

# Case No. 15AMEND1004

LDC Text Amendment – Definition & CUP Standards for Athletic Facilities



Louisville Metro Planning Commission Hearing

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# Request

Hold a public hearing and recommend action on amendments to the text of the Land Development Code (LDC) regarding athletic facilities.

- Definition
- Standards

# Case Summary / Background

- April 2011 - Metro Council passed resolution requesting Staff to work on an athletic fields amendment.
- June 2011 - Planning Commission held a public hearing & recommended approval to Metro Council to allow athletic facilities on 20 ac. or more on residentially zoned property in suburban form districts.
- July 2011 - Metro Council approved Ord. 148-2011.(Attachment A)
- May 2015 - Mark Madison of Milestone Design Group began communications with Staff about amending the LDC regarding 20-acre minimum parcel size requirement in residential zoning districts for CUP.
- The standard is not eligible for a Variance.
- No formal endorsement from a Metro Council Member; however, CM Welch has informally advocated for the change. (Attachment B)
- September 10, 2015 - Planning Committee meeting. (Attachment C)

## 4.2.8 Athletic Facilities (Current)

- Indoor & outdoor facilities allowed with a CUP in M-1, M-2, & M-3
- Allowed with a CUP in RR, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, & R-8A on tracts of 20 acres or more
- Allowed by right in C-1, C-2, C-3, CM, PEC, and EZ-1
- “Including sports fields, basketball and tennis courts, and related facilities such as equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking except for paint ball”
- In residential, must be located in a suburban form district
- Pedestrian and vehicular circulation patterns must be designed to safely accommodate recreational users and avoid conflict with truck traffic, as determined by the Director of Works
- Lighting plan required if located within 500 feet of residential use or zone

## 4.2.8 Athletic Facilities (Current)

- Structures cannot be within 30 feet of a property line, unless further restricted below
- Signs must comply with Chapter 8 of the LDC for nonresidential uses
- R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8A
  - No outdoor facility or parking area closer than 100 feet to an adjacent property zoned for residential
  - No indoor facility closer than 50 feet to an adjacent property zoned for residential
- M-1, M-2 and M-3
  - To allow a transitional use of industrially zoned land
  - To serve employees of an industrial development; or
  - To accommodate greenways or similar open space

# Planning Committee Meeting

- Planning Committee unanimously voted to recommend reducing the minimum parcel size to 10 acres in residential zoning districts and to make this standard eligible for a Waiver
- Planning Committee requested Staff investigate the following supplements to the proposed amendment
  - Definition of athletic facility
  - Review of CUP application by the Air Pollution Control District (APCD)
  - Average size of existing standalone athletic facilities

# Planning Committee Meeting

- Definition of Athletic Facility
  - Researched comparable cities
  - Used current language in preamble to standards
- Review by Air Pollution Control District (APCD)
  - LDC already requires APCD to review all CUPs
  - Staff believes this recommended change is unnecessary
- Average size of standalone athletic facilities
  - Approx. 17 acres (residential areas)

# Applicable Plans & Policies

Policy	Commentary
Guideline 1: Community Form	The proposed amendment provides for greater usage of larger residentially zoned tracts for neighborhood-serving recreational uses that can be designed to be compatible with surrounding form districts.
Guideline 3: Compatibility	The proposed revision would apply to larger residentially zoned tracts of land that have the ability to provide the needed setbacks and screening to ensure compatibility to adjacent properties. The Conditional Use Permit process also provides for greater input by adjacent property owners in the review and approval of specific land uses without the need to permanently change the zoning of property.
Guideline 4: Open Space	The proposed amendment would allow for more outdoor recreation areas. The guideline encourages open space that is created by new development to help meet the recreational needs of the community.
Guideline 6: Economic Growth and Sustainability	The proposed revision would allow for greater use of larger residentially zoned tracts of land that can provide a service and facility to the community, while ensuring compatibility to surrounding uses.
Guideline 16: Community Facilities	The proposed amendment would allow for more community facilities, in terms of recreational areas, and meets the intent of this guideline which is to encourage community facilities with compatibility to nearby existing development, to mitigate potential adverse impacts on surrounding land uses, or to buffer community facilities from conflicting nearby uses.



# Staff Analysis and Conclusions

- Staff recommends approval of this amendment as the proposal would allow for enhanced economic development opportunities, additional areas for recreational uses, and would continue to protect residential areas from potentially incompatible athletic facilities, while allowing for Waiver requests on lot size when necessary.

# Staff Analysis and Conclusions

## Attachment D

*[Plain text = currently existing language in the LDC. Red stricken text = language proposed to be deleted. Underlined text = language proposed to be added.  
“Notes to Reviewers” will be removed prior to adoption of the Ordinance]*

### Exhibit A

#### 1.2.2 Definitions

**Athletic Facility, Indoor and Outdoor** - A place designed and equipped primarily for observation 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.

**Note to Reviewers:** *Some of this definition comes from the existing standard for Athletic Facility. In addition, the LDC defines “Sports Field” as an open space area specifically designed and equipped for large-scale structured recreation including but not limited to baseball, football and soccer.*

# Staff Analysis and Conclusions

## 4.2.8 Athletic Facilities

Indoor and outdoor athletic facilities ~~as a principal use, including sports fields, basketball and tennis courts, and related facilities such as equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking except for paint ball ranges~~ are permitted in the ~~M-1, M-2, and M-3 districts, and in the~~ R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, and R-8A, ~~M-1, M-2, and M-3 districts on tracts of 20 acres or more, and~~ in compliance with the following requirements:

**Note to Reviewers:** (1) *The Planning Commission suggested making it clearer that these rules apply to stand-alone athletic facilities, so “as a principal use” is included above.*  
(2) *The minimum tract size is shown stricken above so that it can be placed in the standards below, and thus be eligible for a Waiver.*  
(3) *These standards only apply to Athletic Facilities that require a CUP in the listed districts. Athletic Facilities are permitted by right in C-1, C-2, C-3, CM, EZ-1, and PEC.*

- A. The athletic facilities are located in a suburban form district; and
- B. Pedestrian and vehicular circulation patterns, including location of parking lots and driveways, must be designed to safely accommodate recreational

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users and avoid conflict with truck traffic, as determined by the Director of Works; and

- C. If recreational uses are located in or within 500 feet of residential use or ~~zone~~ zoning district, the applicant shall submit a lighting plan documenting compliance with Section 4.1.3 (Lighting ordinance); and

**Note to Reviewers:** *This amendment clarifies that the lighting plan is also required if the facility is in a residential district. It also uses the more commonly used “zoning district” rather than “zone”.*

- D. No structure, parking area or outdoor recreation facility shall be located within 30 feet of a property line, unless further restricted in accordance with paragraph F below.
- E. Signs – Shall be in accordance with the on-premises sign standards of Chapter 8 of the LDC for non-residential uses.

# Staff Analysis and Conclusions

- F. Athletic facilities in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8A districts shall meet the following compatibility requirements:
1. No outdoor athletic facility or parking area may be located closer than 100 feet to an adjacent property zoned for residential use.
  2. No indoor athletic facility may be located closer than 50 feet to an adjacent property zoned for residential use.
  3. The minimum tract size for an athletic facility shall be 10 contiguous acres.

**Note to Reviewers:** *The Planning Committee recommended lowering the minimum tract size to 10 acres.*

- G. Athletic facilities in the M-1, M-2 and M-3 districts subject to a Conditional Use Permit may serve three purposes:
1. To allow a transitional use of industrially zoned land, while preserving the community's supply of industrially zoned property until such time as market demand justifies use of such property in a manner that will significantly meet the community's economic development needs; or
  2. To allow use of parcels for permanent open space or recreational purposes serving employees of an industrial development; or
  3. To accommodate greenways or similar open space use of environmentally constrained land, with or without trail systems or other recreational facilities.
- H. 4. Thus, athletic facilities are permitted only when the applicant indicates which of the three purposes the proposed use will meet, and can

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demonstrate the following to the satisfaction of the Board of Zoning Adjustment or the Board’s designee:

**Note to Reviewers:** *4. above was changed to H to help avoid confusion because the preceding paragraph mentioned “three purposes”.*

1. a. If Transitional Use: The proposed athletic facilities do not entail construction of permanent facilities that are inconsistent with industrial use of the site.
2. b. If Permanent Open Space/Recreation Use: The site is an integral component of a multi-lot business or industrial park, and the recreation facilities primarily benefit persons working at the industrial park.
3. c. If Greenway or Environmentally Constrained: The site is subject to environmental constraints regulated in Chapter 4 Parts 6, 7, or 8, and is precluded from development by conservation easement or restriction on the development plan.

# Required Actions

The Planning Commission should make a recommendation to Metro Council approving, approving with modifications, or denying the requested LDC text amendment.