

ORDINANCE NO. \_\_\_\_\_, SERIES 2014

AN ORDINANCE APPROVING TEXT AMENDMENTS TO SECTIONS 2.6.4 AND 2.6.5 OF THE LAND DEVELOPMENT CODE CLARIFYING INDOOR AND OUTDOOR ALCOHOL SALES AND CONSUMPTION USES FOR RESTAURANTS ~~AND ADDING TAVERNS~~ AS A PERMITTED USE IN THE W-1 WATERFRONT AND THE W-2 WATERFRONT DISTRICTS AND BEING IN LOUISVILLE METRO (CASE NO. 14AMEND1000) (AS AMENDED).

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

WHEREAS, the Louisville Metro Planning Commission, as set forth in its minutes and records of Case No. 14AMEND1000, has recommended to the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") that text amendments to Sections 2.6.4 and 2.6.5 of the Land Development Code clarifying indoor and outdoor alcohol sales and consumption uses for restaurants ~~and adding taverns~~ as a permitted use in the W-1 Waterfront and the W-2 Waterfront Districts and being in Louisville Metro be approved; and

WHEREAS, the Council concurs in part and adopts in part the findings of the Planning Commission in Case No. 14AMEND1000 and approves and accepts in part the recommendations of the Planning Commission as set out in said minutes and records, including the amendments to Sections 2.6.4 and 2.6.5 as set forth in Exhibit A;

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

**Section I:** Text amendments to Sections 2.6.4 and 2.6.5 of the Land Development Code clarifying indoor and outdoor alcohol sales and consumption uses for restaurants ~~and adding taverns~~ as a permitted use in the W-1 Waterfront and the W-2 Waterfront Districts as set forth in Exhibit A and being in Louisville Metro are approved.

**Section II:** This Ordinance shall take effect upon passage and approval.

\_\_\_\_\_  
H. Stephen Ott  
Metro Council Clerk

\_\_\_\_\_  
Jim King  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_, SERIES 2014**

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WHEREAS, the Council concurs in part and adopts in part the findings of the Planning Commission in Case No. 14AMEND1000 and approves and accepts in part the recommendations of the Planning Commission as set out in said minutes and records, including the amendments to Sections 2.6.4 and 2.6.5 as set forth in Exhibit A;

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

**Section I:** Text amendments to Sections 2.6.4 and 2.6.5 of the Land Development Code clarifying indoor and outdoor alcohol sales and consumption uses for restaurants as a permitted use in the W-1 Waterfront and the W-2 Waterfront Districts as set forth in Exhibit A and being in Louisville Metro are approved.

**Section II:** This Ordinance shall take effect upon passage and approval.

**CLEAN COPY**

\_\_\_\_\_  
H. Stephen Ott  
Metro Council Clerk

\_\_\_\_\_  
Jim King  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

# EXHIBIT A

## PROPOSED TEXT AMENDMENTS (Amended after 4/23/14 Metro Council Ad Hoc LDC Committee Meeting)

### 2.6.4 W- 1 Waterfront District

The following provisions shall apply in the W-1 Waterfront District unless otherwise provided:

A. Permitted Uses:

Dwellings, Multiple family  
Hotel, motel and accessory commercial including restaurants  
Public and private docking  
Public assembly and festival gathering  
Public parks and recreation

**Restaurants (including restaurants with indoor and outdoor seating with alcohol sales and consumption is permitted with proper ABC license)**

River-theme retail commercial uses including restaurants ~~(indoor and outdoor seating with alcohol sales and consumption is permitted with proper ABC license)~~ and other retail establishments complementary to uses listed above

Vehicular parking structures when part of a larger development including a mix of above uses

B. Prohibited Uses:

All uses other than those listed as permitted or similar to those permitted are prohibited. Specifically prohibited are adult entertainment uses and advertising signs/billboards (off-premises advertising).

C. Permitted Uses With Special Standards\*

The following uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

1. Community Service Facility
2. Transitional Housing
3. Homeless Shelter

D. Property Development Regulations

Refer to the applicable Form District regulations in Chapter 5 for lot size, setback, building height and other restrictions.

E. Maximum Density and FAR

1. Maximum Floor Area Ratio:.....None
2. Maximum Density:
  - a. For 0 bedroom dwelling units only.....435 dwellings per acre
  - b. For 1 bedroom dwelling units only.....217 dwellings per acre
  - c. For 2 or more bedroom dwelling units only...145 dwellings per acre

## EXHIBIT A (CONTINUED)

### 2.6.5 W-2 Waterfront District

The following provisions shall apply in the W-2 Waterfront District unless otherwise provided:

A. Permitted Uses:

- Automobile service stations, convenience stores and branch banks when located on parcels without river frontage
- Dwellings, Multiple family
- Governmental services
- Hotels, motels; including accessory docking facilities
- Offices: professional, general
- Pleasure boat sales and boat service if contained within a building or performed in the water
- Private river-oriented recreational facilities, including boat charter, private boat docking, sight seeing
- Public assembly facilities and festival gathering places
- Public parks and recreation
- Restaurants; including accessory docking facilities **(also including restaurants with indoor and outdoor seating with alcohol sales and consumption is permitted with proper ABC license)**
- River-theme retail commercial uses including restaurants **(indoor and outdoor seating with alcohol sales and consumption is permitted with proper ABC license)** and other retail establishments complementary to uses listed above

B. Prohibited Uses:

All uses other than those listed as permitted or similar to those permitted are prohibited. Specifically prohibited are adult entertainment uses and advertising signs/billboards (off-premises advertising).

C. Permitted Uses With Special Standards\*

The following uses are permitted in this district provided they meet the special standards and requirements listed for such uses in Chapter 4 Part 3.

1. Community Service Facility
2. Transitional Housing
3. Homeless Shelter

D. Property Development Regulations

Refer to the applicable Form District regulations in Chapter 5 for lot size, setback, building height and other restrictions.

E. Maximum Density and FAR

1. Maximum Floor Area Ratio:.....8.0
2. Maximum Density:
  - a. For 0 bedroom dwelling units only.....435 dwellings per acre
  - b. For 1 bedroom dwelling units only.....217 dwellings per acre
  - c. For 2 or more bedroom dwelling units only...145 dwellings per acre