

ORDINANCE NO. _____, SERIES 2015

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2 OF THE LAND DEVELOPMENT CODE PERTAINING TO PERMITTED/CONDITIONAL USES—APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A—WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003)(AS AMENDED).

SPONSORED BY: Councilman James Peden

WHEREAS, the Planning Commission held a public hearing on August 11, 2014 to consider a large number of amendments to various sections of the Land Development Code ("LDC") for the purposes of updating and improving the LDC, resolving potential conflicts in the application of various LDC provisions and clarifying language that was determined to be potentially confusing on its face or in its application; and

WHEREAS, the Planning Commission has recommended approval of the amendments itemized in each of the six reports as stated in the Planning Commission's minutes of August 11, 2014 and contained in the attachments for this Ordinance and as summarized in the Round Two LDC Text Amendments Index also contained in the attachments; and

WHEREAS, On October 5, 2015, the Ad Hoc Committee of the Metro Council concurred with and in and adopted the findings and recommendations of the Planning Commission in Case No. 14AMEND1003, but with revisions to the Commission's recommended language as reflected in the Planning Commission's minutes and records, and as more specifically set forth in Exhibit A attached hereto, the Committee's revisions denoted by double underlines and double strikethroughs;

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

Section I: With amendments, the Metro Council hereby adopts the amendments to the Land Development Code as contained in the minutes and records of the Planning Commission in Case No. 14AMEND1003, dated August 11, 2014, and as more specifically set forth in Exhibit A attached hereto.

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

H. Stephen Ott
Metro Council Clerk

David W. Tandy
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

EXHIBIT A
(PERMITTED/CONDITIONAL USE LDC SUB-COMMITTEE ITEM #20)

2.5.1 M-1 Industrial District

The following provisions shall apply in the M-1 Industrial District unless otherwise provided in these regulations:

A. Permitted Uses:

~~**All non-residential uses permitted in the C-2 District**~~

Accessory uses or buildings: those uses allowed shall be subordinate, customary and incidental to the permitted primary uses, including retail sale, rental or repair of items manufactured or assembled on site. Any accessory structure must meet site and other requirements of this zone. Under no circumstances will uses appropriate only in the M-3 zone be allowed in this zone as accessory uses

Agricultural uses

Automobile parking areas, public and private

Contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building

Carting and light local deliveries

Churches, parish halls and temples

Commercial uses, limited to:

Banks, credit unions, savings and loans and similar financial institutions;

Convenience groceries;

Restaurants, taverns, bars and saloons, as permitted in the C-2

Commercial District; and

Vehicle service stations or repair

Dwellings, only in connection with bona fide agricultural operations, or as living quarters for bona fide caretakers and/or for watchmen and their families

Greenhouses, wholesale

Indoor paint ball ranges

Laboratories, research, experimental or testing, but not including combustion type motor-testing

Medical laboratories

Office buildings, as accessory uses only

Telecommunications hotels

Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

Warehouse, storage, including mini-warehouses

Wholesale houses and distributors, provided the operation is enclosed in a building

Uses, manufacture, processing, treatment, or storage of the following, providing all operations permitted, including storage, must be confined within a building (uses located totally within the caverns developed under a Conditional Use Permit for Underground Space shall be considered to meet the requirement of confinement within a building)

Adhesives, excluding manufacturing of basic components

Awnings, metal

Beverage (non-alcoholic) manufacture

Beverage, blending and bottling

Blacksmith

Bookbinding

Broom and brush

Button manufacture, except button blanks from shell

Carbon paper and ink ribbons

Carpenter, cabinet making, and pattern shops

Chemicals (packing only)

Clay products of handicraft nature including ceramics, pottery, tile (glazed), or similar products

Cleaning and dyeing of garments, hats and rugs

Clocks and watches

Cloth products, including canvas, clothing, garments

Computers and related equipment

Cosmetics or toiletries

Electronic measuring instrument and electrical control devices

Electrical appliance and apparatus assembly (small), including fans, fixtures, hot-plates, irons, mixers, motion picture equipment (home), phonographs, radios, television sets, toasters, toys, or similar products, but not including electrical machinery

Electrical supplies, including cable and wire assemblies, batteries (dry cell), insulation, lamps, switches, or similar supplies

Flowers, artificial

Food processing, including bakery products (wholesale), candy manufacture, coffee, tea, and spices (processing and packaging), creamery and dairy operations, ice cream manufacture, macaroni and noodle manufacture, oleomargarine (compounding and packaging only)

Fur finishing and fur goods, not including tanning, dyeing

Glass products from previously manufactured glass

Hair, felt, or feather products

Hat finishing and millinery from straw and other fibers

Ink or ink ribbon, packaging

Instruments, accessories and supplies used in medical diagnosis and treatment

Jewelry

Latex paints (water base)

Leather products manufacture (no tanning operations), including shoes, machine belting, or similar products

Luggage

Machines, business, including accounting machines, calculators, card counting equipment, typewriters, or similar products

Medical appliances, including braces, limbs, stretchers, supports, or similar appliances

Motion picture production

Musical instruments (including pianos and organs)

Novelty products (from prepared materials)

Optical equipment

Paper products, including bags, boxes, bulk goods, containers (shipping), envelopes, interior packaging components, stationery, tubes, wallpaper, or similar products

Pharmaceutical products (compounding only)

Photographic equipment

Plastic molding and shaping, excluding manufacturing of basic components

Precision instruments

Printing, publishing, engraving, including photo-engraving

Scenery construction

Sheet metal shops

Signs and displays (non-metal)

Soaps or detergents, including washing or cleaning powder or soda, packaging only

Statuary and art goods, other than stone and concrete, including church art, figurines, mannequins, religious art, (excluding foundry operations)

Stamp (hand), stencils, and brands

Toys and games

Trade and business schools

Umbrellas and parasols

Upholstery and furniture shops, wholesale

Vehicles, children's, including baby carriages, bicycles, scooters, wagons, or similar vehicles

Window shades, Venetian blinds, awnings, tarpaulins, and canvas specialties

Wood products, including furniture, baskets, boxes, crates, or similar products, and copperage works (except copperage stockmill)

Those uses which are more similar in type and intensity to the above list of uses than to uses listed elsewhere in these regulations.

B. Conditional Uses:

Certain uses may be permitted in this district upon the granting of a Conditional Use Permit by the Board of Zoning Adjustment. Refer to Chapter 4 Part 2 for a listing of uses and requirements that apply to specific uses.

C. Permitted Uses With Special Standards (August 2010)

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. Day Care Centers
2. Outdoor Paintball Ranges
3. Off-premises signs (i.e. outdoor advertising signs)

D. Property Development Regulations:

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

E. Maximum Density and FAR

1. Maximum Floor Area Ratio: 2.0
2. Maximum Density: None