

ORDINANCE NO. _____, SERIES 2023

**AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON
DEVELOPMENT LOCATED WITHIN THE FLOYDS FORK SPECIAL
DISTRICT. (AS AMENDED)**

SPONSORED BY: COUNCIL MEMBERS PIAGENTINI AND BENSON

WHEREAS, following the Louisville Metro Planning Commission's ("Planning Commission's") recommendation, on August 10, 2020, the Legislative Council of the Louisville/Jefferson County Metro Government ("Council") passed Ordinance No. 084, Series 2020, approving the South Floyds Fork Vision Plan (the "Vision Plan") and its executive summary; and

WHEREAS, Chapter 3, Part 1 of the Land Development Code, titled Floyds Fork Special District, states "Reserved; until the community based planning process is complete and a Floyds Fork Special District regulation is adopted, the Development Review Overlay District (DRO), originally adopted in 1993, remains in effect"; and

WHEREAS, Council passed Resolution 071, Series 2022 on June 9, 2022 requesting the Planning Commission and its staff to undertake a review of the Floyds Fork Special District, informed by the Vision Plan, and to recommend appropriate changes to Council by December 31, 2022; and

WHEREAS, since that deadline has passed, at least one re-zoning has been proposed within the DRO; and

WHEREAS, development within the DRO is a major factor impacting the health of Floyds Fork, a unique and important waterway that Council has consistently attempted to protect over the years; and

WHEREAS, Council is concerned that developments passed while waiting on the recommendations based on the Vision Plan are pending may not comply with the eventual recommendations, potentially resulting in irreversible damage to Floyds Fork and negatively influencing the future of the DRO; and

WHEREAS, Council believes the best way to ensure Floyds Fork remains protected and that the DRO is developed appropriately moving forward is to pass a temporary moratorium within the DRO while the recommendations based on the Vision Plan are pending; and

WHEREAS, it is anticipated that the review pursuant to Resolution No. 071, Series 2022 will take approximately six (6) additional months to complete.

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

SECTION I: There is hereby imposed a moratorium on the acceptance and further processing by Louisville Metro Planning & Design Services, Louisville/Jefferson County Metro Planning Commission, and Louisville/Jefferson County Board of Zoning Adjustment of any applications for rezoning, conditional use permits, major subdivisions, and Plan Certain Category 2B and 3 development plans proposed within the Floyds Fork Development Review Overlay District. Applications that, prior to the date this Ordinance received first reading, ~~have a~~ were scheduled for a public hearing before the Planning Commission or Board of Zoning Adjustment ~~as of the effective date of this Ordinance~~ may continue to be processed and decided upon by those bodies.

SECTION II: This Ordinance shall take effect upon its passage and approval and shall remain in effect for a period of one hundred eighty (180) calendar days after

its effective date or once amendments to the Floyds Fork Special District regulations are approved by Metro Council, whichever comes first, unless repealed or extended.

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-126-23 Floyds Fork DRO Moratorium (As Amended).docx (TF)(7-17-23)