



Louisville Metro Government

Meeting Agenda – Final

Planning and Zoning Committee

Chair Madonna Flood (D-24)
Vice Chair Scott Reed (R-16)
Committee Member Phillip T. Baker (D-6)
Committee Member Ben Reno-Weber (D-8)
Committee Member Jennifer Chappell (D-15)
Committee Member Betsy Ruhe (D-21)
Committee Member Robin Engel (R-22)
Committee Member Khalil Batshon (R-25)

May 02, 2023

1:00 PM

Council Chambers/Virtual

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

9. **R-009-23** A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE METRO LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO APPLICATIONS FOR CERTAIN REVISED DEVELOPMENT PLANS (AS AMENDED).

SPONSORSHIP WITHDRAWN

Sponsors:

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. (AS AMENDED)

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)~~ three (3) 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~~ six (6) months of its receipt of this Resolution.

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-009-23 Amend LDC Re Certain Revised Development Plan Applications (Tier 2 Amend).docx (TF 8-16-23)

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. (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER CINDI FOWLER

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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-009-23 Amend LDC Related Certain Revised Detailed District Development Plan Applications (As Amended).docx (TF 7-19-23)

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

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



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
Notes: 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

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Council	02/16/2023	assigned	Planning and Zoning Committee			
Notes: 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

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Michael J. O'Connell
Jefferson County Attorney

By: _____

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