

## **NEIGHBORHOOD PLANS**

### **§ 161.01 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**NEIGHBORHOOD** or **NEIGHBORHOOD BOUNDARIES.** The geographical area being studied for the purpose of neighborhood plan development in accordance with this chapter.

**NEIGHBORHOOD PLAN.** A document prepared in accordance with this chapter, as well as the policies and procedures established by Develop Louisville, or its successor, and intended to address the planning needs and policy goals of the citizens of a particular geographic area of Louisville Metro. This term shall include small area studies and plans, corridor studies and plans, and other similar documents, provided the particular document is prepared in accordance with this chapter.

**PRIMARY RESIDENCE.** A primary residence is the main home of an individual. An individual has only one primary residence at a time. If an individual owns and lives in just one dwelling unit, then that property is their primary residence. If an individual owns or lives in more than one dwelling unit, then they must apply a “facts and circumstances” test to determine which property is their primary residence. While the most important factor is where they spend the most time, other factors are relevant as well. The more of these factors that are true of a home, the more likely that it is a primary residence: Factors include, but are not limited to, the address listed on an individual’s U.S. Postal Service address, Voter Registration Card, federal and state tax returns, driver’s license, state identification card, and/or voter registration.

### **§ 161.02 INITIATION OF NEIGHBORHOOD PLAN.**

All neighborhood plans shall be initiated by either (i) Develop Louisville, or its successor, or (ii) a written request to Develop Louisville, or its successor, from the Metro Council member(s) of the district(s) the neighborhood that will be the subject of the neighborhood plan is located in. Other stakeholders in the neighborhood, including but not limited to, small cities or neighborhood associations, may request that Develop Louisville, or its successor, initiate a neighborhood plan. Factors used by Develop Louisville or its successor, in considering such stakeholder requests include, but are not limited to: funding availability, staff capacity, and if a neighborhood plan already exists for the neighborhood, the age of the existing neighborhood plan.

### **§ 161.03 PREPARATION AND CONTENTS OF NEIGHBORHOOD PLAN.**

(A) *Generally.* All neighborhood plans shall be prepared in accordance with the requirements of this chapter, as well as with all Develop Louisville, or its successor, policies and procedures for neighborhood plans.

(B) *C.H.A.S.E. principles.* All neighborhood plans shall be prepared in accordance with the five guiding principles, known as the C.H.A.S.E. principles, of Plan 2040,

Louisville Metro Government's comprehensive plan: Connected, Healthy, Authentic, Sustainable, and Equitable.

(C) *Study area boundary.* A geographic boundary for the neighborhood plan shall be established at the beginning of the planning process.

(D) *Mandatory sections.* Neighborhood plans or plan sections and their recommendations shall be prepared in accordance with the principles and guidelines of the adopted comprehensive plan, including the five C.H.A.S.E. principles, and shall include:

(1) *Introduction.* This section shall include a description of the neighborhood background, the purpose for initiating the plan, an overview of the planning process, and a map showing the neighborhood boundaries and location in the city. In addition, the introduction shall include a brief description of the research basis for the neighborhood plan, or a statement that the research relied upon for the adoption of the comprehensive plan currently in place is still valid and was relied upon for the adoption of the neighborhood plan.

(2) *Vision statement.* A concise statement that describes the vision for the neighborhood in the future, as held by neighborhood residents and other stakeholders.

(3) *Neighborhood identity.* A description of the neighborhood as it presently exists, including history, demographics, existing conditions, and defining characteristics of the neighborhood.

(4) *Land use/community form.* An explanation of the existing pattern of major public and private land uses, proposal for future patterns of land use to preserve or improve its general character.

(5) *Mobility.* A transportation section, including a description of all existing modes of transportation, a projected transportation system for all modes.

(6) *Housing.* An analysis of existing housing patterns and challenges in the neighborhood, with recommendations for ways to increase housing diversity, availability, and affordability.

(7) *Plan Implementation.* Recommendations, in accordance with the comprehensive plan, set forth in the neighborhood plan, with implementation responsibility and time frame articulated.

(8) *Executive summary.* A brief restatement of the vision statement and recommendations defined within each plan section, in a summary format, that is consistent with the plan elements of the comprehensive plan. This section shall serve as the basis for the "executive summary" of the neighborhood plan, which will be adopted as a part of the comprehensive plan.

(E) *Optional sections.* The neighborhood plan may also contain a section or sections relating to other areas of concern to the neighborhood. If included, these sections should contain an assessment of neighborhood issues and assets as they

currently exist, and specific recommendations for improvement or preservation. These sections may include, but not be limited to:

- (1) Economic Development;
- (2) Environmental Resources;
- (3) Community Facilities and Services;
- (4) Parks, Open Space, and Recreation;
- (5) Urban Design or Special District;
- (6) Historic Preservation;
- (7) Safety;
- (8) Youth Engagement;
- (9) Welcoming Community;
- (10) Aging in Place;
- (11) Digital Infrastructure; and
- (12) Education.

(F) *Public process.* Development of the neighborhood plan shall be guided by a minimum of three (3) public engagements during the planning process, not including meetings of the Advisory Group or public meetings hosted by the Planning Commission or Metro Council. These engagements may include, but are not limited to, in-person meetings or digital engagements, at a time and place informed by the needs of the neighborhood. These engagements should be accessible to all, including any reasonable accommodations needed to overcome language, literacy, or technology barriers.

#### **§ 161.04 ROLE OF DEVELOP LOUISVILLE.**

Develop Louisville, or its successor, administers the neighborhood planning process. The role of Develop Louisville, or its successor, is to ensure that the neighborhood plan process is conducted in accordance with Develop Louisville, or its successor, policies and guidelines, create or assist in the creation of neighborhood plans, conduct reviews of draft neighborhood plans for conformance with the Comprehensive Plan, Planning Commission policies, and this chapter.

#### **§ 161.05 NEIGHBORHOOD PLAN ADVISORY GROUP.**

(A) *Advisory Group designation.* The Advisory Group is designated by Develop Louisville, or its successor, upon the recommendation of and with concurrence from any relevant neighborhood associations or groups and the Metro Council member(s) of the district(s) in which the subject neighborhood is located.

(B) *Advisory Group composition.*

(1) The Advisory Group shall consist of at least seven individuals, with a recommended maximum of 20 individuals, to be determined during the pre-planning process based on neighborhood size and input from Develop Louisville, or its successor, and the impacted Metro Council member(s). The majority of the Advisory Group shall be composed of individuals with a primary residence within the neighborhood.

(2) Other potential members of the Advisory Group may include, but are not limited to, the following:

- (a) Non-resident owners of property within the neighborhood;
- (b) Owners of businesses within the neighborhood; and
- (c) Representatives of institutions within the neighborhood.

(3) No more than one person per parcel, address, or business may serve on the Advisory Group.

(4) The demographic composition of the Advisory Group shall be diverse in age, race, gender, ability, property ownership status, and socioeconomic status.

(C) *Advisory Group role.* The Advisory Group's participation in the development of the neighborhood plan involves identifying important neighborhood issues and potential stakeholders, and working with staff to provide input on content and recommendations of the neighborhood plan. The Advisory Group shall perform a purely advisory role related to issues specific to development of the neighborhood plan, under leadership provided by Develop Louisville, or its successor, or its consultant. No official positions within the Advisory Group exist, and the Advisory Group is not authorized to ratify or otherwise approve the contents of neighborhood plans. The Advisory Group function does not include input on current discretionary reviews, infrastructure improvements, or development activities in progress within the neighborhood.

(D) *Advisory Group meetings.* The Advisory Group, under the leadership of Develop Louisville, or its successor, or its consultant, shall conduct meetings, which shall be open to the public. The meeting should be accessible to all, including reasonable accommodations need to overcome language, literacy or technology barriers. The agenda for the meetings shall be established by Develop Louisville, its successor, or its consultant. At a minimum, the Advisory Group shall conduct attendance prior to the meeting commencement. Attendance documentation shall consist of, but not be limited to legal name, address/parcel, and Advisory Group composition category. Detailed minutes of each meeting shall be made and kept in the neighborhood plan file at the offices of Develop Louisville.

(E) *Advisory Group meeting attendance.* Any Advisory Group member who has more than one unexcused absence (absent without providing 24 hour non-emergency notification) may be replaced with concurrence of the sponsoring Metro Council members of the district(s) in which the neighborhood is located. A new Advisory Group

member shall be designated in their place as prescribed in the process contained herein.

#### **§ 161.06 USE OF NEIGHBORHOOD PLANS.**

(A) *Use by the Metro Council.*

(1) If the Metro Council adopts a neighborhood plan or plan section, it shall thereafter consider the recommendations and proposals of the plan in the development of county-wide plans and strategies, the review of policy, the allocation of resources, the provision of services and the preparation and review of budgets, both general and community development; and

(2) The Council may also exercise its authority under KRS 100.211 to act as applicant for form district or zoning change proposals recommended by the plan to establish a development pattern compatible with the neighborhood plan or plan sections. This shall in no way bind the Metro Council to approve any form district or zoning change proposal. The Metro Council shall objectively discharge its responsibilities pursuant to KRS Ch. 100.

(3) The neighborhood plans or plan sections shall be introduced as official planning evidence in the review of zoning change proposals for determining agreement with the community's Comprehensive Plan.

(B) *Use by executive branch.* Adopted neighborhood plans or plan sections shall be used by the executive branch of Metro Government and various associated agencies as guides in the development of county-wide plans and policies, the review of policy, the allocation of resources, the provision of services and the preparation and review of budgets, both general and community development.

#### **§ 161.07 REVIEW AND ADOPTION OF NEIGHBORHOOD PLAN.**

(A) *Neighborhood meeting requirement.* Prior to submitting the draft neighborhood plan to the Planning Commission for a public hearing, the plan shall be made available for public review and comment at a public meeting, in addition to other public presentations such as online engagement. This meeting/presentation is not included in the minimum of three (3) public engagements required during the planning process in §161.03(F). The plan should be accessible to all, including any reasonable accommodations needed to overcome language, literacy or technology barriers.

(B) *Planning Commission public hearing and recommendation.* After a neighborhood plan has been prepared in accordance with this chapter, and before it is acted on by the Metro Council, the Louisville Metro Planning Commission shall hold at least one public hearing and make a recommendation to Metro Council on the neighborhood plan, including what portions, if any, of the executive summary of the neighborhood plan should be adopted by Metro Council as an amendment to the comprehensive plan. The Planning Commission shall publish notice of the public hearing not less than seven nor more than 21 days prior to the hearing, in accordance with KRS Chapter 424.

(C) *Metro Council adoption.* After the Planning Commission has held a public hearing and made a recommendation on a neighborhood plan, the Metro Council may enact an ordinance adopting the neighborhood plan as recommended by the Planning Commission, or with modifications. Additionally, the Metro Council may specifically adopt an Executive Summary of the neighborhood plan as an amendment to the comprehensive plan.

#### **§ 161.08 AMENDMENTS AND REVIEWS.**

All neighborhood plans or plan sections may be reviewed and amended by the Metro Council at any time. The Planning Commission or Metro Council may initiate updates to previously completed neighborhood plans, including plans that were completed, but that were not formally adopted by the legislative body. Executive summaries of such plans may be adopted as part of the comprehensive plan if found to comply with the adopted goals and objectives of the comprehensive plan in place at the time of the proposed update or adoption. Such review and amendment shall follow the procedures set forth under §§ 161.01 through 161.07.

#### **§ 161.09 ADOPTED NEIGHBORHOOD PLANS.**

Neighborhood plans adopted by the Metro Council in accordance with this chapter shall be listed in Table XIV: Land Development Code, contained in the Louisville/Jefferson County Metro Government Table of Special Ordinances.