



# Louisville Metro Government

## Action Summary - Tentative Planning and Zoning Committee

*Chair Madonna Flood (D-24)*

*Vice Chair Scott Reed (R-16)*

*Committee Member Keisha Dorsey (D-3)*

*Committee Member Jecorey Arthur (D-4)*

*Committee Member Cassie Chambers Armstrong (D-8)*

*Committee Member Kevin Triplett (D-15)*

*Committee Member Robin Engel (R-22)*

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Tuesday, November 2, 2021

1:00 PM

Council Chambers/Virtual

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**THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE**

### Call to Order

Chair Flood called the meeting to order at 1:01 p.m.

### Roll Call

Chair Flood introduced the committee members and non-committee members present. A quorum was established.

**\*NOTE: All committee members and non-committee members present attended virtually, except Council Member Chambers Armstrong, who attended in Chambers.**

**Present:** 7 - Committee Member Keisha Dorsey (D-3), Committee Member Jecorey Arthur (D-4), Committee Member Cassie Chambers Armstrong (D-8), Committee Member Kevin Triplett (D-15), Vice Chair Scott Reed (R-16), Committee Member Robin Engel (R-22), and Chair Madonna Flood (D-24)

### Non-Committee Member(s)

Council Member Nicole George (D-21), and Council Member James Peden (R-23)

### Support Staff

Travis, Fiechter, Jefferson County Attorney's Office  
Laura Ferguson, Jefferson County Attorney's Office

### Clerk(s)

Cheryl Woods, Assistant Clerk  
Sonya Harward, Clerk

**Pending Legislation**

1. [O-467-21](#)

**AN ORDINANCE AMENDING SECTION 115 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING BOARDING AND GROUP HOUSING REGULATIONS (AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-467-20 V.3 CAM 110221 LMCO 115 RE Boarding and Group Housing Regulations.pdf](#)  
[O-467-20 V.2 FAM 102821 LMCO 115 RE Boarding and Group Housing Regulations.pdf](#)  
[O-467-20 PROPOSED FAM 102821 LMCO 115 RE Boarding and Group Housing Regulations.pdf](#)  
[O-467-20 V.1 092321 LMCO 115 RE Boarding and Group Housing Regulations.pdf](#)

A motion was made by Committee Member Triplett, seconded by Vice Chair Reed, that this Ordinance be recommended for approval.

The following spoke to this item:

- Travis Fiechter, Jefferson County Attorney's Office
- Chair Flood
- Committee Member Dorsey
- Joe Reverman, Planning and Design Services
- Joe Haberman, Planning and Design Services
- Committee Member Chambers Armstrong

The following was discussed:

- Question and concerns about whether boarding houses fall under the umbrella of types of uses that the State regulates for tuberculosis
- Boarding houses function the same as a residential address does but with a short term occupancy
- Question and concerns about license requirements and background checks for owners, directors or employees of a facility that would have direct contact with children
- Question and concerns regarding backgrounds checks to be broadened to include boarding houses
- Question and concerns about whether a domestic violence misdemeanor in the fourth degree also includes children

A motion was made by Committee Member Dorsey, seconded Chair Flood, that this Ordinance be amended as shown in the attached document titled "O-467-20 V.3 CAM 110221 LMCO 115 RE Boarding and Group Housing Regulations.pdf."

The motion to amend carried by a voice vote.

There was a continuation of the discussion on the boarding house:

The following spoke to this item:

- Committee Member Dorsey
- Chair Flood
- Travis Fiechter
- Robert Kirchdorfer, Codes and Regulations

The following was discussed:

- Question about whether COVID-19 testing is applicable for boarding homes
- Questions about whether cigarette smoke and ventilation have levels of care to qualify to be State regulated in a boarding home
- The Kentucky Building Code regulates ventilation for facilities
- Metro Government has adopted the Mechanical Code and they are checked the Heating, Ventilation, and Air Conditioning (HVAC)
- The building code is set by the State
- Question about whether it is best to add to the license that the building must first meet the building code
- Inspections are taking place before the license are issued

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

Yes: 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

2. [O-533-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1944 W. JEFFERSON STREET CONTAINING APPROXIMATELY 0.0746 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0090)(AS AMENDED).**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-533-21 V.2 CAM 110221 Zoning at 1944 W. Jefferson Street.pdf](#)

[O-533-21 V.1 102821 Zoning at 1944 W. Jefferson Street.pdf](#)

[21-ZONE-0090.pdf](#)

[21-ZONE-0090 PC Min 10.07.21.pdf](#)

[21-ZONE-0090 LDT Min.pdf](#)

[21-ZONE-0090 staff rpts.pdf](#)

[21-ZONE-0090 legal desc.pdf](#)

[21-ZONE-0090 Appl Booklet.pdf](#)

[21-ZONE-0090 Appl Justification Stmt.pdf](#)

[21-ZONE-0090 Plan 10.07.21.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Dorsey, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Chair Flood

- Brian Davis
- Committee Member Arthur

The following was discussed:

- Questions about whether the top two floors will be for residential use
- Question about whether a barber chop will be on the bottom floor
- Question and concerns about whether anyone will be displaced on the site or any of the surrounding residents

A motion was made by Chair Flood, seconded Committee Member Engel, that this Ordinance be amended as shown in the attached document titled "O-533-21 V.2 CAM 110221 Zoning at 1944 W. Jefferson Street.pdf."

The motion to amend carried by a voice vote.

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

Yes: 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

3. [O-507-21](#)

**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO TRUCK PARKING REQUIREMENTS (CASE NO. 21-LDC-0010).**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-507-21 V.1 101421 Ordinance Amending LCD Relating to Truck Parking Requirements \(.pdf](#)  
[2021-11-02 21 LDC-0010 HeavyTruckParking PlanningCommittee.pdf](#)  
[21-LDC-0010 PC Minutes.pdf](#)  
[21-LDC-0010 Truck Parking Planning Commission SR 9-10-21 Attachment 2.pdf](#)  
[21-LDC-0010 Truck. Parking Planning Commission SR 9-10-21.pdf](#)

A motion was made by Committee Member Dorsey, seconded by Committee Member Triplett, that this Ordinance be recommended for approval.

Joe Haberman, Planning and Design Services, gave a presentation.

The following spoke to this item:

- Council Member George
- Joe Haberman
- Council Member Peden
- Joe Reverman, Planning and Design Services
- Chair Flood
- Committee Member Chambers Armstrong
- Committee Member Dorsey

The following was discussed:

- In 2019, District 21 engaged in challenges with parking spaces for semi-truck parking

- Metro Government code defines trucks in three different ways: a heavy trucks is anything with two or more rear axles that includes the semi tractor trailers; an accessory RV that is greater than 25 feet in length; and a utility trailer that is greater than 16 feet in length
- Question about whether the difference between a medium truck and a heavy truck is the length and weight
- Question about why Metro Government is not requiring on-site parking for trucks
- Questions and concerns about trucks carrying hazardous materials "hazmat" materials
- Louisville Metro Code of Ordinance regulates parking on streets and public ways
- A semi truck is considered a heavy truck by default regardless of the number of axles
- Concerns about why distribution centers do not have enough parking spaces
- Concerns about private truck owners needing parking spaces to leave their vehicles overnight and the fee that lots charge them
- Question and concerns about residentially used properties or residentially zoned areas being used for parking
- Question and concerns about trucks displaying a hazardous material placard only being required not to be parked within 200 feet of a building
- Questions and concerns about trucks carrying hazardous material being parked in residential areas and near buildings with children in them
- Metro Government adopted the National Fire Protection Association (NFPA) rules
- The National Transportation Safety Board provides the guidebook for hazardous materials
- Questions about the parking citations and fee for violations
- Question and concerns about trains that are transporting chemicals being parked in areas

A motion was made by Chair Flood, seconded by Committee Member Arthur, that this Ordinance be tabled.

The motion to table carried by a voice vote.

## Adjournment

Without objection, Chair Flood adjourned the meeting at 2:40 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council meeting on November 11, 2021.