

ORDINANCE NO. 048, SERIES 2016

AN ORDINANCE AMENDING SECTIONS 1.2.2, 4.2.20 AND 5.8.4 OF THE LAND DEVELOPMENT CODE PERTAINING TO TRANSPORTATION AND PERMITTED/CONDITIONAL USES—APPLICABLE SECTIONS ARE 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;

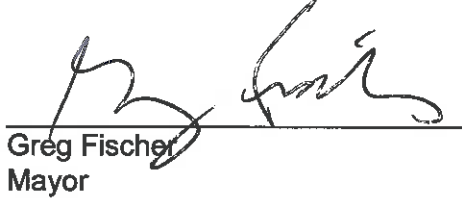
Now THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: With amendments, 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 PRO - TEM


David Yates
President of the Council


Greg Fischer
Mayor

4/21/16
Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 

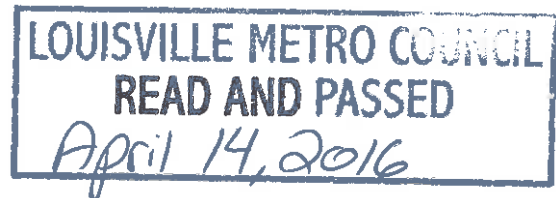


EXHIBIT A

**PERMITTED / CONDITIONAL USES LDC SUB-COMMITTEE
DRAFT ORDINANCE ATTACHMENT**

PCUP ITEM #27

4.2.20 Doctor, Dentist, or Chiropractor or Other Licensed Health Care Provider Office

One office for one ~~medical doctor, dentist or chiropractor~~ **physician, osteopath, or podiatrist licensed under KRS Chapter 311; chiropractor licensed under KRS Chapter 312; dentist licensed under KRS Chapter 313; optometrist licensed under KRS Chapter 320; advanced practice registered nurse licensed under KRS Chapter 314; or other health care practitioner as determined by the department by administrative regulations promulgated under KRS Chapter 13A** may be allowed on a lot in the R-4, R-5, R-5A, R-5B, R-6, and R-7 districts where the premises abuts a ~~major or minor~~ **an arterial or collector level street as** designated in the Comprehensive Plan for all of Jefferson County, Kentucky, upon the granting of a Conditional Use Permit and compliance with the listed requirements:

- A. Floor Area - The maximum floor area for the office use is 800 **1,000** square feet.
- B. Parking Areas - parking spaces shall be provided off of the street in an area to the rear of the premises, so that the off-street parking area shall not be between a street and the building. Said parking area must be paved by asphalt or concrete and shall be screened by a dense evergreen shrub screen with a minimum height of five feet, or a wall constructed of brick, stone or wood with a minimum height of five feet.
- C. Signs - There shall be allowed one non-illuminated identification sign indicating the name and occupation, which sign shall be limited in size to four square feet and placed on the building.
- D. Exterior Design - The building shall remain or shall be constructed so that the exterior design and ornamentation is of residential character in keeping with the immediate neighborhood, so that there is no evidence from the street that the use is other than residential (except for the sign).
- E. **Number of Employees – No more than five total employees, including the medical professional, shall be permitted.**

TRAN LDC SUB-COMMITTEE
DRAFT ORDINANCE ATTACHMENT

TRAN ITEM #8

1.2.2 Definitions

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BOARDING AREA – A paved area that allows for the extension of a wheelchair lift and safe boarding and alighting of a person in a wheelchair. A 5-ft by 8-ft concrete pad is required at all new or renovation bus/transit stops.

...

TRANSIT ROUTE – A defined series of stops along one or more streets between two terminal locations designated by a number and/or a name for identification internally and to the public.

TRAN ITEM #12

5.8.4 Street Design

A. Traditional Form Districts – Residential Development Only

1. Street design and right-of-way requirements shall be consistent with the standards for Traditional Neighborhoods located in Chapter 6 Part 2 of this Development Code, with the following additional requirements:

a. **Street layout should follow a traditional grid pattern.**

b. a. Connection with existing street network. Developments shall utilize and connect with existing street networks where available. Where an existing or planned network of streets does not exist, a standard or modified grid street pattern shall be provided.

c. b. Alleys. Vehicles shall have access through existing alleys. Underutilized alleys, or those in disrepair, shall be repaired in conjunction with new development for the length of the development site's frontage on the alley as a means of encouraging future use unless the Public Works and Planning Directors jointly determine this is infeasible.

d. e. Cul-de-sacs. Cul-de-sacs may be permitted only where special circumstances preclude through street connection. Such circumstances include:

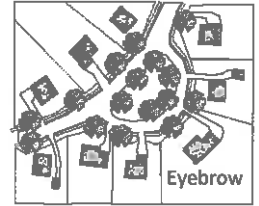
- i. Where natural features exist that are not practical to traverse (e.g., wetlands, steep slopes) or are not desirable to remove (e.g., wooded areas).
- ii. Where connection to the next street is blocked by existing permanent structures, an existing or proposed expressway or limited access highway, or protected open space area.
- iii. If a cul-de-sac is permitted, it shall contain a planting island at its terminus with an outside edge of pavement radius of at least 40 feet.

e. d. Preferred Street Designs

The following alternative street designs are preferred to cul-de-sacs and shall be permitted where appropriate to supplement the more formal grid pattern according

to the following standards:

- i. **Eyebrow.** An eyebrow is a semicircular shaped road with a central planting island extended from the local road and provides a through connection to the local road.

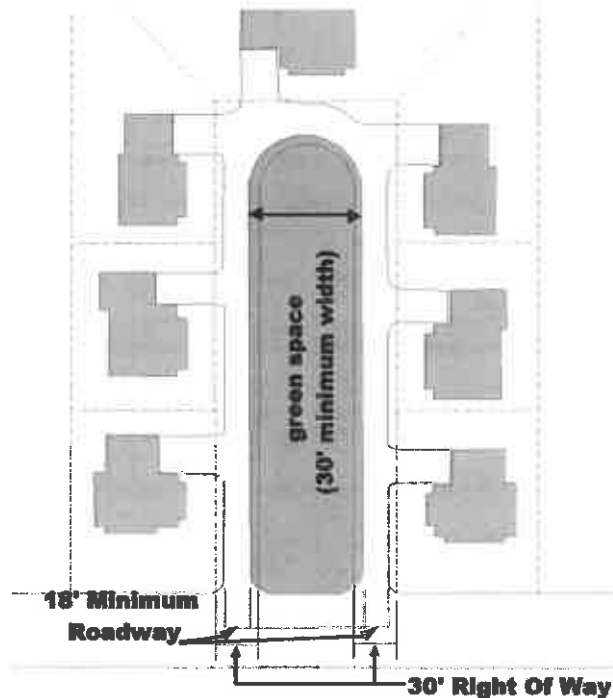


Each eyebrow shall be surrounded by streets on all sides, shall be generally configured as a semi-circle, and shall be configured so that a circle with a radius of 30 feet can fit within the confines of the eyebrow. The central space within the eyebrow shall be planted with natural vegetation such as trees, shrubs, and/or groundcover to absorb stormwater runoff.

- ii. **Loop Lane.** A loop lane is a continuous road (minimum pavement width of 18 feet and 30 feet right-of-way) with two access points from an adjacent road, separated by a central open space/planting island.

Loop lanes shall have a minimum 50 foot outside edge of pavement turning radius and a minimum 25 foot wide central planting island. The island shall be a landscaped open space.

- iii. **Pedestrian Court.** See B.1.b iii. below.



Loop Lane

- f. **Alternate Street Designs.** Alternative street designs not included above may be appropriate if a) consistent with the pattern of development in adjacent traditional neighborhoods, b) due to unique physical or environmental features, or c) due to

innovative housing designs. Alternate street designs shall meet applicable AASHTO standards for pavement widths and turning radii.

- g. Green Streets. The construction of Green Streets, green intersections, storm water curb extensions, green alleys or other types of Green Management Practices (GMPs) shall be reviewed and approved by the Director of Works, MSD and the Kentucky Transportation Cabinet (within State-controlled right-of-way) on a case by case basis. Pavement width, verge width and sidewalk requirements for Green Streets shall be determined by the Director of Works.**