

PLANNING COMMISSION RESOLUTION 21-LDC-0006

A RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING APPROVAL OF LAND DEVELOPMENT CODE TEXT AMENDMENTS TO CHAPTER 2, PARTS 2 THROUGH 4, SECTION 2.7.3, AND CHAPTER 7, Part 11 ALLOWING TWO FAMILY RESIDENTIAL USE IN THE MULTI-FAMILY RESIDENTIAL AND OFFICE/RESIDENTIAL ZONES AND REMOVING THE FLOOR AREA RATIO REQUIREMENT FROM RESIDENTIAL ZONING DISTRICTS AND THE CONSERVATION SUBDIVISION PROVISION TO THE LOUISVILLE METRO COUNCIL AND OTHER JURISDICTIONS WITH ZONING AUTHORITY.

WHEREAS, the Louisville Metro Council adopted a resolution on August 20, 2020 directing the Planning Commission to review the Land Development Code and develop recommendations for more equitable and inclusive development; and

WHEREAS, the Louisville Metro Planning Commission adopted a resolution on August 25, 2020 directing Planning and Design Services staff review the Land Development Code and develop recommendations for more equitable and inclusive development; and

WHEREAS, the Land Development Code (LDC) Diagnosis with Housing Focus was completed by Opticos Design in July 2020, as part of this analysis it was recommended that the floor area ratio be increased significantly because it limits development on residentially zoned property, especially within traditional form districts where lot patterns predate zoning; and

WHEREAS, Planning and Design Services staff identified that the floor area ratio is not needed based on existing design provisions such as maximum building heights, setbacks/yards, and open space requirements; and

WHEREAS, Planning and Design Services staff identified that not allowing a two family residential use in a multi-family zone outright no matter the lot size was inconsistent with less intense zoning districts such as the R-5B zone; and

WHEREAS, the comprehensive plan, Plan 2040, includes Community Form Policy 2.18 which recommends that the Land Development Code be reviewed periodically for ensure that the code follows best practices; the proposed amendment follows best practices as outlined within the LDC Diagnosis and based on further research by Planning and Design Services staff; and

WHEREAS, Plan 2040, includes Housing Policy 1.1 which encourages a variety of housing types; removing the floor area ratio and the allowance of two family residential in multi-family residential zones will provide greater flexibility in site design thereby promoting more diverse housing types; and

WHEREAS, Plan 2040, includes Housing Policy 2.4 which encourages the adoption of regulations to encourage the use of vacant land and abandoned properties; the removal of the floor area ratio requirement and the adoption of a provision to allow two family use in multi-family residential zones serves this purpose by providing greater flexibility in design to promote the adaptive reuse or redevelopment of vacant and abandoned properties; and

WHEREAS, Plan 2040, includes Housing Policy 3.3 which encourages the use of innovative methods for housing development such as clustering, co-housing, and accessory apartments; the removal of the floor area ratio and allowance of two family residential in multi-family

residential provides greater flexibility to provide more innovative approaches to housing development; and

WHEREAS, the Planning Commission finds that the proposed text amendments to the LDC meet the goals, objectives, and policies of the comprehensive plan, Plan 2040.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO PLANNING COMMISSION AS FOLLOWS:

Additions

Deletions

SECTION I: Chapter 2, Part 1 of the LDC, Section 2.1.3, is amended as follows:

...

- F. ~~Two-Family &~~ Multi-Family Dwellings, and ~~Density & Floor Area Ratio Compliance~~
~~In zoning districts that allow Two-Family Dwellings as a permitted use, the applicable density and floor area ratio requirements must be complied with in order for two dwelling units to be permissible on a given parcel.~~ In zoning districts that allow Multi-Family Dwellings as a permitted use, the applicable density ~~and floor area ratio~~ requirements must be complied with in order for three or more dwelling units to be permissible on a given parcel.

SECTION II: Chapter 2, Part 2 of the LDC, Section 2.2.1 R-R Rural Residential District, is amended as follows:

A. Permitted Uses:

- 1. General

...

Dwellings, Single-family (Existing lots are not subject to paragraph E maximum density)

...

E. Maximum Density: ~~and FAR~~

- ~~1. Maximum Floor Area Ratio: 0.05~~

~~Floor Area Ratio for Conservation Subdivisions see Table 7.11.1~~

- ~~2. Maximum Density: 0.2 dwellings per acre~~

SECTION III: Chapter 2, Part 2 of the LDC, Section 2.2.2 R-E Residential Estate District, is amended as follows:

A. Permitted Uses:

...

Dwellings, single-family (Existing lots are not subject to paragraph E maximum density)

...

E. Maximum Density ~~and FAR~~:

- ~~1. Maximum Floor Area Ratio: 0.4~~

~~Floor Area Ratio for Conservation Subdivisions see Table 7.11.1~~

- ~~2. Maximum Density: 1.08 dwellings per acre~~

SECTION IV: Chapter 2, Part 2 of the LDC, Section 2.2.3 R-1 Residential Single Family District, is amended as follows:

A. Permitted Uses:

...
 Dwellings, Single-family (Existing lots are not subject to paragraph E maximum density)
 ...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio:~~

~~a. For all lots:0.3~~

~~For all other lots (Anchorage only)0.12~~

~~Floor Area Ratio for Conservation Subdivisions see Table 7.11.1~~

~~2. Maximum Density:~~

~~a. For Anchorage, Shively: 1.45 dwellings per acre~~

~~b. For Jefferson County Louisville Metro, Douglass Hills, Hurstbourne, Middletown, St. Matthews:1.08 dwellings per acre~~

Editor's Note:

<u>Jurisdiction</u>	<u>Maximum Density</u>
<u>Anchorage and Shively</u>	<u>1.45 dwelling units per acre</u>

SECTION V: Chapter 2, Part 2 of the LDC, Section 2.2.4 R-2 Residential Single Family District, is amended as follows:

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio: 0.5~~

~~Floor Area Ratio for Conservation Subdivision see Table 7.11.1~~

~~2. Maximum Density:2.17 dwellings per acre~~

SECTION VI: Chapter 2, Part 2 of the LDC, Section 2.2.5 R-3 Residential Single Family District, is amended as follows:

...

E. Maximum Density ~~and FAR~~:

~~1. Maximum Floor Area Ratio: 0.5~~

~~Floor Area Ratio for Conservation Subdivision see Table 7.11.1~~

~~2. Maximum Density:3.63 dwellings per acre~~

SECTION VII: Chapter 2, Part 2 of the LDC, Section 2.2.6 R-4 Residential Single Family District, is amended as follows:

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio:~~

~~a. For reduced size lots created in accordance with the Alternative Development Incentives regulations (Chapter 4, Part 5): 1.5~~

~~b. For all other lots: 0.5~~

~~c. Floor Area Ratio for Conservation Subdivision see Table 7.11.1~~

~~2. Maximum Density:4.84 dwellings per acre~~

SECTION VIII: Chapter 2, Part 2 of the LDC, Section 2.2.7 R-5 Residential Single Family District, is amended as follows:

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio:~~

~~a. For reduced size lots created in accordance with the Alternative Development Incentives regulations (Chapter 4, Part 5) 1.5~~

~~b. For all other lots: 0.5~~

~~c. Floor Area Ratio for Conservation Subdivision see Table 7.11.1~~

~~2. Maximum Density:7.26 dwellings per acre~~

SECTION IX: Chapter 2, Part 2 of the LDC, Section 2.2.8 U-N Urban Neighborhood District, is amended as follows:

A. Permitted Uses:

...

Dwellings, semi-detached, where each dwelling unit is constructed on its own lot with one zero lot line and meets all other requirements of this district. (Existing lots are not subject to paragraph E maximum density)

Dwellings, Single-family (Existing lots are not subject to paragraph E maximum density)

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio:0.75~~

~~Planned Development Option:3.0~~

~~2. Maximum Density:1 dwelling per lot~~

SECTION X: Chapter 2, Part 2 of the LDC, Section 2.2.9 R-5A Residential Multi-Family District, is amended as follows:

A. Permitted Uses:

...

Dwellings, Single-family attached and detached (Not subject to paragraph E maximum density)

Dwellings, Two-family (Not subject to paragraph E maximum density)

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio: 0.5~~

~~2. Maximum Density:~~ 12.01 dwellings per acre

SECTION XI: Chapter 2, Part 2 of the LDC, Section 2.2.10 R-5B Residential Two-Family District, is amended as follows:

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio: 0.5~~

~~2. Maximum Density:~~ Two dwellings per lot

SECTION XII: Chapter 2, Part 2 of the LDC, Section 2.2.11 R-6 Residential Multi-Family District, is amended as follows:

...

A. Permitted Uses:

...

Dwellings, Two-family (Not subject to paragraph E maximum density)

...

E. Maximum Density ~~and Far~~

~~1. Maximum Floor Area Ratio:0.75~~

~~2. Maximum Density:~~17.42 dwellings per acre

SECTION XIII: Chapter 2, Part 2 of the LDC, Section 2.2.10 R-7 Residential Multi-Family District, is amended as follows:

A. Permitted Uses:

...

Dwellings, Two-family (Not subject to paragraph E maximum density)

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio: 1.0~~

~~2. Maximum Density:~~34.8 dwellings per acre

SECTION XIV: Chapter 2, Part 2 of the LDC, Section 2.2.9 R-5A Residential Multi-Family District, is amended as follows:

A. Permitted Uses:

...

Dwellings, Two-family (Not subject to paragraph E maximum density)

...

E. Maximum Density ~~and FAR~~

~~1. Maximum Floor Area Ratio: 3.0~~

~~2. Maximum Density:~~ 58.08 dwellings per acre

SECTION XV: Chapter 2, Part 3 of the LDC, Section 2.3.1 OR Office/Residential District, is amended as follows:

...

A. Permitted Uses:

...

Dwellings, Multi-family, ~~within the density limit of 12.05 dwellings per acre~~

Dwellings, Single-family (Not subject to paragraph E maximum density)

Dwelling, Two-Family (Not subject to paragraph E maximum density)

...

E. Maximum Density and FAR

1. Maximum Floor Area Ratio:.....0.35

2. Maximum Density:12.01 dwellings per acre

SECTION XVI: Chapter 2, Part 3 of the LDC, Section 2.3.2 OR-1 Office/Residential District, is amended as follows:

...

A. Permitted Uses:

All uses permitted in the OR Office Residential District, as well as the following use(s):

...

~~Dwellings, Two-family~~

SECTION XVII: Chapter 2, Part 3 of the LDC, Section 2.3.3 OR-2 Office/Residential District, is amended as follows:

...

A. Permitted Uses:

All uses permitted in the OR Office Residential District, as well as the following use(s):

...

~~Dwellings, Two-family~~

SECTION XVIII: Chapter 2, Part 3 of the LDC, Section 2.3.4 OR-3 Office/Residential District, is amended as follows:

...

A. Permitted Uses:

All uses permitted in the OR Office Residential District, as well as the following use(s):

...

~~Dwellings, Two-family~~

SECTION XIX: Chapter 2, Part 3 of the LDC, Section 2.3.5 OR-1 OTF Office/Tourist Facility District, is amended as follows:

...

A. Permitted Uses:

All uses permitted in the OR Office Residential District, as well as the following use(s):

...

~~Dwellings, Two-family~~

SECTION XX: This resolution shall take effect upon its passage and approval.

DocuSigned by:

Marilyn Lewis

Marilyn Lewis

Chair