

Planning Commission
Staff Report
May 15, 2025



Case No:	24-LDC-0001
Project Name:	Text Amendment to the Land Development Code for Homeless and Crisis Shelters
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	All Council Districts
Case Manager:	Joel P. Dock, AICP, Planning Manager

REQUEST

A Text Amendment to the Louisville Metro Land Development Code for Homeless and Crisis Shelters

SUMMARY

On February 15, 2024, the Louisville Metro Council adopted Resolution No.019, Series 2024 directing the Planning Commission (Office of Planning) to review the Land Development Code (LDC) with regard to Homeless and Crisis Shelters and bring forward changes to “permit more Homeless Shelters with Standards instead of requiring a Conditional Use Permit and to create an option for Temporary Crisis Shelters for when there is a temporary but urgent need for additional shelter space.”

The Office of Planning presented preliminary research findings to Council on May 7, 2024, including a review of national best practices and current LDC regulations. Planning staff followed up with five (5) Community Listening Sessions in August and September of 2024 and published a summary of these sessions with “Key Takeaways” to further guide the proposed amendments. A draft of the proposed text amendment, including three (3) new land use categories for sheltering, was released for public comment on March 25, 2025, revised April 17th to adjust for public comments, and considered by the Planning Committee on April 21st.

The proposed amendment expands access to the following shelter options:

- **Day Shelter:** This type of shelter provides access to indoor shelter and services during daytime hours.
- **Accessory Overnight Shelter:** This type of shelter allows for a religious organization on their grounds to provide overnight shelter for up to 25 occupants.
- **Extreme Weather Shelter:** This type of shelter is available during periods of extreme heat (Over 95 degrees heat index) or cold (under 35 wind chill), poor air quality days, or any event where a storm watch or warning has been issued by the National Weather Service.

The full text of this amendment is included as Attachment 1 at the end of this report.

STAFF ANALYSIS

The Coalition for the Homeless coordinates Louisville's response to homelessness through the Continuum of Care process established in 1994 by the U.S. Department of Housing and Urban Development (HUD), see <https://louhomeless.org/continuumofcare/> for more information. As part of this process, the Coalition conducts research and produces annual assessments of local conditions and services. From October 1, 2023 to September 30, 2024, Coalition organizations assisted over 14,801 individuals, 8,208 were experiencing homelessness, including 4,425 individuals that were chronically homeless (experienced homelessness for at least a year or repeatedly and struggles with a disabling condition). Services were provided for 1,932 children, 1,315 veterans, and 1,803 survivors of domestic violence. The need for a robust shelter environment is evident in a 2022 analysis by the Coalition citing a 41% increase in homelessness from 2018-2021. It further summarizes the vulnerability of this environment to climate, economic, and health crises (Addressing Urgent Needs: A 2022 Analysis of Homelessness in Louisville).

A review of national best practices emphasizes the need to define shelters more inclusively, create options for daytime users, expand opportunities for institutions to provide accessory services and sheltering, and recognize special needs during emergencies. Takeaways from the community conversations hosted last fall overlapped with many of these best practices. Community members called for a dispersion of facilities to all areas of Louisville Metro, the creation of grounds management plans to ensure property upkeep and a welcoming environment for users, allowing religious organizations to fulfill their service mission by providing shelter to those in need, and creating rules for shelters during extreme weather.

The need for sheltering during weather events was elevated this past winter when Louisville experienced a period of ice and snow revealing the lack of regulatory environment to safely open and maintain temporary shelter during periods of extreme weather. As a result, the Office of Planning coordinated a temporary occupancy procedure with partner agencies to be used as a short-term solution should another immediate need arise. The proposed amendment addresses this need for a long-term solution by including standards for extreme weather shelters that will allow Metro Government to better prepare for the future.

The LDC in its current form allows a Homeless Shelter to be *Permitted with Special Standards* or as a *Conditional Use Permit (CUP)* if the *Special Standards* cannot be met. It does not provide alternative options for shelter, such as warming or cooling spaces during daytime hours, space for individuals fleeing domestic violence, or provisions for extreme weather events. By limiting to a single type of shelter, the needs for all community members, including those experiencing homelessness, cannot be met and accessibility burdens persist in serving those in need. The proposal intends to enhance inclusivity, increase location flexibility and dispersion of services, and allow for the rehabilitation and reuse of existing infrastructure and buildings.

Summary of Changes

- **Day Shelters (Define and Regulate)**
 - Permitted with Special Standards:
 - Office and Commercial Districts; or
 - On any development site where a non-residential building is present, in existence prior to the adoption of these standards, and where the use will occur within the existing building; or
 - As an accessory use to an institutional use (new construction permitted)

- Must include Grounds Management Plan
- Must be 1,000' from another day shelter serving the same population (residential districts only)
- **Accessory Overnight Shelters** (Define and Regulate)
 - Permitted with Special Standards as an accessory use to an active religious building – no zoning district restrictions
 - Licensed per LMCO 115
 - Grounds Management Plan required
 - No more than 25 adults, not including dependent children
 - Must be 1,000' from another accessory overnight shelter serving the same population
- **Extreme Weather Shelters** (Define and Regulate)
 - Permitted with Special Standards:
 - Office and Commercial Districts; or
 - On any development site where a non-residential building is present, in existence prior to the adoption of these standards, and where the use will occur within the existing building; or
 - As an accessory use to an institutional use (new construction permitted)
 - Does not include Red Cross or like entities providing shelter during fires, floods, or hazardous material release
 - Licensed per LMCO 115
 - Extreme Weather Events includes:
 - Wind Chill below 35 degrees Fahrenheit
 - Heat Index over 95 degrees Fahrenheit
 - Air Quality Index is rated Unhealthy (AQI value of 151 or higher)
 - A severe weather, winter storm, or flood watch or warning has been issued by the National Weather Service
- Update current Homeless Shelter language and rules for CUP and Special Standards. No changes have been made to permitted locations.
- Remove CUP for private institutional uses, which was adopted in 2017. This requirement places an additional burden on religious institutions that would interfere with shelter options available to religious buildings.
- Update definition for Community Service Facility because this use is closely associated with a Day Shelter. A community service facility currently providing shelter or services during daytime hours shall not be required to comply unless they enlarge or expand the use.

Comprehensive Plan

The proposed amendment advances the following Goals and Objectives of Plan 2040:

- **Housing Goal 3, Policy 4:** Provide safe and affordable housing opportunities and related supportive services throughout Louisville Metro to serve the homeless population and those in need of housing, including but not limited to rent assistance, transitional housing, and shelters. Allow for supportive housing to be available for individuals entering or re-entering society upon their exit from residential care facilities, correctional facilities, foster care or similar institutions.
- **Housing Goal 3, Policy 2:** As neighborhoods evolve, discourage displacement of existing residents from their community.
- **Housing Goal 2, Policy 5:** Provide flexibility for housing to adapt to changing climates, demographics and technology, including but not limited to, building materials, design elements, and energy production and conservation methods.

- **Housing Goal 1, Policy 3:** Develop a variety of housing types that meet the needs of all residents including an adequate supply of affordable housing and physically accessible housing.
- **Housing Goal 1, Policy 7:** Encourage inclusive communities, overcome disparities in access to Louisville Metro assets, and enhance housing choice for all residents. throughout Louisville Metro by coordinating plans and investments to affirmatively further fair and affordable housing.

The proposed amendment enhances supportive services throughout Louisville Metro to serve the homeless population and those in need of temporary housing by creating new allowances for sheltering options. Adding flexibility to the LDC for shelter choices allows for community members that may be experiencing a homeless situation to remain in their neighborhood without being forced to find shelter elsewhere and expands the diversity of choices available to all those in need. These amendments seek to help overcome disparities to provide a better foundation for those in need to transition into permanent housing.

PLANNING COMMITTEE MEETING

The Planning Committee convened on April 21, 2025 to discuss and review the proposed text amendment.

INTERESTED PARTY COMMENTS AND NOTIFICATION

All interested party comments received prior to publication of this report have been incorporated into the record and provided to the Planning Commission in advance of the Public Hearing. Adjustments to the proposed text amendment based on comments received following the initial release of the draft on March 25, 2025 have been incorporated into the current draft of the amendment included as Attachment 1 of this report.

Notification of the Planning Commission public hearing was conducted in accordance with KRS 100 requirements. In addition, staff provided notice to those registered neighborhood groups and individuals on the list for electronic notification for development proposals in all Metro Council Districts (GovDelivery).

STAFF FINDING

The proposed amendments advance the goals and objectives of Plan 2040, as well as its CHASE principles, and better prepare Louisville Metro to support community members that may find themselves experiencing homelessness return to permanent housing, keep safe during extreme weather, and access shelter services day or night in all areas of Louisville Metro.

REQUIRED ACTIONS

RECOMMEND to the Louisville Metro Council and legislative bodies of cities with zoning authority that the proposed text amendments be **APPROVED, APPROVED WITH MODIFICATIONS, OR DENIED.**

ATTACHMENTS

1. Proposed Text Amendments
2. Proposed Findings for the Planning Commission

1. Proposed Text Amendment

The Planning Commission must make a recommendation to Metro Council and the legislative bodies of cities with zoning authority to approve, approve with modifications, or deny the LDC text amendments. The proposed changes are presented as specific amendments to the Louisville Metro version of the LDC. The cities with zoning authority in Louisville Metro have different versions. If any of the cities consider incorporating the amendments into its LDC, staff will assist the city in preparing specific amendments that reflect the nature of the changes recommended below.

Louisville Metro Land Development Code

Chapter 1, Part 2 Definitions

Accessory Overnight Shelter – A facility that is subordinate to an active religious building where on a free or not-for-profit basis access to overnight shelter and living quarters for persons experiencing houselessness or persons seeking shelter from domestic violence or intimate partner violence, including human trafficking is provided, which may include supportive services, such as meals, social, educational, or health services. The facility shall be staffed by paid employees or volunteers that manage daily operations to ensure compliance with applicable laws and regulations. An **Accessory Overnight Shelter** is not a **Homeless Shelter, Day Shelter, or Extreme Weather Shelter**.

Community Service Facility - Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They provide the service on-site and have employees at the site on a regular basis. The service is ongoing, not just for special events. These facilities may provide accessory uses such as counseling, education, or training. These facilities are not considered schools (e.g. training schools, business schools, etc.) and do not include a residential occupancy component. A Community Service Facility may include Day Shelter(s) as an accessory or principal use

Day Shelter – A facility the primary purpose of which is to provide on a free or not-for-profit basis access to indoor shelter for persons experiencing houselessness or persons seeking shelter from domestic violence or intimate partner violence, including human trafficking, which may include supportive services, such as meals, social, educational, or health services, and generally operates during the hours encompassing dawn to dusk. No overnight accommodation is provided. The facility shall be staffed by paid employees or volunteers that manage daily operations to ensure compliance with applicable laws and regulations. A **Day Shelter** is not a **Homeless Shelter, Accessory Overnight Shelter, or Extreme Weather Shelter**.

Extreme Weather Shelter - A facility where on a free or not-for-profit basis access to shelter, during an extreme weather event is provided. The facility may include overnight occupancy and supportive services including meals and social, educational, or health services. The facility shall be staffed by paid employees or volunteers that manage daily operations to ensure compliance with applicable laws and regulations. This shall not include any facility that is operated by the American Red Cross or other like entities to accommodate disaster victims who are left homeless due to events such as fires, flood, or hazardous materials releases that is operated

under the Louisville/Jefferson County Emergency Operations Plan. An **Extreme Weather Shelter** is not a **Homeless Shelter**, **Day Shelter**, or **Accessory Overnight Shelter**.

Homeless Shelter - A facility the primary purpose of which is to provide on a free or not-for-profit basis access to temporary overnight shelter and indoor living quarters for persons experiencing houselessness or persons seeking temporary shelter from domestic violence or intimate partner violence, including human trafficking, which may include supportive services, such as meals, social, educational, or health services. ~~The facility shall be staffed.~~ The facility shall be staffed by paid employees or volunteers that manage daily operations and grounds maintenance to ensure compliance with applicable laws and regulations, and generally operates during the hours of dusk to dawn. A Homeless Shelter is not a Day Shelter, Accessory Overnight Shelter, or Extreme Weather Shelter.

Chapter 2, Part 2 Residential Zoning Districts

2.2.1 R-R Rural Residential District

A. Permitted Uses

1. General

~~Publicly owned and/or operated~~ Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

2. The following uses are permitted provided that all structures and their accessory structures or uses observe a one hundred and fifty feet (150) front, street side, side and rear yard:

Colleges, schools, and institutions of learning (except training schools)

Convents and Monasteries

Religious Buildings

2.2.2 R-E Residential Estate District

A. Permitted Uses

Convents and Monasteries

~~Publicly owned and/or operated~~ Colleges, schools, and institutions of learning (except training schools)

~~Publicly owned and/or operated~~ Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

~~Publicly owned and/or operated~~ Parks, playgrounds, and community centers

Religious Buildings

2.2.3 R-1 Residential Single Family District

A. Permitted Uses

Convents and Monasteries

~~Publicly owned and/or operated c~~ Colleges, schools, and institutions of learning (except training schools)

~~Publicly owned and/or operated l~~ Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

~~Publicly owned and/or operated p~~ Parks, playgrounds, and community centers

Religious Buildings

2.2.8 U-N Urban Neighborhood District

A. Permitted Uses

Convents and Monasteries

~~Publicly owned and/or operated c~~ Colleges, schools, and institutions of learning (except training schools)

~~Publicly owned and/or operated l~~ Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries

~~Publicly owned and/or operated p~~ Parks, playgrounds, and community centers

Religious Buildings

2.2.9 R-5A Residential Multi-Family District

A. Permitted Uses

All uses permitted in the R-1 Residential Single Family District, as well as the following use(s):

~~Colleges, schools and institutions of learning (except training schools)~~

~~Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries~~

~~Parks, playgrounds, and community centers~~

~~Religious Buildings~~

Note: These uses are not being removed from the uses permitted in this district. The R-1 district has been revised to include these land uses; thus, they are allowed in R-5A ("All uses permitted in the R-1 Residential Single Family District, as well as...")

2.2.10 R-5B Residential Two-Family District

A. Permitted Uses

All uses permitted in the R-1 Residential Single Family District, as well as the following use(s):

~~Colleges, schools and institutions of learning (except training schools)~~

~~Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries~~
~~Parks, playgrounds, and community centers~~
~~Religious Buildings~~

Note: These uses are not being removed from the uses permitted in this district. The R-1 district has been revised to include these land uses; thus, they are allowed in R-5B ("All uses permitted in the R-1 Residential Single Family District, as well as...")

Chapter 4, Part 2 Conditional Uses

4.2.1 Intent and Applicability

The following uses are subject to the Conditional Use Permit process:

4.2.65	Private Institutional Use in a Single-Family Zoning District
4.2.656	Heavy Truck Off-Street Parking and Storage (C-3 District)

4.2.56 Homeless Shelter

A **Homeless Shelter** may be allowed in any zoning district upon the granting of a conditional use permit and compliance with the listed requirements. This section does not apply to any **Homeless Shelter** that may be permitted with special standards pursuant to Section 4.3.13 of this Land Development Code.

- A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in LMCO and any applicable building, fire, or life safety code.
- B. Nonresidential uses and services shall be incidental to the Homeless Shelter and provide a service to the users on the subject site. ~~excluding those that are accessory to the Homeless Shelter use, shall not be carried out unless otherwise permitted and approved as a separate use.~~
- C. When reviewing a conditional use permit application for a **Homeless Shelter**, the Board of Zoning Adjustment (BOZA) shall consider the number and/or location of other **Homeless Shelters, Rehabilitation Homes, and Transitional Housing** in the immediate vicinity.
- D. A **Homeless Shelter** shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and local laws.
- E. The parking requirements for the use are set forth in Chapter 9 of this **Land Development Code**. The Board OZA may require additional or restrict parking ~~if warranted~~ based on the number of employees and the potential number of visitors to the site as described by the applicant in a parking study of similar uses.
- F. Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code. The Board OZA may further restrict signage ~~if warranted.~~
- G. Additional Single-Family Residential Zoning District Standards (R-R, R-E, R-1, R-2, R-3, R-

4, R-5, or U-N):

1. Any building shall remain or shall be constructed so that the exterior design and ornamentation is residential in character and compatible with other residential architecture in the immediate neighborhood, so that there is no evidence from the street that the use is other than residential.
2. Where such a use is permitted in a structure which has been used as a residence, the permittee shall make no substantial alterations or improvements to the structure which would impair the structure's use as a residence at a later time.
3. Off-street parking not located within a drive-way shall be located to the side or rear of the building(s).

H. For a complete application submittal for any **Homeless Shelter** conditional use permit, in addition to the documentation required of all conditional use permit applications, the following additional information shall be provided:

1. Type of resident population to be served, if any;
2. The proposed maximum number of occupants/beds and maximum number of employees;
3. Floor plans of any building subject to the use (showing the location and dimensions of all bedrooms and sleeping areas);
4. A written statement, plans, and/or permits indicating how any building subject to the application meets or will be adapted to meet all applicable building codes for the use if approved; and
5. Rules of conduct and management plan.
6. A grounds management plan and schedule outlining the routine and regular maintenance of the subject property and its frontage along any street or alley to include trash removal, mowing and landscaping, parking lot upkeep, including weed and debris removal, and any other items to ensure compliance with the Louisville Metro Code of Ordinances

In the event a conditional use permit for a Homeless Shelter is approved, any change to the foregoing information must be approved by the Board~~OZA~~ as a modification pursuant to Section 11.SA.1 of this **Land Development Code**.

I. A **Homeless Shelter** shall not operate without a license issued pursuant to LMCO Chapter 115 and, if required, any registration or license from the Commonwealth of Kentucky. The license must be active and in the name of the operator.

~~4.2.65 Private Institutional Use in a Single-Family Zoning District~~

~~Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:~~

- ~~A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or~~

~~residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.~~

~~B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.~~

~~C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.~~

~~D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).~~

~~E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties.~~

Chapter 4 Part 3 Permitted Uses with Special Standards

4.3.13 Homeless Shelters

Homeless Shelters may be allowed in the R-5A, R-6, R-7, R-8A, OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, EZ-1, PRO, & PEC zoning districts and TNZD (Neighborhood Center, Neighborhood Transition Center, and multi-family residential where mapped areas) subject to the standards outlined below. A **Homeless Shelter** not meeting the special standards set forth in this section may be eligible for a conditional use permit pursuant to Section 4.2.56 of this **Land Development Code**

~~**Homeless Shelters** (R-5A, R-6, R-7, R-8A, OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, EZ-1, PRO, PEC, TNZD)~~

~~In a R-5A, R-6, R-7, R-8A, OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, C-M, EZ-1, PRO, PEC or TNZD (Neighborhood Center, Neighborhood Transition Center, and multi-family residential where mapped areas) districts, a **Homeless Shelter** is permitted with the special standards set forth in this section. A **Homeless Shelter** not meeting the special standards set forth in this section may be eligible to be approved with a conditional use permit pursuant to Section 4.2.56 of this **Land Development Code**.~~

- A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in **LMCO** and any applicable building, fire, or life safety code.
- B. Nonresidential uses and services shall be incidental to the Homeless Shelter use and provide a service to the users on the subject site ~~excluding those that are accessory to the **Homeless Shelter** use, shall not be carried out unless otherwise permitted and approved as a separate use.~~
- C. A **Homeless Shelter** shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and local laws.
- D. In the R-5A, R-6, R-7, R-8A, OR, OR-1, OR-2, C-R, C-N, C-1, PRO, PEC, and TNZD districts, the maximum density (number of residents/beds per acre) shall be maximum

density of the applicable zoning district (as provided in Chapter 2 of this Land Development Code) multiplied by the average family size obtained from the most recent ~~decennial~~ census data for Jefferson County, Kentucky (as published by the U.S. Census Bureau) [Example: The R-5A district has a maximum density of 12.01 units per acre. The average family size in the 2010 census was 2.98. Therefore, the maximum number of beds in the R-5A district is 35.79 beds per acre ($12.01 \times 2.98 = 35.79$).] In the OR-3, OTF, C-2, C-3, C-M, and EZ-1 districts, the maximum density (number of residents/beds) shall be no more than 400 residents/beds per acre.

- E. The parking requirements for the use are set forth in Chapter 9 of this Land Development Code.
- F. In the R-5A, R-6, R-7, R-8A zoning districts, signage shall be limited to a 12 square foot freestanding sign not to exceed six (6) feet in height unless within the Downtown form district in which case a 12 square foot attached sign shall be allowed. If located within any other zoning district, all signs shall be in accordance with the requirements of Chapter 8 of this Land Development Code.
- G. A management plan shall be maintained and made available for inspection upon request by Louisville Metro Government, guests, and/or the public. It shall include the following:
 - a. A grounds management plan and schedule outlining the routine and regular maintenance of the subject property and its frontage along any street or alley to include trash removal, mowing and landscaping, parking lot upkeep, including weed and debris removal, and any other items to ensure compliance with the Louisville Metro Code of Ordinances;
 - b. Population to be served and all available services;
 - c. Rules of Conduct, including the use of common spaces (indoor/outdoor) and expectations to maintain the health and safety of the population served and surrounding community.
- H. A **Homeless Shelter** shall not operate without a license issued pursuant to LMCO Chapter 115 and, if required, any registration or license from the Commonwealth of Kentucky.
- I. During white flag days and other emergency situations, additional occupants beyond the resident/bed capacity established by the maximum density set forth in D. shall be permitted for the duration of the emergency or white flag event with the approval and/or consent of the agencies responsible for health, sanitation, structural, property maintenance, fire, and life safety requirements. ~~as long as all safety standards (e.g. Fire Code) are maintained.~~

Note: The section numbers that follow should be considered placeholders subject to change depending upon the adoption date and any text amendments adopted in advance that may alter the specific section of the proposed regulation.

4.3.32 Day Shelter

A Day Shelter is permitted in the OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, & EZ-1 zoning districts; or on any development site where a non-residential building is present, in existence prior to the adoption of these standards, and where the use will occur within the existing building; or as an accessory use to an institutional use (new construction permitted) subject to the following:

- A. A management plan shall be maintained and made available for inspection upon request by Louisville Metro Government, guests, and/or the public. It shall include the following:
 - 1. A grounds management plan and schedule outlining the routine and regular maintenance of the subject property and its frontage along any street or alley to include trash removal, mowing and landscaping, parking lot upkeep, including weed and debris removal, and any other items to ensure compliance with the Louisville Metro Code of Ordinances;
 - 2. Population to be served and all available services;
 - 3. Rules of Conduct, including the use of common spaces (indoor/outdoor) and expectations to maintain the health and safety of the population served and surrounding community.
- B. A Day Shelter located in a residential zoning district shall not be located within 1,000' (measured in a straight line from nearest property line to nearest property line) of another Day Shelter that serves the same population (For example, a shelter for men-only may be within 1,000' of a shelter for women-only).
- C. The Shelter shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and/or local laws.

4.3.33 Accessory Overnight Shelter

An Accessory Overnight Shelter may be permitted in any zoning district subject to the following standards:

- A. A management plan shall be maintained and made available for inspection upon request by Louisville Metro Government, guests, and/or the public. It shall include the following:
 - 1. A grounds management plan and schedule outlining the routine and regular maintenance of the subject property and its frontage along any street or alley to include trash removal, mowing and landscaping, parking lot upkeep, including weed and debris removal, and any other items to ensure compliance with the Louisville Metro Code of Ordinances;
 - 2. Population to be served and all available services;
 - 3. Rules of Conduct, including the use of common spaces (indoor/outdoor) and expectations to maintain the health and safety of the population served and surrounding community.

- B. An Accessory Overnight Shelter shall not be located within 1,000' (measured in a straight line from nearest property line to nearest property line) of another Accessory Overnight Shelter that serves the same population.
- C. All sleeping areas shall meet the current occupancy limitations as set forth in the Louisville Metro Code of Ordinances (LMCO) and any applicable building, fire, or life safety code.
- D. The maximum occupancy shall not exceed 25 individuals, not including dependent children under the age of 18.
- E. In the case of a religious building occurring within a multi-tenant building or property, the Shelter shall be wholly contained within the existing walls of the religious building (e.g., tenant space) and shall not expand the size or scope of the religious building to accommodate such use, unless it is appropriately zoned for a Homeless Shelter, in which case, the Homeless Shelter regulations shall apply.
- F. In the event the religious activity ceases operations, the shelter may remain as the primary use on the subject site but shall not expand facilities, ~~their~~ services, or occupancy beyond those levels present at the time the religious activity ceased operation.
- G. The shelter shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and/or local laws.
- H. The Shelter shall not operate without a license issued pursuant to LMCO Chapter 115 and, if required, any registration or license from the Commonwealth of Kentucky. The license must be active and in the name of the operator.

4.3.34 Extreme Weather Shelter

An Extreme Weather Shelter may be permitted in the OR, OR-1, OR-2, OR-3, OTF, C-1, C-2, C-3, & EZ-1 zoning districts; or on any development site where a non-residential building is present, in existence prior to the adoption of these standards, and where the use will occur within the existing building; or as an accessory use to an institutional use (new construction permitted) subject to the following:

- A. An Extreme Weather event shall include:
 - a. Wind Chill below 35 degrees Fahrenheit
 - b. Heath Index over 95 degrees Fahrenheit
 - c. Air Quality Index is rated Unhealthy (AQI value of 151 or higher)
 - d. A severe weather, winter storm, or flood watch or warning has been issued by the National Weather Service
- B. Temporary shelter may be provided for the duration of the weather event, including 24-hours before and after the event, unless an extension of this period is authorized by the

Planning Director in coordination with relevant agencies to ensure the health and safety of community members.

- C. All sleeping areas shall meet the current occupancy limitations as set forth in the Louisville Metro Code of Ordinances (LMCO) and any applicable building, fire, or life safety code.
- D. The Shelter shall not operate without a license issued pursuant to LMCO Chapter 115 and, if required, any registration or license from the Commonwealth of Kentucky. The license must be active and in the name of the operator.

2. Proposed Findings for the Planning Commission

WHEREAS, the Louisville Metro Council adopted Resolution No.019, Series 2024 on February 15, 2024 directing the Planning Commission (Office of Planning) to review the Land Development Code (LDC) with regard to Homeless and Crisis Shelters and bring forward changes to “permit more Homeless Shelters with Standards instead of requiring a Conditional Use Permit and to create an option for Temporary Crisis Shelters for when there is a temporary but urgent need for additional shelter space; and

WHEREAS, The Office of Planning fulfilled the obligations of Resolution No. 019, Series 2024, presented preliminary research findings to Council on May 7, 2024, hosted five (5) community Listening Sessions in the Fall of 2024, and released a draft of the proposed amendments for public review and comment on March 25, 2025; and

WHEREAS, the Planning Commission finds that the proposed amendment advancing the goals and objectives of Plan 2040 and its CHASE principles as the proposed amendment enhances supportive services throughout Louisville Metro to serve the homeless population and those in need of temporary housing by creating new allowances for sheltering options; and

WHEREAS, the Commission further finds that adding flexibility to the Land Development Code (LDC) for shelter choices allows for community members that may be experiencing a homeless situation to remain in their neighborhood without being forced to find shelter elsewhere and expands the diversity of choices available to all those in need; and

WHEREAS, the Commission recognizes that these amendments better prepare Louisville Metro to support community members that may find themselves experiencing homelessness return to permanent housing, keep safe during extreme weather, and access shelter services day or night in all areas of Louisville Metro; and