

RESOLUTION NO. _____, SERIES 2023

**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW
THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”)
RELATING TO NOTICES. (AS AMENDED)**

SPONSORED BY: COUNCIL MEMBER ANTHONY PIAGENTINI

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) believes the provision of adequate notice to be a critical part of the planning and zoning process in Louisville Metro; and

WHEREAS, the Council has identified what it believes to be some shortcomings in the existing notice requirements and procedures contained in the Land Development Code (the “LDC”); and

WHEREAS, the Council believes that the suburban cities throughout Louisville Metro should receive notice when a property within their jurisdiction is entitled to notice of a planning and zoning matter; and

WHEREAS, the Council believes the current system, in which Planning and Design Services (“PDS”) prepares notice cards for planning and zoning matters but has the applicant actually mail the notice cards, creates unnecessary variables and inconsistencies compared to a system wherein PDS sends out the notice cards themselves; and

WHEREAS, the Council acknowledges that shifting this responsibility to PDS will not only require a change to current fee structures to pass along the cost of postage to applicants but also may necessitate additional funding or personnel depending on the work load generated by these changes; and

WHEREAS, the Council believes it important to correct these shortcomings in order to provide as robust a notice system as possible; and

WHEREAS, such changes will require study, a public hearing, and recommendation 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 is hereby directed to undertake a review of the current Louisville Metro Land Development Code with regard to notice provisions therein. The review should include, at minimum, the following topics:

1. Providing notice to suburban cities when a property within their jurisdiction is entitled to notice of a planning and zoning matter.
2. ~~Having PDS mail send out notices for planning and zoning matters, rather than the applicant(s) in each matter.~~ Procedures for sending mailed notices to better ensure notices are provided to the United States Postal Service for timely delivery. The Planning Commission should specifically review the responsible party for mailing the notices.
3. Providing an appropriate fee schedule for the cost of postage which is currently paid by he applicant(s) in each matter.

SECTION II: This Resolution shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Markus Winkler
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-015-23 Amend LDC Regarding Notices (As Amended).docx (TF 03-02-23)