

ORDINANCE NO. _____, SERIES 2018

AN ORDINANCE AMENDING ORDINANCE NO. 132, SERIES 2017 REGARDING TEXT AMENDMENTS TO VARIOUS CHAPTERS OF THE LAND DEVELOPMENT CODE AS THEY RELATE TO PRIVATE INSTITUTIONAL USES.

SPONSORED BY: COUNCILMAN BRANDON COAN

WHEREAS, on August 15, 2017, Ordinance No. 132, Series 2017 approved text amendments to various chapters of the Land Development Code regarding Private Institutional Uses in Residential Zoning Districts.

WHEREAS, the attachment to the Ordinance was incomplete and is hereby corrected with Attachment A appended hereto.

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

SECTION I: Ordinance No. 132, Series 2017 is hereby amended by removing the attachment approved on August 15, 2017 and replacing it with Attachment A appended hereto.

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

H. Stephen Ott
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: _____

Attachment A

Chapter 1 Part 2 Definitions

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1.2.2 Definitions

Institutional Use – ~~Publicly owned and/or operated, semipublic,~~ and private elementary schools, middle schools, high schools, civic buildings, community buildings and uses including substations, governmental buildings, religious buildings, ~~churches,~~ museums, art galleries, fire houses, post offices, police stations, reservoirs, libraries, parks, essential services, hospitals, and similar uses, any of which may have additional requirements to use set forth within. For the purposes of this code all institutional uses shall be considered as non-residential uses.

Institutional Use, Private – An institutional use that is not publically owned and/or operated.

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Chapter 2 Part 2 Residential Zoning Districts

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2.2.1 R-R Rural Residential District

A. Permitted Uses:

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1. General

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Publicly owned and/or operated libraries, ~~Libraries,~~ museums, historical buildings and grounds, arboretums, aquariums, and art galleries

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2. The following uses are permitted provided that all structures and their accessory structures or uses observe a one hundred and fifty feet (150) front, street side, side and rear yard:

* * * * *

~~Convents and monasteries~~

* * * * *

Publicly owned and/or operated colleges, ~~Colleges,~~ schools, and institutions of learning (except training schools)

Publicly owned and/or operated parks, ~~Parks and playgrounds,~~ and community centers, ~~public~~

~~Private non-profit clubs or camps of a recreation nature (other than outdoor gun clubs)~~

~~Religious buildings~~

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2.2.2 R-E Residential Estate District

* * * * *

A. Permitted Uses:

* * * * *

~~Convents and monasteries~~

Attachment A

* * * * *

Publicly owned and/or operated colleges, Colleges, schools, and institutions of learning (except training schools)

Publicly owned and/or operated libraries, Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

Publicly owned and/or operated parks, Parks, playgrounds, and community centers

~~Religious buildings~~

* * * * *

2.2.3 R-1 Residential Single Family District

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A. Permitted Uses:
* * * *

~~Convents and monasteries~~
* * * *

Publicly owned and/or operated colleges, Colleges, schools and institutions of learning (except training schools)

Publicly owned and/or operated libraries, Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

Publicly owned and/or operated parks, Parks, playgrounds, and community centers

~~Religious buildings~~

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2.2.8 U-N Urban Neighborhood District

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A. Permitted Uses:
* * * *

~~Convents and monasteries~~
* * * *

Publicly owned and/or operated colleges, Colleges, schools, and institutions of learning (except training schools)

Publicly owned and/or operated libraries, Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

Publicly owned and/or operated parks, Parks, playgrounds, and community centers

* * * * *

~~Religious buildings~~

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2.2.9 R-5A Residential Multi-Family District

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A. Permitted Uses:

Attachment A

- * * * * *
- Colleges, schools and institutions of learning (except training schools)
- * * * * *
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Parks, playgrounds, and community centers
- Religious buildings

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2.2.10 R-5B Residential Two-Family District

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- A. Permitted Uses:
- * * * * *
- Colleges, schools and institutions of learning (except training schools)
- * * * * *
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Parks, playgrounds, and community centers
- Religious buildings

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2.2.11 R-6 Residential Multi-Family District

- * * * * *
- A. Permitted Uses:
- * * * * *
- Colleges, schools and institutions of learning (except training schools)
- * * * * *
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Parks, playgrounds, and community centers
- Religious buildings

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2.2.12 R-7 Residential Multi-Family District

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- A. Permitted Uses:
- * * * * *
- Colleges, schools and institutions of learning (except training schools)
- * * * * *
- Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
- Parks, playgrounds, and community centers
- Religious buildings
- * * * * *

Attachment A

2.2.13 R-8A Residential Multi-Family District

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A. Permitted Uses:

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Colleges, schools and institutions of learning (except training schools)

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Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

Parks, playgrounds, and community centers

Religious buildings

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Chapter 4 Part 2 Conditional Uses

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4.2.1 Intent and Applicability

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Section	Conditional Use
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<u>4.2.65</u>	<u>Private Institutional Use in a Single-Family Zoning District</u>

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4.2.65 Private Institutional Use in a Single-Family Zoning District

Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

- A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district, all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.
- B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.
- C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.
- D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).
- E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties.