

LDC Round Two Text Amendments – Master Report

Planning Commission Meeting Date: 8/11/14



Case Number:	14AMEND1003
Project Name:	LDC Round Two Text Amendments
Case Manager:	Michael Hill, AICP, Planning Coordinator

ATTACHMENTS #1-6 WERE DISCUSSED AND ACTED UPON BY THE PLANNING COMMISSION AT THEIR 8/11/14 MEETING. ATTACHMENTS #7-9 WILL BE CONSIDERED BY THE PLANNING COMMISSION AT THEIR 9/4/14 MEETING.

BACKGROUND INFORMATION

The Round Two phase of the Land Development Code (LDC) revision project began in May 2012 with the creation of the 15 member LDC Main Committee. Nine sub-committees were formed with each one focused on a specific area of the LDC and began meeting regularly with the goal of proposing various text amendments that will improve the effectiveness of the code.

Between May 2012 and April 2014 the LDC Main Committee met 35 times. The early meetings were focused on keeping the main committee members updated on the activities of the sub-committees, while in the later meetings the main committee reviewed, discussed and acted on the sub-committee recommendations. The LDC Main Committee members are:

1. Jim King – Metro Council, District 10
2. James Peden – Metro Council, District 23
3. Donnie Blake – Planning Commission Chairman
4. David Proffitt – Planning Commission & Board of Zoning Adjustments Member
5. Chuck Kavanaugh – Building Industry Association of Greater Louisville
6. Pat Dominik – Sabak, Wilson & Lingo
7. Kathy Linares – Mindel Scott & Associates
8. Deborah Bilitski – Wyatt Tarrant & Combs
9. Barbara Sinai – Crescent Hill Community Council
10. Steve Porter – Attorney, OPEN Louisville
11. Tom FitzGerald – Kentucky Resources Council
12. Teena Halbig – Floyds Fork Environmental Association
13. Kevin Dunlap – Louisville Urban League
14. Gabe Fritz – The Housing Partnership, Inc.
15. Matt Meunier (previously Chris Raque) – City of Jeffersontown

Between June 2012 and December 2013 a total of 192 LDC sub-committee meetings were held. Over 160 individuals participated in the LDC sub-committee meeting process. The nine LDC sub-committees are:

1. Form Districts (FORM)
2. Landscaping (LAND)
3. Transportation (TRAN)
4. Permitted/Conditional Uses (PCUP)
5. Fair & Affordable Housing (FAH)
6. Subdivisions (SUB)
7. Infill Development Standards (INF)
8. Development Review Process (DRP)
9. Miscellaneous Research (MIS)

The following individuals deserve special recognition for being frequent attendees of the LDC sub-committee meetings. The dedication shown by these individuals has been exemplary and is much appreciated.

NAME	# OF SUB-COMMITTEE MEETINGS ATTENDED
1. Steve Porter – Attorney, OPEN Louisville	61
2. Bradley Coomes – Air Pollution Control District	52
3. Steve Rusie – Dunaway Engineering	45
4. Barbara Sinai – Crescent Hill Community Council	42
5. Sherie Long – Louisville Metro Planning & Design Services	39
6. David Wagner – Louisville Metro Planning & Design Services	33
7. Teena Halbig – Floyds Fork Environmental Association	30
8. Glenn Price – Frost Brown Todd	28
9. Donnie Blake – Planning Commission Chairman	23
10. Cassandra Culin – Clifton Neighborhood Pedestrian Committee	22

REPORT FORMAT

This document, referred to as the Master Report, includes background information and only a listing of the various recommendations of the LDC Main Committee. To review the details of each recommendation the nine individual sub-committee reports should be consulted.

SUMMARY OF RECOMMENDATIONS

The recommendations within this report, and the sub-committee reports, fall within one of three categories.

1. **Official recommendations (194)** from the LDC Main Committee. These items were discussed and successfully voted on by the LDC Main Committee and therefore have become recommended LDC text amendments.
 2. **Non-recommendations (40)** – The second category includes proposals that were discussed by the LDC Main Committee, but were either rejected by vote, did not receive the required number of votes (eight) to become an official recommendation, or were not voted on altogether. This category also may include topics discussed by one of the sub-committees, but were not forwarded to the LDC Main Committee for consideration.
 3. **Staff Recommendations (18)** – There are a handful of items attached to the sub-committee reports that are recommendations of Planning & Design Services staff. This category largely consists of minor changes recognized by staff that were either not presented to the LDC Main Committee, or were only briefly discussed by the committee and not acted upon.
- There are 252 items included in the LDC Round Two effort.
 - 83% (194 of 234) of the items presented to the LDC Main Committee became official recommendations.
 - The remaining 40 items presented to the LDC Main Committee became non-recommendations.
 - 18 staff recommendations are also included in this report.

LIST OF RECOMMENDATIONS

Below is a list of the items recommended within each sub-committee report. The items are listed in the order they were presented to the LDC Main Committee.

APPR = PLANNING COMMISSION RECOMMENDS APPROVAL

INFILL DEVELOPMENT STANDARDS LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #1)**

OFFICIAL RECOMMENDATIONS

INF ITEM #1 – APPR - Simplify and relocate infill development standards.

INF ITEM #2 – APPR - Update infill related note in Factory Built Housing section.

INF ITEM #3 – APPR - Revise or eliminate several references to infill development throughout the LDC that are now inaccurate with the approval of INF ITEM #1 above.

INF ITEM #5 – APPR - Eliminate infill established lot pattern regulation.

NON-RECOMMENDATIONS

INF ITEM #4 – Decision to continue applying infill regulations to all form districts, rather than only applying them to the traditional form districts.

DEVELOPMENT REVIEW PROCESS LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #2)**

OFFICIAL RECOMMENDATIONS

DRP ITEM #1 – APPR - Administrative Official Designation

DRP ITEM #2 – APPR - Technical Review Committee Duty Assignments

DRP ITEM #3 – APPR - Relocation of Form District Compliance Statement for Planned Developments (PD)

DRP ITEM #4 – APPR - Submittal Materials for Rezoning Pre-application

DRP ITEM #5 – APPR - Neighborhood Meeting Notification Requirements for Rezoning Applications

DRP ITEM #6 – APPR - Submission of Materials Prior to Public Hearing for Rezoning Applications

DRP ITEM #7 – APPR - Removal of Unnecessary Time Limit for Development Plan Resubmittal

DRP ITEM #8 – APPR - Plan Certain Development Procedures

DRP ITEM #10 – APPR - Neighborhood Meeting Notification Requirements for Conditional Use Permits

DRP ITEM #11 – APPR - Conditional Use Permit Public Hearing Notification

DRP ITEM #12 – APPR - Conditional Use Permit Submission of Materials

DRP ITEM #13 – APPR - Conditional Use Permit – Board Action Terminology

DRP ITEM #14 – APPR - Variance – Grammatical Changes

DRP ITEM #15 – APPR - Variance – Removal of “Development”

DRP ITEM #16 – APPR - Variance – Submission of Materials

DRP ITEM #17 – APPR - Development Plan Reference to Ch. 5 Threshold Tables

DRP ITEM #18 – APPR - Appeals – Planning Commission’s Delegation of Appeals to a Committee & Notice Adjustment

DRP ITEM #19 – APPR - Appeal Terminology

DRP ITEM #20 – APPR - Waivers – Justification/Findings

DRP ITEM #21 – APPR - Authority to Set Fee Schedule

DRP ITEM #22 – APPR - Section 11.10 Enforcement

DRP ITEM #31 – APPR - Should Surveys be Required for Certain Types of Development Applications?

(DRP ITEMS #24-30 DO NOT INVOLVE LDC TEXT AMENDMENTS)

DRP ITEM #24 – APPR - Non-LDC – Assigning LD&T Dates When Rezoning Applications are Formally Filed

DRP ITEM #25 – **APPR** - Non-LDC – Change Name of Pre-DRC Meeting
DRP ITEM #26 – **APPR** - Non-LDC – Staff Report Recommendations
DRP ITEM #27 – **APPR** - Non-LDC – Prioritize Meeting Agendas, Easy Cases First
DRP ITEM #28 – **APPR** - Non-LDC – Reorganization and Increase in Long Range Planning Staff Recommended
DRP ITEM #29 – **APPR** - Non-LDC – Committee Supports Increased Pay for Planners
DRP ITEM #30 – **APPR** - Non-LDC – Committee Supports Technology Improvements

NON-RECOMMENDATIONS

DRP ITEM #9 – Conditional Use Permit Considerations for Review
DRP ITEM #23 – Application Submittal Notification Proposal

STAFF RECOMMENDATIONS

DRP STAFF ITEM A – **APPR** - Staff Level Review of Revised Category 3 Development Plans
DRP STAFF ITEM B – **APPR** - Correction of Conditional Use Permit Expiration Period

FAIR & AFFORDABLE HOUSING LDC SUB-COMMITTEE FINAL RECOMMENDATIONS (SEE ATTACHMENT #3)

OFFICIAL RECOMMENDATIONS

FAH ITEM #1 – **APPR** - ADI –Alternative Development Incentives Revisions
FAH ITEM #1A – **APPR** - ADI – Qualified Buyer Definitions
FAH ITEM #1B – **APPR** - ADI – Diversity Housing Unit Definition
FAH ITEM #1C – **APPR** - ADI – Lot Size Restriction
FAH ITEM #1D – **APPR** - ADI – Planned Residential District Adjustment
FAH ITEM #2 – **APPR** - Mixed Residential Development Incentive (MRDI)
FAH ITEM #2A – **APPR** - MRDI – Associated CH. 2 & 5 Changes
FAH ITEM #3 – **APPR** - Affordable Housing Density Bonus
FAH ITEM #3A – **APPR** - Affordable Housing Density Bonus – Associated CH. 2 & 5 Changes
FAH ITEM #4, PART 3 – **APPR** - Allow Multi-Family Residential in Additional Zones
FAH ITEM #5 – **APPR** - Attached Housing in R-5A Zoning District

NON-RECOMMENDATIONS

FAH ITEM #4, PARTS 1 & 2 – Allow Multi-Family Residential in Additional Zones

MISCELLANEOUS RESEARCH LDC SUB-COMMITTEE FINAL RECOMMENDATIONS (SEE ATTACHMENT #4)

OFFICIAL RECOMMENDATIONS

MIS ITEM #2 – **APPR** - Non-Traditional Living Arrangements Definitions
MIS ITEM #3 – **APPR** - Rear Yard Definition
MIS ITEM #4 – **APPR** - Definitions of Building and Structure
MIS ITEM #5 – **APPR** - Structures Attached by Breezeways
MIS ITEM #6 – **APPR** - Blue Line Stream Definition
MIS ITEM #7 – **APPR** - Manufactured Housing
MIS ITEM #9 – **APPR** - Floor Area Definition
MIS ITEM #10 – **APPR** - Rehabilitation Home and Transitional Housing Definitions
MIS ITEM #11 – **APPR** - Residual Tract and Tract Definitions
MIS ITEM #15 – **APPR** - Density Calculation
MIS ITEM #16 – **APPR** - Appendix 3C – Waterfront Review Overlay Guidelines
MIS ITEM #17 – **APPR** - Lighting

MIS ITEM #18 – **APPR** - Operating Hours
MIS ITEM #19 – **APPR** - Non-Residential Fencing Height
MIS ITEM #20 – **APPR** - Inactive Cemeteries Boundary & Buffer Requirement
MIS ITEM #21 – **APPR** - Stream Buffer Across Property Lines/Top of Bank Determination
MIS ITEM #23 – **APPR** - Non-Conforming Sign Replacement
MIS ITEM #24 – **APPR** - Signage Area Calculation
MIS ITEM #25 – **APPR** - Projecting Signs
MIS ITEM #27 – **APPR** - Adult Entertainment Provisions Consistent with LMCO Chapter 111
MIS ITEM #28 – **APPR** - Pedway Definition
MIS ITEM #29 – **APPR** - Signature Entrance Sign Definition

NON-RECOMMENDATIONS

MIS ITEM #1 – Intent Statement
MIS ITEM #8 – Roadway Definition
MIS ITEM #12 – Appendix 1A Adoption Status
MIS ITEM #13 – LDC Notes
MIS ITEM #14 – LDC Illustrations
MIS ITEM #22 – Outdoor Amenity Public Art Fee-in-Lieu Option
MIS ITEM #26 – Community Facility Reviews

STAFF RECOMMENDATIONS

MIS STAFF ITEM A – **APPR** - Outdoor Amenity Public Art Fee-in-Lieu Option, Alternate Proposal
MIS STAFF ITEM B – **APPR** - Correction in Lighting Section
MIS STAFF ITEM C – **APPR** - Demolition Definition
MIS STAFF ITEM D – **APPR** - In-Home Day Cares, Conflicts Resolved
MIS STAFF ITEM E – **APPR** - Digital Signage Adjacent to Olmsted Parks/Parkways
MIS STAFF ITEM F – Digital Billboards – More Research Needed

PERMITTED/CONDITIONAL USES LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #5)**

OFFICIAL RECOMMENDATIONS

PCUP ITEM #1 – **APPR** - Golf Course Listings
PCUP ITEM #1A – **APPR** - Golf Courses with Food or Alcoholic Beverage Service Conditional Use Permit
PCUP ITEM #2 – **APPR** - Elimination of Private Golf Course Conditional Use Permit
PCUP ITEM #4 – **APPR** - Wildlife Management Definition
PCUP ITEM #5 – **APPR** - Garage Sales Reference Eliminated
PCUP ITEM #6 – **APPR** - Agricultural Use Description in the R-R Zoning District
PCUP ITEM #7 – **APPR** - Accessory Structures in R-R Zoning District
PCUP ITEM #8 – **APPR** - Religious Building Terminology
PCUP ITEM #9 – **APPR** - Permitted Uses with Special Standards Listings Within Zoning Districts
PCUP ITEM #10 – **APPR** - Residential Care Facilities in R-E Zoning District
PCUP ITEM #11 – **APPR** - Off-street Parking in Conservation Subdivisions
PCUP ITEM #12 – **APPR** - Two-Family Dwellings in R-5A and Other Zones must still meet density and FAR
PCUP ITEM #13 – **APPR** - R-5B Residential Two-Family District Use Listings
PCUP ITEM #14 – **APPR** - Boarding & Lodging Houses in R-8A Zoning District
PCUP ITEM #15 – **APPR** - Removal of Redundant Listings in OR-2, OR-3 & OTF Zoning Districts
PCUP ITEM #16 – **APPR** - Removal of Introductory Paragraph in OR-3 Zoning District
PCUP ITEM #17 – **APPR** - Title of Mixed-Use Section
PCUP ITEM #18 – **APPR** - Micro-breweries & Micro-distilleries
PCUP ITEM #19 – **APPR** - Allow Tattoo Shops in C-1 Zoning District
PCUP ITEM #20 – **APPR** - Allow Non-residential C-2 Permitted Uses in M-1 Zoning District

PCUP ITEM #21 – **APPR** - Removal of Unnecessary Auxiliary Commercial Uses Section in the M-1 Zoning District
PCUP ITEM #22 – **APPR** - Furniture Storage
PCUP ITEM #23 – **APPR** - M-2 Two Ton Truck Weight Clarification
PCUP ITEM #24 – **APPR** - Government Owned Buildings/Uses in PRO & PEC Zones
PCUP ITEM #25 – **APPR** - Hybrid Zones; Permitted/Conditional Uses
PCUP ITEM #26 – Bed & Breakfast Conditional Use Permit
PCUP ITEM #27 – **APPR** - Medical Professionals Conditional Use Permit
PCUP ITEM #28 – **APPR** - Funeral Home Conditional Use Permit
PCUP ITEM #30 – **APPR** - Scrap Metal Processing/Junkyards Conditional Use Permit
PCUP ITEM #32 – **APPR** - Auction Sales
PCUP ITEM #33 – **APPR** - Flea Markets
PCUP ITEM #35 – **APPR** - Duplex Dwelling Unit Conditional Use Permit

NON-RECOMMENDATIONS

PCUP ITEM #3 – Private Club
PCUP ITEM #29 – Allow Mini-warehouses as Conditional Use Permit in C-1
PCUP ITEM #31 – Proposed Event and Conference Venue Conditional Use Permit
PCUP ITEM #34 – Accessory Apartments Conditional Use Permit

STAFF RECOMMENDATIONS

PCUP STAFF ITEM A – **APPR** - Add Laser Tag as a Permitted Use in C-2 & M-1 Zones
PCUP STAFF ITEM B – **APPR** - Corrected Terminology – Traffic Engineering
PCUP STAFF ITEM C – **APPR** - Alcohol Sales & Consumption – Restaurants, Taverns, Package Liquor Stores – Terminology Clarifications
PCUP STAFF ITEM D – Concept of Multiple Tavern LDC Listings
PCUP STAFF ITEM E – **APPR** - Contractor's Shop, Materials Stored Inside
PCUP STAFF ITEM F – Boarding & Lodging House – Changes to Zoning Districts Allowed Within and Clarification to Definition

FORM DISTRICTS LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #6)**

OFFICIAL RECOMMENDATIONS

FORM ITEM #1 – **APPR** - Section 5.1.7.E & F – Corrections/Reorganization
FORM ITEM #2 – **APPR** - Gas Pump Setback Requirement
FORM ITEM #4 – **APPR** - Setbacks Adjacent to Zoning Boundary Lines or Property Lines?
FORM ITEM #5 – **APPR** - Suburban Forms – Maximum Setbacks Adjacent to Parkways
FORM ITEM #6 – **APPR** - Transition Zone Setbacks
FORM ITEM #8 – **APPR** - Non-Residential Corner Lots in Traditional Form Districts

(FORM ITEM #9 DOES NOT INVOLVE AN LDC TEXT AMENDMENT)

FORM ITEM #9 – **APPR** – **NON-LDC** - Recommended Future Efforts

NON-RECOMMENDATIONS

FORM ITEM #3 – Building Height Calculation
FORM ITEM #7 – Form District Threshold Tables

SUBDIVISIONS LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #7)**

To be discussed at 9/4/14 Planning Commission meeting.

OFFICIAL RECOMMENDATIONS

(SUB ITEM #1 DOES NOT INVOLVE AN LDC TEXT AMENDMENT)

SUB ITEM #1 – Request Staff to Research New Rural Conservation Subdivision Option

SUB ITEM #2 – Changes to Existing Conservation Subdivision Regulations

STAFF RECOMMENDATIONS

SUB STAFF ITEM A – Builder's Bonds

TRANSPORTATION LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #8)**

To be discussed at 9/4/14 Planning Commission meeting.

OFFICIAL RECOMMENDATIONS

TRAN ITEM #1 – Consolidation of 5.8 (Street and Roadside Design Standards), 5.9 (Transit and Connection Standards) and 5.10 (Traffic Impacts)

TRAN ITEM #3 – Add Form District Specific Requirements Regarding Parking and Loading From Chapter 5.5 to Each Specific Form District

TRAN ITEM #4 – Add Reference to Parking Location Within Setbacks From Chapter 9.1.5.B to Each Form District

TRAN ITEM #5 – Creation of 5.8.1.A, Vehicular Connectivity

TRAN ITEM #6 – Creation of 5.8.1.B, Pedestrian Connectivity

TRAN ITEM #8 – Update Transit Related Definitions in Chapter 1

TRAN ITEM #10 – Creation of 5.8.1.C, Greenway/Trail System Connectivity

TRAN ITEM #11 – Creation of 5.8.2, Streetscape

TRAN ITEM #12 – Move Street Design section (currently 5.8.4) to Chapter 6 with Typical Street Sections

TRAN ITEM #13 – Move Pedestrian Court Requirement to Form District Open Space Requirements Section

TRAN ITEM #14 – Change Name of Chapter 6 to Mobility Design Requirements

TRAN ITEM #15 – Update Chapter 6 to Include Green Infrastructure Opportunities

TRAN ITEM #16 – Insert Language to 6.1.3 to Allow Fire Protection District to Help Determine Separate Roadway Access

TRAN ITEM #17 – Change Language of 6.2.1 – Applicability and General Standards

TRAN ITEM #19 – Change Entire Section of Chapter 6.2.3 – General Layout of Streets

TRAN ITEM #20 – Update Chapter 6.2.4 – Sidewalk Requirements – Make Pedestrian Facilities a priority

TRAN ITEM #21 – Update Chapter 6.2.5 – Roadway Construction Standards

TRAN ITEM #22 – Update Chapter 6.2.6 – Private Roadway Construction Standards

TRAN ITEM #23 – Insert Chapter 6.2.7 – Right of Way Illustrations

TRAN ITEM #24 – Move Updated Landscaping Within the Right of Way Section to Chapter 10

TRAN ITEM #25 – Eliminate Pre-Application Requirement for Permanent Street Closings

TRAN ITEM #28 – Update Appendix 6E to Current Air Quality Analysis Standards

TRAN ITEM #31 – Update Chapter 9.1.3 – Use of Required Parking Spaces

TRAN ITEM #32 – Add New Transit Related Parking Reductions

TRAN ITEM #33 – Move Note Regarding Reductions

TRAN ITEM #34 – Reorganize Parking Tables

TRAN ITEM #35 – Consolidate Chapter 9.1.4 and 9.1.5 – Parking Area Layout and Design

TRAN ITEM #36 – Consolidate Special Parking Types into Chapter 9.1.6
TRAN ITEM #37 – Eliminate 9.1.7.A – Repetitive Language
TRAN ITEM #38 – Add 9.1.8.A to Joint Use Parking Section
TRAN ITEM #39 – Update 9.1.10 – Parking Area Improvements and Maintenance
TRAN ITEM #40 – Eliminate Existing 9.1.13 – Parking Area Layout and Design
TRAN ITEM #41 – Update 9.1.11 – Queuing for Drive-Through Facilities

NON-RECOMMENDATIONS

TRAN ITEM #2 – Form District Threshold Table Updates – Mobility Standards
TRAN ITEM #7 – Creation of 5.8.1.C, Transit Connectivity
TRAN ITEM #9 – Update to Street Lighting in Chapter 4 for Transit
TRAN ITEM #18 – Insert New Chapter 6.2.2 Titled Right of Way Dedication Requirements
TRAN ITEM #20A – Update Chapter 6.2.6 – Sidewalk Requirements – Increase Sidewalk Connectivity Requirement on 5 Acre Parcels
TRAN ITEM #20B – Update Chapter 6.2.6 – Sidewalk Requirements – Increase Sidewalk Width on Local Streets
TRAN ITEM #26 – Update Chapter 6.4 Transit Standards
TRAN ITEM #27 – Include Transit in Chapter 6.5 – Traffic and Air Quality Assessment
TRAN ITEM #29 – Adopt New Transit Design Standards Manual for Appendix 6F
TRAN ITEM #30 – Remove ADA Parking Sentence from Chapter 9.1.2
TRAN ITEM #42 – Update 9.1.14 – Parking Studies to Include References to Public Works and Planning Director Approvals of Modifications
TRAN ITEM #43 – Add Peak Hour Restriction and Licensing Agreement Language to Chapter 9.1.15 – Loading Area Requirements (No action needed)
TRAN ITEM #44 – Look Into Analyzing Bicycle Parking Requirements to Determine Whether Amendments are Warranted
TRAN ITEM #45 – Adopt the Metro Complete Streets Manual as an Appendix to the LDC
TRAN ITEM #46 – Adopt the Metro Bicycle Master Plan as Cornerstone 2020 Core Graphics
TRAN ITEM #47 – Adopt Pedestrian Master Plan as Part of Cornerstone 2020 Core Graphics
TRAN ITEM #48 – Revise Sight Triangle Ordinance to Meet AASHTO Standards
TRAN ITEM #49 – Recommend Revisions to the ADA Parking Ordinance

STAFF RECOMMENDATIONS

TRAN STAFF ITEM A – Mixed-Use Parking Reduction Clarification
TRAN STAFF ITEM B – Green Management Practices, Green Streets

LANDSCAPING LDC SUB-COMMITTEE **FINAL RECOMMENDATIONS (SEE ATTACHMENT #9)**

To be discussed at 9/4/14 Planning Commission meeting.

OFFICIAL RECOMMENDATIONS

LAND ITEM #1 – Tree Canopy Applicability, Change Building Area to Building Footprint
LAND ITEM #3 – Tree Canopy Compliance Options
LAND ITEM #4 – Tree Canopy Standards
LAND ITEM #7 – Tree Canopy Reductions
LAND ITEM #9 – Add Cross-reference
LAND ITEM #10 – Add Clarifying Language
LAND ITEM #11 – Tree Canopy Coverage Ground Checking, New Dripline Option
LAND ITEM #12 – Tree Canopy Calculation, Change Percentage to Square Footage
LAND ITEM #13 – Deciduous & Evergreen Tree Canopy Credit Tables
LAND ITEM #14 – Tree Preservation Plan Requirement Section
LAND ITEM #15 – Standards for Tree Canopy Protection Areas
LAND ITEM #16 – Tree Canopy Credit Area Exceptions

LAND ITEM #17 – Percent Change in TCPA (TCCA)
LAND ITEM #18 – Tree Canopy Waivers
LAND ITEM #19 – Applicability of Landscaping Regulations Section
LAND ITEM #20 – Landscape Buffer Area Requirements Met on Adjoining Property
LAND ITEM #21 – Property Perimeter LBA's Apply to Zoning Boundaries
LAND ITEM #22 – Landscape Buffer Intensity Class Chart
LAND ITEM #23 – Add Town Center Form District to Traditional Form Exception
LAND ITEM #24 – Sidewalks Encroaching into LBA's
LAND ITEM #25 – Utility Easement/ LBA Overlap Section
LAND ITEM #26 – Relocation/Elimination of Section
LAND ITEM #27 – Elimination of Section
LAND ITEM #28 – Miscellaneous Changes to Exceptions Section
LAND ITEM #29 – Miscellaneous Changes to Exceptions Section
LAND ITEM #30 – Property Perimeter Planting, Minor Adjustments
LAND ITEM #31 – Reorganizing of Section
LAND ITEM #32 – Street Trees
LAND ITEM #33 – Riparian Trees
LAND ITEM #34 – Vehicle Use Area LBA's
LAND ITEM #36 – Vehicular Use Area Interior Landscape Areas (VUA ILA's)
LAND ITEM #37 – VUA ILA Planting Requirements
LAND ITEM #38 – Screening Options in Suburban Workplace Form District
LAND ITEM #39 – Applicability Section
LAND ITEM #40 – Parkway Development Standards
LAND ITEM #41 – Scenic Corridor Development Standards
LAND ITEM #42 – Gene Snyder Freeway Development Standards
LAND ITEM #43 – Olmsted Parkways – Remove from Ch. 10
LAND ITEM #44 – Alternative Landscape Designs
LAND ITEM #45 – Single Plant Species Percentage Reduction
LAND ITEM #46 – Plant Quality, Update Reference
LAND ITEM #47 – Plant Sizes
LAND ITEM #48 – Tree Spacing
LAND ITEM #49 – Added Reference to ANSI A300
LAND ITEM #50 – Protection During Construction
LAND ITEM #51 – Walls and Fences
LAND ITEM #52 – Landscape Lighting
LAND ITEM #53 – Clearing
LAND ITEM #54 – Maintenance
LAND ITEM #55 – Protection of Public Property
LAND ITEM #56 – Remove Section on Tree Service Contractors
LAND ITEM #57 – Enforcement
LAND ITEM #58 – Appendix 10D – PDS Tree Preservation Policy
LAND ITEM #59 – Relocation of Chapter 10 Part 5 Open Space Standards

NON-RECOMMENDATIONS

LAND ITEM #2 – Tree Canopy Applicability, Less Than 20% Increase
LAND ITEM #5 – Tree Canopy Category Table
LAND ITEM #6 – Minimum Tree Canopy Coverage Table
LAND ITEM #8 – Remove Unnecessary Statement
LAND ITEM #35 – Vehicle Use Area Perimeter Planting

STAFF RECOMMENDATIONS

LAND STAFF ITEM A – Olmsted Parkways Development Guidelines

RESPONSE TO METRO COUNCIL RESOLUTION NO. 171, SERIES 2013 **(SEE ATTACHMENT #10)**

On 11/7/13 Louisville Metro Council adopted a resolution requesting Planning & Design Services staff and the Planning Commission review how various land uses are addressed within the Land Development Code. Land uses mentioned in the resolution included: Package Liquor Stores, Pawn Shops, Cash Advance Stores, Paycheck Loan Sites, Blood/Plasma Collection Centers, Rehabilitation Homes, Peddlers Malls, Group and Transitional Housing and Flea Markets.

Between June, 2012 and April, 2014 the Land Development Code (LDC) Improvement Committee, and its nine sub-committees, reviewed various sections of the Land Development Code with the objective of recommending a series of text amendments to the Planning Commission and ultimately Metro Council and other legislative bodies for consideration. Attachment #10 includes a summary of how the LDC committees, particularly the Permitted/Conditional Use (P/CUP) Sub-committee, have discussed each of the land uses mentioned in the above resolution. Any proposed LDC text amendments mentioned in this report will be presented along with other Round Two LDC amendments to the Planning Commission in Summer 2014. The Planning Commission will then make recommendations to Metro Council and other legislative bodies.

COMMENTS RECEIVED DURING MAY 30-JUNE 30 PUBLIC COMMENT PERIOD **(SEE ATTACHMENT #11)**

COMPREHENSIVE PLAN JUSTIFICATION

These amendments to the Land Development Code are in accordance with the following Goals, Objectives and Plan Elements of the Cornerstone 2020 Comprehensive Plan.

1. Goal A1 – Form Districts
Identify land use policies which apply to emerging forms or patterns of development; physical features; existing and planned community facilities and transportation systems; and infrastructure, capital investment and economic planning initiatives. Use these policies as a guide for the location, type and design of future land development, transportation and community facilities within Jefferson County.
2. Goal A3 – Land Development Regulations
Utilize land development regulations associated with form, special, and zoning districts, together with subdivision, environmental performance and other types of standards to encourage greater diversity of land uses while ensuring compatibility of new development and redevelopment with nearby existing sites and with the character of the form or special district.
3. Goal K1 – People, Jobs & Housing
Provide for the production of appropriate housing in conjunction with major employment centers.
 “Appropriate housing” is:
 - safe and sanitary;
 - in compliance with relevant codes and regulations;
 - housing that establishes and reinforces income diversity in a neighborhood;
 - housing that establishes and reinforces a variety of choices of housing types and costs and;
 - housing that is affordable for all income ranges.
4. Objective K1.2 – People, Jobs & Housing
Create incentives for the development of appropriate housing in conjunction with major new developments and existing employment centers.
5. Goal K2 – Supply of Housing
Ensure an adequate supply of appropriate housing throughout the county.

6. Objective K2.1 – Supply of Housing
Ensure that the planning and regulatory process does not create barriers to the production of appropriate housing. Encourage the production of appropriate housing through creative development, incentives, and partnerships with service providers.
7. Goal A1 – Mobility Strategy
Provide a safe, economical, accessible, and efficient system for transporting people and goods that is consistent with Community Form, Marketplace and Livability goals and objectives, promotes orderly development, and affords a choice of travel modes.
8. Objective E1.2 – Pattern of Development
Utilize appropriate standards for the design and construction of public streets and residential areas that safely accommodate pedestrian, bicycle and transit modes as well as the private automobile.
9. Goal I4 – Alternative Transportation Modes
Provide a cohesive network of streets, walkways and bicycle paths to promote efficient circulation patterns between new development, on a selective basis, with its surroundings.
10. Objective A1.2 – Land
Ensure that planning and zoning requirements are clear, consistent, and reasonable.
11. Objective C1.1 – Business Support
Improve the efficiency and effectiveness of the development review, approval and permitting process.
12. Objective D1.6 – Business Climate
Expand the Louisville area’s hospitality and tourism industry.
13. Goal D2 – Quality Of Life
Enhance and maintain the quality of life in Jefferson County.
14. Objective D2.1 – Quality of Life
Enhance the quality of life in Jefferson County by affirming and protecting the economic value of neighborhoods and natural resources.
15. Objective B1.8 – Stormwater Management
Encourage site design that reduces impervious surface materials and maximizes the saturation capacity of the soil in order to reduce runoff and to minimize the need for downstream system improvements necessary to contain it.
16. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.3 – Residential Compatibility. Encourage residential character that is compatible with adjacent residential areas. Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to mitigate nuisances and provide an appropriate transition between the areas. Examples of mitigation as appropriate include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.
17. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.8 – Lighting. Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky.
18. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.10 – Variety of Housing Types. Encourage new residential development and redevelopment to include a variety of housing types including, but not limited to, single family detached, single family attached, multi-family, zero lot line, average lot, cluster, and accessory residential structures. Housing types should reflect the form district pattern.

19. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.11 – Higher Density in Appropriate Areas. Locate higher density and intensity uses along transit corridors and in or near activity centers.
20. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.14 – Appropriate/Inclusive Housing. Encourage provision of appropriate/inclusive housing by providing a variety of ownership options and unit costs throughout Jefferson County. Expand opportunities for people to live in sound, variably priced housing in locations of their choice by encouraging lower cost housing in dispersed locations throughout the community.
21. Community Form/Land Use Plan Element. Guideline 3 – Compatibility
Policy A.16 – Incentives for Appropriate/Inclusive Housing. Incorporate incentives for the development of appropriate housing in the Land Development Code. They may include but not be limited to density bonuses for projects that include low/moderate income housing, waiving local fees as appropriate, and encouraging mixed-use projects that include appropriate housing components.
22. Community Form/Land Use Plan Element. Guideline 4 – Open Space
Policy A.6 – Open Space Requirement. Encourage, through the use of incentives or otherwise, common open space in new residential development based on density, need for open space, size of development, and proximity to greenways.
23. Marketplace Plan Element – Guideline 6 – Economic Growth and Sustainability
Provide a positive culture for attracting and sustaining business within Louisville and Jefferson County.
24. Mobility/Transportation Plan Element – Guideline 7 – Circulation
Ensure a balanced and comprehensive multi-modal transportation network that is coordinated with desired growth and development patterns and provides for the movement of people and goods.
25. Mobility/Transportation Plan Element – Guideline 8 – Transportation Facility Design
Design transportation facilities that are safe and efficient, that minimize adverse impacts upon the community and that accommodate, where possible, all modes of travel, such as trucks, automobiles, transit, pedestrians and bicycles.
26. Livability/Environment Plan Element – Guideline 13 – Landscape Character
Protect and enhance landscape character.
27. Livability/Environment Plan Element – Guideline 13 – Landscape Character
Policy A.4 – Landscape Design Standards. Ensure appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas.
28. Livability/Environment Plan Element – Guideline 13 – Landscape Character
Policy A.5 – Tree Canopy. Require tree preservation best management practices during land development and construction activities. Provide standards to ensure creation and/or preservation of tree canopy as a valuable community resource.
29. Livability/Environment Plan Element – Guideline 13 – Landscape Character
Policy A.6 – Buffers for Incompatible Uses. Provide standards for screening and buffering to mitigate adjacent incompatible uses.