



# Louisville Metro Government

## Master

File Number: R-009-23

File ID: R-009-23

Type: Resolution

Status: Held in Committee

Version: 1

Reference:

In Control: Planning and  
Zoning Committee

File Created: 02/03/2023

File Name:

Final Action:

Title: **A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW  
THE METRO LAND DEVELOPMENT CODE REGULATIONS WITH  
REGARD TO APPLICATIONS FOR CERTAIN REVISED  
DEVELOPMENT PLANS.**

Internal Notes:

Agenda Date: 04/18/2023

Sponsors: Primary Cindi Fowler (D-14)

Enactment Date:

Attachments: R-009-22 V.1 021623 Amend LDC Related Certain  
Revised Detailed District Development Plan  
Applications.pdf

Enactment Number:

Contact:

Hearing Date:

Entered by: sonya.harward@louisvilleky.gov

Effective Date:

Related Files:

## Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	2	2/10/2023	Laura Ferguson	Approve	2/14/2023
1	4	2/12/2023	Cindi Fowler (D-14)	Approve	2/14/2023
<b>Notes:</b> Approved on behalf of CW Fowler, per email on 2/12/23. sh					
1	5	2/13/2023	Metro Clerk's Office	Approve	2/22/2023

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Council	02/16/2023	assigned	Planning and Zoning Committee			
<b>Notes:</b> Action Required By: August 2023							
1	Planning and Zoning Committee	02/21/2023	held				

**Action Text:** This item was held in committee.

- 1 Planning and Zoning 03/07/2023 held  
Committee

**Action Text:** This item remained held in committee.

- 1 Planning and Zoning 03/21/2023 held  
Committee

**Action Text:** This item remained held in committee.

---

**Text of Legislative File R-009-23**

**RESOLUTION NO. \_\_\_\_--\_\_\_\_\_, SERIES 2023**

**A RESOLUTION REQUESTING THE PLANNING COMMISSION  
REVIEW THE METRO LAND DEVELOPMENT CODE REGULATIONS  
WITH REGARD TO APPLICATIONS FOR CERTAIN REVISED  
DEVELOPMENT PLANS.**

**SPONSORED BY: COUNCIL MEMBER CINDI FOWLER**

**WHEREAS,** the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has recently exercised its powers under Section 11.7.5 of the Land Development Code (the “LDC”) to review action by the Planning Commission on Development Plans; and

**WHEREAS,** other Development Plans have come before Council for review because of binding elements requiring Council review of those revised plans; and

**WHEREAS,** in reviewing these Development Plans, several plans have given the appearance of a “bait and switch”, because the revised development plan coming before Council for review (i) proposes a dramatically different, usually more intense, use from the development plan that was previously approved as part of the zoning proposal, such as a change in use from commercial to industrial, or from single family residential to multi-family residential, and (ii) is filed in a relatively short period of time, three years or less, after the development plan associated with the zoning proposal was approved; and

**WHEREAS,** the Council wants to balance discouraging this type of activity while

still allowing the majority of the revisions to development plans that occur as part of the development process to proceed; and

**WHEREAS**, the Council wishes to have the Planning Commission review amending the LDC to provide that, beginning with the effective date of the LDC amendment, once a detailed development plan has been approved in connection with a zoning approval (the "Original Plan"), an application for a revised detailed development plan that (i) requires a Category 3 review and (ii) proposes a different use for 30% or more of the square footage of the site from what was approved in the Original Plan, cannot be filed for a period of five (5) years from the date the Original Plan was approved. For purposes of this amendment, a change in use is intended to mean only changes in use from residential to either commercial or industrial and vice versa, or a change in use from single family to multi-family and vice versa.

**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 regarding the timing of when applications for certain types of revised development plans, as described above, can be filed after the Original Plan has been approved. Such recommendations shall be returned to Council within sixty (60) days of its receipt of this Resolution.

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

---

Sonya Harward

Markus Winkler

Metro Council Clerk

President of the Council

\_\_\_\_\_  
Craig Greenberg  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

R-009-22 Amend LDC Related Certain Revised Detailed District Development Plan Applications (If)