

**Planning Commission**  
Staff Report  
Jun 6, 2019



<b>Case No:</b>	19AMEND1004
<b>Project Name:</b>	Health Club LDC Amendment
<b>Applicant:</b>	Louisville Metro
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	All Council Districts
<b>Case Manager:</b>	Chris French, AICP, Planning and Design Supervisor

### **REQUEST**

Amend Sections 1.2.2, 2.3.4, 2.3.5, 2.4.1, 2.4.2, 2.4.3, and Table 9.1.2F of the Land Development Code (LDC) regarding health clubs/fitness centers and related uses.

### **SUMMARY/BACKGROUND**

The Planning Commission adopted a resolution requesting planning staff to develop an amendment to the Land Development Code regarding health clubs/fitness centers and related uses on March 21, 2019 (**Attachment 1**). This resolution requested that planning staff research the appropriate zoning districts for health clubs and develop a text amendment to better manage the location of health clubs and related uses within Louisville Metro.

### **PLANNING COMMITTEE MEETING**

The Planning Committee conducted a meeting to discuss this text amendment on May 13, 2019. The Committee made suggestions in relation to parking for the different uses and directed staff to adjust the athletic facility definition to address concerns regarding training facilities such as gymnastics and martial arts training. The Committee unanimously forwarded the text amendment to the Planning Commission for a public hearing.

### **STAFF ANALYSIS**

The changes proposed include:

1. The creation of definitions for health club/fitness center and physical fitness instruction.
2. An adjustment to the athletic facility definition to ensure that training is included as well as observation.
3. Changes to the parking requirements to reflect changes needed for health clubs and physical fitness instruction based on staff research and zoning enforcement complaints.
4. Changes to the permitted use lists for OR-3, OTF, C-N, C-R, and C-1 to reflect the addition of health club/fitness center and physical fitness instruction.

## APPLICABLE PLANS AND POLICIES

This amendment to the LDC text is consistent with the following policies of Plan 2040:

Economic Development 2.2 - Provide opportunities for the adaptive re-use of older industrial land and encourage infill development through flexible land use regulations, when such projects would not result in the proliferation of incompatible land uses.

Economic Development 2.6 - Review and update the Land Development Code to facilitate redevelopment of vacant and underused commercial and industrial properties to improve and maintain neighborhood vitality.

Community Form 2.18 - To encourage development and redevelopment in certain locations, implement innovative practices for land use regulations, such as form based coding and permissive zoning. Regularly review and update the Land Development Code to ensure best practices are followed.

## NOTIFICATION

Notification of the Planning Commission public hearing was conducted in accordance with KRS 100 requirements. In addition, staff provided notice to those registered neighborhood groups and individuals on the list for electronic notification for development proposals.

## STAFF CONCLUSIONS

The proposed amendments, as set forth in **Attachment 2**, would further define specific uses not listed within Chapter 2 of the LDC and provide specific zoning districts where these uses would be permitted.

Staff makes these LDC text amendment recommendations in consideration of the following:

**WHEREAS**, the Planning Commission finds that the proposed amendments to Sections 1.2.2, 2.3.4, 2.3.5, 2.4.1, 2.4.2, 2.4.3, and Table 9.1.2F of the LDC comply with the applicable policies of Plan 2040; and.

**WHEREAS**, the Planning Commission further finds that the proposed LDC text amendments comply with Community Form policy 2.18 because the proposed text amendments are based on a review of the LDC and will encourage reuse and redevelopment of vacant and underused properties within Louisville Metro; and

**WHEREAS**, the Planning Commission further finds that the proposed LDC text amendments comply with Economic Development policy 2.2 because the amendments will provide opportunities for adaptive reuse of older development and encourage infill development; and.

**WHEREAS**, the Planning Commission further finds that the proposed LDC text amendments comply with Economic Development policy 2.18 because these amendments will encourage development and redevelopment in certain zoning districts such as the Neighborhood Commercial and Commercial Residential Districts.

### **ATTACHMENTS**

1. Planning Commission Resolution – March 21, 2019
2. Proposed LDC text amendment to Sections 1.2.2, 2.3.4, 2.3.5, 2.4.1, 2.4.2, 2.4.3, and Table 9.1.2F

**PLANNING COMMISSION MINUTES  
March 21, 2019**

**PUBLIC HEARING**

**Health Club Text Amendment**

Request: Resolution requesting Planning Staff to research Zoning Districts for Health Clubs  
Project Name: Health Clubs  
Jurisdiction: Louisville Metro  
**Staff Case Manager: Christopher French, AICP**  
**Presented By: Joe Reverman, Assistant Director Planning and Design**

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Discussion**

02:45:42 Mr. Reverman said there are 2 issues that have come up recently regarding health clubs – no specific listing in the Land Development Code and no defined use; also, other smaller studios for personal training need to be included in the Land Development Code as well. The request is for the Planning Commission to adopt a resolution requesting Planning and Design staff research this issue and come back with some recommendations, first to the Planning Committee and then Metro Council.

**An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

On a motion by Commissioner Howard, seconded by Commissioner Carlson, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **ADOPT** a resolution requesting Planning and Design staff to research zoning districts for health clubs.

**The vote was as follows:**

**YES: Commissioners Brown, Carlson, Daniels, Howard, Peterson, Tomes and Jarboe**

**NOT PRESENT AND NOT VOTING: Commissioner Robinson, Smith and Lewis**

2. Proposed LDC Text Amendment for

Added Text  
~~Deleted text~~

**LOUISVILLE METRO LAND DEVELOPMENT CODE**

**1.2.2 Definitions**

\* \* \* \*

**Athletic Facility, Indoor and Outdoor** – A place designed and equipped primarily for observation and/or training of sports, including but not limited to a sports field, basketball or tennis court, stadium, or arena. Accessory facilities include, but are not limited to, equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking. The term does not include paint ball ranges or animal race tracks.

\* \* \* \*

**Groundwater Drainage Basin** - An area of the landscape that drains through the subsurface to a spring or other component of a karst drainage system such as a cave stream or karst window. This term is analogous to “catchment” for surface drainage systems, in which case it denotes an area of the landscape that drains to a river confluence or other point in a surface drainage system. In contrast to surface catchments, karst groundwater drainage basins generally cannot be determined by topographic maps, and thus must be delineated by other methods, primarily dye tracing.

Health Club/Fitness Center – A facility where members or nonmembers use equipment or space for the purpose of physical fitness. This use may include space for physical fitness instruction.

\* \* \* \*

**Phase** -A designated portion of a larger development, which is to be constructed as a unit and which is do designed that it can stand on its own even if the other phases of the development are never constructed.

Physical Fitness Instruction – A use of a site where classes are offered related to the physical fitness of participants which includes but is not limited to, personal training, yoga instruction, and aerobics instruction.

\* \* \* \*

**2.3.4 OR-3 Office/Residential District**

\* \* \* \*

A. Permitted Uses:

\* \* \* \*

Medical laboratories, excluding for-profit blood collection centers

Physical Fitness Instruction

\* \* \* \*

**2.3.5 OTF Office/Tourist Facility District**

\* \* \* \*

A. Permitted Uses:

\* \* \* \*

Photographic portrait studios

Physical Fitness Instruction

\* \* \* \*

**2.4.1 C-N Neighborhood Commercial District**

\* \* \* \*

A. Permitted Uses:

\* \* \* \*

Hardware stores

Health Club/Fitness Center

\* \* \* \*

Photography studios

Physical Fitness Instruction

\* \* \* \*

**2.4.2 C-R Commercial Residential District**

\* \* \* \*

~~A.~~ Permitted Uses:

All uses permitted in the R-7 Residential Multi Family District, as well as the following use(s):

~~B. Special Permitted Uses~~

The following uses, subject to the special requirements set forth in Paragraph D.1, below are permitted:

\* \* \* \*

Antique shops and interior decorating shops

\* \* \* \*

Hardware stores

Health Club/Fitness Center

\* \* \* \*

Photography studios

Physical Fitness Instruction

\* \* \* \*

~~C.~~ B. Permitted Uses with Special Standards

\* \* \* \*

~~D.~~ C. Conditional Uses

\* \* \* \*

~~E.~~ D. Property Development Regulations

\* \* \* \*

~~F.~~ E. Maximum Density and FAR

\* \* \* \*

**2.4.3 C-1 Commercial District**

\* \* \* \*

A. Permitted Uses:

\* \* \* \*

Hardware and paint stores

Health Club/Fitness Center

\* \* \* \*

Photography studios

Physical Fitness Instruction

\* \* \* \*

**Table 9.1.2F Minimum and Maximum Motor Vehicle Parking Based on Use**

USE CATEGORY	SPECIFIC USES	MINIMUM SPACES REQUIRED	MAXIMUM SPACES REQUIRED
	* * *	* * *	* * *
<b>Recreational</b>	Golf Driving Ranges and Miniature Golf Courses	1 space for each 1.5 tees, plus 1 space for each 1.5 employees on maximum shift	1 space for each tee, plus 1 space for each employee on maximum shift
	<u>Health Club/Fitness Center</u>	<u>1 space for 250 sq. ft. of gross floor area, plus 1 space for 200 sq. ft. of gross floor area used for classroom/instruction area</u>	<u>1 space for 100 sq. ft. of gross floor area</u>
	Indoor Athletic Facilities and Exercise Facilities/Health Club/Gymnastic, Karate, Yoga Studios and similar facilities	1 space for each 300 sq. ft. of gross floor area	1 space for each 100 sq. ft. of gross floor area
	* * *	* * *	* * *
	<u>Physical Fitness Instruction</u>	<u>1 space for 200 sq. ft. of gross floor area</u>	<u>1 space for each 100 sq. ft. of gross floor area</u>
	* * *	* * *	* * *