

ORDINANCE No. _____, SERIES 2014

AN ORDINANCE AMENDING CHAPTERS 1, 2, 4, 5, AND 8 OF THE LAND DEVELOPMENT CODE, APPLICABLE SECTIONS MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A, WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

SPONSORED BY: Councilman James Peden

WHEREAS, the Planning Commission held a public hearing on August 11, 2014 to consider a large number of amendments to various sections of the Land Development Code ("LDC") for the purposes of updating and improving the LDC, resolving potential conflicts in the application of various LDC provisions and clarifying language that was determined to be potentially confusing on its face or in its application; and

WHEREAS, the Planning Commission has recommended approval of the amendments itemized in each of the six reports as stated in the Planning Commission's minutes of August 11, 2014 and contained in the attachments for this Ordinance and as summarized in the Round Two LDC Text Amendments Index also contained in the attachments; and

WHEREAS, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 14AMEND1003 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. 14AMEND1003, dated August 11, 2014, 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

Jim King
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

EXHIBIT A

MIS STAFF ITEM A

5.12.2 Outdoor Amenities/Focal Point(s)

- A. Developments in all form districts within the Neighborhood, Suburban Marketplace Corridor, Suburban Workplace and Regional Center Form Districts shall meet the following standard.
1. Retail, Office and Mixed-Use developments that involve construction of a building or buildings with a total footprint greater than 100,000 square feet shall set aside an area equivalent to a minimum of 10% of the total building footprint for outdoor amenities. Outdoor amenities may be used as a way of fulfilling the focal point requirement for activity centers listed within the Cornerstone 2020 comprehensive plan. The applicant shall provide outdoor amenities that include any one or a combination of the following (Note: Final design of outdoor amenities shall require approval from the Planning Commission or designee):

MIS STAFF ITEM B

4.1.3 Lighting

- B. Regulations
9. Prohibitions
 - c. Flashing and strobe lights employed to draw attention to business establishments, special events, etc. are prohibited. ~~Please see Section 4.3.2 C.1 for information regarding federal hazard warning luminaries.~~

MIS STAFF ITEM C

1.2.2 Definitions

Demolition – A structure meeting any of the following criteria items:

1. A structure which has more than 50% of its exterior perimeter walls voluntarily removed.
2. More than 50% of a structure's structural roof system is voluntarily removed.

3. More than 50% of a structure's floor slab or foundation has been voluntarily removed to grade level.

MIS STAFF ITEM D

~~4.3.9 In-Home Day Care~~

~~The occupant of a single-family dwelling may provide day care services for no more than (6) six individuals at one time provided by the occupant of a single family residence and in accordance with the following standards:~~

- ~~A. Associated outdoor activity other than pick-up and drop-off of children shall be prohibited between 9 P.M. and 7 A.M.~~
- ~~B. Home Occupation Registration shall be completed and filed with the Department of Planning and Design Services.~~
- ~~C. One non-resident employee is permitted.~~
- ~~D. In-home day care facilities serving between four and six children shall be certified by the Kentucky Cabinet for Families and Children (CFC). Proof of certification shall be submitted at time of Home Occupation registration.~~

4.4.5 HOME OCCUPATIONS

G. Permitted Locations and Maximum Size/Area. (This section does not apply to In-Home Day Care Home Occupations.)

H. Hours of Operation.

3. While In-Home Day Care Home Occupations may operate 24 hours a day, all associated outdoor activity other than pick-up and drop-off of children shall be prohibited between 9 P.M. and 7 A.M.

NOTE: Uses generally acceptable as home occupations include:

Day care facilities In-Home Day Cares (6 or less fewer individuals)* (in effect within Louisville Metro only)

Day care facilities In-Home Day Cares (7 or less fewer individuals)* (not in effect within Louisville Metro and the City of Prospect)

Mail Order Operations

Woodshops

Beauticians

The offices of the following professionals:

Accountants, Architects, Attorneys, Engineers, Real estate brokers, Sales and Manufacturing Representatives, Financial advisors, Insurance agents, Landscape architects Counselors, Mediators, Travel agents, Therapists, Chiropractors, Psychologists, and Psychiatrists

* Plus up to four individuals related to the operator. 922 KAR 2:100 defines "related" as having one of the following relationships with the provider: child, grandchild, niece, nephew, sibling, step-child, or child in legal custody of the provider.

MIS STAFF ITEM E

8.2.1 Sign Illumination and Movement

D. Changing image signs (includes electronic changeable copy signs and time and temperature signs) shall conform to the following standards:

8. Freestanding or attached signs that include changing image signs shall not be located closer than 300 feet to an Olmsted Park boundary or Olmsted Parkway right-of-way.