. It is essential that the plan allows sustainable growth that protects Floyds Fork and the surrounding area for future generations.

As stated in the SFFV Background, the study area is "one of the more significant natural and rural parts of the county remaining." To help protect these features, we as a majority of the Advisory Group respectfully request that you include our revisions to the proposed plan.

Respectfully,

SFF Vision Advisory Group Members:

Senator Julie Adams

Frances Aprile

Mike Farmer

Anita Johnson

Teena Halbig

Harrell Hurst

David Kaelin

Kurt Mason

Sheila Mead

(date)

Metro Planning Commission Members,

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As stated in the SFFV Background, the study area is "one of the more significant natural and rural parts of the county remaining." To help protect these features, I respectfully request that you include the recommended revisions in the proposed plan, which is also supported by a majority of the SFFV Advisory Group.

Sincerely,
(your name & address)

April 1, 2019

Mr. Jeff O'Brien
Deputy Director, Office of Advanced Planning
Metro Development Center
444 South 5th Street, Suite 600
Louisville, KY 40202

Dear Jeff,

I have reviewed the South Floyds Fork Vision Plan, and this letter is my formal response.

Cities grow best when infrastructure investments lead, rather than follow, new development. While most recognize this fact in regards to roads, or sewers, or power lines, they usually do not recognize it for "soft" infrastructure such as parks and open space. Frederick Law Olmsted, Sr. set the precedent for this when he inserted Central Park (and later other parks) into the middle of New York City's famous street grid, one of the most effective urban plans in history. Despite the fact that the location for Central Park was 30 blocks north of the edge of the city in the 1850's when it was built, he had the temerity to name it Central Park, a long-term vision of its city-shaping role in making New York a livable city. This core principle – that parks are city-shaping infrastructure, in the same fashion as roads or sewers, and that any true urban vision should include them as an intentional part of its planning, represents one of the most important, but least understood and applied, lessons from Olmsted's work and writings.

In the 1890's, Olmsted, Sr. brought this same vision to Louisville, where he laid out the three major sites of Louisville's first park system – Shawnee, Iroquois and Cherokee – along with a series of connecting parkways. Derided as follies because they were so far beyond the edge of the city, today they are urban parks that shape our city and our landscape by enhancing community and environment, improving health and recreation, while serving as the major anchor of Louisville's unique neighborhoods—so important to sustaining our economy and quality of life.

In addition, Olmsted planned carefully the interface between his parks and the city that would grow around them. Olmsted did not oppose development, rather he wanted to assure a well-designed connection with the neighborhood forms of his day. For precisely these reasons, in 2004, 21st Century Parks incorporated to renew this vision of intentional, proactive park development to shape Louisville's fast-growing urban edge in the 21st Century. Integrating world-class park planning and design that combines nearly 4,000 acres of preserved land with the design of a 20-mile long Olmstedian park system that cuts through the last big undeveloped part of a Top 50 metro area, Louisville has an opportunity granted to no other American city at present.

Olmsted's key emphasis on park infrastructure, and the infrastructure of the interface between park and surrounding neighborhood development, defined the heart of his approach. Using Cherokee Park as an example, one can experience the continuum from the core park with its beautiful pastoral design, the interface with its boundary roads and the amazing gateway at The Cherokee Triangle, and then the remarkable diversity in neighborhood form that ranges from high-rise to low rise multifamily, from bungalows to ranch houses, and from the traditional street grid on the west to the more modern curvilinear roads in Cherokee Gardens and the other neighborhoods around Seneca Park. By getting the core infrastructure right—park and boundary interfaces—the design sustained itself through many phases of market housing.

While the South Floyds Fork Vision Plan notes the Olmstedian legacy, it shifts the focus to preserving the present landscape, rather than growing a sustainable new urban edge. A summary of our

concerns about the plan are detailed below. *We do not support the plan in its current form, but provide constructive comments towards a plan we could support.*

South Floyds Fork Vision Plan—Overall concerns:

The plan is too long, too general, ignores the parklands and its interface, and creates a false impression of the scarcity of agriculture and natural areas by stopping at the county line. It also creates a series of mandates that will preserve the current landscape in place and potentially drive development to surrounding counties, or create other unintended consequences, a dubious environmental outcome, and a seriously misplaced economic outcome given the city's need for new revenue. Most importantly, it ignores the singular opportunity to grow our city again around world-class parks, as we did a century ago with the Olmsted system. Doing so requires a more focused approach to design and infrastructure investment, a quality interface with The Parklands of Floyds Fork (TPFF), and a set of design tools that provide flexibility in neighborhood design.

Our general recommendations are as follows:

- First, recognize the significant realities that make this region so important and develop a vision around those realities. These are:
 - The significant growth trajectory presented in your research, and in public input.
 - The singular nature of The Parklands of Floyds Fork, and the opportunity it presents for Louisville.
 - That the landscape surrounding The Parklands has the potential to *achieve* the quality advocated in the current plan, but only through careful planning and specific investments.
- Second, limit the core focus of the study to areas the plan's research and public input demonstrated as important, and which are reasonably within the 20-year vision of the 2040 Plan: the Taylorsville Road/Taylorsville Lake Road corridors, the Fern Creek area, and the area between The Parklands and the Gene Snyder Freeway. A specific focus on these areas in terms of planning and infrastructure investment is more efficient, and will focus growth closer to the city.
- Third, focus on a set of tools rather than mandates, using and strengthening current planning and zoning codes already in place, and present a plan for the interface between surrounding development and The Parklands.
- Finally, restate the Vision around these themes. We suggest something like the following: *"The South Floyds Fork Area consists of tens of thousands of acres on the fast-growing edge of a Top 50 Metropolitan Area, with Floyds Fork creek forming the major geographic focus, and its north-south spine. The nearly 4000-acre Parklands of Floyds Fork incorporates and preserves much of the creek, will shape the pattern of growth, and its long-term conservation plan will create high quality habitat while preserving significant agricultural landscapes. Its emphasis on quality has set the standard for future design and planning in this evolving area. Current demographic trends, as defined in the South Floyds Fork Vision Study, indicate continued growth in the area. The 20-year Vision for the South Floyds Fork Area is to capture the potential of the area with a smart, well-designed plan that provides for connectivity, draws growth closer to the edge of the city using smart infrastructure investments and planning, while preserving, restoring, and enhancing the natural and aesthetic qualities of the area."*

Specific edits to the current plan:

- **Acknowledge this Area's Growth Trajectory and Demographics:** acknowledge what your heat map shows—that the major growth areas are the Taylorsville and Taylorsville Lake Road corridors, The Bardstown Road corridor, and between TPFF and The Gene Snyder Freeway—and plan for *specific* improvements in those areas, rather than the vague, generalized goals and planning

outcomes currently presented. Limit infrastructure investments to these areas. This will focus and contain growth and allow for quality improvements. *Limiting growth by expanding investment adjacent to current infrastructure will do more than anything else to preserve the rural character at the further edges of the county.*

- Example: The Taylorsville Road and Taylorsville Lake Road corridors
 - Specifically identify the roads that need improvements, limit the improvement area to just a couple of miles beyond the current urban edge, and present a parkway design standard. This will limit development to the zone of infrastructure investment (thus providing for the preservation of rural lands and habitat further out), be far more efficient in terms of economic investment, and far more environmentally friendly.
 - Incorporate the Parklands Parkway from our master plan, and create appropriate, consistent design standards.
 - Create a sewer plan for this area, again, to be focused on just the next limited zone of development, instead of the vast zone presented in the current plan.
 - Create a specific road and bike trail plan that connects Taylorsville Lake Road and areas of new development to TPF through one or two existing road corridors, but with an enhanced design standard for those corridors.
 - Locate general areas for future neighborhood park development.
 - Apply similar principles for other infrastructure and the other two major areas of investment (Fern Creek and the zone between TPF and The Gene Snyder).

- **Elevate the Focus and Importance of The Parklands and The Interface Between The Parklands and New Development:** Create design standards, and use existing zoning and planning tools, as well as a clearly defined Design Review Overlay (DRO), that provide for the following (already adopted into Cornerstone 2020 with our original master plan), by restoring The Parklands as the major planning tool for this area through:
 - The creation of park boundary roads with design standards.
 - The creation of linkages from private developments into The Parklands for vehicular, bike, and pedestrian access for neighborhood access, in locations that are appropriate to the park plan.
 - This can and should include a “greenways” plan along major stream corridors with a specific design standard for environmental planning as well as pedestrian and possibly bike access.
 - Minimize the impact on viewsheds while offering visual examples.
 - Require street tree plans for neighborhood development.
 - See “The Neighborhood Plan” section of 2020 document for other specific directions.
 - In addition to these broad concepts, there are several specific areas of focus:
 - Shelbyville Road to Taylorsville Road: Use Echo Trail as a boundary road. Acknowledge the new I-64 interchange while creating a boundary road standard for new development, including trail connections and tree planting requirements for new subdivisions.
 - The Strand:
 - Focus on agricultural preservation for major farms along The Strand
 - Create standards for tree preservation on steep slopes and ridgetops, while allowing for some clearing to facilitate views for ridgetop development (similar to Cherokee Park)

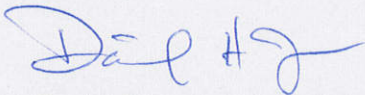
- **Utilize Existing Tools Rather than Creating a Complex Set of New Ones:** Rather than create a whole suite of new tools, utilize existing tools more effectively.
 - For example, maintain the current stream buffer standard, but add standards for the maintenance of those buffers in an ecologically positive fashion. A buffer alone does not

guarantee environmental quality; rather, it's the buffer standard and its actualization that matters.

- Utilize the existing DRO more effectively to set preferred design standards, and to offer a deeper level of review. By focusing review on areas that really need it (especially the interface with The Parklands and steep slopes along the creek), developers, neighbors, and 21st Century Parks, will have deeper input into the critical issues for specific parcels, rather than a cookie cutter approach.
- Maintain current floodplain/floodway and steep slope guidelines, but again, be more specific about how those areas can be improved from an environmental or viewshed perspective. Aligning these with the DRO will allow the additional review required to work thru site-specific issues.
- We have done more extensive work on environmental restoration in this area than any other organization and understand clearly the issues and the challenges. More focused zones of improvement (such as existing stream buffers), with more specific outcome goals, will do far more to enhance ecological quality in this area than broad mandates with no specified environmental outcomes.

Conclusion: By keeping the focus on growing our city efficiently through infrastructure investments at the next ring of growth *as indicated in the plan's clear demographic research and public input*, allowing flexibility and choice in neighborhood form, and applying existing regulations in ways and areas that support environmental quality, the city will more effectively balance growth with great design, and take advantage of the opportunity presented by The Parklands to create the finest urban edge in America. Rather than just a general acknowledgement of the Olmstedian vision and process, actually develop the tools to make it a reality. The first phase—the creation of The Parklands—is largely complete, and it is now time to harness the parks to develop a truly unique urban edge that integrates growth and development with the preserved natural areas of the parks. We've done it before and can do it again!

Sincerely,



Daniel, H. Jones, M.F., Ph.D.
Chairman and CEO, 21st Century Parks, Inc.

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

September 18, 2019

Metro Planning Commission Members:

We believe the South Floyds Fork Vision are plan is urgently needed to guide the future of this rapidly developing portion of Jefferson County. The Planning Commission has approved more than 1300 units/lots since work on this study began two years ago.

Although we support the current proposal, we believe four modifications are still needed to help fulfill the plan's Vision Statement. Please consider the following recommendations which are noted by strike through and italics:

4.B. Wherever possible Roadways should be buffered from tree clearing. Rather than prohibit logging practices entirely in the area, this recommendation would maintain a buffer of trees and vegetation between public roadways and logging operations. This would reduce the visual impact of tree clearing on roadways and other scenic areas.

5.A. Consider Establishing "commonsense buffer standards between when a 50-foot natural/vegetative buffer in new development is proposed adjacent to permanently protected land. active agricultural uses. Property owners should work together to develop adequate buffers in these cases.

21.A. Maintaining and protecting a minimum of 50% tree canopy within the planning area. protects the numerous benefits that trees provide.

27.a. Encourage Require dark-sky-compliant lighting on all new public and private development throughout the area.

The South Floyds Fork Vision Plan will have a significant impact on the study area. It is essential that the plan allows sustainable growth that protects Floyds Fork and the surrounding area for future generations.

As stated in the SFFV Background, the study area is "one of the more significant natural and rural parts of the county remaining." To help protect these features, we respectfully request that you include the recommended revisions in the proposed plan, which is also supported by a majority of the SFFV Advisory Group.

Sincerely,

George W. S. Hoge

Doris D. Hoge

16312-16320 Taylorsville Road

Fisherville, KY 40023

From: agunnison@aol.com <agunnison@aol.com>
Sent: Monday, September 16, 2019 2:39 PM
To: Williams, Julia <Julia.Williams@louisvilleky.gov>
Subject: Trees at Floyds Fork

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

September 16, 2019

Metro Planning Commission Members,

I have attended some meetings and participated in strategic discussions of how best to address the issue of trees and development in this (and other) important areas of the city. I strongly support the recommendations of far more experienced and knowledgeable people than I, and urge you to vote for the specific regulations as outline below.

The South Floyds Fork Vision (SFFV) area plan is urgently needed to guide the future of the most rapidly developing portion of Jefferson County. In fact, the Planning Commission has approved over 1,300 units/lots since work on this study began two years ago. Please consider adjusting the following Recommendations, as noted by strikethrough and italics:

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Louisville needs it's trees!!

Sincerely,

Alice Gunnison
7849 Wolf Pen Branch Rd
Prospect, KY 40059

Sent from my iPad

Begin forwarded message:

From: steven skaggs <sxskag01@louisville.edu>

Date: September 16, 2019 at 8:54:22 PM EDT

To: "Julia.williams@louisvilleky.gov" <Julia.williams@louisvilleky.gov>

Subject: More Trees in Floyd's Fork

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

I support the idea of more trees in the Floyd's Fork area. The standards should be tougher so that they require trees to be saved and more trees planted. Equal bio-mass should be planted for any bio-mass taken out.

Steven Skaggs

8116 Wolf Pen Branch rd

Prospect, KY 40059

Monday, September 16th, 2019

Metro Planning Commission Members,

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Steve & Christi Leonard
3901 Yellow Brick Road
Fisherville, KY 40023
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