

ORDINANCE NO. 114, SERIES 2020

AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO A REDUCTION OF MINIMUM PARKING REQUIREMENTS IN CERTAIN AREAS AS SUGGESTED IN PLAN 2040 COMPREHENSIVE PLAN (“PLAN 2040”) (CASE NO. 20-LDC-0001).

SPONSORED BY: COUNCIL MEMBERS COAN AND GEORGE

WHEREAS, Plan 2040 was adopted by the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) effective January 1, 2019; and

WHEREAS, Plan 2040, Goal 3, Policy 14 states, “Consider reducing parking minimums where appropriate;” and

WHEREAS, the Council passed Resolution 82, Series 2019 directing the Louisville Metro Planning Commission (the “Planning Commission”) to conduct a study to determine if reducing minimum parking requirements in certain areas of Louisville Metro would be appropriate and comply with applicable guidelines of Plan 2040, and upon completion, make recommendations regarding its finding; and

WHEREAS, Planning and Design Services staff developed an amendment to Chapter 9 (Parking and Loading) of the Land Development Code (“LDC”) to use best practices in parking requirement provisions while reducing parking requirements for all uses with a special emphasis on areas within traditional form districts. In addition to these amendments, staff corrected longstanding issues with respect to the formatting of parking requirement tables; and

WHEREAS, the proposed amendment went to the Planning Committee of the Planning Commission for a public meeting on July 31, 2020; and

WHEREAS, the Planning Commission on August 20, 2020 recommended that the Council adopt the proposed text amendments to the LDC as set forth in Planning Commission Resolution No. 20-LDC-0001; and

WHEREAS, Council approves and accepts the recommendation of the Planning Commission as set forth in Planning Commission Resolution No. 20-LDC-0001.

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

SECTION I: Chapter 9 of the LDC, Section 9.1.3 – Calculating Parking Requirements/Allowances is amended as follows:

A. Parking Spaces Required / Allowed

The minimum and maximum number of parking spaces required/allowed is based upon both the use and the Form District/Planned Development District in which that use is located. To determine the minimum number of parking spaces required and the maximum allowed, locate the applicable standard based on the Form District/Planned Development District in which the use is located in Table 9.1.43A and apply that standard to the requirements associated with the specific use located in Table 9.1.23B.

B. Nonconforming Parking

A use or structure with nonconforming off-street parking (e.g., insufficient off-street parking to meet the current land use requirements in compliance with Table 9.1.23B, below) may be physically enlarged (e.g., expansion of structure or outdoor land use) or undergo a change in use in compliance with the following provisions.

1. Residential uses. No additional parking spaces shall be required; provided, the change does not increase the number of dwelling units, nor eliminate the only portion of the site that can be used for the required or existing parking or access. Exception: structures that are at least 50 years of age are not subject to the minimum parking requirements listed in Table 9.1.3B but are subject to the maximum parking requirements listed in Table 9.1.3B.

2. Non-residential uses.

...

- e. Exception: structures that are at least 50 years of age are not subject to the minimum parking requirements listed in Table 9.1.3B but are subject to the maximum parking requirements listed in Table 9.1.3B.

C. Parking Requirements for Uses not Listed or To be Determined

~~Parking requirements for a use not specifically listed in Table 9.1.2 shall be~~

determined by the Planning Commission or its designee based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use. For uses not listed in Table 9.1.3B or listed as to be determined in Table 9.1.3B the Planning Director or designee is authorized to do any of the following:

1. Apply the minimum or maximum off-street parking space requirement specified in Table 9.1.3B for the listed use that is deemed most similar to the proposed use as determined by the Planning Director or designee. This determination shall be based on the operating characteristics of the use, the most similar related occupancy classification, or other factors related to potential parking demand.
2. Establish the minimum off-street parking and loading requirements based on a parking study prepared by the applicant in accordance with LDC section 9.1.7.

D. Different Use Areas

...

Exception: An accessory use constituting twenty (20) percent or less of the gross floor area of all buildings on a site shall be calculated independently when the accessory use is specified in the parking requirements for the primary use found in Table 9.1.23B.

E. Calculations

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Table 9.1.43A Minimum and Maximum Parking Spaces Based on Form District/Planned Development District

| Form District/Planned Development District | Minimum Requirement – Table 9.1.2 | Maximum Requirement – Table 9.1.2 | Applicable Reductions |
|--|-----------------------------------|-----------------------------------|------------------------------|
| <u>Campus Conservation</u> Neighborhood Village Town Center Planned Village Development District <u>Regional Center</u> <u>Suburban Marketplace</u> <u>Corridor</u> <u>Suburban Workplace</u> | Applicable | Applicable | 1, 2, 3, 4, 5, 6, 7, 8 and 9 |

| | | | |
|--|----------------|----------------|--------------------------|
| <u>Traditional Neighborhood</u> | | | |
| <u>Traditional Marketplace Corridor</u> | | | |
| <u>Traditional Workplace</u> | | | |
| Traditional Neighborhood Traditional Marketplace Corridor Traditional Workplace | Applicable | Applicable | 1, 2, 4, 6, 7, 8 and 9 |
| Campus Suburban Workplace | Applicable | Applicable | 1, 3, 7, 8 and 9 |
| Downtown Urban Center Neighborhood | Not Applicable | Not Applicable | Not Applicable |
| Regional Center Suburban Marketplace Corridor | Applicable | Applicable | 1, 2, 5, 7, and 9 |
| Planned Transit Development District | 80% Applicable | Applicable | 2, <u>6</u> , 7, 8 and 9 |

- F. Off-street Parking Reductions (see Table 9.1.43A for applicable reductions by form district/planned development district)
1. A ten (10) percent reduction in the minimum required number of spaces shall apply to any development within ~~200~~ 1,000 feet of a designated transit route.
 2. A ten (10) percent reduction in the minimum required number of spaces shall apply to any mixed use development site (for the purposes of this provision mixed use means a development site that contains both residential and non-residential principal uses) that incorporates at least 25% of the gross floor area of the development site to residential use. An additional ten (10) percent reduction for the development site shall be applicable to developments that incorporate at least one mixed use structure (for the purposes of this provision mixed use means a structure that contains both residential and non-residential principal uses) that contains a minimum of five (5) residential units.
 - ...
 6. A Parking Waiver must be obtained to reduce the minimum number of required parking spaces, except as provided in Table 9.1.43A.
 - ...
 11. For each shared vehicle, carpool, or vanpool space provided, the minimum number of required off-street parking spaces may be reduced by four. Each shared vehicle, carpool, or vanpool space shall count toward the minimum number of required off-street parking spaces.

SECTION II: Chapter 9 of the LDC, Table 9.1.2A – Minimum and Maximum Motor Vehicle Parking Based on Use shall be repealed and replaced with the following:

Table 9.1.3B Minimum and Maximum Motor Vehicle Parking Based on Use

| <u>GENERAL ACTIVITIES (¹LBCS Code)</u> | <u>SPECIFIC ACTIVITIES (¹LBCS Code)</u> | <u>MINIMUM REQUIREMENT</u> | <u>MAXIMUM REQUIREMENT</u> |
|--|---|---|--|
| <u>Residential (1000)</u> | | | |
| <u>Household Living (1100)</u> | <u>Single-family, duplex²</u> | <u>Suburban Form</u> <u>2 spaces per unit</u> <u>Traditional Form</u> <u>Not applicable</u> | <u>Suburban Form</u> <u>5 spaces per unit</u> <u>Traditional Form</u> <u>3 spaces per unit</u> |
| | <u>Multi-family (3 or more units)²</u> | <u>Suburban Form</u> <u>1 spaces per unit</u> <u>Traditional Form</u> <u>Not applicable</u> | <u>Suburban Form</u> <u>2 spaces per unit</u> <u>Traditional Form</u> <u>2 spaces per unit</u> |
| <u>Institutional Living (1300)</u> | <u>Dormitories, Fraternities, Sororities, Boarding House, Transitional Housing, Rehabilitation Home, Homeless Shelter</u> | <u>Suburban Form: 1 per 4 residents (capacity)</u> <u>Traditional Form: 1 per 6 residents (capacity)</u> | <u>Suburban Form</u> <u>1 per resident (capacity)</u> <u>Traditional Form</u> <u>1 per 2 residents (capacity)</u> |
| <u>Transient Living (1200)</u> | <u>Bed and Breakfast, Hotel, Motel</u> | <u>Suburban Form: 1 per room</u> <u>Traditional Form: 0.5 per room</u> | <u>Suburban Form</u> <u>1.5 per room</u> <u>Traditional Form</u> <u>1 per room</u> |
| <u>Shopping, business, or trade (2000)</u> | | | |
| | <u>Shopping (goods or service-oriented) (2100)</u> | <u>Suburban Form</u> <u>1 per 500 sq. ft. of gross floor area</u> <u>Traditional Form</u> | <u>Suburban Form</u> <u>1 per 250 sq. ft. of gross floor area</u> <u>Traditional Form</u> |

| | | | |
|--|---|---|---|
| | | <u>1 per 1,000 sq. ft. of gross floor area</u> | <u>1 per 500 sq. ft. of gross floor area</u> |
| | <u>Restaurant (includes bars) (2200)</u> | <u>Suburban Form</u> <u>1 per 500 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 per 1,000 sq. ft. of gross floor area</u> | <u>Suburban Form</u> <u>1 per 250 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 per 500 sq. ft. of gross floor area</u> |
| | <u>Health club/Fitness Center</u> | <u>Suburban Form</u> <u>1 per 300 sq. ft. of gross floor area, plus</u> <u>1 per 200 sq. ft. of gross floor area used for</u> <u>classroom/instruction area</u> <u>Traditional Form</u> <u>1 per 500 sq. ft. of gross floor area, plus</u> <u>1 per 300 sq. ft. of gross floor area used for</u> <u>classroom/instruction area</u> | <u>Suburban Form</u> <u>1 space per 100 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 space per 300 sq. ft. of gross floor area</u> |
| | <u>Indoor Athletic Facility</u> | <u>Suburban Form</u> <u>1 space per 300 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 space per 500 sq. ft. of gross floor area</u> | <u>Suburban Form</u> <u>1 space per 100 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 space per 300 sq. ft. of gross floor area</u> |
| | <u>Entertainment uses such as bowling alleys, game rooms, bingo halls, miniature golf, go-cart facilities</u> | <u>To be determined by Director or designee</u> | <u>No more than 25% above minimum requirement</u> |
| | <u>Physical Fitness Instruction</u> | <u>Suburban Form</u> <u>1 per 300 sq. ft. of gross floor area</u> <u>Traditional Form</u> | <u>Suburban Form</u> <u>1 space per 150 sq. ft. of gross floor area</u> <u>Traditional Form</u> |

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|---|--|---|---|
| | | <u>1 per 400 sq. ft. of gross floor area</u> | <u>1 space per 200 sq. ft. of gross floor area</u> |
| <u>Vehicle Service</u> | <u>Quick Vehicle Service, Vehicle Repair</u> | <u>1 per bay</u> | <u>2 per bay</u> |
| | <u>Car Wash, Self-Service</u> | <u>1 space</u> | <u>2 spaces</u> |
| | <u>Car Wash, Full-Service</u> | <u>1 per stall</u> | <u>2 per stall</u> |
| | <u>Fuel Station</u> | <u>Suburban Form</u> <u>1 per 500 sq. ft. of gross floor area for retail space</u> <u>Traditional Form</u> <u>1 per 1,000 sq. ft. of gross floor area for retail space</u> | <u>Suburban Form</u> <u>1 per 250 sq. ft. of gross floor area for retail space</u> <u>Traditional Form</u> <u>1 per 500 sq. ft. of gross floor area for retail space</u> |
| <u>Outdoor Sales and Display</u> | | <u>Suburban Form</u> <u>1 per 1,000 sq. ft.</u> <u>Traditional Form</u> <u>1 per 2,000 sq. ft.</u> | <u>Suburban Form</u> <u>1 per 500 sq. ft.</u> <u>Traditional Form</u> <u>1 per 1,000 sq. ft.</u> |
| <u>Office (2300)</u> | <u>Office, including general, business, medical, dental, professional, financial, and veterinary</u> | <u>Suburban Form: 1 space per 400 sq. ft. of gross floor area</u> <u>Traditional Form: 1 space per 750 sq. ft. of gross floor area</u> | <u>Suburban Form: 1 space per 200 sq. ft. of gross floor area</u> <u>Traditional Form: 1 space per 300 sq. ft. of gross floor area</u> |
| | <u>Studios for Artist, designers, photographers, and other similar professionals</u> | <u>To be determined by Director or designee</u> | <u>No more than 25% above minimum requirement</u> |
| <u>Industrial, manufacturing, and waste-related (3000)</u> | | | |

| | | | |
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| | <u>Primarily plant or factory (3110)</u> | <u>1 space per 2,000 sq. ft. of gross floor area</u> | <u>1 space per 1,000 sq. ft. of gross floor area</u> |
| | <u>Primarily good storage or handling (3120)</u> | <u>Suburban Form</u> <u>1 space per 2,000 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 space per 3000 sq. ft. of gross floor area</u> | <u>Suburban Form</u> <u>1 space per 500 sq. ft. of gross floor area</u> <u>Traditional Form</u> <u>1 space per 1,000 sq. ft. of gross floor area</u> |
| | <u>Mini-warehouse</u> | <u>Suburban Form</u> <u>1 per 500 sq. ft. of gross floor area for office, plus one space per 15 climate-controlled storage units</u> <u>Traditional Form</u> <u>1 per 1,000 sq. ft. of gross floor area for office, plus 1 space per 30 climate-controlled storage units</u> | <u>Suburban Form</u> <u>1 per 250 sq. ft. of gross floor area for office, plus one space per 5 climate-controlled storage units</u> <u>Traditional Form</u> <u>1 per 500 sq. ft. of gross floor area for office, plus 1 space per 15 climate-controlled storage units</u> |
| <u>Social, institutional, or infrastructure-related (4000)</u> | | | |
| <u>School or library (4100)</u> | <u>Grade, elementary, middle, junior high, high school, colleges, universities, vocational training and similar uses</u> | <u>To be determined by Planning Director or designee</u> | <u>No more than 25% above minimum</u> |
| | <u>Daycare, child or adult</u> | <u>To be determined by Planning Director or designee</u> | <u>No more than 25% above minimum</u> |
| <u>Health care, medical, or treatment (4500)</u> | <u>Hospitals, nursing home, medical clinic</u> | <u>To be determined by Director</u> | <u>No more than 25% above minimum</u> |

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|---|--|--|---------------------------------------|
| <u>Interment, cremation, or grave digging (4600)</u> | <u>Crematory, cemetery, mausoleum</u> | <u>To be determined by Director</u> | <u>No more than 25% above minimum</u> |
| <u>Travel or movement (5000)</u> | | <u>To be determined by Planning Director or designee</u> | <u>No more than 25% above minimum</u> |
| <u>Mass assembly of people (6000)</u> | | | |
| | <u>Passenger assembly (6100)</u> <u>Spectator Sports Assembly (6200)</u> <u>Movies, concerts, or entertainment shows (6300)</u> <u>Social, cultural, or religious assembly (6600)</u> <u>Gatherings at galleries, museums, aquariums, zoological park, etc. (6700)</u> | <u>To be determined by Planning Director or designee</u> | <u>No more than 25% above minimum</u> |
| <u>Leisure (7000)</u> | | | |
| | <u>Golf Courses,</u> <u>Driving Ranges,</u> <u>Tennis Centers,</u> <u>Skate Parks, Horse Riding Stables,</u> <u>Amusement Parks,</u> <u>and similar uses</u> | <u>To be determined by Director or designee</u> | <u>No more than 25% above minimum</u> |
| <u>Natural resources-related (8000)</u> | | <u>To be determined by Planning Director or designee</u> | <u>No more than 25% above minimum</u> |
| <u>¹LBCS – Land-Based Classification Standards developed by the American Planning Association - www.planning.org/lbcs/standards</u> | | | |
| <u>²Garages and carports count as off-street parking spaces for residential use.</u> | | | |

SECTION III: Chapter 9 of the LDC, Section 9.1.12 – Parking Area Improvements and Maintenance is amended as follows:

...

- L. Bicycle parking may substitute for up to five (5) percent of required parking spaces (as required by Table 9.1.23B) in accordance with the following calculation method. For every five (5) non-required bicycle parking spaces (non-required spaces are those bicycle spaces provided in excess of those required by Table 9.2.1) that meet the short or long-term bicycle parking standards, the motor vehicle parking minimum requirement shall be reduced by one space. Existing parking may be converted to take advantage of this provision.

SECTION IV: Chapter 9 of the LDC, Section 9.1.13 – Parking Area Layout and Design is amended as follows:

...

B. Parking Space and Aisle Dimensions

1. The dimensions of off-street parking spaces and associated drive aisles shall be determined by applying the minimum dimensional requirements found within Table 9.1.13. The width of compact vehicles spaces shall be at least eight (8) feet and the recommended length is 14' to 16'. The recommended aisle width for compact space area parking areas is 20'. The width of motorcycle spaces shall be at least five (5) feet.
2. Parking structures developed to provide the minimum number parking spaces required by this Part must meet the minimum dimensional requirements specified in Table 9.1.13, below. The design and layout of all other parking structures, including but not limited to those used to create parking spaces in excess of the maximum allowed for a particular use and those for-profit parking structures not associated with any particular use, shall be approved by the agency responsible for approval of off-street parking facilities.
3. Parking spaces serving single family residential developments located within driveways and garages need only meet the Stall Width and Stall Depth to Wall standards set forth in Table 9.1.13.

SECTION V: Chapter 9 of the LDC, Section 9.1.13 – Parking Area Layout and Design amends the title of Table 9.1.3 to Table 9.1.13.

SECTION VI: Chapter 9 of the LDC, Section 9.1.13 – Parking Area Layout and Design amends the title of Figure 9.1.3 to Figure 9.1.13.

SECTION VII: Chapter 9 of the LDC, Section 9.1.15 – Parking in Residential Area is amended as follows:

...

- A. Parking of Passenger Vehicles and Light Trucks. Passenger vehicles and light trucks may be parked in any allowed parking area to the extent that the number of vehicles being parked does not exceed the maximum permitted in Table 9.1.23B.
- B. Parking of Medium and Heavy Trucks.
 - 1. The parking of medium trucks shall count against the maximum number of vehicles allowed in Table 9.1.23B and shall be permitted as follows:

SECTION VIII: Chapter 9 of the LDC, Section 9.1.16 – Parking Waiver Provisions is amended as follows:

- A. General Parking Waivers. In extraordinary cases in which the requirements of this Part would create hardship in the use of a particular site, the Planning Commission may consider granting a General Parking Waiver.

...

- 4. Required Findings. In granting a General Parking Waiver the Planning Commission must find that:

...

- b. Waivers to Reduce the Minimum Number of Required Parking Spaces

...

- iv. The requirements found in Table 9.1.23B do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use; and

...

- c. Waivers to Provide More Parking Spaces than the Maximum Allowed

- i. The requirements found in Table 9.1.23B do not allow the provision of the number of parking spaces needed to accommodate the parking needs of the proposed use; and


SECTION IX: Chapter 9 of the LDC, Section 9.2.5 – Parking Space Requirements are amended as follows:

- A. Calculating Space Requirements. The requirements listed in Table 9.2.45 pertain to the number of spaces for bicycle parking. One bicycle parking rack may have room for several parking spaces. Where an option is provided, whichever results in the greatest number of spaces is the minimum required. For land uses not specifically mentioned in the table, requirements will be determined based on the most similar use listed, except that single family and multi-family residential dwellings are exempt from bicycle parking requirements.

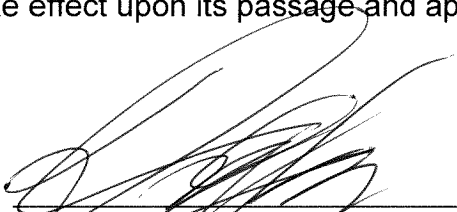
B. **Parking Requirements for Additions to Existing Structures/ Uses.** The standards in Table 9.2.45 shall apply when any existing use or structure is proposed for an addition or expansion that increases the unit(s) of measurement (such as number of dwelling units, gross floor area, seating capacity, or number of employees) used for computing the required parking facilities for that use. When a lawful building or use not meeting the requirements for bicycle parking is increased in gross floor area by fifty (50) percent or less, then only the addition shall be required to meet the standards of this Part. The existing building or use is not required to come into compliance with the standards of this Part. When a lawful building or use not meeting the requirements for bicycle parking is increased in gross floor area by more than fifty (50) percent, then both the existing building or use and the addition shall be required to meet the standards of this Part. This provision shall be cumulative and shall apply to any single or group of successive increases that occur after the effective date of this Part.

SECTION X: Chapter 9 of the LDC, Section 9.2.5 – Parking Space Requirements amends the title of Table 9.2.1 to Table 9.2.5.

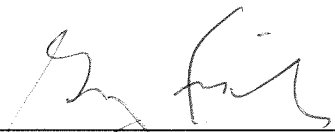
SECTION XI: This Ordinance shall take effect upon its passage and approval.



Sonya Harward
Metro Council Clerk



David James
President of the Council



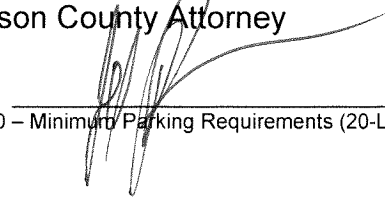
Greg Fischer
Mayor

09/24/2020

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 

O-403-20 – Minimum Parking Requirements (20-LDC-0001)

**LOUISVILLE METRO COUNCIL
READ AND PASSED**
September 17, 2020