



Louisville Metro Government

Legislation Text

File #: R-081-20, Version: 1

RESOLUTION NO. _____, SERIES 2020
A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO DRAINAGE EASEMENTS AND DETENTION/RETENTION BASINS IN REAR YARD AREAS.
SPONSORED BY: COUNCIL MEMBER JAMES PEDEN

WHEREAS, Chapter 7 of the Land Development Code (the “LDC”) regulated the subdivision of land; and

WHEREAS, Section 7.3.30.E of the LDC provides that no more than 15% of a required rear yard area may be occupied by a drainage easement or detention/retention basin; and

WHEREAS, Developers regularly request waivers of the 15% maximum requirement; and

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) is concerned that factors such as lot width/depth, elevation changes, and building placement and orientation might result in properties where most or all of a required rear yard area may be devoted to drainage easements and/or detention/retention basins; and

WHEREAS, This concern is amplified in cases where density transfers are utilized to allow for the creation of lots which are smaller than would otherwise be allowed in a given zone; and

WHEREAS, The Council believes both the 15% base line and the creation of a maximum percentage should be considered by the Planning Commission;

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

SECTION I: The Planning Commission should undertake a review of the current Land Development Code and adopt amendments thereto to protect rear yard areas from undue encroachment of drainage easements and detention/retention basins.

SECTION II: This Resolution shall take effect upon its passage and approval.

Harward Metro Council Clerk

Sonya _____
James President of the Council

David _____

Fischer Mayor

Greg _____
Date

Approval _____

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

R-081-20 Review LDC RE Rear Yard Drainage Easements (TF)