

ORDINANCE NO. _____, SERIES 2015

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 2 AND 4 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).

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, with revisions, the Metro Council concurs in and adopts the findings and recommendations of the Planning Commission in Case No. 14AMEND1003 as reflected in the Planning Commission's minutes and records, and as more specifically set forth in Exhibit A attached hereto;

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

Section I: With revisions, 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 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:

* * * * *

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.

* * * * *

4. 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)

2.5.2 M-2 Industrial District

The following provisions shall apply in the M-2 Industrial District unless otherwise provided in these regulations:

* * * * *

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.

* * * * *

3. 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)

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2.5.3 M-3 Industrial District

The following provisions shall apply in the M-3 Industrial District unless otherwise provided in these regulations:

* * * * *

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.

* * * * *

3. 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)
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4.3.22 Commercial uses in the M-1, M-2 and M-3 Industrial Districts

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, may be permitted within the M-1, M-2 and M-3 Industrial Districts provided the operation is in accordance with the following standards:

- ~~A. No hazardous material may be stored on-site.~~
- ~~B. The applicant shall submit a phase 1, phase 2 or phase 3 environmental site assessment to Planning and Design Services indicating that the site is not contaminated and thereby is safe for such commercial development.~~
- ~~C. The applicant shall receive approval from the Air Pollution Control District, which may condition its approval as may be necessary and appropriate to protect human health and the environment consistent with applicable laws and regulations relating to ambient air quality.~~