

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMITTEE MEETING
FEBRUARY 8, 2021**

A meeting of the Louisville Metro Planning Committee was held on February 8, 2021 at 6:00 pm via a Webex virtual meeting.

Committee Members present:

Lula Howard
Juva Barber
Jeff Brown
Patti Clare
Mellone Long

Committee Members absent:

Pat Seitz
David Tomes

Staff Members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Joe Haberman, Planning & Design Manager
Julia Williams, Planning & Design Supervisor
Chris French, Planning & Design Supervisor
Laura Ferguson, Legal Counsel

Others present:

*attendance was not taken due to the virtual nature of the meeting

The following matters were considered:

PLANNING COMMITTEE MINUTES FEBRUARY 8, 2021

Land Development Code Reform Recommendations

Request: Land Development Code Reform Recommendations
Case Manager: Emily Liu, AICP, Planning & Design Director

Emily Liu introduced the Land Development Code Reform project to the committee. In August 2020, Metro Council and the Planning Commission passed resolutions asking Planning & Design Staff to take a look at the Land Development Code from an equity standpoint. In the months following these actions, PDS staff has conducted a number of listening sessions, workshops, and conducted extensive research into the history of planning and zoning in our community. The purpose of tonight's meeting is to present the first six topics of discussion and recommendations.

Chris French presented the Land Development Code Reform recommendations. The first six topics include: Notice Requirement, Urban Agriculture, Accessory Dwelling Units, Setback Requirements, Duplexes in Multifamily Zoning, and Floor Area Ratio.

Notice Requirements: require notice to residents as well as property owners to increase accessibility and engagement within the development approval process.

Urban Agriculture – reduce barriers for community and market gardens by allowing in additional zoning districts, removing parking requirements and removing landscape requirements.

Accessory Dwelling Units – remove the conditional use requirement for accessory apartments and create special standards related to size, location, etc that would make them more permissible in more zones.

Residential Setbacks – reduce minimum front yard setbacks in Neighborhood and Traditional Neighborhood form districts and amend easement overlap requirements to help allow smaller lots.

Floor Area Ratio and Two Family Use in Multi-family Residential – remove Floor Area Ratio (FAR) from residential zones and allow two family uses in multi-family and office-residential zones by not making them subject to maximum density requirements.

PDS will be having a public comment period, during which the public is encouraged to submit comments and ask questions about the proposed changes. These comments will be compiled and provided to the Planning Committee and Planning Commission as these recommendations move forward. The issues will be addressed at the March 22, 2021 Planning Committee meeting.

Committee Member Barber asked questions about the changes to notice requirements. Chris French said property owner information is available from PVA, and if the address doesn't match the site then one can conclude that property is occupied by a renter. In situations like this, a notice would be sent to the address to something like Current Resident. As for apartment developments, one notice is required to be sent to the owner or manager. This will help keep residents informed of ongoing projects in areas with high renter occupancy.

PLANNING COMMITTEE MINUTES FEBRUARY 8, 2021

Land Development Code Reform Recommendations

Committee Member Brown asked if it was possible to look at previous cases and see approximately how many additional notices might need to be sent. Emily Liu said staff will take a look at his time permitting.

John Talbott addressed the committee about notice requirements. He said a problem with notices is an automatic appeal issue, so he would recommend two letters in situations where it is easy to identify a property is occupied by someone other than the owner. He typically over-invites people to his meetings in an effort to eliminate the notice issue.

Steve Porter addressed the committee. He believes Committee Member Barber and John Talbott's concerns are legitimate and should be further explored.

Committee Member Brown asked why Community Gardens aren't a community facility review (CFR). Chris French answered that if the community garden is on government property then it would be a CFR, but PDS frequently sees requests on private properties like churches, which would not be a CFR review.

Committee Member Brown also asked about the connection between floor area ratio (FAR) and accessory dwelling units. Chris French said currently the FAR can be a barrier on having an accessory dwelling unit. Removing the FAR requirement would allow possible expansions in districts which would currently not permit it.

Barbara Kelly addressed the committee regarding accessory dwelling units. Kelly has concerns about the potential increase in impervious surface and possible stormwater runoff problems. Chris French stated there would still be applicable setback requirements and some form district have private yard requirements that would still need to be met. Metropolitan Sewer District would still need to review proposals and would deal with the stormwater and drainage issues.

Steve Porter stated he believes accessory dwelling units should not be allowed by right but should continue to need a conditional use permit. This would allow neighbors to be notified and give them an opportunity to express concern to a review body. Emily Liu stated part of the problem is requiring a conditional use permit increases the cost of doing this, which sometimes discourages people from this. Chair Howard stated we need to be more open to other cultures, generations, etc. so that we are as inclusive a community as possible.

Martine Kunnecke addressed the committee. Kunnecke spoke in support of the concerns about allowing accessory dwelling units as a permitted right. She would be interested in seeing the research associated with the proposed changes.

Lisa Santos addressed the committee. Santos lives in a neighborhood with several multi-generational houses. She believes the impact of accessory dwelling units is much less when those units are occupied by family members as opposed to renters.

Cathy Kuhn addressed the committee. She stated that while accessory dwelling units are not the answer to helping overcome the 30,000 affordable unit deficit that the community faces, it is one small step in the right direction.

No action was taken by the committee on this item.

**PLANNING COMMITTEE MINUTES
FEBRUARY 8, 2021**

Boarding & Group Housing LDC Amendments

Request: Boarding & Group Housing LDC Amendments
Case Manager: Joseph Haberman, AICP, Planning & Design Manager

Joseph Haberman presented an overview of the proposed boarding & group housing Land Development Code amendments. Haberman informed the committee that the recommendations will be posted and there will be a public comment period. Staff will review the comments and bring this item back to the Planning Committee on March 15, 2021.

The proposed recommendations are based on feedback from a series of meetings with the public, community stakeholders, boarding house operators, and other local officials and departments. The draft includes proposed changes to boarding houses, rehabilitation homes, and other related types of uses. Haberman went over some of the proposed changes with the committee. For information purposes, Haberman included proposed recommended changes to the Louisville Metro Code of Ordinances. While the Planning Commission does not have the ability to make these changes, they can make recommendations to Metro Council if they so choose.

No action was taken on the matter.

**PLANNING COMMITTEE MINUTES
FEBRUARY 8, 2021**

The meeting was adjourned at approximately 7:59 p.m.

Chairman

Division Director