Louisville Metro Government

Legislation Details (With Text)

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On agenda:	8/12/2021			**Final action:**	8/12/2021
Title:	AN ORDINANCE AMENDING CHAPTERS 2 AND 7 OF THE METRO LAND DEVELOPMENT CODE RELATING TO TWO FAMILY RESIDENTIAL USE IN THE MULTI-FAMILY AND OFFICE/RESIDENTIAL ZONES AND THE FLOOR AREA RATIO REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS AND THE CONSERVATION SUBDIVISION PROVISION AS SUGGESTED IN PLAN 2040 COMPREHENSIVE PLAN (“PLAN 2040”).				
Sponsors:	Madonna Flood (D-24)				
Indexes:					
Code sections:					
Attachments:	1. O-203-21 Amending Chp 2 and 7 Two Family Residential (technical changes).pdf, 2. LDC Reform Presentation Phase I June 1 PZ Committee CF.pdf, 3. LDCCHanges_Round1_Recommendations_FINAL.pdf, 4. 21-LDC-0006_Planning Commission StaffReport_04202021.pdf, 5. 04.20.21 PC Minutes Night Hearing.pdf, 6. 21-LDC-0006 Resolution.docx.pdf, 7. 21-LDC-0006_LDC_Reform_Report_FARandTwoFamilyMFR_01272021.pdf, 8. 2021.02.08 Planning Committee Minutes.pdf, 9. 2021.03.22 Planning Committee Minutes.pdf, 10. Flyers_Bundled.pdf, 11. LDC Reform All Comments Received.pdf, 12. LDC Reform MC Resolution_Signed.pdf, 13. LDC Reform PC Resolution_Signed.pdf, 14. LDC Reform Presentation Phase I Planning Commission 042021_CF [Autosaved].pdf, 15. PlanningCommissionPresentation_Intro_04202021.pdf, 16. O-203-21 PROPOSED CAM 080321 Amending Chp 2 and 7 Two Family Residential.pdf, 17. ORD 112 2021.pdf				

Date	Ver.	Action By	Action	Result
8/12/2021	1	Metro Council	passed	Pass
8/3/2021	1	Planning and Zoning Committee	recommended for approval	Pass
7/29/2021	1	Metro Council	referred	
7/20/2021	1	Planning and Zoning Committee	recommended for approval	Pass
6/15/2021	1	Planning and Zoning Committee	held	
6/1/2021	1	Planning and Zoning Committee	held	
5/11/2021	1	Planning and Zoning Committee	held	
5/6/2021	1	Metro Council	assigned	

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE AMENDING CHAPTERS 2 AND 7 OF THE METRO LAND DEVELOPMENT CODE RELATING TO TWO FAMILY RESIDENTIAL USE IN THE MULTI-FAMILY AND OFFICE/RESIDENTIAL ZONES AND THE FLOOR AREA RATIO REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS AND THE CONSERVATION SUBDIVISION PROVISION AS SUGGESTED IN PLAN 2040 COMPREHENSIVE PLAN (“PLAN 2040”).

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

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WHEREAS, Plan 2040 was adopted by the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") effective January 1, 2019; and

WHEREAS, Plan 2040 includes Community Form Policy 2.18 that recommends that the Land Development Code ("LDC") be periodically reviewed to ensure that the LDC follows best practices; and

WHEREAS, Plan 2040 includes Housing Policy 1.1 that encourages a variety of housing types; and

WHEREAS, Plan 2040 includes Housing Policy 2.4 that encourages the adoption of regulation to encourage the use of vacant land and abandoned properties; and

WHEREAS, Plan 2040 includes Housing Policy 3.3 that encourages the use of innovative methods for housing development such as clustering, co-housing and accessory apartments; and

WHEREAS, the Council passed Resolution 82, Series 2020 directing the Louisville Metro Planning Commission (the "Planning Commission") and its staff to undertake a review of the LDC and develop recommendations thereto to the Council to reform the LDC for more equitable and inclusive development; and

WHEREAS, the Planning Commission adopted a resolution on August 25, 2020 directing Planning and Design Services staff to review the LDC and develop recommendations for more equitable and inclusive development; and

WHEREAS, the LDC Diagnosis with Housing Focus was completed by Opticos Design in July 2020 (the "LDC Diagnosis) as part of staff's review of the LDC, and 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, Planning and Design Services staff reviewed the LDC and developed text amendments to Chapter 2, Parts 2 through 4, Section 2.7.3 and Chapter 7, Part 11 regarding 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; and

WHEREAS, the proposed text amendments went to the Planning Committee of the Planning Commission for public meetings on February 8, 2021 and March 22, 2021; and

WHEREAS, the Planning Commission on April 20, 2021 recommended that the Council adopt the proposed text amendments to the LDC as set forth in Planning Commission Resolution No. 20-LDC-0006; and

WHEREAS, Council approves and accepts the recommendation of the Planning Commission as set forth in Planning Commission Resolution No. 20-LDC-0006.

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

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

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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: 0.1~~
~~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

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. <u>(Existing lots are not subject to paragraph E maximum density)</u>

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~~1. 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 2.2.12 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 2.2.13 R-8A 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 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 Ordinance shall take effect upon its passage and approval.

_____ _____
Sonya Harward
Metro Council Clerk

David James
President of the Council

_____ _____
Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By:_____

O-203-21 - LDC Amendments Regarding Two Family Use and the Floor Area Ratio (lf)

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