

ORDINANCE NO. _____, SERIES 2024

AN ORDINANCE AMENDING SECTIONS 1.2.2, 2.4.3 AND 2.4.4 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) AND TABLE 2.7.5: TABLE 4; AND TABLE 9.1.3B OF THE LDC REGARDING GAMING FACILITY USES (CASE NO. 24-LDC-0008) (AS AMENDED).

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Louisville Metro Planning Commission (“Planning Commission”) passed a resolution on April 11, 2024, requesting that Office of Planning staff review the regulations related to gaming facilities and provide recommendations to improve the existing requirements; and

WHEREAS, Office of Planning staff developed those recommendations; and

WHEREAS, the Planning Committee to the Planning Commission met on June 12, 2024, to discuss and review the proposed changes, and recommended the changes to be considered by the Planning Commission

WHEREAS, the Planning Commission held a public hearing on those amendments on July 11, 2024; and

WHEREAS, the Planning Commission considered the record and testimony relative to those amendments and recommended the approval of such amendments to the Council; and

WHEREAS, the Council approves and accepts the recommendation of the Planning Commission as set forth in the minutes of the Planning Commission in Case No. 24-LDC-0008, as amended.

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

SECTION I: Chapter 1 of the LDC, Section 1.2.2 – Definitions is hereby amended to add the following definitions:

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Charitable Gaming Facility – See “Gaming Facility, Charitable”

....

Entertainment Activity – An activity not considered accessory to the primary use that includes but is not limited to dancing, karaoke, DJ related activities, live performances, games (video, mechanical, etc.), and other similar activities. This term does not include gaming activities that are further defined in the definitions of Charitable Gaming Facility or Gaming Facility.

....

~~**Game Room** – A commercial facility used for entertainment and amusement, including arcades and venues having video games, table games, darts, and other similar uses that are not accessory activities to a broader principal use. This use does not include any Animal Racetrack, Charitable Gaming Facility, or Gaming Facility.~~

~~**Gaming Facility** – A commercial facility in which gaming is conducted, including bingo not regulated under KRS 238, poker, use of historical horse racing machines as permitted in KRS 230, sports wagering as permitted in KRS 230, and other similar activities permitted under Kentucky law. This term does not include any gaming facility further defined and licensed as a Animal Racetrack, Charitable Gaming Facility or a Game Room.~~

~~**Gaming Facility, Charitable** – A facility in which charitable gaming is conducted and licensed as such under KRS 238. Charitable gaming means bingo, charity game tickets, raffles, and charity fundraising events conducted for fundraising purposes by charitable organizations. Charitable gaming shall not include slot machines, electronic video gaming devices, wagering on live sporting events, or simulcast broadcast of horse races~~

....

SECTION II: Chapter 2 of the LDC, Section 4, Section 2.4.3 C-1 Commercial

District, is hereby amended as follows:

2.4.3 C-1 Commercial District

The following provisions shall apply in the C-1 Commercial District unless otherwise provided in these regulations:

A. Permitted Uses:

....

Charitable gaming facilities with 5,000 square feet or less of indoor gaming area.

....

SECTION III: Chapter 2 of the LDC, Section 2.4.4 C-2 Commercial District, is hereby amended as follows:

2.4.4 C-2 Commercial District

The following provisions shall apply in the C-2 Commercial District unless otherwise provided in these regulations:

A. Permitted Uses:

....

Billiard parlors, charitable gaming facilities, ~~gaming facilities,~~ game rooms and similar entertainment uses.

~~Bingo halls and parlors~~ Bingo halls and parlors not regulated as a charitable gaming facility.

....

SECTION IV: Chapter 2 of the LDC, Table 2.7.5: Table 4 Old Louisville/Limerick TNZD – Uses Permitted Where Mapped in the Neighborhood General, is hereby amended as follows:

Table 2.7.5: Table 4 Old Louisville/Limerick TNZD – Uses Permitted Where Mapped in the Neighborhood General

....

<i>Commercial Uses</i>	
Corner Lot Commercial	11. Billiard parlors, <u>charitable gaming facilities, gaming facilities,</u> game rooms and similar entertainment uses

....

SECTION V: Chapter 9 of the LDC, Table 9.1.3B Minimum and Maximum Motor

Vehicle Parking Based on Use, is hereby amended as follows:

Table 9.1.3B Minimum and Maximum Motor Vehicle Parking Based on Use

GENERAL ACTIVITIES (LBCS Code)	SPECIFIC ACTIVITIES (LBCS Code)	MINIMUM REQUIREMENT	MAXIMUM REQUIREMENT
....			
Shopping, business, or trade (2000)			
....			
	Entertainment uses such as bowling alleys, <u>charitable gaming facilities,</u> gaming facilities, game rooms, bingo halls, <u>bingo halls,</u> miniature golf, go- cart facilities	To be determined by Director or designee	No more than 25% above minimum requirement

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SECTION VI: This Ordinance 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: _____

O-176-24 Amend LDC 1.2.2, 2.4.3, 2.4.4 and Table 2.7.5:Table 4; and Table 9.1.3.B Regarding Gaming Facility Uses 8-13-24 (as amended) (lf)